

MAYOR OF LONDON

the Mayor's planning powers

**London Assembly lunchtime briefing
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Richard Linton
Strategic Planning Manager
richard.linton@london.gov.uk



AGENDA

This is what I've been asked to cover...

London Plan powers

- the London Plan
- the Mayor's duties to inform and consult
- the Mayor's duty to monitor
- London borough local plan conformity

A City for all Londoners

- key issues for the new London Plan

London Plan powers

the London Plan

- S.334 GLA Act 1999 (as amended)
the Mayor is required to publish a Spatial Development Strategy
- The SDS is known informally as the London Plan
- S.340 – the London Plan should be kept under review
- S.335 to S.341 – set out mayoral responsibilities and formal procedures for altering or replacing the London Plan



London Plan powers

London Plan stages

- Key steps must be taken by a decision of the Mayor himself – ie by mayoral decision form (MD)
- S.335 – prepare a draft of the London Plan for public consultation, advertise by public notice and send it to specified individuals and organisations for comment
- S.338 – cause an examination in public (EiP) to be held
- S.337 – consider representations made on the draft Plan
- S.337 – take account of the EiP inspector's report and recommendations



London Plan powers

London Plan stages cont'd

- S.337 – approve an *intend to publish* version of the London Plan
- S.337 – send the *intend to publish* Plan to the Secretary of State. The SoS has six weeks to direct the Mayor modify the Plan if it is inconsistent with national planning policy/ guidance or is detrimental to interests outside London
- S.42B – submit the *intend to publish* Plan to the London Assembly. The Assembly has 21 days to reject the Plan by a two thirds majority. The Assembly can only reject the Plan – it cannot be amended.



London Plan powers

London Plan stages cont'd

- S.337 – approve the London Plan for publication (i.e. adoption) as the Mayor's Spatial Development Strategy
- S.337 – approve arrangements for its publication

In all, it takes about three years to replace a London Plan. This is dictated by evidence gathering and (unlike the Mayor's other strategies) the requirement to hold an examination in public (EiP)



London Plan powers

London Plan programme

- autumn/winter 2016/17: research and high level consultation (A City for all Londoners), IIA and HRA scoping
- spring/summer 2017: policy drafting, SHLAA and LP viability outputs, IIA and HRA assessment
- autumn/winter 2017: public consultation (12 weeks)
- summer/autumn 2018: EiP (likely to be in three blocks)
- autumn 2019: publication/adoption



London Plan powers

Mayor's duties to inform & consult

Under the GLA Act the Mayor has duties to:

- S.335 – consult all London boroughs and adjoining counties and districts affected by the proposed London Plan
- S.339 – consult authorities outside London on matters he intends to keep under review which might affect development and planning in London
- S.348 – inform authorities in the vicinity of London of his views on matters of common interest relating to the development of London

London Plan powers

Mayor's duties to inform/consult

The duty to co-operate (DTC – the Localism Act 2011) does not apply to the process of preparing the London Plan

but

S.335, S.339 and S.348 are analogous (see above)

and

the Mayor does have DTC responsibilities in respect of

- district and county plans outside London
- London borough local plans (more later...)

London Plan powers

Mayor's duties to inform/consult

Strategic co-operation in the Wider South East

- Mayoral DTC responses to counties' and districts' plans
- officer working groups (quarterly or more frequently)
- Wider South East Political Steering Group (3 times/year)
- annual Wider South East Summit
- strategic planning issues being considered include unlocking housing potential, approaches to growth, strategic infrastructure and developing a common evidence base
- full details <https://www.london.gov.uk/about-us/organisations-we-work/policy-and-infrastructure-collaboration-across-wider-south-east>

London Plan powers

Mayor's duty to monitor

- requirement under S.346(a) – to monitor the implementation of the spatial development strategy
- addressed through the 24 KPIs in the London Plan Annual Monitoring Report – eg

1	Maintain at least 96 per cent of new residential development to be on previously developed land	+	Both approvals and completions above target, and completions 2.7% above previous year
3	No net loss of open space designated for protection in LDFs due to new development	-	Loss of 30 ha, significantly up on previous year, but over 27 ha of this on one former hospital site and new open space not recorded
4	Average completions of a minimum of 32,210 net additional homes per year	+	Up 3,000 on previous year and above 2011 target



London Plan powers

Mayor's duty to monitor

- the **London Development Database** was created to provide key data to monitor the London Plan

MAYOR OF LONDON



LONDON PLAN ANNUAL MONITORING REPORT 12, 2014-15

JULY 2016 UPDATE

LONDON PLAN 2011

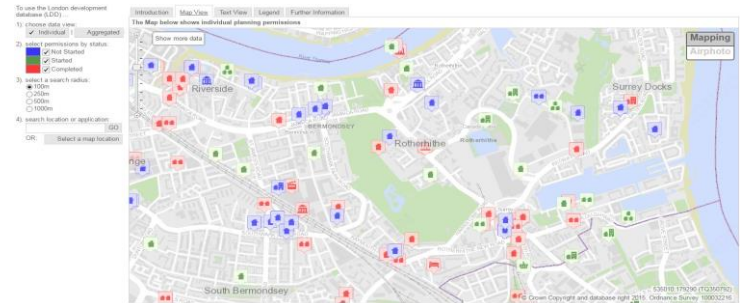
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LONDON DEVELOPMENT DATABASE													
LOG OFF													
HOME													
PERMISSION 2011/01472/COMB													
Proposed Residential Use													
FILE UPLOADS:	Total Number of Proposed s/c Residential Units												
Upload a File										489			
View List	Affordable Total									147	30 %		
PERMISSIONS:	Net Gain (Loss) of Residential Units												
Add										489			
Find / Edit	Net Site Area for Proposed Residential (hectares)												
Update Progress										2,500			
MAINTENANCE:	Net Housing Density												
View Audit Logs										196			
Manage Reference Codes													
View Error/Event Logs													
INFORMATION:	No.	Comp/Super Date	Units	Beds	Plot Description	Development Type	Unit Type	Tenure	Provider	Other Details	Delete	Replicate	Edit
Supporting Documentation	001	Comp: 31/03/2015	31	1		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
Reports	002	Comp: 31/03/2015	9	2	DMS	New residential building Flat, Apartment or Maisonette	Intermediate	Private	Affordable		Delete	Replicate	Edit
LDD Forum	003	Comp: 31/03/2015	26	3		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
	004	Comp: 31/03/2015	24	2		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
	005	Comp: 31/03/2015	2	5		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
	006	Comp: 31/03/2015	1	6		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
	007	Comp: 31/03/2015	1	4		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
	008	Comp: 31/03/2015	63	1	DMS	New residential building Flat, Apartment or Maisonette	Intermediate	Private	Affordable		Delete	Replicate	Edit
	009		53	1		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
	010		82	3		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
	011		3	4		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
	012		69	1	DMS	New residential building Flat, Apartment or Maisonette	Intermediate	Private	Affordable		Delete	Replicate	Edit
	013		6	2	DMS	New residential building Flat, Apartment or Maisonette	Intermediate	Private	Affordable		Delete	Replicate	Edit
	014		119	2		New residential building Flat, Apartment or Maisonette	Market	Private			Delete	Replicate	Edit
489 of 489 units													

London Plan powers

Mayor's duty to monitor

- boroughs provide details of relevant planning permissions
- roles and responsibilities of the Mayor and boroughs are set out in a legally-binding *Information Scheme* agreement
- The LDD used for much more than the AMR – eg
 - housing stats / commercial development trends
 - prior approvals monitoring / boroughs' own monitoring
 - parking provision / academic research / In My Area
 - LDD public web map <https://maps.london.gov.uk/map/?lidd>



London Plan powers

London borough local plan conformity

- The Planning and Compulsory Purchase Act 2004 requires that London borough local plans must not be adopted unless they properly reflect the policies in the London Plan
- The test to be applied is whether they are “in general conformity” with the London Plan
- Boroughs must request the Mayor’s written opinion on the general conformity their plans
- Neighbourhood plans must be in general conformity with the strategic policies of the development plan (ie. the borough local plan and the London Plan)

London Plan powers

London borough local plan conformity

- General conformity” does not mean that these documents have to follow the London Plan in every respect
- The Mayor will only consider that a document is not in general conformity where it contains an inconsistency (or an omission) that could cause significant harm to delivery of the London Plan as a whole, or its individual policies
- Wherever possible, the Mayor will seek to resolve any issues of non-conformity before borough plans are submitted to EiP
- The Mayor’s conformity opinion is the starting point for the borough’s EiP