

PLANNING BULLETIN

London Planning Powers

The Government has recognised the importance of the GLA and granted it enhanced powers in a number of areas including planning. The relevant changes (to be implemented through a GLA Bill and changes to secondary legislation) are:

- to direct changes to Local Development Schemes to ensure key regional development priorities in the London Plan are taken forward, with a reserve power to the Secretary of State to override a Mayor's direction, should national interest require it, but only in exceptional circumstances.
- enhance effectiveness of the Mayor's statement of conformity with the London Plan when dealing with a borough plan – this will be the starting point for the examination.
- power to decide strategically important planning applications with a borough referring these to the Mayor who can then do one of three things:
 - (i) leave the application with the borough and have no further involvement;
 - (ii) ask to be consulted again when the borough has decided whether to grant planning permission. This will allow him to consider whether to direct the borough to refuse the application;
 - (iii) ask to be consulted again after a limited period of time once the borough has considered the strategic issues raised by the application. In particular, the borough would be required to set out how it intends to apply the relevant London Plan (regional) policies in considering the application. This will allow the Mayor to consider whether strategic issues have been fully considered and if necessary to take over the application for decision.

Other strengthened powers include those for housing:

- responsibilities of the London Housing Board will be transferred to the Mayor.
- the Mayor will prepare and publish a statutory Housing Strategy for London and a strategic
- Housing Investment Plan.
- the Mayor will decide the broad distribution of the affordable housing part of the Regional Housing Pot in line with the strategy.

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In relation to waste:

- the Mayor will be given further powers regarding waste planning (as in planning above);
- waste authorities will be required to deliver functions under Part II of the Environmental Protection Act in “general conformity” with the Mayor’s Municipal Waste Management Strategy;
- the Government will establish a new London-wide Waste and Recycling Forum, to bring stakeholders together to deliver improved performance on waste minimisation and recycling, promote collaborative action and link waste with other London priorities around climate change, transport and employment;
- the Government will establish a new London Waste and Recycling Fund administered by the above body;
- the Government will establish a dedicated London Waste Infrastructure Development Programme to get new waste facilities on the ground, led by DEFRA but with strong GLA involvement.

In relation to climate change and energy:

- the Mayor will prepare and publish a Climate Change and Energy Strategy for London, stating how he will minimise emissions of carbon dioxide caused by the use of energy in London, and help to eradicate fuel poverty; and harness economic opportunities for London from investment and innovation in energy technologies and energy efficiency;
- he will also prepare and publish a Climate Change Adaptation Strategy setting out how the capital should adapt to the effects of climate change;
- the GLA will be subject to a specific duty to take action to mitigate the effects of climate change and adapt to its unavoidable impacts.
- the Government will establish a new London Waste and Recycling Fund administered by the above body;
- the Government will establish a dedicated London Waste Infrastructure Development Programme to get new waste facilities on the ground, led by DEFRA but with strong GLA involvement.

On water the Secretary of State will have regard to the Mayor’s Water Action Framework when framing guidance to regulators in preparation for a review of water price limits.

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