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| ORGANISATION | LONDON FIRST                             |
| ID           | 1588                                     |
| MATTER       | M7 FORMAT, SCOPE AND CONTENT OF THE PLAN |

**M7. Does the Plan set out a spatial development strategy in accordance with relevant legislation and national policy? In particular:**

**a) Does the Plan deal only with matters which are of strategic importance to Greater London?**

1. The Greater London Authority Act 1999 states at paragraph 334 (5):

*“The spatial development strategy must deal only with matters which are of strategic importance to Greater London.”*

2. The Oxford English Dictionary defines ‘strategic’ as:

*“Relating to the identification of long-term or overall aims and interests and the means of achieving them.”*

3. In terms of national planning guidance, strategic policies were not defined in NPPF1 (2012), however clear guidance is provided in NPPF2 (2018). It states at paragraph 20:

*“Strategic policies should set out an overall strategy for the pattern, scale and quality of development”.*

4. NPPF2 further states at paragraph 21:

*“[Strategic policies]... should be limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any non-strategic policies that are needed. Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies”.*

5. Despite the clear statutory definition contained within the Greater London Authority Act 1999, and the guidance set out in NPPF2, the draft Plan contains

a considerable number of policies which are detailed development management policies, are not appropriate for a spatial development strategy and would be more appropriate for the boroughs' Local Plans. Other policies replicate best practice guidance that is not specific to Greater London, and some policies even go so far as to stray into the Building Regulations regime. Appended to this statement is a list of policies that cover matters that are not of strategic importance to Greater London.

6. This view, that the Plan goes far beyond matters which are of strategic importance to Greater London, is shared by an extensive number of Respondents. It is also shared by the Secretary of State for Housing, Communities and Local Government, the Rt Hon James Brokenshire MP. In his letter of 27 July 2018 to the Mayor of London, he made the following three points:

- *“The detail and complexity of the policies within the draft London Plan have the potential to limit accessibility to the planning system and development.*
- *The draft Plan strays considerably beyond providing a strategic framework.*
- *There are a number of policies in the draft Plan which seek to deal with matters relating to building standards and safety. It is important that there is a consistent approach to setting building standards through the framework of Building Regulations.”*

7. It is also significant to note that, whilst the draft Plan is being examined against NPPF1, in the absence of any definition of strategic policies in NPPF1 the extracts from NPPF2 at paragraphs 3 and 4 above provide helpful context on central government expectations for a spatial development strategy and the tests against which the revised London Plan will be examined when the Mayor undertakes his early review of the new Plan (as requested by the Secretary of State in his letter of 27 July 2018).

8. London First remains concerned that the draft Plan does not meet the statutory requirements for a Spatial Development Strategy. The Plan should be strategic to be effective. If the Plan were to be adopted in its current format, developers designing schemes and negotiating planning applications in London would effectively have to try and comply with two Local Plans of similar levels of detail instead of a complementary Spatial Development Strategy and Local Plan.

9. This approach adds unnecessary complexity to the planning process, which in turn increases costs and the amount of time it takes to obtain planning permission in London. It risks undermining delivery and achieving the Good Growth objectives. In accordance with the Greater London Authority Act 1999 and NPPF2, the Plan should only contain policies that are necessary to address the strategic priorities of Greater London.

**b) Would the policies in the Plan provide an effective strategic framework for the preparation of local plans and neighbourhood plans in London?**

1. The draft Plan contains more detail and prescription compared to the current Plan and its predecessors. The policies are overly prescriptive and engage with detailed issues that would be better dealt with by the boroughs through their Local Plans.
2. As stated above, London First considers the draft Plan to contain an inappropriate level of detail that adds complexity to the planning process in London and which will cause delays, thus undermining delivery.
3. The draft Plan does not allow the boroughs the flexibility to tailor planning policies to the physical, social and economic circumstances of their administrative area or to reflect the priorities for that borough. The draft Plan would create a complex and inflexible planning system in London.
4. The Plan needs more flexibility so that the boroughs have more discretion to bring forward their own Local Plan policies relevant to their areas.

**c) Does the Plan address detailed issues that would be more appropriately addressed in local plans and neighbourhood plans?**

1. Yes. The draft Plan contains a number of detailed development management policies that one would expect to find in the detailed policies of a Local Plan, or even Supplementary Planning Guidance accompanying a Local Plan. Furthermore, there are matters contained within the Plan that should not even be assessed within the planning regime because they are Building Control matters. Appended to this statement is a list of policies that cover matters that are not of strategic importance to Greater London.
2. Applicants negotiating planning applications in London would effectively have to try and comply with two Local Plans of similar levels of detail instead of a complementary Spatial Development Strategy and Local Plan. This approach adds unnecessary complexity to the planning process, which in turn increases costs and the amount of time it takes to obtain planning permission in London. Ultimately, it risks undermining the delivery of the targets set out in the Plan.

**d) Is the approach to planning in London described in paragraphs 0.0.21 and 0.0.22, particularly with regard to the relationship between the spatial development strategy and local plans, neighbourhood plans and the Borough's development management responsibilities, justified and consistent with national policy and legislation?**

1. Central government has cut back significantly on national planning policy, and the NPPF is significantly more streamlined than the previous suite of Planning Policy Statements. To be consistent with national policy, the Plan should also be taking a more high-level approach. It is far too detailed for a Spatial Development Strategy, and this is not justified.
2. In accordance with the Greater London Authority Act 1999 and NPPF2, the Plan should only contain policies that are necessary to address the strategic priorities of Greater London.

## **M7 APPENDIX:**

### **POLICIES NOT OF STRATEGIC IMPORTANCE TO GREATER LONDON**

The following policies in their current format within the draft Plan are not considered to meet the statutory test of being of strategic importance to Greater London for one or more of the following reasons:

- (i) they contain detailed development management guidance that would be more appropriate for the boroughs' Local Plans or Supplementary Planning Guidance;
- (ii) they replicate national best practice guidance that is not specific to Greater London;
- (iii) they contain matters covered by the Building Regulations regime.

| <b>Policy</b> | <b>Subject</b>                           |
|---------------|--|
| D1            | London's form and characteristics        |
| D2            | Delivering good design                   |
| D3            | Inclusive design                         |
| D4            | Housing quality and standards            |
| D5            | Accessible housing                       |
| D7            | Public realm                             |
| D9            | Basement development                     |
| D11           | Fire safety                              |
| H7            | Affordable housing tenure                |
| E2            | Low-cost business space                  |
| E3            | Affordable workspace                     |
| T5            | Cycling                                  |
| T6.1          | Residential parking                      |
| T6.2          | Office parking                           |
| T6.3          | Retail parking                           |
| T6.4          | Hotel and leisure uses parking           |
| T6.5          | Non-residential disabled persons parking |