

London Assembly (Plenary) Meeting – 10 February 2016

Transcript of Agenda Item 10: Minor Alterations to the London Plan

Jennette Arnold OBE AM (Chair): We go to item 10 which is Minor Alterations to the London Plan (MALP). We have with us this afternoon Sir Edward Lister in his role of Chief of Staff and Deputy Mayor for Policy and Planning. He is accompanied by Stewart Murray, Assistant Director of Planning, Greater London Authority (GLA). Welcome, Mr Murray. Let us note that both of you have in attendance GLA Strategic Planning Managers Richard Linton, John Lett and Jennifer Peters. Welcome.

Before we move to the questions can I invite Sir Edward to make a short opening statement?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): Thank you very much, Chair. Firstly, I am also supported by two other officers; Peter Wright who is the Transport for London (TfL) Policy Officer and also Mike Lancaster from TfL Legal, who have both also been actively involved in the preparation of the MALP.

Jennette Arnold OBE AM (Chair): Will you be referring to them?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): I do not think so but just in case I thought I ought to mention they were here in case there was a particular line of questioning which went down a road that they needed to be here for.

Jennette Arnold OBE AM (Chair): Thank you. We will note that.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): Secondly, this has really been brought about because of new Government policy on parking standards and the changes in the way that the Government wants us to handle these things. We signalled in the further alterations to the London Plan that we would be bringing these two documents before you so you were aware that these two documents were coming. They are very much fulfilling that commitment which was made.

In the case of the Housing Standards, we have worked extremely hard and the Mayor has spent quite a lot of time trying to persuade central Government to accept the London Space Standards. That the Government has largely done. It has now incorporated those into building regulations in one form or another. It has been necessary for us to relook at those standards as we publish them for London. Of course, for us and for this mayoralty the Space Standards are a very important strategic issue. The Mayor made it very clear right at the beginning that he wanted to see Parker Morris Standards. He always talked about Parker Morris plus 10%. That is fundamentally what these standards are about. It has been great news that the Government has taken them on for the whole country. However, that does mean there are one or two little bits and pieces that we do need to pick up in these alterations. It is really important that we do have a consistent approach across London, because with that consistent approach we do get the support of the developers and that is all important.

Of course, by publishing this it means boroughs can apply these standards at local level. It also means in due course they do not need to go out there and get further viability evidence for these standards as we have done all the work. The MALPs have been through a very robust public examination and have gone through it

successfully and, of course, that is important. We have put something in place which can be picked up locally, can be incorporated into local plans and that is useful.

On parking the Government took the opportunity when we were publishing Further Alterations to the London Plan (FALP) to remind us that its policies had changed significantly. It no longer wanted maximum parking standards and these were no longer part of national planning policy. The Mayor did receive correspondence which drew his attention to the, "vicious cycle of clogged up streets caused by insufficient off-street parking". When the FALP was adopted on 25 March last year Eric Pickles [The Rt Hon Sir Eric Pickles, then Secretary of State for Communities and Local Government] in a ministerial statement added the criteria,

"Local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage the local road network."

That is very much what the Mayor has taken on board. We have taken a very measured and fine-grained approach to this. The Mayor asked the Outer London Commission to also do work and take soundings of the outer London boroughs. It is these soundings, together with that statement by the Minister, which has led to this particular document.

What really the MALP does is ring fence the additional flexibility that the Government wants to only those parts of outer London that, firstly, want this flexibility - that is important to stress - and, secondly, gives us a consistent approach which is acceptable to Government. As you know, this was all upheld by the Examination in Public (EiP) Inspector and endorsed by Government last week. Subject, of course, to you not rejecting them these alterations will be locked into the London Plan and be part of the London Plan from hereon in.

One procedural point, we did actually publish a first series of consultations for six weeks and had a number of responses. We took on board a number of those responses so that did lead to some changes. One of the things we did take out - and it is quite important to say we took it out - is we no longer proceeded with zero carbon and that was deleted from the Plan. That was deleted really because Government indicated it was no longer Government policy.

All of this has now been signed off by the Secretary of State and awaits your sign off if you are happy with them. Thank you, Chairman.

Jennette Arnold OBE AM (Chair): Thank you for that statement, Sir Eddie [Sir Edward Lister]. I will put the opening question, this is the formal question to you, after which Assembly Members will ask supplementary questions. Can I ask Assembly Members to focus firstly on Housing Standard questions, we will then take another round and focus on the Parking Standards. That way we can capture the issues on both areas.

Could you set out the aims and objectives of the draft MALPs document as laid out before the Assembly? How will the alterations address the issues raised by the Assembly and the implications for the London Plan of changes to national policy? You can indicate whether you have touched on some aspects of that and we will then be able to make the link.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): Thank you, Chair. I largely did pick this up. It really is the change which the Government has brought in.

When these negotiations with Government first started the Government was actually looking at an entirely separate set of proposals which would have severely restricted what we have been doing in London. As the negotiations progressed we managed to get all of the space standards, pretty much, incorporated into

government regulations. In effect the London Plan Space Standards have now become national. This really just picks up bits and pieces which would be outstanding as a net result of that change. This is a tidying up exercise. It also formally incorporates all those now Government supported space standards into the London Plan itself which, of course, makes them even stronger than they were before.

Jennette Arnold OBE AM (Chair): Thank you very much.

Tom Copley AM: Could you tell us how you will ensure the space standards provide high quality, well utilised homes?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): The proof actually has been in the success so far. When these space standards were first approved by the Assembly there was quite a bit of fuss with the development community. We were told this was going to severely restrict the number of properties being built. It was going to be very difficult. Over the succeeding period of time I attended a number of planning meetings where we had properties on the borders of London which were significantly larger than they were in the counties of Kent and Surrey because of these space standards. We managed to weather all that and we have managed to reach the stage now where the developers all accept these space standards. They are not argued about now. They are almost taken as standard. That is a great success. We have had great success with this. If we had not done what we did, when we did it, we would not be in a good position today. Now it has been taken on by Government it is even stronger. To put it bluntly, they have worked.

Tom Copley AM: Can I ask you specifically about ceiling heights? The MALP strongly encourages two and a half metres but why does it not require two and a half metres?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): That is one of the things the Government did not take on board. The reason they did not take that particular one on board is because for the rest of the country most people are looking at houses where it is a less important issue. We, of course, are largely looking at apartments in London and the ceiling heights are really important for us. This could only be a recommendation.

Tom Copley AM: You are saying you are prevented from making it a requirement even if you wished to?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): I am saying the Government regulations make it absolutely clear that this can only be an advisory. We cannot force somebody to do it.

Tom Copley AM: It seems rather odd because the Housing Standards Review was meant to clear up uncertainty on things like that. Yet this almost creates a kind of uncertainty which seems rather strange.

Can I ask you what “functional and fit for purpose” means in the MALP in relation to rooms?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): The actual definition of that? I am looking for somebody. May I defer to you?

Stewart Murray (Assistant Director of Planning, Greater London Authority): It implies that the layout, size and functionality meets the requirements of a modern household and modern family. Therefore we do not get the scenario which we had in some developments pre guidelines where hallways were too narrow to get furniture in, kitchens were not adequate for families, that we have different size units for different sized

households [with] children, and different bedroom sizes. It is so they meet modern family and modern household requirements.

Tom Copley AM: It seems a bit vague. We in the Labour group suggested furniture schedules in our submission on this and that was not taken up. Why was that? That would encourage designers to think about what would be in the room and therefore how space would be used.

Stewart Murray (Assistant Director of Planning, Greater London Authority): That was probably a level of detail that was found to go too far.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): We have to get these through an EIP Inspector and we have to get sign off from the Department of Communities and Local Government (DCLG). If we go into too much detail we are likely to get those things rejected. We have been very conscious of that all down the line. It is really important that what we have here is robust enough. Even today - I have said this has been accepted as a standard by developers - we still get representation from people, particularly new players entering the London market, who tell us they do not agree with any of this and why should they comply with it. We have to go through the whole process of explaining it. We have to recognise that legal challenge is always around the corner for us and we have got to carry all the other parties with us.

Tom Copley AM: OK. Thank you very much.

Navin Shah AM: My question is about the zero carbon homes. When the MALP was first proposed it included new text which outlined how the Mayor was going to achieve zero carbon homes. This has now been removed from the final version. Has the Mayor given up on zero carbon homes entirely?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): No, it is wrong to say we have given up. We still are pushing for it but we cannot impose it as part of this MALP. Of course, we do fall back to the original definitions in the London Plan until such time as that has to be changed so for now we have that protection in place.

Navin Shah AM: The point is that MALP originally made a change to the zero carbon homes policy which outlined the Mayor's approach to viable solutions for zero carbon homes. Obviously since the Government announcement in July 2015 that it was not moving forward, the GLA withdrew the policy paper on this declaring it was deleting the changes that were initially planned. The consequence of deleting the part of the MALP which was proposed in policy 5.2 is the policy has now reverted back to the London Plan, March 2015. As a result the zero carbon homes target remains in the document but at the same time the mechanism and means which would have achieved zero carbon homes are actually lost. How do you explain that?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): I am afraid it is simply because it was no longer Government policy we would not have got it through an EIP Inspector and we would not have got it approved by DCLG. We had no choice but to withdraw it.

By withdrawing it we do revert back to what we had previously which, at least, is something. The Government's view of this at the moment is that there should be nothing there.

Stewart Murray (Assistant Director of Planning, Greater London Authority): Yes. The carbon reduction policies in the FALP are quite robust in terms of reduction in carbon dioxide (CO₂). Therefore in each development application there is still a requirement to comply with those policies. The Government

signalled its clear intention to remove it in terms of building regulations and zero carbon homes some time ago. All our policies have to be in general conformity with Government policy.

Jennifer Peters (Strategic Planning Manager, Greater London Authority): We have our Housing Supplementary Planning Guidance which will come out in the next few weeks. That will provide further guidance on how to deal with the situation that you describe and how to enforce the policy that is in the 2015 Plan given the Government's slightly different direction on this.

Navin Shah AM: The whole mechanism is watered down by the very fact the Government does not support the Zero Carbon Homes Policy. Obviously, as we know, the industry is up in arms. We know about 250 businesses, including the United Kingdom's (UK) leading construction companies, lobbied the Chancellor. They do not support it because they believe the Government needs to reconsider axing the standard. They have actually warned that this sudden u-turn has undermined the industry's confidence in the Government which will allow investment in the British innovation and manufacturing industry and the positive implications on zero carbon homes. How can the Assembly support such a negative policy which will destroy the very basis of the Mayor's targets?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): By reverting back to the London Plan we have at least preserved the *status quo*. That is as good as we can do at this point in time. We cannot leave them in this document because this document would just be rejected by central Government and we would lose everything. At least by removing that section we preserve everything else. As has already been said, with these other guidance documents - they are only guidance and I fully accept that - at least we keep it alive and keep it moving forward.

Navin Shah AM: My worry - and that is where I will conclude - is that we are not going to achieve zero carbon homes without a mechanism that is actually there to achieve that. We lost that. We can have guidance, but it will not produce the goods we want which are zero carbon homes. Thank you.

Steve O'Connell AM: On this side we welcome the alterations that are designed to retain as much as possible our higher London standards and apply consistency across our city. A question I have for you, however, is for the first time there is a requirement for developers to consider installing lifts in developments below four storeys. The Planning Committee had some concerns around that initially and we sought some clarification around this policy. Clearly one of the risks would be by adding potential costs to the developer they may be incentivised to increase the size of the buildings and/or potentially increase the service charges for people within those dwellings. I know some work was done around that. Could you elaborate on that?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): Yes. Firstly, we have got that requirement in here because of accessibility. It is not just for disabled people, it is also for families, children and all the other groups for whom a lift is helpful. We have also made it absolutely clear it is subject to viability. If a developer can show in his viability that it is not viable - either for capital reasons or for maintenance costs - then that, of course, can be removed from the requirements. It is fairly flexible but it is still where we would like it to be if it is at all possible but there is that 'get out'. That is particularly important in those parts of London where the cost of this may become prohibitive.

Having said what I have just said, the evidence we so far have got is that lifts are not *per se* a particular problem for developers. It is not adding an enormous amount to the cost of the scheme. I am looking at John [Lett], we have got some evidence of that.

Steve O'Connell AM: I would have thought lifts would have increased costs considerably, but then what do I know.

Jennifer Peters (Strategic Planning Manager, Greater London Authority): We did a viability study which looked at that specifically. It did not have a significant impact on costs. Our information says the installation of a lift costs about £50,000 with a 25-year maintenance cost of about £125,000. It does impact service charges but how much would depend on how many units are using the lift. In terms of viability that is a really tiny element of the cost. Therefore overall it was not seen to have much of an impact.

Steve O'Connell AM: There is a separate debate around viability tests anyway.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): If somebody can show it is prohibitive then there is no requirement for them to do it.

Steve O'Connell AM: OK, thanks. A second question I have is about the new standards ensuring something we are very keen about which is street-based developments. Will these new standards lend themselves to supporting more street-based developments, something we are very keen on on this side? Is it going to be helpful?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): It is helpful to street-based developments. We have set out what we think should take place. I certainly do not think it is a negative towards street-based developments. I am not sure in itself it is driving more street-based developments, it is just providing clarification and guidance.

Stewart Murray (Assistant Director of Planning, Greater London Authority): Alongside the Design Standard, the Housing Standards and the FALP design approach we are able to achieve those street-based developments; a particular vernacular and a particular style which is increasingly what people want to see with doors onto streets. I came from a development just this morning with the Housing and Land team at Greenwich Peninsula, seeing the modern developments going up there where often there are large apartment blocks with density which have their front doors onto the street. Of course, there are some formats where that does not exactly work but increasingly the London vernacular is achieving that through good design and the standards.

Jennette Arnold OBE AM (Chair): Thank you. Any more speakers on the Housing Standards? No. Thank you.

Nicky Gavron AM: I want to talk about the parking standards in areas of outer London. One of the most worrying aspects of the minor alterations is the Mayor's decision to introduce minimum car parking standards. Minimum car parking standards were abolished by the government of the day 22 years ago and they are not part of the national policy. Developers seem to have to impose them whether they believe in them or not. We are just beginning to see coming forward now really innovative forms of car-free, low carbon developments. A lot of Londoners coming to live in these new houses - because we have got all those new houses in parts of outer London - will actually want to choose to cycle, to walk to the bus, to join a car club or to car share. You can imagine it will not make any sense to have minimum car parking standards. We already have a maximum, with the flexibility to go above that to go above two car parking spaces plus per home. Given that we have that option why are these minimum car parking standards needed at all?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): We did a lot of soundings through the Outer London Commission with outer London boroughs, fairly obviously. We have not sought to impose this by the way on those boroughs that do not want it. We have only tried to bring it in for those boroughs that do want it and where we have got very, very low public transport accessibility level (PTAL) ratings. This really was a commitment we made to the Secretary of State when we were putting FALP through

its EIP process and ministerial sign off that we would look at this particular parking issue. We have all seen those new housing estates where there is not sufficient parking and all that happens is people still have cars and they park them on the verges, stick them on the grass or they find somewhere to put them. Very quickly very nice housing schemes look a mess. That was where a lot of the outer London boroughs were coming from. They were wanting us to have a minimum standard. They wanted to make sure that where there were cars they were properly and sensibly parked. That was at the back of this.

I do stress this is a very small percentage of London. We have only gone out to the outer London boroughs with low PTAL ratings. We could have come to some of the more inner London boroughs with very low PTAL ratings but we kept away from that. We have very much ring fenced this problem, if I could put it that way, to those bits of outer London.

Nicky Gavron AM: I do understand that and understand what you are saying. However, we are looking at future housing. I know that our parking standards of two plus are not always interpreted appropriately, even in outer London boroughs.

What I want to say is that last year the Minister wrote to you saying that the Government's preferred approach was for boroughs to determine parking on a case-by-case - that is development-by-development - basis. He wanted that flexibility which is what we understand we already have. He wanted that flexibility, in his wording, "rather than a fixed standard". I take your point that it is where boroughs want to introduce them. However, you are opening the door to minimum standards being introduced. Surely minimum standards are a fixed standard. The Minister just said he does not want fixed standards.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): The Minister has also made it pretty clear he does not really want any standards on parking. He is very much a 'free-for-all' on parking.

I must admit to you that we went into this more concerned about inner London than outer London because it was all about protecting our standards on inner London that was our priority. Therefore, quite frankly, to give a little bit on outer London was a relatively small price to pay. That is really where we were coming from. This was felt to be acceptable. I am looking to see if there is any more comment on the minimum standard? I should say one thing by the way, once these standards are in place they apply to all the outer London boroughs.

Stewart Murray (Assistant Director of Planning, Greater London Authority): It is borough-by-borough. The Government's letter - which also followed the national letter position - was a national approach. It applies borough-by-borough so the boroughs would look at that but they would also have to conform with the London Plan and the FALP overall. As Sir Edward Lister described, we negotiated successfully to ensure that central inner London was not part of that relaxed parking standards and it only applies to a small area.

Nicky Gavron AM: I do understand all that. I want to say we are in the midst of a housing crisis. You are very aware of how much we need land for housing. The London Plan says we have only identified enough land for 42,000 homes a year and we actually need, on our own evidence base, between 49,000 and 60,000 homes. I know you are pretty desperate to find the land for that housing. A lot of this land is going to be windfall sites, brownfield sites and in-fill sites in outer London. Car parking is the lowest density surface land use. It is dead space. You cannot do anything else with it and it takes away land from housing. What are you prioritising in sacrificing land in outer London? Are your priorities in car parking over housing?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): No, what we are prioritising is good design in those areas so that the cars actually have somewhere to go. I know you have seen the same sort of schemes I have.

Nicky Gavron AM: Where are outer London's children going to live, Sir Edward?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): As you know from the early documents we published, on our brownfield land 400,000 homes can be built. We believe that substantial numbers can be built in other parts of London as well. We feel the land is there. This is about these parking standards, to try to make sure where we have got housing estates in outer London where the cars have somewhere to go. If we were not to do this it was quite clear from the Secretary of State - and their concern was about those cars going on the road and therefore blocking up the roads - that we would not have got FALP through the system. Therefore we had to look very hard at how we could find a compromise, at the same time recognising - what we all recognise - that parking in some of these very low PTAL rated areas is a mess at the moment. It looks a mess and it does not actually --

Nicky Gavron AM: I understand all this, Sir Edward, but after 22 years of it not being part of policy - it is not part of Government policy anywhere else - you have introduced minimum car parking standards. Boroughs are going to be able to do it in areas where there is low public transport accessibility. This is where a lot of these sites are. These are the sites of the future. This is where we should be getting higher density. What is going to happen is we are going to encourage high priced, low density housing. I do not understand how you are going to be making the case for better public transport in areas of outer London which are at the moment lacking in public transport. How will you make that case?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): Firstly, if it has got a low PTAL rating you are not going to have high density. The two things are not going to --

Nicky Gavron AM: You need the density to make the case for the public transport, Sir Edward.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): Yes, but in that case we would have created a different set of circumstances. We would have turned it into an Opportunity Area or we would have proposals for transport. However, as it stands today those outer London areas cannot have high density because of the PTAL ratings. We would stop them having those high densities.

Stewart Murray (Assistant Director of Planning, Greater London Authority): We have assessed this in a theoretical measurement. Obviously because London is so complex - and outer London even more so - but we have anticipated it will result in the land issue under six hectares --

John Lett (Strategic Planning Manager, Greater London Authority): Yes, absolute maximum.

Stewart Murray (Assistant Director of Planning, Greater London Authority): -- which would translate into approximately 208 to 300 homes. We are anticipating that the land take for this would only be about six hectares a year which is a very miniscule amount.

Nicky Gavron AM: I would really like to see the calculations because are talking about the future. This is parking policy for the future.

Stewart Murray (Assistant Director of Planning, Greater London Authority): The Outer London Commission has looked at this closely. It has a minimal impact at the present time, based on our theoretical calculation.

Also in areas where development is coming forward the house building industry has been quite creative in the design form for parking in areas where there is not very good public transport accessibility. They are designing in car parks, not necessarily at the expense of land and reduction in housing. They are building into the developments and wrapping buildings and commercial units around internalised car parks. That is becoming increasingly common in outer London areas for delivering significant housing.

Nicky Gavron AM: You mean a basement car park?

Stewart Murray (Assistant Director of Planning, Greater London Authority): No, effectively a skin. The car park is within the centre of the development at the lower floors with a commercial skin around it.

Nicky Gavron AM: It is still land. Anyway, I am leaving it there.

Murad Qureshi AM: Can I raise, Sir Edward, one of the major concerns of the Inspector in regards to the impact of car parking on air quality? It is suggested that there will be a 0.5% decrease in air quality and that may rise higher. What the Inspector says is that you must mitigate against this impact. What mitigation actions are you putting in place for this?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): There are mitigation factors within the policy itself. Those mitigation factors have to be dealt with separately. What we have been dealing with here is where those boroughs actually want the car parking that we have got a scheme that manages it. For us the mitigation was trying to protect our restriction on parking in central London. That was, for us, the most important single issue. That has been protected in this. Therefore, if you like, the area of greatest threat has been protected. I cannot give you any more information.

Murad Qureshi AM: OK. That sounds like 'old hat' to me. It is not necessarily new policy with a new impact. You need to make more efforts, by my reading of the Inspector's comments. What else can we expect?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): I am afraid if it is a low PTAL rating area you are inevitably going to have cars. All we have done is recognise what is actually happening out there. That is what we have done within this policy. We have not done anything new.

Murad Qureshi AM: You have not done anything new at all?

Peter Wright (Policy Manager, Transport Strategy and Policy, Transport for London): If I may, when the analysis was undertaken we looked at existing policies that were being implemented at the same time such as the Ultra Low Emission Zone and the impact that would have on outer London air quality as well as central and inner London. We also listed a number of other areas, including the low emission neighbourhoods and some of the measures that could be included within developments associated with that. It is not a requirement within the policy but it is including other mitigating measures. It includes use of potential controlled parking zones and you could have higher electric vehicle charging requirements within developments. These are things that the local authority can set to offset it; if they want to increase the amount of parking available then they can implement other measures that would mitigate it.

Murad Qureshi AM: None of what you have just said is new to me certainly and I have kept abreast of air quality measures that we need desperately in London.

I just point to some legal advice that Clean Air in London have obtained from [Robert] McCracken QC which suggests you have not implemented the minor alterations until you put in new mitigation measures. Until you do that you cannot put any of this in place.

Peter Wright (Policy Manager, Transport Strategy and Policy, Transport for London): I can respond. We also sought other advice from Stephen Tromans QC specifically on this issue for the MALP. The McCracken opinion was a broader issue around air quality. The advice from Stephen Tromans was that this policy would be something that the Mayor could implement and the boroughs could then look at the local mitigations associated with it. Therefore on the policy level this was considered in conformity with the European legislation, and then local authorities would have to assess the local impacts.

Richard Linton (Strategic Planning Manager, Greater London Authority): It is also worth pointing out the way the Inspector went through these issues. If you look at how air quality was addressed in his report he looks at a wide range of things. He looks at the mitigation measures, which we explained some of which are underway and some of which are due to come in. He looked at both pieces of legal advice, the one that you referred to and the one that my colleague has referred to. He concludes that air quality is a critical factor and needs to be taken into account, and his recommendation was just that the words "with reference to air quality" be inserted to the particular paragraph in the alterations which the Mayor is extremely happy to accept. In fact, those words were proposed by him in the first place. That is where the Inspector gets to a position where he was prepared to recommend that the alterations are sound. That been signed off by Government as well.

Murad Qureshi AM: Thank you for that. I note that he spent part of his report on air quality issues which suggests how critical it is, in his mind certainly. It was raised in the EiP and it is interesting to see that it is not conclusive yet and still needs to be dealt with. I will leave it at that.

Darren Johnson AM: TfL clearly identified that parking is a key determinant in the level of car usage in the Drivers of Travel Demand report. In a growing city does it really make sense to be adding to car usage?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): The alternative to having a policy like this would be that we would not be able to restrict car parking at all in London. This actually is loosening up parts of outer London and protecting inner London. If we did not have this policy we would basically have no policy, if I can put it that way. This is the best deal we can possibly get. Also, it recognises the reality of what is happening out there. In areas where there is very poor public transport people will use private cars. Until we actually change that that will remain the case.

Darren Johnson AM: I am a little bit confused by your approach on this. At times - and with your answer just then - you have appeared a very reluctant advocate of this in that it has been forced on the GLA to come to this position. At other times - in answers earlier - you have been enthusiastically extolling the virtues of providing people with extra parking spaces in outer London so they are not parking on grass verges or whatever.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): All I am really trying to say is when the Government made its policy decision I personally - and I think the majority of people in planning and, indeed, I suspect the majority of people on the Assembly - took the view that the most important thing was to preserve our parking restrictions in central London. I do not think anybody is arguing against that at all. In outer London I am fairly enthusiastic about some relaxation. To be blunt with you, I have seen so many schemes which have been ruined by car parking. This tidies up an awful lot of our policy and will result in better schemes coming forward. We cannot go on pretending people will not have a car if they have got no other means of transport. I am enthusiastic.

Darren Johnson AM: Given the massive projected growth in population, do we not need to be planning and designing our city, including outer London, for the transport patterns of the 21st century rather than the transport patterns of the 20th century. There will be so many people in the capital we simply cannot replicate previous travel patterns.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): I would suggest, if I may, that just because people have a car they do not necessarily use them to drive into central London. They use them in outer London. I accept that. They do not bring them into the centre when you have, inevitably in outer London, poor transport links.

Darren Johnson AM: You do not think increasing car use in outer London and traffic growth in outer London will be a problem, even given the massive projected increase in population in the City?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): I do not think there will be an increase in car use. These cars are there already and they are just parked all over the place rather than in a sensible way.

Stewart Murray (Assistant Director of Planning, Greater London Authority): The policy does allow, through the FALP, that where improved PTALs come in - and there is significant housing that would follow - that the consideration has to take into account the parking approach. Areas of change and intensification with improved public transport accessibility would have to come closer to the FALP parking standards. It is those areas that are not going to improve, or currently have very low PTAL rates. We are not talking about very much area across London.

Stephen Knight AM: Eddie [Sir Edward Lister], you have just said that you do not think that these changes will lead to an increase in the number of cars in outer London. Yet we are told that it will lead to a decrease in air quality and an increase in pollution. On one hand we are being told there will be an impact in terms of providing more car parking spaces leading to more cars, but you are just telling us that it will not. Which is the formal position of the GLA on this?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): My personal view is it will not result in more cars because the cars are there.

Stephen Knight AM: That is your personal view but what is the formal position?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): These documents have been prepared on theoretical numbers and on modelling which has taken place which therefore assumes there will be some additional cars. If there are additional cars it will affect air quality. As you have heard, there are other ways we can deal with the air quality issue.

Stephen Knight AM: You accept that the formal position is that it will lead to an increase in cars?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): It may lead to an increase.

Stephen Knight AM: That is what the modelling suggests. PTAL ratings have some flaws. The London Plan accepts that PTAL ratings themselves are not a perfect modelling tool. What proportion of the land area of London falls into this 0 to 1 PTAL rating? I believe PTAL 1 category is split in two, PTAL 1a and 1b. Both those would be included in this change, would they?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): Yes, is the answer to that but I do not know about the percentage.

John Lett (Strategic Planning Manager, Greater London Authority): I would have to calculate the area. I have not got it to hand, sorry.

Stephen Knight AM: You do not know how much of London is covered by this new policy.

John Lett (Strategic Planning Manager, Greater London Authority): I know how much in terms of housing output but I have not got the area. In terms of housing output it is about 2,400 a year in PTAL 0 to 1.

Stephen Knight AM: What is that as a proportion of the housing output?

John Lett (Strategic Planning Manager, Greater London Authority): That is just under 10%.

Stephen Knight AM: It is about 10% of where the new homes would be in London. Presumably for new homes in outer London that figure would be significantly higher than 10%.

John Lett (Strategic Planning Manager, Greater London Authority): It will be higher than the 10%, yes.

Stephen Knight AM: In preparing for this meeting I checked the PTAL rating for where I live, which is a six minute walk to the local station. It appears to be PTAL level 1 so I would be counted as having low access to public transport even though I am a six minute walk to the local station. There are some question marks in my mind whether or not we are really discussing a system which is robustly talking about areas of London where there is poor access to London transport.

More than that, is there not a case, Sir Edward, we ought to be looking to improve public transport access in those areas with poor access to public transport rather than providing more parking spaces? In other words, should we not be looking at trying to control the amount of car use in outer London by providing better access to public transport, not more access to more cars?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): As a general rule I agree with you. I must then make the point that it is also about resources and whether it is wise to put those resources into those particular low PTAL rated areas or, indeed, to put those resources for additional transport into other areas. That becomes a policy decision which would affect the TfL business plan and all the other plans we have as to where we build those resources. It is not as simple as saying a quick "yes". Instinctively one wants to improve communications but it might not be the best use of resources.

Stewart Murray (Assistant Director of Planning, Greater London Authority): If I can also add most development in London currently taking place, or planned for the future, is not taking place in poor public transport accessibility areas of 0 to 1. Where there will be those large-scale developments it is very much likely that public transport accessibility would improve considerably, they will then be caught by the policies beyond PTAL level 1.

Stephen Knight AM: There is an important point about phasing here, is there not? If you propose a development in outer London near the PTAL 1 area and you therefore get extra car parking spaces and encourage more cars than otherwise would be there. At the same time perhaps, or following the planning permission, there is then an argument that says, "We want to improve public transport facilities to cope with all these extra residents". We might then subsequently see improvements and the PTAL rating changes but

presumably the planning permission has already been given on the previous PTAL rating. You are building in the car parking at the beginning.

Stewart Murray (Assistant Director of Planning, Greater London Authority): Most are phased now. For most large-scale schemes, where there is future transport improvement and investment coming, the parking is phased through the planning section 106 agreement, usually in a downward trajectory, so as more transport comes on board and more housing that is constrained.

Stephen Knight AM: I have run out of time. I was just going to say we have all seen improvements in public transport as a result of new homes being put there which comes afterwards, not before.

Jennette Arnold OBE AM (Chair): Thank you very much. Can I ask Members, especially to my right, if they would use the button on their microphone because their whisperings will be recorded. That is not important really but we will not get a clear transcript of this legal discussion that we are having. Put your finger on your button.

Steve O'Connell AM: Deputy Mayor, you will not be surprised to know that on this side we do welcome these relaxations. These are modest, however. It is interesting that colleagues are getting rather agitated over what we feel is too modest. I, indeed, had a report published last year that called for parking standards to be abolished in outer London and for outer London boroughs to be able to refuse planning permission based on insufficient parking. Clearly this does not go that far. If, indeed, my proposals were on the table I would understand colleagues' agitation around that. That is to be accepted.

We all know that in outer London there are applications with a very low level of parking and people will have cars. That is the point you are making. Those cars will be parked in district centres and on the street and cause serious problems in that area. What this is trying to do, in quite a small incremental manner, is address that. That is a point worth making.

Would you agree therefore that - again, this is limited, this is where it is by choice and outer London only - where more generous parking standards are there they can actually help support development of new housing by making developments and new homes more acceptable locally? There is less chance, possibly, of rejection. Would you agree that is a possible effect?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): I do. As you know, one of the issues which causes the greatest concern, and we see it all the time, is that when people see a new development they are worried about how much of the parking space on the road that scheme is going to take away. That is often the reason for people objecting to new planning schemes which, indeed, are bringing forward housing. This, to some extent, is alleviating that concern. It is actually relatively positive.

To your earlier point, yes, it has been bit of a balancing act about how far we go. There are some quite strong views. There is an absolute zero approach or there is a minimalist approach. We are in the minimalist approach rather than this total zero approach. These standards are not generous by the standards of anywhere outside London.

Steve O'Connell AM: This is going to be up to the boroughs whether they take this on. It will be by choice. That is a point you are making. I have applications locally where there are over 200 units and something like 30 parking spaces. Clearly people have cars. It is rather naïve - and I never accuse colleagues of being naïve - to actually think people will not have cars. They clearly will. Sir Edward, would you kindly ensure that TfL, when commenting on planning applications, act within the spirit of this new flexible approach and do not seek to excessively remove off-street parking in applications they are asked to consult upon?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): TfL have been very much part of the preparation of this document. That is why there is a representative of TfL here this afternoon. TfL are as much involved with this as we are in GLA Planning. It is a jointly produced document, if I can put it that way. It is obviously a GLA document but it has got all that TfL input into it. It is about reaching a standard which is clear to people and produces clarity for developers. That is also all important. We do need clarity for developers to get a move on and build things.

Steve O'Connell AM: That is fine.

Andrew Boff AM: Sir Edward, are you aware of a place called Barking Riverside?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): I have been there.

Andrew Boff AM: Yes, very good. You will know that is a recent development. You will be familiar with all the people who have moved to Barking Riverside and, of course, knew that they were going to get public transport improvements as part of the deal. You are aware of that. Are you also aware that this happy and optimistic community gets on terribly well together? Everybody really loves living there. The only thing that gets residents at each other's throats is the ludicrous amount of parking that has been provided on that development. Are you aware that is an issue on Barking Riverside?

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): I was not aware it was quite as bad as that but I was aware it was a problem. When I went down there myself it was one of the examples of places where cars are parked all over the place.

Andrew Boff AM: Exactly.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): Actually - excuse me saying so as I know you live there - parking is bit of a mess.

Andrew Boff AM: It absolutely is. It is a beautiful scheme. The GLA should be proud of it. However, it is a mess because the GLA, I believe, and Barking Riverside Limited, did not get the reality of what parking requirements are in outer London. They got it wrong. They viewed it with Zone 1 eyes and the result was we have a development that is really ruined by that lack of car parking spaces. I welcome these revisions. They introduce realism into planning in outer London. I understand, at this late time, that perhaps we are going to fix the problems of Barking Riverside and perhaps there will be more dense developments there when the extension to the Gospel Oak line is there. In the meantime I am afraid it is chaos. I do not want to repeat that chaos anywhere else in London or see it repeated through these Zone 1 views of how outer London lives.

Sir Edward Lister (Chief of Staff and Deputy Mayor for Policy and Planning): In response, I will just make the point that we did test all this through the Outer London Commission which actually did have a good hard look at sites like that, and had long discussions with all the outer London boroughs and consulted with them. These documents have been prepared very much in conjunction with the Outer London Commission and the consultation it undertook.

Andrew Boff AM: Thank you very much.

Jennette Arnold OBE AM (Chair): There are no further supplementary questions. I thank Sir Edward and the officers for their attendance and for answering the Assembly's questions today. Thank you very much.