

# Introduction and overview

0.1 This introduction explains what this draft replacement London Plan is, what it covers and the process it has to go through before it is formally published.

## What is the London Plan?

0.2 Strategic planning in London is the shared responsibility of the Mayor of London, 32 London boroughs and the Corporation of the City of London. Under the legislation establishing the Greater London Authority (GLA), the Mayor has to produce a spatial development strategy (SDS) – which has become known as ‘the London Plan’ – and to keep it under review. Boroughs’ local development documents have to be ‘in general conformity’ with the London Plan, which is also legally part of the development plan that has to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not. The general objectives for the London Plan, and the process for drawing it up, altering and replacing it, are set out in the Greater London Authority Act 1999 (as amended), detailed regulations and guidance in Government Office for London Circular 1/2008.

## The London Plan is intended to be<sup>1</sup>:

- the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20–25 years
- the document that brings together the geographic and locational (although not

site specific) aspects of the Mayor’s other strategies – including those dealing with:

- Transport
- Economic Development
- Housing
- Culture
- a range of social issues such as children and young people, health inequalities and food
- a range of environmental issues such as climate change (adaptation and mitigation), air quality, noise and waste.
- the framework for the development and use of land in London, linking in improvements to infrastructure (especially transport), setting out proposals for implementation, coordination and resourcing and helping to ensure joined-up policy delivery by the GLA Group of organisations (including the London Development Agency and Transport for London)
- the strategic, London-wide policy context within which boroughs should set their detailed local planning policies
- the policy framework for the Mayor’s own decisions on the strategic planning applications referred to him
- an essential part of achieving sustainable development, a healthy economy and a more inclusive society in London

0.3 Under the legislation setting up the GLA, the London Plan should only deal with things of strategic importance to Greater London<sup>2</sup>. The legislation also requires<sup>3</sup> that the London Plan should take account of three cross-cutting themes:

- economic development and wealth creation
- social development; and
- improvement of the environment.

0.4 The Mayor also has to have regard to the principle that there should be equality of opportunity for all people, and to:

- reducing health inequality and promoting Londoners' health
- climate change and the consequences of climate change
- achieving sustainable development in the United Kingdom
- the desirability of promoting and encouraging use of the Thames, particularly for passenger and freight transportation
- the need to ensure consistency between the strategies prepared by the Mayor
- the need to ensure consistency with national policies and international treaty obligations notified to the Mayor by Government and
- the resources available to implement the Mayor's strategies.

Under the Crime and Disorder Act 1998, the GLA also has to do all it reasonably can to prevent crime and disorder.

0.5 In drawing up the London Plan, the Mayor also has to have regard to relevant European Union legislation and policy instruments like the European Spatial Development Perspective (ESDP)<sup>4</sup>.

### Why is the London Plan being 'replaced'?

0.6 The Mayor is legally required to keep the London Plan under review<sup>5</sup>. Government guidance also sets out the procedure to be followed when he decides that the Plan should be amended (or 'altered' under planning law), or when

he decides there should be a completely new (or 'replacement') Plan.

0.7 The first London Plan was published in 2004. Since then, two sets of alterations have been made to it, and an updated version, bringing these alterations together, was published in February 2008. Although it has been kept up-to-date, the basis of the Plan and the policies it sets out date back to before 2004. Much has changed since then and the status of the Plan has altered with new planning legislation giving it formal status as part of the development plan.

0.8 London elected a new Mayor in May 2008. Shortly after his election, he consulted on 'Planning for a Better London' (July 2008), which outlined his intended approach to planning. Consultees argued strongly that rather than changing the Plan incrementally over his term of office, he should move straight to a full review leading to a replacement London Plan – especially as this would lessen uncertainty faced by boroughs in drawing up their development plan documents and by the development industry in looking at which policies would apply to their projects.

0.9 The Mayor also believes it is very important to set a clear spatial framework reflecting his policies and priorities as early as possible, something impossible with a more incremental approach. With all this in mind, he announced an immediate full review of the London Plan in 2008, leading to formal publication of a replacement plan towards the end of 2011. Initial proposals were published in a document entitled 'A New Plan for London' in April 2009 – formally for consultation with the London Assembly and the GLA functional bodies (the London Development Agency, London Fire and Emergency Planning Authority, Metropolitan Police Authority and Transport for London),

although comments were invited from anyone who wished to give them. The comments received have been taken into account in drawing up this document.

- 0.10 The Mayor is also reviewing his Economic Development and Transport strategies and is consulting on his draft London Housing Strategy. He has also published 'Leading to a Greener London', an environment programme for the capital. This will make it easier to see how issues are dealt with across all these documents and to ensure they are consistent in approach. When formally completed, they will provide a joined-up suite of strategic policies for London's future.

### The basis of this document

- 0.11 This document is a draft replacement London Plan. It sets out draft policies and explanatory supporting material (or what the planning system calls 'reasoned justification'). These take account of
- the legal requirements set out in paragraphs 0.2–0.4 above and the various issues that European and national legislation requires to be considered
  - other requirements of planning law and Government planning policy and guidance
  - Sustainability Appraisal and Habitats Regulations Assessments (see below)
  - the proposals in 'A New Plan for London' and the comments received on it.
- 0.12 The document takes the year 2031 as its formal end date (the current London Plan looks forward to 2026). This date has been chosen both because Government advice suggests a twenty year planning period should be used, and because the Mayor believes a longer-term view of London's development should be taken to inform decision-making, development and investment.

- 0.13 London planning does not stop with publication of a new London Plan. As explained later, the assumptions on which Plan policies are based, and the effectiveness of those policies, will be monitored. If circumstances change (a major change to the economy, for example), the Plan will be altered or, if necessary, replaced. This approach is known as 'plan, monitor and manage'.

### Integrated Impact Assessment

- 0.14 The development of this draft plan has been subject to a full Integrated Impact Assessment (IIA). The IIA approach addresses all of the Mayor's legal duties to carry out comprehensive assessments of the plan and its proposed policies within one integrated process (please see the IIA report that has been published alongside this draft). The IIA covers the legal requirements to carry out a Sustainability Appraisal (SA) (including a Strategic Environmental Assessment (SEA)) and a Habitats Regulation Assessment (HRA). The IIA also considers health, equalities, and community safety.
- 0.15 SA is a process for assessing how the policies in the plan will affect a range of environmental, economic and social considerations, and is required under the Planning and Compulsory Purchase Act 2004. SA also meets the requirements for SEA as set out in the Environmental Assessment of Plans and Programmes Regulations 2004. The main purpose is to help integrate environmental, economic and social considerations into the preparation and adoption of plans to promote sustainable development. The Mayor is also required to undertake a Habitats Regulation Assessment (HRA) in relation to habitats of particular significance in and around London under the Conservation (Natural Habitats & c.) Regulations 1994 (as amended).

0.16 The IIA also includes a Health Impact Assessment (HIA) and an Equalities Impact Assessment (EqIA)<sup>6</sup> to meet the Mayor's duties under the Greater London Authority Act 1999 (as amended) – see paragraphs 0.2 to 0.4. Finally, the IIA covers relevant aspects of a Community Safety Impact Assessment (CSIA) to ensure that the statutory requirements of the Crime and Disorder Act 1998, and the newly enacted Police and Justice Act 2006 are also met.

0.17 The IIA is intended to help shape the preparation of the new London Plan, ensuring a wide range of sustainability issues and the importance of protecting specific habitats are taken into account at each stage of the process. The process is 'iterative' – the assessment is revisited at each stage as the Plan proceeds towards formal adoption. The IIA report also provides a valuable resource for anyone commenting on this draft Plan, as the assessment has helped preparation of the policies in this document – in particular the assessment of options for spatial development that were considered for the strategic direction of the Plan and its detailed policies.

### The relationship with the existing London Plan

0.18 While this process is going on, it will be the London Plan published in February 2008 (the version published consolidated with alterations since 2004) that will be in force, and which will have legal status as part of the development plan. This will apply until the replacement plan is formally published. However, the draft replacement London Plan will be material considerations that can be taken into account in deciding planning applications, and they will gather weight the further into the replacement process they go.

0.19 There is a further set of alterations that are being put in place – to enable use of the planning system to seek contributions from development towards the cost of Crossrail.

### The structure of this document

0.20 The Mayor wants the new London Plan to be different from the previous one – shorter, more clearly strategic and user-friendly, and arranged in topic-based chapters intended to make policies on particular issues easier to find. It is arranged as follows:

- a chapter outlining the context for the Plan and its policies
- a clear spatial vision in a chapter on 'Places'
- topic-based chapters on London's:
  - People (including housing and social infrastructure)
  - Economy
  - Response to climate change
  - Transport
  - Living places and spaces
  - Implementation, monitoring and review.

0.21 The content of policies is split between:

- **strategic:** strategically important statements of Mayoral policy
- **planning decisions:** policies that will be applied by the Mayor and other planning authorities in deciding planning applications
- **LDF preparation:** advice to boroughs in preparing their Local Development Frameworks, tending to fall into two categories. First, areas of flexibility, where authorities may want to consider how its particular circumstances might differ from those of London overall. Secondly, areas where it will be necessary for boroughs to carry out more detailed analyses of local circumstances on which to base policies for local use in determining planning applications.

This three part distinction is intended to make the Plan easier to use. As with the Plan as a whole, policies should be taken as a whole, and not their individual parts. 'Planning decisions' policies should be reflected in LDFs and 'LDFs preparation' policies should inform planning decisions, with 'strategic policy' providing the context for both. The Mayor will take all three categorisations into account in taking decisions on strategic planning proposals and the general conformity of LDFs with the London Plan. Paragraphs with policies have been lettered A, B, C/a, b, c to ease reference. Numbers are used in policies where there is a hierarchy of preferences with 1 being the first priority.

### Next steps

- 0.22 This document is issued for public consultation. This is a formal stage in the replacement process, and comments should be sent to the address shown on page 2 no later than 12 January 2010. Comments received after that date may not be taken into account.
- 0.23 The next formal stage will be the holding of an examination in public (EiP). This will be led by an independent panel, who will review the comments received on this document and will decide:
- which issues will be discussed at the EiP
  - who will be invited to take part.
- 0.24 The EiP is a hearing based around a detailed discussion of selected subjects covered by the draft replacement Plan. It is likely to be held in the summer and autumn of 2010. After it is completed, the Panel will produce a report recommending changes to the draft Plan for the Mayor's consideration – the Mayor can decide to accept or reject them. Once the Mayor has decided which of the suggested changes he intends to accept, he will send a revised draft Plan to the Government Office for London with a formal notice of his intention to publish the replacement Plan. Ministers then have six weeks to decide whether or not they wish to direct that any changes should be made. The replacement plan can then be formally published.
- 0.25 This process is intended to enable public involvement in the Plan's preparation. It reflects the principles in the Aarhus Convention on access to information, public participation and access to justice in environmental matters which has been ratified by the UK Government.