

An aerial photograph of a city street grid, overlaid with a semi-transparent green filter. Several people are walking across the map, their figures appearing as white and grey shapes against the green background. The text is centered over the map.

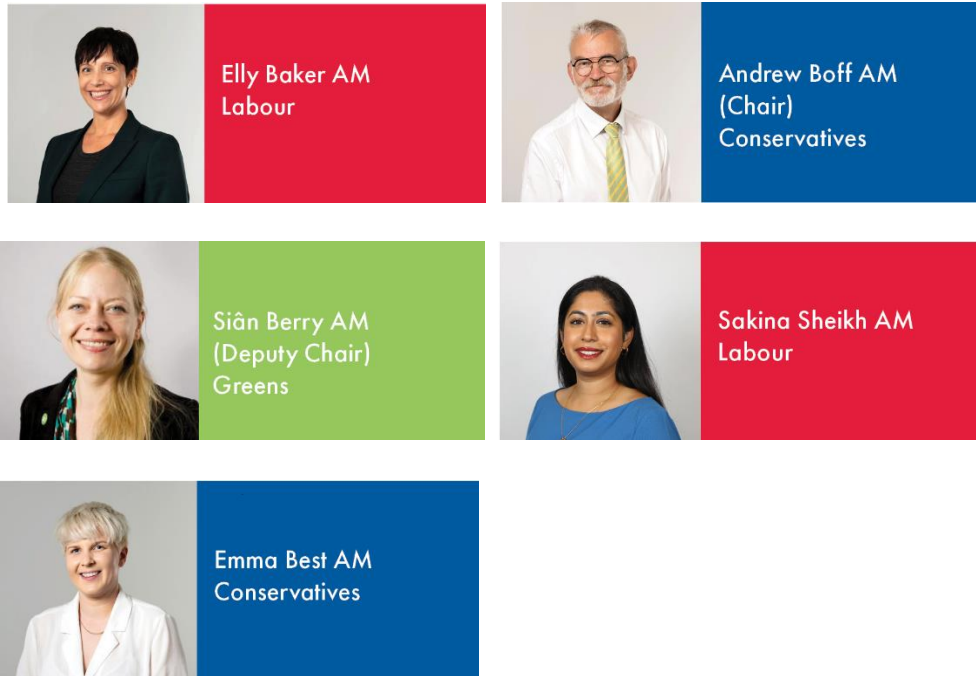
# Open Planning? Community engagement and transparency when the Mayor calls in planning applications

Planning and Regeneration Committee

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**LONDON**ASSEMBLY

## **Planning and Regeneration Committee**



The Planning and Regeneration Committee examines and reports on matters relating to spatial development, planning and regeneration in London and leads scrutiny of the Mayor's Spatial Development Strategy ('The London Plan'). The Committee also has lead responsibility for scrutiny of Old Oak Common and Park Royal Development Corporation (OPDC) and London Legacy Development Corporation (LLDC).

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## Foreword



**Andrew Boff AM**

**Chair of the Planning and Regeneration Committee**

It is essential that local people and communities are able to engage in the planning process. Places cannot be effectively designed and developed without the input of the people who will walk those new streets and live in those new homes.

London has diverse and extensive community activism when it comes to planning. Often time and resource poor, there are many Londoners who devote their time and energy to ensuring that planning authorities deliver developments that allow communities to thrive.

There are a number of challenges that groups face when it comes to influencing planning decisions in London. However, this report focuses on a particularly challenging part of the planning process – Mayoral call-ins.

In London, the Mayor is able to ‘call-in’ an application from a planning authority if the application meets certain criteria. The Mayor effectively becomes the sole decision maker on that application. Since these powers were introduced in 2008, 40 applications have been called-in, and only two have been refused.

We heard from community groups that they feel called-in applications are a ‘foregone conclusion’ in favour of the applicant. There is a sense of a lack of transparency, a lack of openness. This report summarises the challenges facing community groups in influencing called-in applications, and makes a number of recommendations around improving accessibility and transparency.

We call on the Mayor to implement the recommendations outlined here. Londoners have lost trust in a system that should listen to them, and rebuilding that trust should be of utmost importance to the Mayor.



## Introduction

Under the Town and Country Planning (Mayor of London) Order 2008, local planning authorities in London are required to consult the Mayor if they receive applications of ‘potential strategic importance’ (PSI). These are commonly known as ‘referred’ applications and give the Mayor an opportunity to consider whether the application complies with the London Plan and other strategic planning considerations. An application is referable to the Mayor if it meets the criteria set out in the Mayor of London Order. These include but are not limited to: development of 150 residential units or more; development over 30 metres in height (outside the City of London); and development on Green Belt or Metropolitan Open Land. The Mayor can then ‘call-in’ the application, which means that ultimately, he, rather than the local authority, makes the decision to accept or reject the application.

In 2019, the London Assembly’s Planning and Regeneration Committee undertook an investigation into called-in planning applications, which highlighted a general concern about developers seeking their application to be called-in as an alleged means of facilitating eventual planning approval. The Committee also noted concerns about representation hearings and the lack of community involvement in site visits undertaken as part of the consideration process.

Following on from this work, in 2021, the Committee undertook a new investigation, this time focussing on community involvement in planning applications that are considered by the Mayor. On 9 November 2021, the Committee met with a number of planning advocacy groups and community groups to hear about their experiences of the call-in process.

On 27 January 2022 the Committee held a meeting with the Deputy Mayor for Planning and Regeneration and Skills, Jules Pipe, to discuss concerns and issues raised by community groups. At the same meeting, the Committee also met with local councillors to hear about their experiences of the Mayoral call-in process, what they had heard from their constituents, and how they felt about the Mayor’s processes from interacting with them at a local authority level.

This report is a summary of the Committee’s findings and makes a number of recommendations to the Mayor to help communities engage more effectively with the call-in process. These recommendations cover areas including the accessibility of the GLA website and documents, transparency and information sharing, and resourcing for local groups. We urge the Mayor to take forward these recommendations and implement the necessary measures to help achieve better community engagement in the planning system, which is essential to delivering good quality developments that reflect the diverse needs of Londoners.

## **Recommendations**

### **Recommendation 1**

The Mayor should conduct a holistic review of the call-in process in order to pinpoint increased opportunities for community engagement and information sharing.

### **Recommendation 2**

The Mayor and Deputy Mayor should conduct site visits without the presence of the applicant or their representatives – only the GLA and borough representatives should be present. The Mayor should instead follow up with the applicant or their representatives after the visit if there are any specific questions.

### **Recommendation 3**

Currently, GLA case officers sometimes meet with residents on an ad hoc basis to discuss any points they may have on an application. The Mayor should improve on this current ad hoc engagement by making it mandatory for case officers to meet with residents in person, and meaningfully consider any reasoned amendments put forward by residents or community groups.

### **Recommendation 4**

Building on Recommendation 1, the Mayor should publish information on any meetings that take place between the GLA and the applicant.

### **Recommendation 5**

The Mayor should explore how he can support capacity and capability building for community groups, so that Londoners are more able to engage with the planning process.

### **Recommendation 6**

The Mayor should continue to work to make the GLA planning website more accessible.

### **Recommendation 7**

The Mayor should explore the possibility of a gentrification impact assessment for London planning applications, looking at impacts on existing communities, including socio-economic and cultural effects on different communities.

## **Recommendation 8**

Following from recommendation 1, the Mayor should keep the relevant council (or councils) updated throughout the call-in process so they are aware of any changes being made to the application. This should include a specific update at the point after the discussions have concluded but before the publication of the Stage 3 Report.

## **Recommendation 9**

The Mayor should review the practice of allowing substantial amendments to called-in planning applications. There should be:

- a presumption that substantial amendments require a new planning application, unless such amendments can be strongly justified.
- clear and transparent guidelines about when such amendments would be permitted, with the same opportunities extended to residents as well as applicants.

## **Recommendation 10**

The following changes should be made to the call-in process to improve decision making and accountability. The Mayor should make each of these changes under existing legislation where possible. Where legislation needs to be amended, the Mayor should state this and advocate for the necessary changes to central Government. The Mayor should:

- review the criteria for call-ins to avoid different interpretations.
- explore the possibility of providing opportunities for local community groups to influence whether or not applications are called in.
- explore the possibility of establishing a public sector equality duty impact assessment for planning applications.

## **Recommendation 11**

The Mayor should publish plain English versions of key documents alongside the original. This would make the content more accessible for Londoners, whilst maintaining the legal integrity of the original document.

## Chapter One: The Mayoral call-in process

### The Mayoral 'Call-in' Process

Under the Town and Country Planning (Mayor of London) Order 2008, local planning authorities in London are required to consult the Mayor if they receive applications of 'potential strategic importance' (PSI). These are commonly known as 'referred' applications and give the Mayor an opportunity to consider whether the application complies with the London Plan and other strategic planning considerations. An application is referable to the Mayor if it meets the criteria set out in the Mayor of London Order. These include, but are not limited to:

- Development of 150 residential units or more;
- Development over 30 metres in height (outside the City of London); and,
- Development on Green Belt or Metropolitan Open Land.

Once an application has been referred to the Mayor, he has six weeks to provide comments on the application, assessing whether it complies with the London Plan policies. This is a consultation response known as Stage 1. The application is then considered by the local planning authority at its planning committee, where it decides whether to grant or refuse permission.

Following its consideration, the local planning authority is then required to refer the application back to the Mayor for his final decision, known as a Stage 2 referral. The Mayor has 14 days to make a decision to allow the local planning authority decision to stand, to direct refusal, or to take over the application, thus becoming the local planning authority. During this stage the Mayor has access to all local representations made (to the local planning authority) in relation to the application.<sup>1</sup>

Under article 7 of the Mayor of London Order (2008), the Mayor has the power to direct that he will become the local planning authority for an application. These are commonly referred to as 'call-ins', 'public hearings', 'representation hearings' and 'Stage 3s'. At this stage, a public hearing must take place before the Mayor decides whether to grant planning permission.<sup>2</sup>

In order for the Mayor to take over an application, it has to meet the following three policy tests, as set out in the order:

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<sup>1</sup> [MQT2019/12249](#), The Carlton and Granville Community Centres (2), 20 June 2019

<sup>2</sup> [What powers does the Mayor have for planning applications?](#), GLA; [Public Hearings](#), GLA



- The development would have a significant impact on the implementation of the London Plan;
- The development would have significant effects that are likely to affect more than one London borough; or,
- There are sound planning reasons for intervention.

## **Site visits**

Under the call-in process, the Mayor may wish to make site visits “to gain a better understanding of the proposal.”<sup>3</sup> These site visits are organised by GLA officers and take place before the representational hearing. The procedures for site visits are set out in the ‘Procedure for Representation Hearings at the GLA’<sup>4</sup> document and state that site visits should:

- focus precisely on the observation of site factors which are relevant to the decision;
- not be an opportunity for lobbying, public address, submission of new information etc.;
- always involve officer representation; and
- be carefully conducted so that the Mayor cannot be accused of bias in favouring any of the parties involved.

Site visits are conducted in a formal manner and the Mayor does not engage in discussion individually with those present or with the applicant’s representatives. Those invited include:

- The Mayor
- Deputy Mayor for Planning, Regeneration and Skills
- Deputy Mayor for Housing and Residential Development
- GLA officers (including GLA legal advisors)
- TfL Officer(s)
- Two representatives from the London borough council
- Two representatives from the applicant

Community involvement in site visits is restricted, with the protocol stating that “objectors/supporters will not be invited to attend the site visit.”<sup>5</sup> This is in common with other planning authorities and is done to avoid prejudicing the outcome of an application.

## **Representation Hearings**

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<sup>3</sup> [Procedure for Representation Hearings at the GLA, June 2021](#)

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

The primary feature of the call-in process is the representation hearing, where the Mayor hears from the local authority as well as the applicant and any supporters/objectors to the application. The protocol for representation hearings is also set out in the 'Procedure for Representation Hearings at the GLA' document. At these public hearings, the local authority and the applicant have an automatic right to speak. Those individuals and organisations who have previously made written representations about the application either to the relevant London borough or directly to the GLA are also eligible to request to speak but do not have automatic right to do so. Other arrangements include:

- Those who are eligible to request to speak will be sent an email or letter at least 21 days prior to the hearing giving notice of the hearing and details on how they can register to speak.
- The GLA will give at least 7 clear days' notice of the hearing to the press and public.
- Not less than 7 clear days in advance of the hearing the GLA will publish the hearing agenda and the GLA case officer's report and recommendation on the planning application on its website.
- A maximum of 15 minutes is allowed for oral representations from objectors (as a group) and a maximum of 15 minutes for supporters (as a group).
- If there are 3 or fewer speakers, each speaker is limited to 5 minutes.
- Where there are 5 or more speakers who have requested to speak, the GLA expects groups and individuals to join together and decide how their allotted time will be used. Spokespersons can be appointed to represent shared views.
- All those wishing to speak must submit, by email, to the GLA case officer, a detailed written statement of the issues to be raised in their proposed oral representation, at least 14 days in advance of the hearing.
- The Mayor has discretion to change the amount of time allowed to speak or to allow additional speakers if he considers it appropriate. The Mayor's decision on this will be final.
- Speakers should confine their comments to 'material planning considerations.'<sup>6</sup>

## **Community involvement and the Mayoral call-in process**

Community engagement is a crucial component of the planning system; local authorities and developers have a statutory obligation to engage with stakeholders during the planning

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<sup>6</sup> [Procedure for Representation Hearings at the Greater London Authority](#), GLA, June 2021

process. This is primarily set out in a Statement of Community Involvement (SCI), a statutory planning document that sets out the processes through which the local authority or developer will involve the local community and other stakeholders during the course of a planning application or, in the case of local authorities, in plan-making.

Although the GLA does not produce a London-wide SCI,<sup>7</sup> the recently published London Plan 2021 sets out how early and inclusive engagement should take place within the planning process. This includes encouraging “early and inclusive engagement with stakeholders, including local communities”<sup>8</sup> which the Plan states “leads to better planning proposals, with Neighbourhood Plans providing a particularly good opportunity for communities to shape growth in their areas.”<sup>9</sup> The Mayor has also recently stated that his team is preparing a framework “to set out the principles to guide the work of GLA Planning as well as information to help communities navigate and understand what is undoubtedly a complicated system,” and that the GLA will be engaging with community groups on this.<sup>10</sup> The Committee has subsequently heard from the GLA Planning team that a document of ‘Core Principles’ which will set out a clear statement on what consultation and what engagement Londoners can expect from the GLA will be published in due course.

Currently, stakeholders may formally indicate support or raise objections in writing to a proposal at an earlier stage of the planning process, such as stages 1 and 2 handled by the London borough as planning authority, which then becomes available to the Mayor on calling in the application. Stakeholder opinions within the planning process are publicly available as part of the documentary bundles for each called in application.

As noted earlier in this chapter, as part of the call-in process, the GLA holds a representation hearing where a maximum of 15 minutes is allowed for oral representations from objectors (as a group) and a maximum of 15 minutes for supporters (as a group).<sup>11</sup> The Mayor has the discretion to allow additional time or additional speakers if he considers this appropriate, as seen in the recent Stag Brewery hearing.<sup>12</sup> The GLA makes public hearings publicly available through video recordings published on its website.

As part of its investigation into community engagement within the call-in process, the Planning and Regeneration Committee met with local community groups and planning advocacy organisations to hear about their experiences of the Mayoral call-in process and their perspectives on how the process could be improved to ensure it is effective, transparent and accessible to local residents and groups. The following chapters highlight some of the issues that groups raised with us.

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<sup>7</sup> The Mayor has indicated that this does not fall within the remit of his role or the role of the GLA. See [MQT, 2021/3496, Statement of Community Involvement, 9 September 2021](#)

<sup>8</sup> [The London Plan](#), GLA, March 2021 [p14]

<sup>9</sup> [The London Plan](#), GLA, March 2021 [p13]

<sup>10</sup> [MQT, 2021/3496, Statement of Community Involvement, 9 September 2021](#)

<sup>11</sup> [Procedure for Representation Hearings at the Greater London Authority](#), June 2021

<sup>12</sup> Ibid

## Chapter Two: Mayoral record and transparency

### Recommendation 1

The Mayor should conduct a holistic review of the call-in process in order to pinpoint increased opportunities for community engagement and information sharing.

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### Recommendation 2

The Mayor and Deputy Mayor should conduct site visits without the presence of the applicant or their representatives – only the GLA and borough representatives should be present. The Mayor should instead follow up with the applicant or their representatives after the visit if there are any specific questions.

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### Recommendation 3

Currently, GLA case officers sometimes meet with residents on an ad hoc basis to discuss any points they may have on an application. The Mayor should improve on this current ad hoc engagement by making it mandatory for case officers to meet with residents in person, and meaningfully consider any reasoned amendments put forward by residents or community groups.

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### Perceptions around community engagement

In 2019, following its investigation into Mayoral call-ins, the Planning Committee wrote to the Mayor, highlighting both the previous and current Mayor's track record in approving called-in applications, suggesting that cases can be merely called-in to be approved, therefore by-passing local authority decision making.<sup>13</sup> At the time of this report, 40 applications have been determined since 2008, and all except two have been approved by the relevant Mayor.

At the Committee's meeting on 9 November 2021, perceptions around the lack of transparency within the process and concerns around the Mayoral record were a key theme, with a number of community groups noting their lack of confidence in the process as a result. For some, this was because the Mayoral track record in approving applications pointed to the call-in process having a predetermined outcome in favour of the applicant.

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<sup>13</sup> [Letter to the Mayor](#), Planning decisions of Potential Strategic Importance (PSI), Planning and Regeneration Committee, 13 December 2019

Michael Bach, of the London Forum of Amenity and Civic Societies, said: “If you ask whether I have optimism in getting a favourable outcome, the answer has got to be “No” because the track record shows that once called-in, it is called-in to be approved, and that really does undermine the process.”

Other guests felt that the Mayor and the GLA did not engage with or listen to community groups. Clare Delmar from Listen to Locals stated that there was a perception that the GLA was a “black box” that is “stacked against them.” Similarly, Mark Brearley from Vital OKR stated, “we perceive the Mayor as the most remote and opaque of those with power who are working against our interests. We cannot figure out at all how to have any input into the Mayor’s decisions. It does not seem to be possible to do that.” While Michael Bach stated, “the perception is that the GLA is remote, arm’s length, inscrutable, and unapproachable.” Michael Bach also stated that there “are some good things about the process” and “GLA officers were prepared to meet objectors and even do a walkabout”, but only if there is pressure from the local community to do so.

When we raised these issues with the Deputy Mayor for Planning, Regeneration and Skills, Jules Pipe, at our subsequent meeting on 27 January 2022, he told the Committee that there was an inherent bias in the process in this regard, as planning officials naturally propose an application for potential call-in only if there is a chance to make it policy compliant. Therefore, a focus on Stage 3 approvals does not take into account the higher number of refusals at Stage 2. The GLA’s Assistant Director of Planning, Lucinda Turner, who also attended the meeting, stated that the number of applications that had been called-in and approved was a small proportion relative to the total number of applications, which had either been directed for refusal by the Mayor, or withdrawn. The Committee is waiting to receive this data from the GLA.

### **Site visits, meetings with officers and representation hearings**

A number of recent written questions to the Mayor have drawn attention to a perceived lack of transparency and greater emphasis being placed on the applicant during the call-in process. For example, in relation to the Stag Brewery application in Mortlake (since refused) a London Assembly Member asked the Mayor about the balance of engagement by the GLA with developers, compared to a perceived lesser engagement with the community and other interest groups. The Mayor’s response indicated the differences between developer engagement for technical purposes and statutory requirements for consultation.<sup>14</sup>

Similarly, on 1 July 2021, a Motion was unanimously agreed by the London Assembly relating to the development site prior to the public hearing. The motion included: “...that whilst significant changes have been made to the application since it was called-in by the Mayor, following discussions between the GLA and the developer, local community groups

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<sup>14</sup> [MQT 2020/4764](#), Planning Application for Stag Brewery, Mortlake, 17 December 2020

have not been afforded the same opportunity to put forward their proposed changes and improvements to the scheme. In addition, concerns have been raised regarding the quality of reports, availability of documents, and a general lack of public involvement and consultation.”<sup>15</sup> The Mayor was asked in the motion to delay the public hearing to allow for more time to discuss with resident groups.<sup>16</sup>

At our Planning Committee meeting in November, community groups highlighted similar concerns that there is greater emphasis on the developer during the process, i.e. consistent meetings between the applicant and officers and the ability for the applicant or their representatives to visit sites with the Mayor. Clare Delmar stated that in the case of the Stag Brewery, the group had to resort to Freedom of Information (FOI) requests which revealed that GLA planning officers had frequently met with the applicant, while no meetings had taken place with the local community group, despite requests to do so.

Some guests, such as Jonathan Moberly from the East End Preservation Society stated that site visits were also opaque, with Clare Delmar stating that the site visits that did occur with community groups were organised by the groups themselves alongside Assembly Members rather than through the mechanisms of the call-in process. On site visits Tim Catchpole from the Mortlake Brewery Community Group stated “we were not allowed to participate, but we went to town and put [...] boards up all over the place, massive posters and so on. The Mayor might have noticed that.”

At our 27 January 2022 meeting with the Deputy Mayor, the Committee was told that the GLA was keen to improve engagement and access and that the publication of a ‘core principles’ document in this area is imminent. Peter Kemp, Head of Change and Delivery at the GLA told us “we want to really start to learn a bit more about who is not at the table talking as well who is at the table talking. In terms of those people who are at the table talking to us, we also need to learn to get better at listening.”

When questioned about the lack of opportunity for community groups to attend site visits, the Deputy Mayor told us that site visits were not a “lobbying opportunity” and that often it was not developers themselves who attended meetings, but their representatives who were present only to answer any questions the Mayor may have. He also stated that it was understandable that community groups felt that GLA officers did not meet with them as frequently as they did with developers, but he continued that he felt this was due to GLA officers trying to shape the developer’s proposals to ensure they were policy compliant. He went on to tell the Committee that the GLA team wants to consider having the case officer meet with residents and have a parallel process so that residents and other interested parties can directly, in person instead of just by mail and email, put their points across to the case officer. This currently happens on an ad hoc basis.

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<sup>15</sup> [Former Stag Brewery in Mortlake](#), London Assembly, 1 July 2021

<sup>16</sup> [Former Stag Brewery in Mortlake](#), London Assembly, 1 July 2021



From our discussion with community groups and the Deputy Mayor and his team, it is clear there is a mismatch between how community groups feel about the opportunities they have to influence the call-in process, and what opportunities the GLA feels that these groups have. Community groups feel locked out of meetings with case officers and site visits with the Mayor and thus locked out from the Mayor's sphere of influence. From the perspective of the GLA, this is simply because these are mechanisms through which evidence can be gathered and it would not be appropriate to have community groups present. From the Committee's perspective, if the GLA wants to improve engagement with community groups and ensure that it is a democratic and transparent institution, then urgent action needs to be taken to redress this imbalance in perceptions and ensure equality of access between local community groups and the applicant.

## Chapter Three: Barriers to community engagement

### Recommendation 4

Building on Recommendation 1, the Mayor should publish information on any meetings that take place between the GLA and the applicant.

### Recommendation 5

The Mayor should explore how he can support capacity and capability building for community groups, so that Londoners are more able to engage with the planning process.

### Recommendation 6

The Mayor should continue to work to make the GLA planning website more accessible.

### Challenges facing community groups

Another key theme from our meeting with community groups relates to the barriers that they face in engaging with the call-in process. The Committee was told of concerns that local community groups felt they were often not operating on a level playing field with applicants during the process. Guests at the meeting identified a number of reasons for this, citing a lack of:

- **Public understanding and readily available information/resources on call-ins;** Hiba Ahmad from Save Nour noted that community groups were not informed about how to effectively lobby the Mayor and did not have the resources to hire expertise or

access this information, which placed the burden on groups to be “very proactive” with “very, very limited resources.” This is exacerbated by the lack of readily available and public information, which puts groups at a disadvantage. Angus Robertson from Alton Action stated: “We really found a lack of transparency about information, with there being no information in the public arena, and the statement on the GLA website says the Mayor will consider and decide within 14 days. However, as far as we can tell, these Stage 2 discussions have been going on for the whole of this year.”

- **Political know-how and technical expertise;** Patria Roman-Velazquez from Latin Elephant stated “It is important to think about parity and equity in terms of evidence, but also expertise that is brought to these hearings. When we have resource-poor community groups, how are we going into this? We are already a few steps behind a lot of the other people or stakeholders in these applications. How can we balance up the disparity and the inequity of resources at these hearings?” While Hiba Ahmad stated:

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*“We are already fighting on uneven ground to have our voices heard with the lack of political know-how and the networks that our development counterparts have; we also do not have the technical expertise that they possess. This is a really big barrier that we have to figure our way around. It is a shame, because we think this is a really important venue that can really amplify community voices in development processes. For example, a lot of information about who to go to and the technicalities around the process we had to glean from Freedom of Information (FOI) requests, which take a really long time to make. It is a bit of a barrier, in a way.”*

**Hiba Ahmed**  
**Save Nour**

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- **User friendliness or resources available on the process;** Hiba Ahmad commented on the lack of accessibility and user-friendliness of the GLA website, stating: “At times, this website has been completely inaccessible for our less tech-savvy members.”

There were also some concerns expressed at the meeting around digital disengagement. Saif Osmani, a Truman Brewery Campaigner, stated that some communities where social inequality was high, often lacked the means to access complex information: “It is not a case of just giving them laptops” he stated, “it is a case of really understanding how they, as a community, engage.”

During our January 2022 meeting with the Deputy Mayor, the Committee was told that the GLA has been looking at some of the issues raised by the Committee in terms of transparency of information, navigability of the website, and availability of information. The GLA will be taking forward a number of actions, including notifying people who have made representations when the Mayor calls in an application shortly after the decision so that people know when the Mayor is taking over an application and it is becoming a Stage 3.

The barriers identified by community groups indicate that there is an inherent bias within the call-in system, as applicants often have the funds and resources to access political and technical expertise and therefore have the ability to navigate the call-in process with greater ease. This can often put community groups at a disadvantage and can contribute to the perception that they are not being listened to. It can also feed into perceptions that the process is biased and the outcome is predetermined.

The London Assembly recently passed a motion in favour of a Residents Empowerment Fund, to support residents to commission expert analysis, advice and advocacy support. The motion was not unanimous, as there was not consensus on this fund being the best solution to level the playing field.<sup>17</sup> The Mayor did not proceed with this idea in draft final budget, outlining that he is committed to ensuring that existing residents have a say, and that this is covered by the Mayor's Good Practice Guide to Estate Regeneration, which is clear that residents should be involved and engaged, with Estate Regeneration ballots being one such example of this.<sup>18</sup> To do more to ensure parity of resources between community groups and applicants, the Committee urges the Mayor to consider the recommendations below.

## **Chapter Four: Criteria for call-ins and other issues**

### **Recommendation 7**

The Mayor should explore the possibility of a gentrification impact assessment for London planning applications, looking at impacts on existing communities, including socio-economic and cultural effects on different communities.

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### **Recommendation 8**

Following from recommendation 1, the Mayor should keep the relevant council (or councils) updated throughout the call-in process so they are aware of any changes being made to the

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<sup>17</sup> [https://www.london.gov.uk/sites/default/files/2022-23\\_final\\_gg\\_budget\\_amendment.pdf](https://www.london.gov.uk/sites/default/files/2022-23_final_gg_budget_amendment.pdf)

<sup>18</sup> [https://www.london.gov.uk/sites/default/files/part\\_1\\_-\\_mayors\\_background\\_statement\\_2022-23.pdf](https://www.london.gov.uk/sites/default/files/part_1_-_mayors_background_statement_2022-23.pdf)

application. This should include a specific update at the point after the discussions have concluded but before the publication of the Stage 3 Report.

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### **Recommendation 9**

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- clear and transparent guidelines about when such amendments would be permitted, with the same opportunities extended to residents as well as applicants.

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The following changes should be made to the call-in process to improve decision making and accountability. The Mayor should make each of these changes under existing legislation where possible. Where legislation needs to be amended, the Mayor should state this and advocate for the necessary changes to central Government. The Mayor should:

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  - explore the possibility of providing opportunities for local community groups to influence whether or not applications are called in; and
  - explore the possibility of establishing a public sector equality duty impact assessment for planning applications.
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### **Recommendation 11**

The Mayor should publish plain English versions of key documents alongside the original. This would make the content more accessible for Londoners, whilst maintaining the legal integrity of the original document.

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### **Criteria for call-ins**

As noted in Chapter one, for an application to be called-in, it needs to potentially have a significant impact on the implementation of London Plan policies, affect more than one borough or have ‘sound planning reasons’ for Mayoral intervention, as set out in the Town and Country Planning (Mayor of London) Order 2008.

At the Committee’s 9 November 2021 meeting, community groups raised concerns around criteria and how they are applied; Michael Bach stated that they were “very generously interpreted to allow call-in.” Mark Brearley submitted written evidence stating:

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*“The criteria for referral and for call-in seem like they are from another age, before there was a major issue, a crisis even, with shortages of several types of non-residential accommodation, most notably industrial and, in more pressured parts of London, high street and community use accommodation... there should be much greater emphasis on the strategic significance of cumulative loss can undermine London Plan objectives; greater emphasis on questioning substantial loss of accommodation types of which shortage is recognised in the London Plan.”*

**Mark Brearley**  
**Vital OKR**

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Richard Lee from Just Space further added that community groups should be the arbiters in the decision on whether a scheme is called-in through petitions.

During the meeting, some guests also questioned why Assembly Members do not have a greater role in the process as elected representatives. Richard Lee from Just Space stated “we think there is an argument that we should look at your role as London Assembly Members and as a functioning Committee in the actual decision making and consideration of call-ins. Why should it just be left to the Mayor on his or her own? Why not have a more collective approach to this?”. While Mark Brearley stated “anything that sets up more opportunity for discussion of priorities and rights and wrongs would be better than what we have now.”

Similarly, at our meeting in January 2022, one councillor expressed reservations about having one person make a decision, as personal prejudices can be brought into applications. In a committee, the councillor argued, different viewpoints are reflected. Alongside this, they argued that it can be difficult to accept an application being approved at the call-in stage when it was previously rejected by the local authority’s planning committee: “I find it difficult that somebody can just whip that out of our hands and then take over the whole thing.” Another councillor stated that having a committee system can often make decisions made at committee more palatable, as the perception is that you have been listened to and represented, even if the outcome is not in your favour.

## **Amendments to applications**

At our meeting, some community groups also expressed concerns that amendments to applications can often lead to significant material changes to the application, effectively creating a new application, which should then be treated as such within the planning system. At our January 2022 meeting, councillors stated that they were not made familiar

with amendments being proposed on called-in applications and that the GLA could do more to keep local authorities informed of an application as it progresses.

As part of its 2019 investigation, the Committee wrote to the Deputy Mayor Jules Pipe and recommended that “for all outstanding and future call-ins, the Mayor must make more explicit in the statutory referral report summary exactly how the three specific threshold policy tests for call-in have been applied. This would help London local communities understand why a planning decision has had to be taken at mayoral, rather than local, level.”<sup>19</sup>

In his response to the Committee in 2020, the Deputy Mayor stated that all Stage 2 reports set out a detailed analysis on how they meet the statutory tests, while the front sheet of the report sets out a summary of the relevant legal tests and whether they are met. He went on to state: “I have asked GLA officers to explore how we can amend the report front page summary going forward to be less opaque and legalistic, so that it is clear to the reader why the Mayor has intervened.”<sup>20</sup>

At our meeting in January 2022, the Deputy Mayor told the Committee that although decisions for called-in applications are made by the Mayor, it should not be looked at in isolation, as the application is considered by planning officers at various stages of the process. He also stated that existing legislation made it difficult to allow local communities to be given a greater role in deciding whether applications should be called-in.

At the same meeting, the Committee also questioned the Deputy Mayor on whether substantial amendments should be made to applications. The Deputy Mayor stated that there were limits on what could be done but that inevitably changes are proposed, with the Mayor generally taking things over to see if more affordable housing can be extracted from schemes. “Where there are any significant amendments,” he stated, “there would be consultation with local communities and engagement to ensure that people have an opportunity to respond to those particular proposals as well.”

The Committee also asked the Deputy Mayor about the progress that had been made to make Stage 2 reports less technical. We were told that the GLA has reviewed how to make Stage 2 reports less opaque and legalistic but that they were still technical and dense. The GLA team reassured the Committee that they would continue to review what more could be done to improve the accessibility of these reports.

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<sup>19</sup> [Letter to the Mayor](#), Planning decisions of Potential Strategic Importance (PSI), Planning and Regeneration Committee, 13 December 2019

<sup>20</sup> [Response from Jules Pipe](#), Planning decisions of Potential Strategic Importance (PSI), 18 May 2020



## Other issues

At the 9 November 2021 meeting, community groups raised a number of other concerns. Heloise Palin from the Spitalfields Trust expressed concern that the GLA did not have its own conservation officer, when “nearly all local authorities” have a heritage expert. Conor McNeil from the Victorian Society shared these concerns, stating that it was “worrying” that the Mayor was making decisions without conservation professionals at Stage 2 and for these comments to only be made available and considered at Stage 3 of the process.

Closely linked to this, was the lack of consideration for ‘community heritage’. Saif Osmani, for example, was concerned about the lack of evidence shown from experts, such as sociologists, about the impact of the development on local people. Saif also outlined how ethnic minority groups are disadvantaged by the current process, then also most impacted by the developments that take place;

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*“A lot of the campaigning we do for saving ethnic minority spaces in London is in our own time, the resourcing is not really there. In a lot of ways, the core question the GLA should be asking is: why is it that communities are fighting? At the core, what is the real impact of development as a whole? It is not just building developments; local people think it is more than that. In fact, when you are developing, you are not just developing a building. You are destroying communities in the process; you are socially cleansing people such as what is happening at Brick Lane; and at the same time, you are pushing a large-scale financial agenda on to communities which are often very poor.”*

**Saif Osmani**  
**Truman Brewery campaigner;**

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Richard Lee stated that the Mayor should be required to apply the public sector equality duty when considering both Stage 2 and Stage 3 of the process.

At our meeting in January 2022, it was confirmed that a heritage officer was in the process of being appointed. At the same meeting, the Deputy Mayor stated that while the GLA observes equalities duties, they are not measurements within the process.

The Committee is aware that many of the changes to the criteria and procedures of the call-in process require legislative change. We nonetheless encourage the Mayor to consider the recommendations below and advocate to Government on behalf of community groups. Alongside this, it is vital that local authorities are kept informed of changes being made to an application throughout the process, as these applications can often result in significant

material changes in their borough. We also urge the Mayor to improve the accessibility of key documents so that those without technical expertise can understand the way in which their communities are being shaped.

## Conclusion

Community engagement in the planning system is key to delivering a London that works for Londoners. However, it is clear that the community groups that we met are frustrated with the way the call-in process works. These groups feel disenfranchised; unable to engage in the way they would like to due to capacity constraints, and where they do engage, they often report feeling that called-in applications have a foregone conclusion in the favour of developers.

We heard so many suggestions from communities and councillors alike, who are all keen to see a call-in process that is more transparent and more accessible. We understand from the Deputy Mayor for Planning and Regeneration that the GLA is also keen to take steps to improve transparency and accessibility, and we are hopeful that he and the Mayor take on board the recommendations outlined in this report. London's diversity is its strength, and the Mayor needs to ensure that all diverse voices are heard when it comes to planning this great city.

The Planning and Regeneration Committee would like to thank everyone who took part in this investigation, we truly appreciate the time you gave and the expertise you shared.

Thanks to:

- Patria Roman-Velazquez, Chair of Trustees, Latin Elephant;
- Natalia Perez, Programme Co-Director, Latin Elephant;
- Connor McNeill, Victorian Society;
- Clare Delmar, Listen to Locals;
- Jerry Flynn, 35% Campaign;
- Mark Brearley, Vital OKR;
- Hiba Ahmad, Save Nour;
- Angus Robertson, Alton Action;
- Jonathan Moberly, East End Preservation Society;
- Heloise Palin, Spitalfields Trust;
- Saif Osmani, Truman Brewery campaigner;
- Richard Lee, Just Space;
- Yacob Ghebrekristos, Estate Watch;
- Tim Catchpole, Mortlake Brewery Community Group

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- Michael Bach, London Forum of Amenity and Civic Societies
  - Jules Pipe CBE, Deputy Mayor, Planning, Regeneration and Skills
  - Lucinda Turner, Interim Assistant Director, Planning, Greater London Authority
  - Cllr Jonathan Cardy, Councillor for Fulwell and Hampton Hill, Chair of Planning Committee, London Borough of Richmond
  - Cllr Kath Whittam, Councillor for Rotherhithe, Chair of Planning Sub-Committee, London Borough of Southwark
  - Cllr Eva Greenspan, Councillor for Finchley Church End, Chair of Strategic Planning Committee, Barnet

## Other formats and languages

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### Vietnamese

Nếu ông (bà) muốn nội dung văn bản này được dịch sang tiếng Việt, xin vui lòng liên hệ với chúng tôi bằng điện thoại, thư hoặc thư điện tử theo địa chỉ ở trên.

### Greek

*Εάν επιθυμείτε περίληψη αυτού του κειμένου στην γλώσσα σας, παρακαλώ καλέστε τον αριθμό ή επικοινωνήστε μαζί μας στην ανωτέρω ταχυδρομική ή την ηλεκτρονική διεύθυνση.*

### Turkish

Bu belgenin kendi dilinize çevrilmiş bir özetini okumak isterseniz, lütfen yukarıdaki telefon numarasını arayın, veya posta ya da e-posta adresi aracılığıyla bizimle temasa geçin.

### Punjabi

ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਸੰਖੇਪ ਆਪਣੀ ਭਾਸ਼ਾ ਵਿਚ ਲੈਣਾ ਚਾਹੋ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਨੰਬਰ 'ਤੇ ਫ਼ੋਨ ਕਰੋ ਜਾਂ ਉਪਰ ਦਿੱਤੇ ਡਾਕ ਜਾਂ ਈਮੇਲ ਪਤੇ 'ਤੇ ਸਾਨੂੰ ਸੰਪਰਕ ਕਰੋ।

### Hindi

यदि आपको इस दस्तावेज़ का सारांश अपनी भाषा में चाहिए तो उपर दिये हुए नंबर पर फोन करें या उपर दिये गये डाक पते या ई मेल पते पर हम से संपर्क करें।

### Bengali

আপনি যদি এই দলিলের একটা সারাংশ নিজের ভাষায় পেতে চান, তাহলে দয়া করে ফো করবেন অথবা উল্লেখিত ডাক ঠিকানায় বা ই-মেইল ঠিকানায় আমাদের সাথে যোগাযোগ করবেন।

### Urdu

اگر آپ کو اس دستاویز کا خلاصہ اپنی زبان میں درکار ہو تو، براہ کرم نمبر پر فون کریں یا مذکورہ بالا ڈاک کے پتے یا ای میل پتے پر ہم سے رابطہ کریں۔

### Arabic

الحصول على ملخص لهذا المستند بلغتك،  
فارجاء الاتصال برقم الهاتف أو الاتصال على  
العنوان البريدي العادي أو عنوان البريد  
الإلكتروني أعلاه.

### Gujarati

જો તમારે આ દસ્તાવેજનો સાર તમારી ભાષામાં જોઈતો હોય તો ઉપર આપેલ નંબર પર ફોન કરો અથવા ઉપર આપેલ ટપાલ અથવા ઈ-મેઈલ સરનામા પર અમારો સંપર્ક કરો.

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