

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD3021

### Title: London Plan Guidance: Sustainable Transport, Walking and Cycling

#### Executive summary:

This MD seeks the Mayor's agreement to the adoption of the London Plan Guidance (LPG) document on Sustainable Transport, Walking and Cycling, which provides additional guidance to boroughs, developers and other stakeholders, relevant to the implementation of specific policy areas in the London Plan – namely Policy T3 – Transport Capacity, Connectivity and Safeguarding.

It also supports delivery of:

- Policy T1 – Strategic approach to transport
- Policy T2 – Healthy Streets.

Delivery against these will indirectly support progress against a broader range of London Plan policy objectives (e.g. SI 1 Improving Air Quality).

#### Decision:

That the Mayor approves the Sustainable Transport, Walking and Cycling LPG document for adoption as further guidance to the London Plan 2021, taking into account the accompanying Equality Impact Assessment and consultation report.

#### Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

24/10/22

## **PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR**

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1. The London Plan 2021 was published on 2 March 2021, giving full statutory weight to the Spatial Development Strategy as part of the Development Plan for all London planning authorities. Following its publication, a suite of new guidance is being developed, providing additional detail on how specific policies in the Plan should be applied to planning applications and boroughs' local plans.
- 1.2. The guidance document in this MD will be the fifth to be adopted following the Plan's publication. Previous London Plan Guidance (LPG) was adopted by the Mayor in September 2021 (MD2861) and March 2022 (MD2962), with the first MD report also including further background on the LPG programme and the approach being taken.
- 1.3. LPG has no specific statutory weight and cannot create or change London Plan policies. However, it is capable of being a material planning consideration; and adds further, more detailed guidance as to implementation of the London Plan in practice.
- 1.4. This MD form relates to the adoption of the Sustainable Transport, Walking and Cycling LPG (STWC LPG) (Appendix A).

#### **2. Objectives and expected outcomes**

- 2.1. The LPG's objective is to provide detailed guidance to complement and support the implementation of policies within the London Plan 2021, particularly Policy T3, as well as Policies T1 and T2. Progress against these policies, in particular the 80 per cent mode share target by 2041 will also benefit other London Plan policy objectives (e.g. SI 1 Improving Air Quality) as well as more widely the Good Growth objectives set out in the Plan. It should facilitate improved clarity and faster decision-making by ensuring a consistent and shared understanding of the policies' requirements across local planning authorities and all stakeholders, including developers and their agents, and the local community. The development of the LPG will contribute to the aims set out in the GLA Act 1999 (the GLA Act), in particular to achieving sustainable development, and mitigating and adapting to climate change.
- 2.2. This LPG replaces previous Supplementary Planning Guidance that was rendered out of date when the London Plan was published. It was not 'saved' as part of the London Plan adoption process in March 2021.

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- 2.3. The STWC LPG aims to support planning authorities and applicants to meet the requirements of, and implement, several London Plan policies. These include:
  - Policy T3, which sets a policy expectation that Development Plans and development proposals should ensure the provision of sufficient and suitably located land for the operation/development of the current and expanded public and active transport system. This should include through the safeguarding of land to protect existing facilities, and to support the enhancement of public transport, walking and cycling networks to serve London's needs
  - Policy T2, Healthy Streets, both its policies in respect of Development Plans – which require the promotion and application of the Mayor's Healthy Streets Approach – and Development Proposals which require demonstration of improvements that support Healthy Street Indicators, the reduction of dominance of vehicles on London's streets and improved permeability for those walking and cycling and using public transport

- Policy T1, Strategic approach to transport, which embeds the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport, and which seeks effective use of land that reflect its connectivity and accessibility by existing and future public transport, walking and cycling routes.

Delivery against these policies will assist progress against a range of other policies (e.g. Policy SI 1 Improving Air Quality – which requires, at Part A, the identification and delivery of further improvements to air quality).

- 2.4. The LPG makes specific provision for the preparation of local plans and other plan-making activity. In particular, the guidance requires effective transport policies and projects in development plans to support sustainable development; make provision for sufficient and suitably located land for the development of expanded public and active transport systems, including identifying and safeguarding new sites/spaces and route alignments to provide necessary connectivity and capacity by public transport, walking and cycling; and sustainable deliveries, servicing and safeguarding to support specified schemes in Table 10.1 of the Plan. Boroughs that fail to make such provision within their local plan documents will, potentially, not be in general conformity with the London Plan. The guidance also makes provision for the safeguarding of land required for public transport, and securing appropriate planning obligations where necessary.
- 2.5 The guidance also supports the determination of planning applications through clear guidance as to what is required for development to be acceptable, under the Transport chapter of the London Plan, specifically Policies T2 D and T3 B-E inclusive.
- 2.6 Finally, the LPG provides guidance regarding car parks and other surplus transport land, to ensure land use is optimised, in line with Policy SD 7 C6, and aligned with the London Plan Objective GG3 Creating a healthy city, (particularly parts B, C and F regarding active and healthy lives, the healthy streets approach, air quality and transport mode shift). These support the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041<sup>1</sup>.

### **3. Equality comments**

- 3.1. The Mayor and the GLA are subject to the public sector equality duty, as set out in section 149 of the Equality Act 2010. The London Plan and its policies plan for growth on the basis of its potential to improve the health and quality of life of all Londoners; to reduce inequalities; and to make the city a better place to live, work and visit. It uses the opportunities of a growing and changing city to plan for a better future, and for planning decisions to be focused on improving London, transforming the city over time. It plans not just for growth, but for Good Growth: sustainable growth that works for everyone.
- 3.2. Objective GG1 of the London Plan – building strong and inclusive communities – makes it clear that Good Growth is inclusive growth. This objective underpins the policies in the Plan, which will help to address inequality in a broad range of ways. The London Plan 2021 was subject to an iterative Integrated Impact Assessment process, including an Equality Impact Assessment (EqIA), and this assessed the impact of the policies within the Plan on which the LPG in this report provides further guidance. This has been supplemented by an EqIA specific to each of the LPG topics, recognising that the application of the detail can give rise to additional, exacerbated or mitigated impacts that need to be taken into consideration in having due regard to the Equality Duty.

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<sup>1</sup> Policy SD1 Opportunity Areas, Policy T1 Strategic approach to transport, Policy T2 Healthy Streets, and Policy T5 Cycling all provide a policy basis for mode shift.

- 3.3. The EqIA undertaken for the guidance showed strong positive impacts related to age, race or ethnicity and for people on low incomes. Positive impacts were also identified related to pregnancy or maternity.
- 3.4. However, the impacts on people with disabilities were more mixed. Positive impacts include improvements to the transport network; improved cycling and walking provision that is better suited to non-standard micro-mobility options and improvements to air quality. However, there is a potential for redevelopment of car parking to impact on the ability of people with physical disabilities who rely on cars for mobility. London Plan Policies T6.1 and T6.5 set out requirements regarding disabled persons' parking spaces that development must observe, which should mitigate the impact on those with physical disabilities. The impacts for sex were also mixed with positive impacts arising from safeguarding land for public transport, which is more likely to increase convenience and choice for women, who, due to caring responsibilities tend to undertake shorter but more frequent and complex journeys on public transport. However, redevelopment of car parking spaces may also negatively impact women completing onward journeys from stations at night, although women are less likely to own a car. This is also mitigated in part by the provision of safer routes including support for buses.
- 3.5. Responses were received from three organisations that referred to representing a protected characteristic group. These were Hackney-based Disability BackUp; Mums for Lungs; and the Guide Dogs for the Blind Association. All these respondents raised the following potential equality impacts:
- Walking, cycling and public transport must be prioritised over other vehicles to prevent exacerbating inequality.
  - Older people and those with reduced mobility who use micro-mobility aids are impacted by the quality of walking routes, especially pavement surfaces, and the safety of these routes.
  - Whilst safety is mentioned, the guidance does not explicitly relate to any specific groups; it does not cover, for instance, the specific requirements and needs that disabled users may have, or concerns for women using these networks.
  - The need for wording that reflected transport and active travel networks being accessible for all was highlighted, especially ensuring that cycle infrastructure was accessible to all groups and supporting different groups to cycle more.
- 3.6 While these comments have tended to support the approach taken in this LPG (e.g. prioritising, and improving the quality of walking, cycling and public transport), further changes have been made in response to these comments. See paragraph 4.11 below for details.
- 3.7. The full EqIA report is included as Appendix B. The Mayor should have regard to the contents of this EqIA report in deciding whether to agree the recommendations within this report.

#### **4. Other considerations**

- 4.1. Care has been taken to ensure that the guidance contained in the LPG does not create or amend policies contained within the London Plan 2021 and falls within the legal powers used to produce such guidance. These documents do not purport to be statutory Local Development Documents within the meaning of the Planning and Compulsory Purchase Act 2004; or Supplementary Planning Documents developed in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. This will mitigate the risk of any legal challenge to the LPG documents following adoption.
- 4.2. Historically, the issuing of Supplementary Planning Guidance has not always been as successful as envisaged, due to the length of the documents and a lack of focus on how their requirements should be implemented in the planning system. To mitigate this risk, the new LPG documents are written in a clear and direct manner, without unnecessary related information. This LPG document clearly sets out,

at the start, the types of planning applications it should be applied to and how it relates to boroughs' development plan documents (as relevant). The relevant London Plan policy, and who the guidance is for, are also explained at the start of the document.

- 4.3. While the London Plan 2021 was developed and subject to Examination in Public prior to the Mayor's target for London to be carbon-neutral by 2030, it remains a sound spatial development strategy for London and part of the statutory development plan for Greater London. In particular, the provisions that implement the spatial aspects of the Mayor's Transport Strategy, as required by subsection 334(4)(a) of the GLA Act, remain up to date and highly relevant in addressing the challenges of climate change and tackle damaging air quality.
- 4.4. No one involved in the drafting or clearance of this form or the preparation of the LPG has any conflict of interests that might arise as a result of the adoption and implementation of the LPG.

#### Consultation and impact assessments

- 4.5. Consultation was undertaken in accordance with section 32 of the GLA Act. This included a bespoke engagement process in order to realise Good Growth objective GG1 A, which requires early and inclusive engagement with stakeholders.
- 4.6. Consultation on the draft guidance was held between 30 September and 20 December 2021. Details of the consultation are set out in the consultation reports attached at Appendix C.

#### Engagement

- 4.7. Engagement on the STWC LPG was held entirely online due to COVID-19 considerations and was carried out between 30 September and 20 December 2021. It included four virtual events held through the consultation period; an online consultation webpage; and direct notification of those signed up for email notifications and via the planning newsletter.
- 4.8. There were 215 attendees to the virtual events at which people could learn more about the document and ask questions. There were over 2,000 views of the consultation webpage. A total of 43 responses were received, with 33 using the webform and a further 10 sending free text via email.
- 4.9. We only have data from those who responded, one-third of whom were individuals. The next-largest group of participants came from campaign groups, followed by London boroughs and, businesses. Community groups and government bodies or agencies were the smallest cohort.
- 4.10. There was strong overall support for the STWC LPG. Throughout the consultation responses there was a clear theme relating to supporting accessibility and safety. However, there were several comments shared by four or more respondents:
  - Nine respondents said car usage and car parking should be reduced, and the sites converted for other uses.
  - Seven respondents were supportive of guidance and prioritisation of public transport and active travel.
  - Six respondents said safeguarding of land for transport infrastructure should be considered at all scales, with interim uses also considered; walking, cycling and public transport prioritised over other uses; and requirements included for the enhancement of this infrastructure.
  - Five respondents said the guidance does not reflect areas of conflict or potential safety concerns among different users of public transport and modes of active travel, as well as private vehicles, where they must share the same infrastructure.
  - Four respondents said rail and tram infrastructure need to be closely linked with buses and active travel infrastructure.

4.11. The guidance has been updated in response to the issues highlighted above, in line with policy set out in the London Plan, in particular policy T3. Wording around safety and accessibility has been strengthened to support planning authorities and planning proposals in safeguarding the appropriate amount of land needed for transport schemes. Suggested wording has also been made available to help boroughs secure the post-construction assessment as part of legal agreements. Examples of where wording has been amended, added or strengthened include the following:

- Several paragraphs have been updated or amended to emphasise the importance of safety. These can be applied to areas where there may be conflict between different modes, or where safety is a concern. Paragraphs 2.1.2, 2.2.1 a), 3.1.3 a), 3.1.5 and 3.1.6 all include updated information in response to the concerns raised during the consultation process.
- The prioritisation of reducing car usage can be seen within the amends set out in paragraph 2.1.2, where d) has been amended to include reference to Low Traffic Neighbourhoods. Another example can be found in 3.2.1 a), where additional wording related to reducing the permeability for motor vehicle users will support authorities in reducing permeability which is creating unnecessary trip generation for private vehicle owners.

4.12. It is noted that this guidance provides further information about the implementation of the London Plan; and supports implementation of the Mayor's Transport Strategy and London Environment Strategy. All of these have undergone considerable consultation in their own right, and in the case of the London Plan, examination by a panel of independent Inspectors and scrutiny by the relevant Secretary of State.

## 5. Financial comments

- 5.1. There are no direct financial implications for the GLA arising from this decision.

## 6. Legal comments

- 6.1. There is no statutory power that expressly deals with the development of the LPG in the GLA Act (as amended). However, the LPG is developed in accordance with the general power in section 30 of the GLA Act<sup>2</sup>, which gives the GLA the power to do anything that it considers will further any one or more of its principal purposes, namely promoting economic development and wealth creation in Greater London; promoting social development in Greater London; and promoting the improvement of the environment in Greater London. The LPG will further all three principal purposes to some extent, in particular promoting social development and the improvement of the environment. In addition, section 34 of the GLA Act contains a general power to do that which “is calculated to facilitate, or is conducive or incidental to, the exercise of any functions of the Authority”. The LPG is developed under these general powers.
- 6.2. The High Court has confirmed<sup>3</sup> that planning guidance issued by the Mayor of London is capable of being a material planning consideration in the same way as local Supplementary Planning Documents at borough level – that is, through supporting the policies in the relevant Plan.
- 6.3. The STWC LPG has been subject to legal advice.
- 6.4. The Mayor and the GLA are subject to the public sector equality duty; this is considered in detail in section 3.

## 7. Planned delivery approach and next steps

- 7.1. This is the final stage of the LPG development process for this piece of guidance. There is further guidance on other London Plan subject areas in different stages of development.
- 7.2. The LPG will be applied to relevant planning applications by decision-makers, taking into account the guidance as a material consideration; and will be taken into account by the Mayor when considering referable planning applications. Boroughs will consider the guidance (where relevant) when developing local plans; and it will be taken into account by the GLA when assessing the general conformity of boroughs’ local plans with the London Plan.
- 7.3. The LPG includes links to GLA webpages and other sites. As and when the web addresses change, the links in the online and PDF versions of the LPG will be amended to ensure they direct users to the correct place.

Activity	Timeline
Notification of the adoption	October 2022
Publication (including supporting documents)	October 2022

## Appendices and supporting papers:

- Appendix A: Sustainable transport, walking and cycling London Plan Guidance
- Appendix B: Sustainable transport, walking and cycling London Plan Guidance Equality Impact Assessment

<sup>2</sup> <https://www.legislation.gov.uk/ukpga/1999/29/part/II>

<sup>3</sup> [McCarthy and Stone Retirement Lifestyles Ltd & Ors. R \(on the application of\) v Greater London Authority \[2018\] EWHC 1202 \(Admin\) \(23 May 2018\)](#)

- **Appendix C: Sustainable transport, walking and cycling London Plan Guidance Consultation Summary Report.**



### Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

### Part 1 – Deferral

Is the publication of Part 1 of this approval to be deferred? NO

### Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under the FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

### ORIGINATING OFFICER DECLARATION:

Drafting officer to  
confirm the  
following (✓)

#### Drafting officer:

Nina Miles has drafted this report in accordance with GLA procedures and confirms the following:

✓

#### Sponsoring Director:

Phillip Graham has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

#### Mayoral Adviser:

Jules Pipe has been consulted about the proposal and agrees the recommendations.

✓

#### Advice:

The Finance and Legal teams have commented on this proposal.

✓

#### Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 5 September 2022.

✓

### EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

*D. Bone*

Date 20/10/22

### CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor.

Signature

*D. Bellamy*

Date 16/10/22

