

# Letter to Deputy Mayor for Planning on condition enforcement and construction management

Sian Berry or type unknown

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## Lack of support for enforcement of GLA-set conditions for large-scale developments

Dear Jules,

### Planning condition enforcement and construction management after GLA approval

I am writing to ask you to examine the lack of support for supervision and enforcement of large-scale developments where the GLA has approved a proposal and set conditions.

I raise this after being involved with a number of planning cases where residents have experienced being passed back and forth between authorities when trying to get issues resolved with construction management or the enforcement of planning conditions.

Recently, I have been in communication with Laurence Bard who runs Pond Life Aquatics in Mill Hill, about the development of the contaminated site of the former National Institute of Medical Research (NIMR) in Barnet. Two issues that are meant to be controlled by planning and construction management agreements are worrying local residents especially:

- Experience of dust from the site, including from unannounced and unexplained explosions, which is likely to contain contaminants such as asbestos and heavy metals, and
- Frequent water run-off from the construction site into local ponds and businesses including, on occasion, raw sewage.

When residents have contacted the Mayor, they have been told to speak with the local authority. However, when they do that, council planning officers have pointed them towards environmental health, the Environment

Agency, or back to the GLA. As a result, their problems have not been dealt with and resolved.

Other examples from my casework include the residents of Princess Louise Close, adjacent to the West End Gate development on Edgware Road. The new buildings on this site will completely surround the buildings in which they live, and exemplary construction management is vital to protecting residents on sites of this kind that are given approval.

However, residents complain of suffering from out-of-hours construction noise, pollution and environmental harm since 2016. And, similarly to the Mr Bard's experience in Barnet, they have gone round in circles contacting their local MP, Assembly Members, Councillors and City of Westminster officers to try and get these issues dealt with.

Another relevant development is the Southall Gasworks site, where experiences of pollution and ill health have been affecting residents for over four years, as reported in the national press.[1] Their case is now the subject of a legal challenge.[2]

In two of these cases (NIMR and Southall Gasworks) the borough rejected these schemes and the Mayor at the time approved the proposals. It appears in these cases that the process of drafting and consulting upon details of construction management with the local community who will be affected, has not taken place in the expected way.

I believe that, where the GLA approves a proposal involving sites with the potential to seriously affect surrounding residents during construction, GLA officers should not just be involved in writing planning conditions, but also in the process of involving residents in writing fit for purpose construction management plans, and for ensuring there are high levels of supervision and enforcement to protect them.

In my response to the draft Public London Charter, I raised a similar issue of providing support for the drafting and enforcement of new planning conditions, and proposed the following:

- The initial enforcement of these new planning conditions should not be left only to boroughs, and the GLA should commit resources to supporting the drawing up of local guidance, legal agreements, and to the monitoring of compliance for applications that are referable to the Mayor, at least for the first years of this policy being in force.
- The GLA should also commit to supporting the provisions for transparency within this guidance, with summary data and a searchable database with links to applications, maps, consultations, and planning agreements on the GLA website.[3]

I realise that the GLA has constraints on resources, but this seems to be a significant gap in the service that we are providing to residents who need to be able to scrutinise and get timely action on problems they experience with construction projects.

I hope you will investigate the problems that have occurred at the projects named above and consider how you can help to resource better practice. I know that constituency Assembly Members have also been raising issues with these sites through their casework and will be sending them a copy of this letter. I look forward to receiving a response from you soon.

Yours sincerely,

Siân Berry

Green Party Member of the London Assembly

cc Andrew Dismore AM, Murad Qureshi AM, Onkar Sahota AM, Tom Copley, Deputy Mayor for Housing

[1] [Families hit out at London gasworks redevelopment](#), 5/5/19, The Guardian, accessed 2/3/21

[2] [Residents prepare court challenge over redevelopment of London Gasworks site](#), 7/7/19, The Observer, accessed 2/3/21

[3] [Draft Public London Charter - consultation response](#), 8/1/21, Sian Berry

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