

# London planning news

APRIL 2017



## Headline News

### Spring Budget 2017

On 8 March, Chancellor of the Exchequer Philip Hammond delivered his Spring Budget 2017 speech in the House of Commons. A few days before, the House of Commons Library had published a briefing paper setting out the background.

As would be expected just one month after publication of the Housing White Paper, mention of any measures to assist in building more new homes were almost completely absent on the day itself. Likewise, very little was announced on infrastructure and transport funds.

Spring Budget headlines relevant to planning in London were on:

1. The further devolution of powers to London;
2. The publication of the 5G UK Strategy (together with the Government's response to the National Infrastructure Commission's (NIC) report 'Connected Future');
3. Measures to support businesses affected by the business rates revaluation (and the Government's response and consultation outcome of last August's consultation);
4. Further allocations of the National Productivity Investment Fund (NPIF) for local transport (£690 made available to local authorities, with £490m to be made available by early autumn 2017); and
5. Regional allocations of the £220m NPIF investment for 'pinch points'.

Also in relation to London, a 'Memorandum of Understanding on further devolution to London' was published on the same day that addresses many - but not all - of

the Mayor's requests for the devolution of wide-ranging powers. The following elements are of particular interest to planning and development in the capital:

- the proposed exploration of options for piloting a Development Rights Auction Model (DRAM) on a major infrastructure project, by a joint taskforce (including the Greater London Authority (GLA), Transport for London (TfL), the Department of Communities and Local Government (among others);
- the GLA taking over responsibility for funding TfL's investment grant, with the Government in return allowing London to retain a greater share of locally raised business rates (part of the move towards 100% local retention); and
- the new, statutory Mayor's Transport Strategy (confirmed for publication in 2017), as previously announced by the Mayor that will deal with congestion challenges; the Government has committed to further collaborate with London government to ensure it has the powers needed to address transport congestion.

The Mayor of London immediately welcomed the progress made on devolution to London, stating:

'Today's London Devolution Agreement shows that we get the best deal for Londoners when we put party politics aside and work closely with the Government'.

### First 'called-in' applications approved by Mayor

Mayor of London Sadiq Khan has granted planning permission for the first two applications that he has 'called-in' since his mayoralty started; both applications (Hale Wharf and Palmerston Road schemes) fall within designated Opportunity Areas and Housing Zones, and were initially to be refused permission by their respective borough councils (Haringey and Harrow), due to ►►

## QUOTE OF THE MONTH



Having carefully considered all the evidence available to me, I am confident both these high-density developments will deliver hundreds of the much-needed, genuinely affordable homes Londoners need in areas of the capital ripe for further development

The Mayor of London, Sadiq Khan, commenting on the granting of planning permissions for Hale Wharf and Palmerston Road 'called-in' schemes

## THE LICHFIELDS PERSPECTIVE

It is mainly in London that Brexit is being said to have major implications for planning and development. London's Mayor is very vocal about how the construction industry will be affected in relation to skills shortages, and how the environment and air quality (an area of considerable concern in the capital at present) could be detrimentally affected if EU regulation does not continue to apply

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LICHFIELDS

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concerns mainly relating to the proposed buildings' heights.

The Palmerston Road scheme includes 186 homes, of which 41% will be affordable units, while the Hale Wharf development in Tottenham Hale is to deliver 505 dwellings, with at least 35% affordable units. Interestingly for the latter, the provision of affordable housing has consistently increased since the Mayor first examined the scheme, as the original plan was for 34 affordable housing units (or 9%, by habitable room).

Mayor Sadiq Khan said:

'Both schemes are close to transport links and this is one of the key factors in determining where major housing developments should be built. Building the homes Londoners urgently need will mean town centres and suburbs becoming denser, so we expect developers to continue to come up with high-quality designs which don't have a negative impact on their surroundings.'

## TfL's first partnership to deliver 400 dwellings

TfL has announced that Triangle London Developments (a consortium of Notting Hill Housing and U+I) is its preferred development partner to deliver a 400-home scheme in Kidbrooke, Royal Borough of Greenwich.

According to TfL, the four-acre vacant site is now coming forward as, '...the first in a series of TfL sites to be released for development last year to support the Mayor of London's manifesto pledge to unlock public land to build thousands of affordable homes for Londoners'.

The joint venture between TfL and Triangle London Developments is expected to deliver: 400 new homes; commercial, retail and office space; an improved transport hub; and a village square.

The intention is to start on site in 2018, with the aim being then to deliver 'the first homes available to buy and rent by 2020'.

## Housing Strategy evidence base published

As the UK Government has officially started the process for exiting the European

Union, the publication of the evidence base for the Mayor's housing strategy has exposed the effect that Brexit could have on homebuilding in the capital; 'Housing in London: 2017' reveals that more than 25% of London's construction workforce comes from other EU countries - a total of 95,000 workers.

The report also highlights that London needs an extra 13,000 new workers each and every year until 2021, so as to reduce the skills gap and meet the additional demand for housing in the capital.

The report will inform the formulation of the Mayor's housing policies and the new London Housing Strategy, which is 'due to be published for consultation with Londoners later in 2017'.

## The Great Repeal Bill White Paper: Legislating for the UK's Withdrawal from the EU

Following the triggering of Article 50, the Department for Exiting the EU a day later published the Great Repeal Bill: Legislating for the UK's Withdrawal from the EU White Paper.

With reference to planning in the context of environmental protection (see also news below), the White Paper states:

'The Government is committed to ensuring that we become the first generation to leave the environment in a better state than we found it.'

The UK's current legislative framework at national, EU and international level has delivered tangible environmental benefits, such as cleaner rivers and reductions in emissions of sulphur dioxide and ozone depleting substances emissions [...] The Great Repeal Bill will ensure that the whole body of existing EU environmental law continues to have effect in UK law. This will provide businesses and stakeholders with maximum certainty as we leave the EU. We will then have the opportunity, over time, to ensure our legislative framework is outcome driven and delivers on our overall commitment to improve the environment within a generation. The Government recognises the need to consult on future changes to the regulatory frameworks, including through parliamentary scrutiny.'

## Mayor's response to the Brexit White Paper highlights concerns on environment and air quality

The Mayor of London, Sadiq Khan, has published his response to the Brexit White Paper launched by the Government in February this year. In his report, the Mayor warns about the potential negative impacts of Britain leaving the EU, particularly in relation to environmental regulations, monitoring and enforcement standards, and air quality.

Accordingly, the Mayor is calling on the Government to introduce a new Environment Act:

'...to ensure that the UK has an equivalent or better level of protection than in the EU, enshrining key environmental safeguarding principles such as polluter pays, environmental rights for citizens and the precautionary principle.'

## Southwark Article 4 direction to protect 188 pubs

The London Borough of Southwark has issued an immediate Article 4 direction to withdraw permitted development rights which allow the change of use, demolition or alteration of public houses.

The decision of the Council's Planning Committee means that planning permission will now be required for any proposed change to the 188 pubs identified in the Direction (a full list of the pubs affected can be found [here](#)).

Although the Direction applies immediately, the Council is now consulting on it until 27 April, before the Direction is referred to the Secretary of State who can decide to approve, modify or cancel it.

However, the proposed provision would not remove planning permission for development 'which has been carried out before the coming into force of the order'.

Finally, it is worth noting that Southwark's decision follows a similar one taken by the London Borough of Wandsworth in August last year, in issuing a non-immediate Article 4 Direction to protect 120 pubs in its Borough. ■