CONSULTATION ON THE PROPOSED LONDON HOUSING EMERGENCY MEASURES

CONSULTATION RESPONSE

Response from: BusinessLDN, One Oliver's Yard, 55-71 City Road, London EC1Y 1HQ

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INTRODUCTION

1. BusinessLDN is a business membership organisation with the mission to make London the best city in the world to do business, working with and for the whole UK. BusinessLDN works with the support of the capital's major businesses in key sectors such as housing, commercial property, finance, transport, infrastructure, professional services, ICT, and education. We welcome the opportunity to engage with the Ministry of Housing, Communities and Local Government (MHCLG) on the emergency measures to support housebuilding in London. We have answered the consultation questions that are relevant to our interests.

GENERAL THOUGHTS ON THE PROPOSED APPROACH

2. We welcome the Government's intention to support housing delivery in London through targeted and mandatory Community Infrastructure Levy (CIL) relief alongside changes to the Mayor's call-in powers. We also strongly support the partnership approach between MHCLG and the Greater London Authority (GLA), as outlined in the GLA's concurrent consultation on design standards, and the proposed new time-limited planning route. However, based on extensive engagement with our members, we are concerned that both proposed approaches are overly complex and, as a result, unlikely to achieve their stated objective of improving development viability and accelerating the delivery of new homes, including affordable homes, over the next few years.

3. We have canvassed our developer members on their live schemes to understand how many could potentially be supported by the emergency measures. In response, we received details on 67 sites across London, equating to 86,236 homes. Of those:

- 5 schemes with an extant planning permission could potentially shift from being unviable to deliverable, totalling 7,682 homes.
- 8 schemes at the pre-planning stage could also potentially be brought forward as viable, deliverable schemes, comprising 7,050 homes.

4. Anecdotal feedback from members indicates that many schemes that could potentially benefit from the emergency measures require greater flexibility on timescales and the conditionality of relief for the measures to meaningfully support delivery. In addition, the schemes most likely to benefit are predominantly smaller developments, while larger and multi-phased schemes appear to be largely unsupported; only one scheme of more than 1,000 homes was identified as having any prospect of benefiting from the emergency measures as currently proposed.

5. Overall, from our informal member survey, this means that 14,732 homes, representing **19% of schemes and 17% of homes**, could potentially benefit from the emergency measures, although in many cases, there would still need to be further flexibility on how the measures are applied. Based on our member sample and wider feedback, as currently designed, the measures lack catalytic impact and are likely to provide only marginal support, falling short of the Mayor and Government's ambitions to drive a meaningful improvement in development viability and the delivery of affordable housing in London.

6. With regard to the proposed CIL relief, it may prove helpful on certain schemes but typically represents a relatively small proportion of total development costs. As currently designed, the relief is accompanied by a level of procedural complexity, conditionality, and uncertainty that materially outweighs its financial benefit. The added risk and lack of certainty will significantly limit take-up and reduce the practical impact of the measures. Furthermore, any CIL relief secured is likely to be offset by the costs imposed by the new Building Safety Levy. It is critical that this additional levy is delayed until market conditions are more favourable, to allow the proposed CIL relief to support development viability.

7. There are alternative approaches that could be adopted to achieve similar outcomes but in a simpler and more effective way. These include:

    - Enabling the existing Exceptional Circumstances Relief mechanism across all London boroughs.
    - Making greater use of existing 'in-kind' CIL relief through time-limited amendments to the CIL Regulations, providing flexibility without creating a new process.
    - Combining lower levels of relief with deferred CIL payments to ease short-term viability pressures.

8. With regard to the consultation, a practical way forward would be to rework the existing Fast Track Route (FTR) to allow a lower affordable housing threshold while maintaining CIL or in-kind relief, remove late-stage review requirements, and avoid unrealistic timelines and the uncertainty associated with the clawback mechanism. This approach would provide certainty, reduce risk, and better incentivise development to progress promptly, unlocking stalled sites and supporting housing delivery across London. Any temporary measures should also be in

place for longer than two years, ideally extending to five years or until market conditions have recovered.

9. If the Government proceeds with the proposed approach as set out in the consultation, we have provided comments below to the questions, setting out how the process could be simplified, the risks reduced, and the measures made more effective to support housing delivery at pace and scale.

PART I: A PROPOSAL FOR TIME-LIMITED RELIEF FROM THE COMMUNITY INFRASTRUCTURE LEVY TO SUPPORT HOUSEBUILDING IN LONDON

Q4: Do you agree that the relief should not apply to development on "excluded land" as defined? Please explain your answer.

10. No. While some Green Belt, Metropolitan Open Land, and locally designated open space should remain protected, the relief is intended to support housebuilding on sites where development is permitted. There is no evidence to justify excluding these sites from the measures: if planning permission has been granted, CIL relief should apply regardless of the site's designation. This ensures that approved schemes can be delivered while maintaining protections for sensitive land.

11. In addition, a development that comprises a mix of products, such as on-site residential (including affordable housing) alongside co-living, PBSA, or other uses, should be eligible for relief. For example, a co-living scheme that also delivers a significant proportion of on-site affordable housing could make a substantial contribution to London's housing supply, yet under the current design, it would be ineligible. Restricting eligibility to purely residential schemes overlooks the diversity of development in London and risks missing opportunities to deliver meaningful amounts of affordable housing.

Q5: The Government welcomes views on approaches restricting relief to certain land uses – including the merits of whether the policy should apply based on established use classes, or something more bespoke.

12. We note the need to strike an appropriate balance in approaches that restrict relief to certain land uses. While supporting residential development is important, this should not come at the expense of other forms of housing delivery, such as purpose-built student accommodation and co-living, which play a valuable role in meeting housing need, counting towards housebuilding targets and supporting labour mobility. A healthy residential market is one made up of a range of tenures and typologies, and any approach to relief should be sufficiently flexible to recognise this diversity rather than relying solely on rigid use-class definitions.

Q6: The Government welcomes views on the application and level of the proposed borough-level CIL liability threshold, including whether this would have significant negative implications for SME builders.

13. We understand the need to tie CIL relief to affordable housing delivery to create a clear incentive for its provision; however, this approach can have negative consequences. Relief should, in principle, be available to all major housing applications, as every scheme contributes to London's housing supply. A fixed, high threshold risks penalising SMEs, for whom even smaller CIL liabilities can pose significant viability challenges, particularly in higher-cost boroughs. Allowing relief more broadly would support all developers, reduce complexity, and provide further justification for dropping the proposed new, costly CIL process.

14. One way to simplify administration and reduce burdens on smaller developers would be to apply CIL only to developments above a certain size – for example, 20 units – while introducing a smaller, per-unit processing fee for smaller schemes. This approach would maintain the incentive for larger developments to contribute to infrastructure without disproportionately penalising SMEs or adding unnecessary complexity.

Q7: The Government welcomes views on the threshold applying to a development as a whole, and whether this presents any challenges for phased developments where each phase is a separate chargeable development for CIL purposes. If so, should a lower threshold apply for each phase of a phased development?

15. We have concerns about applying the threshold to a development as a whole where schemes are brought forward in genuinely phased form. In many cases, each phase is a separate chargeable development for CIL purposes, independently financed and subject to differing viability conditions over time. Applying a single threshold at the whole-scheme level risks limiting the effectiveness of relief in supporting delivery, particularly for later phases. Consideration should therefore be given to allowing a lower threshold to apply to individual phases of phased developments, with appropriate safeguards to prevent misuse so that relief better reflects how large and complex schemes are delivered in practice.

Q8: The Government welcomes views on the proposal to require a minimum level of affordable housing as set out in this sub-section.

16. We are concerned by the decision to tie CIL relief to affordable housing delivery. While we understand the aim of creating a clear and consistent incentive, linking relief to a specific percentage introduces unnecessary complications. For example, a scheme delivering 100% social rent but below the threshold, a scheme making an off-site payment for the right reasons, or a scheme providing affordable housing off-site could all be excluded from relief. In the context of a housing emergency, CIL relief should be kept simple and apply to all eligible developments, irrespective of the precise affordable housing contribution.

17. The current requirement that 60% of the minimum 20% affordable housing must be delivered as social rent introduces further complexity at a point when the focus should be on maximising the overall quantum of affordable housing delivered. Adding additional tenure requirements

risks undermining the effectiveness of the route and reducing its attractiveness, rather than accelerating delivery.

18. The 60% social rent requirement makes this route largely unworkable for build-to-rent schemes, meaning it is unlikely to support delivery across all tenures. This is a missed opportunity at a time when London needs to support a range of delivery models to create a resilient and diverse pipeline of development. A more flexible approach would be better placed to unlock delivery and increase affordable housing output across the capital.

Q9: Overall, are you supportive of the qualifying criteria outlined? Please set out your views.

19. No. As outlined in our responses to Questions 4–8, the objective of the relief is to support housebuilding across London. Limiting its application to a narrow subset of residential developments, combined with the impact on phased schemes and the requirement that 60% of the 20% affordable housing be delivered as social rent, means that these changes are unlikely to bring forward a meaningful increase in applications or accelerate schemes progressing to delivery.

Q10: The Government welcomes views and evidence on whether a time-limited borough-level CIL relief in London will have the desired effect of improving viability to support housebuilding in London? As part of this, the Government would welcome case studies on the impact that borough-level CIL has on development in London.

20. We do not consider that, as currently designed, the proposed time-limited borough-level CIL relief will have a material impact on housing delivery in London. In the context of overall development costs, borough-level CIL typically represents a relatively small proportion of total scheme costs. In some cases, larger and more complex sites within Opportunity Areas are already nil CIL rated, meaning the proposed relief would have no practical impact on viability or delivery. As a result, CIL relief alone is unlikely to unlock stalled sites or materially influence investment decisions.

21. This limited impact is compounded by the proposed clawback mechanism, which introduces additional risk and uncertainty. Many investors are unlikely to commit to a route where financial support could be reclaimed retrospectively, undermining the attractiveness of the relief.

22. The time-limited nature of the proposal further restricts its effectiveness. Many London schemes have long lead-in and delivery timescales, meaning that they would be unable to benefit from a relief window that only applies post-planning. While we understand MHCLG's rationale that CIL relief cannot be agreed until all Section 106 (S106) obligations, grant funding arrangements, and financial variables are fully known, this means developers will not know for certain whether they will receive CIL relief until very late in the process. When this late notice of relief is combined with the risk of clawback, it is likely to further deter uptake.

23. As a result, the existing viability tested route (VTR) is likely to remain the preferred and more certain mechanism for addressing viability challenges. While the principle of CIL relief is welcome, as currently designed, it is unlikely to meaningfully improve scheme viability or drive a substantial increase in housing delivery across London. Any post-planning, time-limited relief must address both the financial scale and certainty of the relief if it is to shift developer behaviour and deliver additional homes.

Q11: Are there any specific criteria that you think could be clarified or adjusted? If so, please give your reasons why.

24. As detailed in our responses to Questions 4–8, qualifying criteria should be removed so that CIL relief can apply to all developments that contribute to new housing delivery during the time-limited period.

Q12: Are there any additional eligibility criteria you think should be considered for the CIL relief beyond those proposed? Are there any other observations or comments you wish to make?

25. As above, we believe that the qualifying criteria should be removed altogether rather than expanded.

Q13: The Government welcomes views on the proposed steps before applying for relief as set out in this sub-section. This includes views on how the grant funding mechanism may interact with the proposed CIL relief, and any circumstances where following the order/choreography set out would be difficult.

26. We understand the rationale for requiring planning obligations and grant funding to be agreed before applying for CIL relief, as this provides transparency and certainty for both developers and local authorities. However, there are practical challenges with this approach. In many cases, grant funding may not be fully confirmed at the point of application, meaning developers could be expected to apply for relief without certainty over the level of funding, which may affect the accuracy of relief calculations. Phased developments present further complexity, as S106 agreements and grant allocations are often staggered across different phases, making it difficult to align the process across the whole scheme. Some flexibility in timing, and the ability to update applications if grant levels change, would help ensure the process supports delivery efficiently while avoiding unnecessary barriers or delays for developers.

Q14: The Government welcomes views on the proposed application fee, the level of fee that is proposed and whether this would create any difficulties.

27. It is important to ensure that local planning authorities have sufficient resources to process CIL relief applications without diverting capacity from other essential functions. However, the proposed fee of £25,000 appears unusually high and could create a barrier to accessing relief,

particularly for smaller developers or those managing multiple sites. While it is right to encourage careful and well-evidenced applications, the expensive fee is indicative of a proposed process that appears to be overly complex and could therefore lead to difficult and lengthy negotiations. Consideration should be given to a scaled or tiered fee structure, or a lower fixed fee, that reflects the administrative burden without unnecessarily discouraging applications. This would help balance the need to fund additional resourcing with maintaining access to relief for developments that meet the policy objectives. Fundamentally, simplifying the CIL relief process would negate the need to charge such a high fee.

Q15: The Government welcomes views and evidence on whether 50 per cent relief for qualifying schemes delivering 20 per cent affordable housing is appropriate, or whether an alternative approach should be considered.

28. We support the principle of using CIL relief to help unlock stalled or marginal schemes and recognise the value of providing certainty through a fixed level of relief. However, it is unclear if a 50% reduction in borough-level CIL will, on its own, materially improve viability, as it is unlikely to benefit smaller schemes and likely unfeasible for larger or phased schemes, particularly given wider cost pressures and the compressed delivery timelines associated with the new planning route.

29. Evidence from our member canvass illustrates this: of 67 sites identified, only 13 would theoretically utilise the emergency measures, suggesting the relief will assist only a narrow subset of developments. While the relief may improve scheme cashflow, its overall impact on viability is likely to be modest in some cases, and there is a risk that any CIL savings could be offset by increased S106 obligations, undermining the Government's aim to improve viability.

Q16: The Government welcomes views on whether this approach strikes an appropriate balance and provides a clear incentive for additional affordable housing to come forward.

30. We support the intention to incentivise higher levels of affordable housing through increased CIL relief and recognise the clarity provided by a linear approach. However, the effectiveness of this incentive will depend on the interaction with scheme viability and delivery risk. As previously outlined in our introduction and in response to Question 15, evidence from our member canvass indicates that only a limited number of schemes would theoretically consider applying for the emergency measures. This demonstrates that, while the principle of increased relief is welcome, the measures as currently designed are unlikely to provide a sufficient incentive for a broad range of schemes to deliver additional affordable housing.

31. In particular, the proposed clawback provisions and the expectation of rapid build-out may further limit developers' willingness to rely on this route, reducing its practical impact. There is a risk that, despite the availability of increased relief, developers will continue to favour the VTR, which offers greater flexibility and certainty over time.

Q17: The Government welcomes views on the optimal levels of relief to ensure development can proceed, while maximising CIL receipts and affordable housing delivery.

32. The proposed levels of CIL relief are broadly appropriate and strike a sensible balance between supporting viability and ensuring continued contributions towards infrastructure provision. However, the proposed clawback mechanism significantly undermines the effectiveness of the relief. The uncertainty created by the risk of retrospective liability is likely to deter developers and investors from utilising the relief, limiting its take-up in practice. As a result, the existing VTR is likely to remain the preferred option, and the proposals are unlikely to lead to a material change in affordable housing delivery or overall housing output unless the clawback mechanism is removed, amongst other proposed changes.

Q18: The Government welcomes views as to whether boroughs should have any discretion in relation to the relief and if so in what circumstances, and how this may work such that robust incentives for additional affordable housing remain.

33. Boroughs should not be given discretion in applying the emergency CIL relief. Consistency across London is important to provide certainty for developers, reduce the risk of uneven application, and avoid creating perverse incentives where the level of relief varies by borough. A uniform approach ensures that the relief operates predictably, supporting delivery while maintaining transparency and fairness.

Q19: The Government welcomes views on the appropriate and proportionate level of information that a developer must provide for a scheme in order to be able to qualify for the relief, ensuring that only those schemes which genuinely need the relief are able to benefit from it but avoiding the level of viability testing that would be required under the GLA's Viability Tested Route.

34. In paragraph 4.4 of the consultation document, the position on viability testing is vague, giving the impression that CIL relief could be subject to a complex and lengthy viability assessment. Without clear parameters, this risks introducing unnecessary procedural steps, delaying approvals, and creating uncertainty for developers and investors. If not carefully managed, the process could replicate the challenges associated with post-planning viability reviews, undermining the very purpose of the relief. This must be avoided to ensure that the measures provide timely and effective support to housing delivery.

35. The requirement for applicants to submit scheme-specific viability information as part of the CIL relief claim should be reconsidered. Introducing viability testing at this stage risks adding complexity, cost, and delay, and could significantly undermine the purpose of the relief by reducing its predictability and attractiveness. Developers, investors, and funders may be unable to factor the relief into financial appraisals with confidence, diluting its intended impact. Given that the Government and GLA have already recognised the scale of the housing challenge in London, it is unclear what additional value scheme-by-scheme viability testing would provide. There is also a material risk that a viability review process could lead to

inconsistent application across schemes or delays in accessing the relief in practice. As a non-negotiable development charge, CIL is not generally subject to viability testing other than in exceptional circumstances, and applying a similar approach here would help ensure the relief supports housing delivery at pace and scale.

Q20: The Government welcomes views on whether existing enforcement mechanisms for (i) statutory declarations (see section 5 of the Perjury Act 1911), and (ii) prosecution under the CIL Regs (see Regulation 110 of the CIL Regs) for supplying false or misleading information that is required to be provided under those Regulations, are sufficient to deter gaming of the system, or whether other deterrents should be made available? If you think these are not sufficient, please set out your reasons and views on what kinds of other deterrents may be needed, noting the Government's aims of creating a streamlined and certain process.

36. The existing enforcement mechanisms are considered fit for purpose and do not require further amendments.

Q21: The Government is interested in obtaining views on the suitability of the proposed process for securing the relief. The process is intended to provide consistent, timely and proportionate decision-making, whilst ensuring that applications for relief are robust and honest. We welcome feedback on whether these steps are practical and effective in supporting the intended outcome.

37. There is a concern that the proposed process may be too restrictive in practice, particularly in relation to schemes that have technically commenced but have since stalled. As drafted, these schemes would not be eligible for relief, despite often facing the most acute viability and delivery challenges. This risks excluding a significant cohort of developments that could otherwise be unlocked and brought forward quickly. In the short to medium term, supporting stalled schemes with existing permissions is likely to be the most effective way to accelerate housing delivery, as these sites are typically well advanced in the planning process and capable of progressing rapidly if viability constraints can be addressed.

38. We welcome the intention for the process to provide consistent, timely, and proportionate decision-making. However, it is not sufficient to state only, as the consultation notes, "the timely processing of applications is important." The Government should provide explicit target timescales for each stage of the CIL relief application process in Section 5 of the consultation. This clarity would create accountability for decision makers, reduce uncertainty for developers, and ensure that the relief genuinely supports rapid delivery. Greater flexibility in the process, combined with clear timescales for CIL relief and appropriate safeguards, would help ensure the relief achieves its stated objective of supporting housing delivery at pace.

Q22: Are you supportive of the overall approach proposed to securing relief?

39. As set out in our responses to other questions, the current approach to securing relief risks being overly complex and restrictive, which may limit its effectiveness in supporting housebuilding in London. The process would benefit from simplification, including streamlining how claims are made and administered, reconsidering the need for viability testing, and broadening the range of development proposals that can benefit from the relief over a more flexible time-limited period.

Q23: Do you foresee any challenges with particular aspects of the approach proposed to securing relief? If so, how might these be overcome?

40. A key challenge with the proposed approach is the restriction that only developments that have not yet commenced can access relief. Many schemes that have technically started but are now stalled, often due to viability constraints, would be excluded, limiting the policy's ability to unlock housing in the short to medium term. The combination of compressed timelines, strict commencement windows, and clawback provisions further increases risk and uncertainty, making developers and investors less likely to use the new route and more likely to remain on the existing VTR.

41. A more practical approach would be to retain the existing FTR, lower the affordable housing threshold, and offer CIL relief or in-kind relief, where developers can satisfy some or all of their CIL obligations by providing land or infrastructure instead of cash, with a longer, more realistic window for development to begin, or make it permanent until market conditions improve. This would provide certainty, address stalled schemes effectively, and better support the objective of accelerating housing delivery in London without introducing additional risk that could discourage take-up.

Q24: The Government welcomes views on appropriate clawback provisions to ensure schemes which benefit from the relief contribute to urgent housing need. This will include clawback of relief if an incorrect/false statement is made about the viability evidence which is submitted to justify the need for relief from CIL.

42. While we understand the rationale for including clawback provisions to protect public value and ensure schemes deliver as intended, the proposed approach raises significant concerns for developers and investors. The proposed clawback arrangements introduce a high level of risk and uncertainty, particularly for large schemes. This is especially true where the clawback could apply many years later or where it depends on future build-out timescales or changes to affordable housing provision.

43. As a result, developers are likely to be discouraged from using the emergency CIL relief altogether. Instead, the VTR is expected to remain more attractive, as it offers greater certainty than the emergency measures.

44. Although the availability of CIL relief is welcome, the prospect of clawback introduces material commercial and funding risk that many schemes are unlikely to accept, particularly in a volatile market where delivery timelines and tenure mixes can change for reasons outside a developer's control. As a result, there is a strong likelihood that applicants will continue to pursue the existing VTR, which offers greater certainty, rather than making use of the new relief mechanism. If the policy objective is to accelerate delivery, the clawback provisions will need to be carefully calibrated to avoid undermining the attractiveness and effectiveness of the relief.

Q25: Are you supportive of the overall approach proposed to administering the relief? And Q26: Do you foresee any challenges with particular aspects of the approach proposed to administering the relief? If so, how might these be overcome?

45. As outlined in our responses to previous questions, while the intention to accelerate housing delivery is welcome, we do not support the overall approach to administering the relief as currently proposed. The framework is overly complex, restrictive, and risk-laden, and is therefore unlikely to be taken up at scale.

46. The combination of narrow eligibility, unrealistic timescales, and extensive clawback provisions introduces significant uncertainty, particularly for large and phased schemes. Excluding stalled schemes that have technically commenced, alongside the prospect of clawback many years into delivery, creates commercial and funding risks that most developers and investors are unlikely to accept. In practice, this will push applicants back toward the existing VTR, undermining the purpose of the emergency measures.

47. If the relief is to achieve its stated objective, the approach must be simplified. This should include retaining the FTR, lowering affordable housing thresholds, focusing flexibility on schemes with applications submitted by March 2028, and tightly constraining clawback to clear, proportionate, and exceptional circumstances only. Without these changes, the relief is unlikely to unlock additional housing delivery or provide a credible alternative to existing routes.

Q27: Do you foresee any challenges with the proposed implementation process?

48. We would welcome clarity on the anticipated timescales for drafting and enacting the relevant regulations, as this will be critical for developers and local authorities in planning and implementing schemes. In particular, it is important to understand how the measures would apply to sites that have already commenced development or where CIL has been paid in full or in part, but where relief could materially improve viability and accelerate delivery. Without clear transitional provisions, developers may be disincentivised from starting works before the regulations come into effect, potentially delaying the very housing delivery the measures are intended to support. Ensuring a clear, practicable framework for implementation and transition will be essential to avoid creating unnecessary risk or uncertainty.

Q28: The Government welcomes any views on other ways that developers could be supported through the CIL system to bring forward developments.

49. One of the most effective ways to support delivery through the CIL system is to focus on stalled sites with existing planning permission**.** These sites are typically the quickest to bring forward and represent the greatest potential to increase housing delivery in the short to medium term. While CIL relief is welcome, the combination of compressed timelines, clawback provisions, and restrictions on which schemes are eligible creates uncertainty that may discourage take-up of the new route and reduce the number of eligible schemes.

50. Another way to support delivery through the CIL system would be to allow developers to use borough-level CIL to directly deliver infrastructure required by their schemes. Ring-fencing CIL in this way, particularly where infrastructure provides wider public benefit, could reduce section 106 costs, improve viability, and help unlock stalled sites. This approach could be secured through section 106 agreements, with appropriate safeguards to ensure transparency and capture any future viability uplift.

PART II: A PROPOSAL FOR PERMANENT CHANGES TO THE TOWN AND COUNTRY PLANNING (MAYOR OF LONDON) ORDER 2008 TO SUPPORT HOUSING DELIVERY IN THE CAPITAL

Q29: Do you agree with the new PSI category of 50 homes or more? Please state why.

51. We support the new PSI category for developments of 50 homes or more. This change allows increased mayoral intervention where boroughs are being unrealistic about affordable housing expectations and are not processing applications in a reasonable and timely manner. To further support housebuilding, the PSI category should explicitly include S73 applications that are being optimised and already have planning permission, incentivising improvements under the easiest planning route rather than requiring costly new applications. It should also cover schemes refused under delegated authority as well as those overturned at Committee, ensuring that all developments blocked by less pragmatic boroughs can benefit.

Q30: Do you agree with the streamlined process for the new PSI category? Please state why.

52. Yes. The proposed streamlined process is generally supported. Given that the Mayor will have the power to intervene in a much larger number of planning applications, careful management of resources is important to deal with any additional workload. The streamlined process set out in the consultation will create some additional bureaucracy for LPAs and the GLA, but the removal of Stage 1 from the Mayoral process for schemes of between 50 and 149 homes will significantly reduce the potential resource burden. The very existence of this process should help focus LPAs and planning committees during application negotiations, and only a small number of applications will need to be called in by the Mayor. However, for this new system to work effectively, the Mayor should be able to call in applications after the statutory application

determination period of 13 weeks, and this needs to be a real threat given the emergency nature of the current situation.

53. It is our understanding that the Mayor of London Order already allows for this on existing referrable schemes of 150 homes or more, but it is not generally relied upon. We therefore urge the Government to amend the new streamlined process for schemes of between 50 and 149 homes to remove the requirement for *"a statement that the authority intends to refuse the application and the full reasons for this".* The requirement effectively means that the case officer's report must be published before any Mayoral intervention can occur. However, if negotiations between the applicant and the LPA have been in deadlock for an extended period, then this is too late in the process. The threat of Mayoral intervention needs to be available earlier to prevent the applicant from feeling they have no option but to lodge a non-determination appeal. Such an appeal would significantly prolong the planning process. This, in turn, delays the point at which any homes can actually be delivered.

54. The new streamlined process for schemes of between 50 and 149 homes should be revised to allow applicants to submit a formal request to the Mayor to call in an application if negotiations with the LPA are in deadlock at any time beyond the statutory determination period of 13 weeks.

Q31: Do you agree that development in Category 3D of the Schedule of the Mayor of London Order 2008 should be brought into scope of the Mayor's call-in power? Please state why.

55. We support bringing development in Category 3D of the Schedule of the Mayor of London Order 2008 within the scope of the Mayor's call-in powers. While development on Green Belt and Metropolitan Open Land is rightly subject to strong policy protection, schemes captured under Category 3D can be modest in scale yet strategically sensitive. Extending call-in powers would allow a more proportionate and consistent assessment where very special circumstances are being advanced, particularly on poorer quality land or where proposals could deliver clear public benefits, including housing and affordable housing.

56. This change would provide applicants with greater certainty and a clearer route to determination, helping to manage planning risk, reduce delay, and support scheme viability. It will, however, be essential that any expansion of call-in powers is supported by adequate resourcing within the GLA, as increased call-ins without additional capacity could lead to longer determination times and undermine the benefits of the proposal. Crucially, this approach does not weaken existing Green Belt or Metropolitan Open Land protections, which remain unchanged, but instead enables the Mayor to play a more active role in shaping outcomes in a more consistent way.