

impact of the London Plan and ensure that it is kept up to date and relevant. An Implementation Plan will also be published regularly setting out key actions necessary to deliver the London Plan.

Planning obligations and the Community Infrastructure Levy

POLICY 8.2 PLANNING OBLIGATIONS

Strategic

- A The Mayor will provide guidance for boroughs and other partners on the preparation of frameworks for negotiations on planning obligations in DPDs, reflecting the strategic priorities set out below. In particular, the Mayor wishes to develop with boroughs voluntary systems of pooling contributions for the provision of facilities related to proposed developments that cannot be addressed through the Community Infrastructure Levy.

Planning decisions

- B When considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations.
- C Development proposals should address strategic as well as local priorities in planning obligations.
- D Affordable housing; supporting the funding of Crossrail where this is appropriate (see Policy 6.5); and other public transport improvements should be given the highest importance. Where it is appropriate to seek a Crossrail contribution in accordance with Policy 6.5, this should generally be given higher priority than other public transport improvements.
- E Importance should also be given to tackling climate change and air quality, social infrastructure and the provision of small shops.

LDF preparation

- F Boroughs should set out a clear framework for negotiations on planning obligations in DPDs having regard to relevant legislation, central Government policy and guidance and local and strategic considerations to the effect that:
 - a It will be a material consideration whether a development makes an appropriate contribution or other provision (or some combination thereof) towards meeting the requirements made necessary by, and related to, the proposed development
 - b Negotiations should seek a contribution towards the full cost of all

such provision that is fairly and reasonably related in scale and kind to the proposed development and its impact on a wider area

- c Boroughs must refer to planning obligations that would be sought in the relevant parts of the DPDs (such as transport and housing policies).

- 8.11 Planning obligations (or 'section 106 agreements') are an important aspect of major planning applications. Their use in accordance with national guidance and legislation (particularly the Community Infrastructure Levy Regulations 2010, which sets out three tests for the proper use of planning obligations with statutory force) balances the impacts of development and enables them to be addressed. London boroughs have a range of locally based priorities to be fulfilled through planning obligations. Some boroughs have supplementary planning documents setting out these priorities and the likely scale of contributions that different types of development are likely to require.
- 8.12 The Mayor takes a London wide overview of the strategic priorities that London needs. Over the past decade or so the two lead priorities have consistently been affordable housing and transport. This situation continues, with now an added emphasis on contributions toward the Crossrail funding package (see Policy 6.5).
- 8.13 Other important priority uses for s106 funding that apply generally across London are measures to mitigate and adapt to climate change, the improvement of air quality, the provision of social infrastructure and small shops.
- 8.14 The role of planning obligations will change as a result of introduction of the Community Infrastructure Levy (see below). The Government's expectation is that the Levy will be the principal means of funding infrastructure, but it is likely that planning obligations will continue to have an important role with regard to affordable housing for impact mitigation and for items that are not infrastructure (contributions towards revenue costs, for example).

POLICY 8.3 COMMUNITY INFRASTRUCTURE LEVY

Strategic

- A The Mayor will work with Government and other stakeholders to ensure the effective development and implementation of the Community Infrastructure Levy (CIL).
 - B The Mayor will keep under review the charging schedule he approved in accordance with the Community Infrastructure Levy Regulations 2010 to enable him to use the CIL to fund Crossrail, and will bring forward further proposals should that prove appropriate.
 - C The Mayor will prepare guidance for boroughs and other partners setting out a clear framework for application of the CIL to ensure the costs incurred in providing the infrastructure which supports the policies in this Plan (particularly public transport – including Crossrail –
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