
STATUTORY INSTRUMENTS

2008 No. 580

The Town and Country Planning (Mayor of London) Order 2008

Direction that the Mayor is to be the local planning authority

7.—(1) Subject to paragraphs (4) and (5), the Mayor may give to the local planning authority a direction under section 2A of the 1990 Act if he considers that—

- (a) the development or any of the issues raised by the development to which the PSI application relates is of such a nature or scale that it would have a significant impact on the implementation of the spatial development strategy;
- (b) the development or any of the issues raised by the development to which the application relates has significant effects that are likely to affect more than one London Borough; and
- (c) there are sound planning reasons for issuing a direction.

(2) The direction must state that the Mayor is to act as the local planning authority for the purpose of—

- (a) determining the application; and
- (b) where relevant, determining any connected application.

(3) In deciding whether to give a direction the Mayor must take account –

- (a) where the application relates to development which falls within Category 1A of the Schedule, of the extent to which the council of the London Borough in which the development is or is to be situated is achieving, and has achieved the applicable development plan targets for new housing, including affordable housing;
- (b) in relation to all applications, of the extent to which the council of the London Borough is achieving, and has achieved any other targets set out in the development plan which are relevant to the subject matter of the application.

(4) Where an application for development which falls within Category 1A of the Schedule is referred to the Mayor, paragraph (1)(b) does not apply.

(5) A direction must be given either—

- (a) within the period referred to in article 5(1)(b)(i); or
- (b) where paragraph (6) applies, within 14 days of receiving the applicant's request .

(6) This paragraph applies where—

- (a) the authority has failed to provide the statement referred to in article 5(1)(a)(iii) within the relevant period specified in article 20(2) of the GDPO; and
- (b) the applicant has requested the Mayor in writing to give a direction under section 2A of the 1990 Act.

(7) In giving reasons for making a direction the Mayor must specify how the matters set out in paragraph (3) have affected his decision.

(8) A local planning authority must place on Part 2 of the register required to be kept by article 25 of the GDPO (register of applications) a copy of any direction it receives under this article within 14 days of receiving it.