

Committee(s)	Dated:
Planning & Transportation	20/02/2018
Subject: City Corporation's response to consultation on the Draft London Plan, December 2017	Public
Report of: Director of the Built Environment	For Decision
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Summary

The Mayor of London has published his draft London Plan for consultation. The draft Plan seeks to implement the Mayor's election manifesto commitments and sets out detailed policies for the future development of London in the period 2019-2041. Following the consultation, the Mayor will submit the draft Plan for public examination in front of an independent Panel of inspectors. Subject to the Panel's recommendations, the Mayor intends to formally adopt (publish) the Plan in early 2019. On adoption, the draft Plan will become part of the statutory Development Plan for London alongside borough and City Corporation local plans.

The draft London Plan is intended to be very different from previous London Plans, providing a much more ambitious, detailed and prescriptive Plan that can be implemented as soon as it is adopted, rather than waiting for boroughs and the City to prepare and update local plans. There is much in the draft Plan that can be supported, including the Mayor's emphasis on Good Growth, placing improvements to the health and quality of life for Londoners at the heart of planning for the growth that London needs to continue to thrive. The draft Plan sets out strong policy support for office development within the City of London, and indicates that office and other Central Activities Zone (CAZ) strategic priorities, including cultural activities, should be given greater weight than residential development. There is also support for further development of cultural and entertainment uses, including within the Barbican/Smithfield/Farringdon area (Culture Mile), an emphasis on green and sustainable development and infrastructure, including actions to deliver improvements in air quality and the delivery of the Mayor's Healthy Streets agenda, reducing the impact of freight and servicing trips and support for consolidation of freight.

However, there are several key elements of the draft Plan that would have adverse impacts on the City of London and to which objection should be raised. In particular, the draft Plan requires external design review of development proposals over 30m in height, which would add greater complexity, cost and uncertainty to development in the City and ignores the significant experience on design matters within the City Corporation. The draft Plan also sets a target for new housing development which appears to conflict with the priority afforded to office development within the City of London elsewhere in the draft London Plan. A reduced target for new housing should

be adopted which meets the City Corporation's own local assessment of need whilst ensuring that necessary office and other commercial development can continue. The City Corporation will continue to support the delivery of new housing through its own housing estates and financial contributions towards affordable housing from commercial development within the City.

Recommendation(s)

Members are recommended to:

- Agree the key points set out in paragraphs 5 to 30 and the detailed comments on individual policies in Appendix 1, as the City Corporation's response to the draft London Plan.

Main Report

Background

1. The Mayor of London is required to prepare a range of statutory strategies, including a spatial development strategy (the London Plan) and strategies for transport, housing, environment, economic development, health and culture. In October 2016, the Mayor published for consultation a statement of ambition for the future of London and Londoners, 'A City for all Londoners'. The City Corporation's response was agreed by the Planning & Transportation Committee on 13 December 2016. Responses to the consultation have informed the subsequent development of the Mayor's strategies and the draft London Plan.

Current Position

2. In December 2017, the Mayor published his Draft London Plan for consultation. The draft Plan is available on the Mayor's website at: <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan>. The draft Plan is intended to replace the existing 2016 London Plan rather than amend that Plan. It sets out the Mayor's proposed land use planning policies for the whole of London in the period up to 2041 and will form part of the Development Plan for London, alongside borough and City Corporation local plans. The draft Plan is intended to be very different from previous London Plans, providing a much more ambitious, detailed and prescriptive Plan that can be implemented as soon as it is adopted, rather than waiting for boroughs and the City to prepare and update local plans. The Plan runs to 503 pages, includes 114 policies and will be supplemented by a range of other detailed supplementary planning guidance prepared by the Mayor.
3. Following consultation on the draft Plan, the Mayor will submit the London Plan for Examination in Public in front of an independent Panel of planning inspectors appointed by the Planning Inspectorate. This Examination is expected to take place during the autumn of 2018 (possibly alongside the Examination into the Mayor's proposals for a revised Mayoral Community Infrastructure Levy). After the Examination is completed, the Panel will prepare a report to the Mayor recommending changes. The Mayor will then consider whether or not to make

these changes and then send the final Plan to the Secretary of State for consideration. Assuming the Secretary of State does not make any direction to amend the Plan, it will be laid before the London Assembly for final consideration before being published (adopted). Publication is currently anticipated early in 2019.

Proposals

4. The following paragraphs set out comments on key elements of the draft London Plan and suggested responses in italics. Appendix 1 contains more detailed comments on individual policies within the draft Plan and it is recommended that this Appendix, together with the comments below be forwarded to the Mayor as the City Corporation's formal response to the draft London Plan.

Key Points and Suggested Response

Delivering Good Growth

5. The draft Plan is intended to be different to previous London Plans, with a new overarching focus on Good Growth, defined as growth that is socially and economically inclusive and environmental sustainable. This is expressed in 6 new Good Growth policies which provide the strategic context for the Plan and cover the creation of strong and inclusive communities, making the best use of land, creating a healthy city, delivering the homes Londoners need, growing a good economy and increasing efficiency and resilience.
6. *The Mayor's approach to, and emphasis on delivering, Good Growth should be supported. It places improvements to the health and quality of life for Londoners at the heart of planning for the growth that London needs to continue to thrive. The recognition of the importance of the Plan to the health and well-being of Londoners reflects the direction of the emerging City Corporation Corporate Plan for 2018-23 which has at its heart the role of the City Corporation in contributing to the health and well-being of City residents, workers and visitors.*

Level of Detail and Direction

7. The draft Plan is a much more detailed and prescriptive document than the current or previous London Plans. This approach reflects the Mayor's concern that past London Plans have had to rely on borough local plans for implementation, resulting in delay in implementing the Mayor's manifesto. The intention is that the new London Plan, as part of the statutory Development Plan for London, will be implemented and will influence detailed development decisions taken by boroughs from the day of adoption, rather than being reliant on the later delivery of specific guidance in borough and City local plans. Local plans are not expected to repeat the detailed guidance in the London Plan and are seen by the Mayor as being shorter, primarily local implementation documents.
8. There are a number of examples within the draft Plan of policies which include a level of detail not seen in previous strategic level plans, including:

- Policy D4: Housing quality and standards, which retains current London Plan guidance on overall space standards, but also now includes detailed standards on the sizes of bedrooms, minimum floor to ceiling heights and minimum standards for private outdoor space.
 - Policy D8: Tall buildings, which sets out very detailed design guidance, running over 3 pages.
 - Policy E9: Retail, markets and hot food takeaways, which restricts the development of hot food takeaways within 400m of a school and requires prescriptive conditions to control the quality of food on sale within permitted A5 units.
9. *Whilst there is much in the draft Plan that can be supported, in places the level of detail and prescription within policy goes beyond what would normally be expected of a strategic level plan. There is a need for the London Plan to provide a strategic framework for local policy, but it should not attempt to impose detailed requirements which do not allow for flexibility to respond to specific local circumstances or locally adopted policy. For example, it is difficult to see how a London-wide policy restricting the location of A5 hot food takeaways can be delivered in the City of London with a focus on meeting the needs of a global business centre within a small area. The overall approach in the draft Plan should be to provide strategic direction in line with the Mayor's manifesto commitments, whilst allowing for necessary and justified local variation.*

Support for the City of London's commercial role

10. Policies SD4 and SD5 provide guidance on the role and function of London's Central Activities Zone (CAZ) and appropriate development within this Zone. The City of London lies wholly within the CAZ. Policy SD4 seeks to support the internationally significant office cluster within the CAZ, as well as other CAZ strategic functions, including cultural attractions, highlighting the need for further public realm enhancement, infrastructure improvement (including the need for consolidation of freight and servicing), digital connectivity and the promotion of safety, security and resilience. Air quality is identified as a particular issue.
11. Policy SD5 identifies the City of London as an office centre of national and international significance and states that 'residential development is not appropriate in the commercial core of the City of London'. Outside of the commercial core (which is to be defined in the City of London Local Plan), draft policy indicates that other CAZ strategic functions, such as culture and entertainment, should be afforded greater weight relative to residential development. The draft Plan supports the introduction of Article 4 Directions to permanently remove permitted development rights for the change of use from offices to residential.
12. *The draft London Plan goes further than the current London Plan in supporting the national and international commercial role of the City of London and this should be strongly welcomed. This approach will provide an effective framework for the City Corporation to develop and apply local policies which ensure the continuation of the City's commercial focus. Support for measures to address freight and servicing concerns, poor air quality and resilience are also welcomed. There is, however, a concern that the strong statement of commercial priority*

within the City conflicts with other policies in the draft London Plan, specifically Policy H1 which sets a challenging housing target for the City. The requirement for an increased level of housing development could compromise the City's ability to deliver the scale of commercial, principally office, development necessary to ensure that the City of London can fulfil the strategic priority set out in Policies SD4 and SD5. The Mayor should reduce the housing target for the City to a level commensurate with the City's own estimate of housing need to ensure that the strategic priority for commercial development within the City of London can be met. The City Corporation will continue to make provision for increased housing provision London-wide, including affordable housing, through development on its own housing estates, funded in part through s106 contributions from commercial development within the City and through development on Corporation owned land elsewhere in London.

Design Review

13. The draft Plan promotes good design and provides detailed guidance for boroughs and the City on the evaluation of buildings, including promoting the use of comprehensive design tools such as 3D modelling. The draft Plan requires that boroughs and the City Corporation use independent design review panels to assess and inform design options early in the planning process. Development proposals referable to the Mayor must have undergone at least one design review before a planning application is made on tall buildings, defined as being those above 30m or any locally adopted definition.
14. *A number of elements of the Mayor's design approach can be welcomed. The draft Plan recognises the value that 3D and other modelling techniques have in contributing to the assessment of development proposals and specifically in liaising with the public. The City Corporation has for several years been a leading proponent of the potential of 3D modelling to aid the design and development process and looks forward to working closely with the Mayor and his planning team to refine this modelling and promote its wider use across the capital.*
15. *The City Corporation fundamentally objects to the blanket requirement in Policy D2 that external design review is used to assess and inform design options. This requirement would have a significant impact on development in the City of London, where most new development exceeds the 30m threshold. The requirement for design review assessment, additional to the City's in-house consideration, will add cost, complexity and uncertainty to the development process. The City Corporation has an established reputation for delivering buildings of the highest quality of design and layout, producing buildings that have been critically acclaimed and recognised through international design awards. The City Corporation has good working relationships with the numerous international architecture practices often engaged by developers to work in the City. The City Corporation's internal design input is delivered by a strong team of experienced and highly regarded officers, with experience in design, historic buildings and archaeology as well as development management. Regular liaison with the City's developers has revealed no external perception that there is a design quality issue arising from the City's advice that needs to be addressed through the proposed external process.*

16. *There are already numerous bodies consulted on design aspects of new development in the City, including the City's Conservation Area Advisory Committee, CABE/Design Council, the GLA, the Victorian Society and 20th Century Society and Historic England. There is no need to add further complexity through the introduction of an additional, and separate, design review panel.*
17. *The City Corporation fully supports the need to deliver high quality design and layout to ensure that development makes a positive contribution to London's built environment. However, the requirement for external design review to be applied across London irrespective of existing local circumstances is excessive. The City Corporation accepts that not all boroughs have the level of design resource or experience that is available within the City Corporation and that design review panels can play an important role, but London Plan policy should provide flexibility for boroughs to determine the need for design review, whilst delivering a high standard of design. Similarly the requirement that schemes referable to the Mayor must have been through external design review is excessive, unnecessary and should be deleted.*

Housing

18. *There is a strong emphasis in the new Plan on the delivery of housing, with the overall London-wide annual target for housing increasing from 42,000 to 65,000. Much of the growth is expected in outer London, in identified Opportunity Areas (all outside the City, but including the City Fringe) and through an intensification of development in and around town centres and transport nodes. The City's housing target rises from 141 per year to 146 per year. Amongst neighbouring boroughs, only Camden and Lambeth are expected to increase provision; all others see a reduction in the rate of new housing (although all remain significantly greater than the City). The Mayor has proposed the application of London-wide affordable housing targets, effectively requiring 35% provision on all eligible sites, with detailed requirements for how these are assessed and requirements for referral to, and consultation with, the Mayor.*
19. *The City Corporation supports the Mayor's ambition to see a step change in the level of new housing and affordable housing across the capital. The lack of suitable and affordable housing has been identified by many businesses and business groups as a key constraint to further economic development and investment. However, the City Corporation considers that the policy target of an additional 146 dwellings per year in the City is too high and could have a detrimental effect on the ability of the City of London to deliver economic and employment growth as required by draft London Plan policies SD4 and SD5.*
20. *The City Corporation is reviewing its own local plan and has undertaken a Strategic Housing Market Assessment (SHMA) to identify the level of housing need in the City over the period 2014-2036. This assessment indicates a need to deliver an additional 126 dwellings per year. In September 2017, the Government published a consultation paper 'Planning for the Right Homes in the Right Places', which set out an indicative housing need target for each local planning authority in the country, based on a proposed new national*

methodology. The new methodology suggested that the level of housing need in the City between 2016 and 2026 was 120 dwellings per annum.

- 21. In light of the policy priority in the draft London Plan for office and commercial development in the City of London in place of residential, the lower assessments of housing need for the City established through the national methodology and the City's own SHMA, the City Corporation considers that the housing target in Policy H1 for the City of London should be reduced to a level of 126 dwellings per year. The City Corporation will continue to support the delivery of new housing and affordable housing on its own housing estates and other land holdings across London, seeking an appropriate level of contribution to affordable housing from new commercial development within the City.*

Culture

- 22. The draft London Plan promotes and supports cultural areas and cultural development, encouraging creative activity, pop-up events, the growth of the night time economy and the protection of pubs. Cultural activity is seen as a strategic function of the CAZ. Illustrative diagrams identify the Culture Mile area and recognise the strategic importance of cultural activity in the Barbican, Smithfield, Farringdon area.*
- 23. Although not specifically referring to Culture Mile, the Plan gives clear support to the City's Culture Mile ambitions and the importance of culture in creating an internationally attractive City. These elements of the Plan can be supported.*

Green and Sustainable Infrastructure

- 24. In line with the aim of delivering good growth, the draft Plan seeks to enhance the greening of London, requiring new development to comply with a London-wide greening assessment – the Urban Greening Factor. There is a greater focus on improved air quality in London, requiring development to be air quality neutral, and air quality positive in specific areas (including Upper and Lower Thames Street).*
- 25. The draft Plan seeks to minimise carbon emissions, and work towards achieving the Mayor's aim of a zero carbon city by 2050. New commercial development will be required to be zero carbon in both construction and operation from 2019.*
- 26. The emphasis on greening, sustainable development, air quality improvements and reducing carbon emissions can be supported in principle. They accord with the direction of the City Corporation's Future City agenda, corporate measures to improve air quality across the City and policy direction in the emerging City of London Local Plan, which will be brought to this Committee for approval later in 2018. Additional greening and zero carbon requirements will have an impact on development costs and the Mayor will need to carefully consider whether the cumulative impact of these additional costs, alongside other policy requirements in the draft Plan and the proposed Mayoral Community Infrastructure Levy 2, will have an adverse impact on development viability. Sufficient flexibility needs to be built into draft policies to recognise the potential impact on viability at the individual building level.*

Transport

27. The draft Plan's transport policies seek to implement the Mayor's Transport Strategy which was the subject of public consultation during 2017. Policies promote the concept of Healthy Streets and seek improvements to strategic transport infrastructure, including Crossrail 2, and improvements to the Tube. There is greater emphasis than in previous plans on cycling and walking, with higher cycle parking standards (1 space per 75 sqm of office space, compared with the current 1 per 90 sqm). There is support for out of hours servicing and for consolidation of servicing, with policies encouraging the use of Strategic Industrial Land across London for consolidation. The Plan repeats the Mayor's opposition to expansion at Heathrow unless it can be shown not to have additional air quality or noise effects.
28. *The City Corporation should support the Mayor's approach to transport, which seeks to rebalance the transport system towards walking, cycling and public transport, and to implement the Mayor's Transport Strategy. The identification and safeguarding of new sites and route alignments for priority transport investment can also be supported. The Mayor should, however, consider whether there is a need to extend this safeguarding to ensure that opportunities for development, can be realised in appropriate locations alongside routes and transport nodes, to support the business case underpinning major new transport investment proposals, such as Crossrail 2.*
29. *The Mayor's ambition to increase cycling and walking across London is also supported, including the provision of suitable levels of cycle parking within new development for both long stay and short stay visitors. However, there should be flexibility in the way that cycle parking standards are applied to reflect locally specific or building specific constraints and where a robust and evidenced case for variation in standards has been made. The higher cycle parking standard of 1 space per 75 sqm for office floorspace could be challenging in the City given site constraints and the amount of floorspace created, particularly within office towers in the east of the City.*
30. *The Mayor's support for changes to freight and servicing and for off-site consolidation should particularly supported. As set out elsewhere in the draft Plan, consolidation of freight and servicing in the CAZ, in particular, will be essential to deliver the growth necessary to maintain London's world city role.*

Corporate & Strategic Implications

31. The London Plan forms part of the Development Plan for the City of London, alongside the City Corporation's Local Plan. The City Local Plan is required to be in general conformity with the London Plan. The Mayor's proposed approach accords with the Local Plan's emphasis on maintaining the City as an office centre of national and international importance, and with wider City Corporation ambitions to deliver Culture Mile, reduce the impact of freight and servicing vehicles, deliver urban greening and air quality improvements, as set out in the draft Corporate Plan 2018-23 and the Department of the Built Environment's Business Plan.

Implications

32. There are no financial or legal implications arising out of the consultation on the draft London Plan. There may be implications, for example through the creation and management of design review panels, if the Plan were adopted as currently drafted. Through setting out the City Corporation's concerns on the draft Plan and continued liaison with the Mayor and his officers as the Plan develops, these potential implications can be mitigated.

Health Implications

33. There are no health implications arising from this report.

Conclusion

34. The Mayor of London has published his draft London Plan for consultation. The draft Plan sets out the Mayor's proposed land use planning policies for the whole of London in the period up to 2041 and will form part of the Development Plan for London, alongside borough and City Corporation local plans. The draft Plan is intended to be very different from previous London Plans, providing a much more ambitious, detailed and prescriptive Plan.
35. There is much in the draft Plan that can be supported:
- The emphasis on Good Growth and placing improvements to the health and quality of life for Londoners at the heart of planning for the growth that London needs to continue to thrive.
 - Strong policy support for office development within the City of London, as part of the CAZ, and an indication that office and other CAZ strategic priorities, including cultural activities, should be given greater weight than residential development.
 - Support for further development of cultural and entertainment uses, including within the Barbican/Smithfield/Farringdon area (Culture Mile).
 - An emphasis on green and sustainable development and infrastructure, including actions to deliver improvements in air quality.
 - The delivery of the Mayor's Healthy Streets agenda, reducing the impact of freight and servicing trips and support for consolidation of freight.
36. However, elements of the draft Plan would have adverse impacts on the City of London and concern or objection should be expressed, including:
- Concern that a number of policies in the draft Plan contain an inappropriate level of detail for a strategic plan.
 - The requirement for external design review of development proposals over 30m in height, which would add greater complexity, cost and uncertainty to development in the City and ignores the significant experience on design matters within the City Corporation.
 - A level of housing growth above the level of locally assessed housing need, which would appear to conflict with the draft Plan's strong emphasis on the role of the City of London as an office centre of national and international importance.

Appendices

- Appendix 1 – City of London Corporation comments on the draft London Plan.

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