



Planning and Transportation Committee

INFORMATION PACK

N.B: These matters are for information and have been marked * and circulated separately. These will be taken without discussion, unless the Clerk has been informed that a Member has questions or comments prior to the start of the meeting.

Date: FRIDAY, 4 OCTOBER 2024

Time: 1.45 pm

Venue: COMMITTEE ROOM 3 - 2ND FLOOR WEST WING, GUILDHALL

4. * OUTSTANDING ACTIONS

For Information
(Pages 3 - 4)

7. * TO NOTE THE DRAFT MINUTES OF THE STREETS AND WALKWAYS SUB-COMMITTEE MEETING HELD ON 9 JULY 2024

For Information
(Pages 5 - 20)

8. * REPORT OF ACTION TAKEN

For Information
(Pages 21 - 54)

Ian Thomas CBE
Town Clerk and Chief Executive

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PLANNING AND TRANSPORTATION COMMITTEE – OUTSTANDING ACTIONS

Item	Date	Action/ Responsible Officer	Progress Update and Date to be progressed/completed
1	17 Nov 2020, 15 Dec 2020, 5 Jan 2021, 26 Jan 2021, 16 Feb 2021, 24 Feb 2021 9 March 2021, 30 March 2021, 22 April 2021, 12 May 2021 8 June 2021, 29 June 2021, 20 July 2021, 7 Sept 2021, 21 Sept 2021, 26 Oct 2021, 16 Nov 2021, 14 Dec 2021, 11 Jan 2022 1 Feb 2022, 22 Feb 2022, 26 April 2022, 17 May 2022, 7 June 2022 1 July 2022, 19 July 2022, 20 Sept 2022 11 Oct 2022, 1 Nov 2022, 10 Jan 2023 7 March 2023, 11 May 2023, 18 July 2023 3 October 2023 21 November 2023 12 December 2023, 31 January 2024, 5 March 2024, 14 May 2024, 23 July 2024, 4 October 2024	<p style="text-align: center;"><u>Member Training</u></p> <p style="text-align: center;">Chief Planning Officer and Development Director / Director of the Built Environment</p> <p>A Member questioned whether there would be further training provided on Daylight/Sunlight and other relevant planning matters going forward. She stated that she was aware that other local authorities offered more extensive training and induction for Planning Committee members and also requested that those sitting on the Planning Committee signed dispensations stating that they had received adequate training.</p> <p>The Chair asked that the relevant Chief Officers consider how best to take this forward. He also highlighted that the request from the Town Clerk to all Ward Deputies seeking their nominations on to Ward Committees states that Members of the Planning & Transportation Committee are expected to undertake regular training.</p>	<p>UPDATE: (4 OCTOBER 2024): New Committee Members are provided with training on key aspects. A programme of wider Member training was implemented in 2023. A Carbon Options Guidance (COG) PAN 2023 training session for Planning & Transportation Committee Members will take place on 5 November 2024.</p>

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STREETS AND WALKWAYS SUB (PLANNING AND TRANSPORTATION) COMMITTEE

Tuesday, 9 July 2024

Minutes of the meeting of the Streets and Walkways Sub (Planning and Transportation) Committee held at Committee Room 2 - 2nd Floor West Wing, Guildhall on Tuesday, 9 July 2024 at 1.45 pm

Present

Members:

Graham Packham (Chairman)
Deputy John Edwards (Deputy Chairman)
Deputy Randall Anderson
Deputy Marianne Fredericks
Deputy Shravan Joshi MBE
Ian Seaton
Brendan Barns (Finance Committee - Ex-Officio Member)
John Foley (Port Health & Environmental Services Committee - Ex-Officio Member)
Eamonn Mullally (Natural Environment Board - Ex-Officio Member)

Officers:

James Aggio-Brewe	- Environment Department
Melanie Charalambous	- Environment Department
Maria Herrera	- Environment Department
Gillian Howard	- Environment Department
Ian Hughes	- Environment Department
Andrea Larice	- Environment Department
Bruce McVean	- Environment Department
Andrea Moravicova	- Environment Department
Tom Noble	- Environment Department
Clarisse Tavin	- Environment Department
Samantha Tharme	- Environment Department
Zoe Lewis	- Town Clerk's Department
Callum Southern	- Town Clerk's Department

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

The Chairman made a declaration of interest in relation to Item 11 - Temple Avenue and agreed to leave the room during deliberations of that item.

The Deputy Chairman made a declaration of interest in relation to Item 9 – Cool Streets & Greening Ludgate Broadway and St Andrew’s Hill as his property was in the area and agreed to leave the room during deliberations of that item.

3. **MINUTES**

RESOLVED – That, the public minutes of the previous meeting held on 14 May 2024 be approved as an accurate record of proceedings.

Matters Arising

Bus stop by the Monument on London Bridge

The Chairman indicated that he had not yet had an opportunity to meet with Transport for London (TfL) regarding the bus stop at London Bridge and requested this be added to the standing items.

Update on use of highway for sporting purposes

The Chairman requested an update on the use of the highway for sporting purposes. Officers reported that they constituted events in the legal context and could not be extended past three days without permission from the Secretary of State. The Department for Transport (DfT) had granted permission for events in the City recently, but the issue had led to some debate and more thought around criteria and timescales for future events and this needed to be built into the Corporation’s approval processes. The Committee suggested making the process similar to the existing process that used heat maps that showed impact and benefit. Officers indicated they were exploring how applicants were measuring success.

Members enquired how many of the applicants for events using the highway for sporting purposes were Business Improvement Districts (BIDs). Officers reported that there were a number of applications bundled together by the Central London Alliance and some of the BIDS were members of the organisers.

Members considered whether DfT could be approached to find a way to bypass the process of having to apply for an extension as the public would not necessarily consider Aldgate Square to be a highway. Officers indicated they would refrain from trying to change the designation of such areas but did raise a question for engagement with DfT regarding what they would allow the Corporation to do.

4. **TRANSPORT STRATEGY REVIEW - REVISED DRAFT AND CONSULTATION REPORT**

The Sub-Committee considered a report that included changes to the Transport Strategy, the Engagement Plan for the Strategy Review and the responses received during the consultation period.

Members received a presentation reporting changes in detail but not the overall substance and it was noted by Officers that the response rate from stakeholders had been positive.

Members highlighted there had been a few changes at the Corporation since the document was first published and noted that there had been 20 million annual tourists, not 10 million, with an aspiration to increase to 22 million as part of Destination City.

Members indicated that the key walking routes noted in the documents ran along main road routes which ran contrary to the Healthy Streets Initiative encouraging people to walk on lanes away from busy traffic and felt this should be reflected in the Strategy.

Members suggesting adding that play areas and exercise facilities were also being added to the enhancement of the Riverside Walkway mentioned on Page 168 and noted that there had been a Barbican Phase Two approval since the last document was written which also included exercise facilities and play area.

In reference to Legible London, a Member suggested some wording should be added mentioning work being carry out on 3D signage taking into account the example the Beech Street Gardens which did not show on a 2D map.

Members also highlighted Page 199 of a list of locations for priority locations which are dangerous for traffic and noted that a few particularly bad ones were missing and were the responsibility of TfL. Members suggested they be added to the priority list despite this.

It was advised that the Lighting Charter should be referenced next to the mention of the Lighting SPD in the Strategy document. Members also indicated that refrigerated cargo bikes should be mentioned in the Cargo Bike Action Plan.

Members noted their agreement with those amendments.

The Sub-Committee suggested adding words of substantial encouragement from the Corporation to Proposal 43 with regard to the City Property Association's (CPA) expressed support for finding app-based solutions that would allow disabled passengers to use taxis in instances where traffic restrictions would otherwise prevent access. Officers indicated that they did intend to do this but would make it more specific as requested.

Members expressed concerns around the number of respondents to the consultation. Officers noted that over the period of 18 months, early survey work canvassing 1000 people, including representative views of whether the Corporation was taking the correct approach. This was considered to be a good number surveyed to be representative. Officers also had over 400 people respond online and responses had also been received in detail from the BIDs and the CPA who represented a large number of businesses across the city.

A Member raised concerns about those with limited mobility getting around the City and whether a hopper bus may be a useful addition. Officers indicated there was already a high provision of services crossing the city and were not sure a hopper bus would be appropriate to fill any gaps in public transport provision. The Chairman highlighted a tool the Corporation was using to design public realm projects to cater for mobility impaired travellers and pointed out that some solutions for some mobility impaired travellers could create problems for others.

It was indicated by Members that the expectation in some areas of the City was that vehicles should travel at significantly less than 15mph despite the view that 15 mph aspiration should be replaced with 20mph. Officers responded that appropriate speeds should be looked at on a case-by-case basis and should be designed into the characteristics of the street and through engineering approaches so drivers can visually see they need to drive slower. The Chairman suggested the further use of pedestrian refuges as a solution to calm traffic through on narrow busy streets.

The Sub-Committee queried whether performance statistics could be mandated from consolidation centres to measure their operational effectiveness. Officers noted that the number of deliveries centres could receive by four-wheeled vehicles was limited and there was some voluntary monitoring and Officers were pushing for reporting of progress and achievements through planning conditions being set. Officers also reported that there was regular monitoring of all traffic, including cargo bikes, but needed to be careful to ensure cargo bikes did not go places they should not.

Questions were asked by Members as to whether there were practical examples for use of emerging technologies and how the Corporation was engaging with providers. Officers indicated they had been forced into emerging technology development due to e-bikes and e-scooters due to app-based sharing rides and were engaging with Catapult and DfT on any initiatives that were coming out in relation to automated vehicles. The Chairman requested it be noted that the considerate contractor scheme does encourage and recognise the use of innovative technology.

A Member cautioned at amending too much, in detail, of the wording in the report due to the danger of tying the hands of Members and Officers in five years when the Strategy comes up for review.

The Sub-Committee queried whether there were any further procedural steps for the Strategy once it had been to Planning & Transportation Committee in July. Officers indicated this was the plan and that it did not need to go to Policy and Resources Committee or the Court of Common Council. A member requested a business summary be circulated to consultees highlighting the key elements of the refresh, as well as feedback on how their responses have been considered.

Members considered how accurate delivery figures were to consolidation centres in tall buildings that were being granted planning permission. Officers

noted there was some monitoring information that was provided from buildings that were operating consolidated service and would like to make monitoring data part of the annual report on Transport Strategy.

The Chairman requested an update paper on deliveries, referring to a visit to 22 Bishopsgate where a significant reduction in deliveries was claimed to have been accomplished. Officers indicated they would discuss with Planning colleagues and then provide an update.

The Chairman requested an update on experiments with virtual parking and loading bays. Officers indicated they would provide a general update on deliveries and servicing in the Autumn.

RESOLVED - That, Members of the Sub-Committee:

1. Approve the changes to the Transport Strategy; and
2. Request that the suggested amendments be presented to the Planning and Transportation Committee for consideration alongside the report at the meeting on 23 July 2024.

5. **SMITHFIELD AREA PUBLIC REALM AND TRANSPORTATION**

The Sub-Committee considered a report aiming to coordinate and deliver new public spaces in the Smithfield area in line with the City Transport Strategy, the Climate Action Strategy and the anticipated increase in visitors to the opening of the new Museum of London (MoL) and the future transformation of the Meat Market.

Members received a presentation highlighting the project area for where transformation would happen and reported that the project was to be delivered in line with the City Transport Strategy and the Climate Action Strategy, as well as the anticipated major increase of visitors in the area. Officers noted that the project would be delivered in phases to align with the opening of the Museum of London.

The Sub-Committee sought assurance on re-work not being needed in Phase Two following Phase One. Officers explained this was why a phased approach was being taken to ensure announcement were made aligned with Museum of London (MoL) programme work and to ensure there's no repetitive works.

It was raised by the Chairman what would occur should visitor numbers be significantly higher than the predicted 2,000,000 visitors annually. Officers explained they had been carrying out traffic modelling on this and the MoL project was looking into work that needed to be done to facilitate the museum opening; the design being proposed would be able to accommodate the additional number of people but additional measures may need to be considered if it was much higher.

A question was considered as to whether coordination had taken place with another Section 278 project occurring at the hotel at the top of Long Lane.

Officers assured they were coordinating with developer and had engaged with them early on as part of their previous planning application.

Members enquired as to which side visitors to the new Museum of London would be encouraged to exit from at the Farringdon Elizabeth Line station as concerns were expressed about the west arm of Long Lane not having wide walkways. Officers explained that the new MoL would be encouraging people to arrive from the Farringdon exit, but Officers were looking at improvements to Long Lane in the first phase of works to improve the arrival to MoL from the Barbican exit.

The Sub-Committee considered whether discussions were taking place with the Culture Mile BID as they were conducting their own public realm survey. Officers confirmed that they were engaging with them on a regular basis, and they were aware of the strategy behind the project.

Members queried how the potential future buyers of the Annexe buildings would have input on the public realm. Officers acknowledged the complexity of the site and were engaging with colleagues from City Surveyors on what will happen with the Annexe buildings.

A clarification was offered from a Member who noted that it was no longer the Museum of London, it was now the London Museum.

It was considered by Members whether there would be any road closures, and whether water fountains or toilets in that area with baby changing facilities would be installed. Officers answered that a few options for road closures would be considered – a full closure, a timed closure or no closure at all. Officers indicated they would be able to update on the preferred approach at the next meeting. It was also noted that the Museum would be open with extended hours with access to toilet facilities.

RESOLVED - That, Members of the Sub-Committee:

1. Approve the budget of £335,000 for the Smithfield Area Public Realm project to cover the next stage of the project, funded from the £12m OSPR funding, approved in principle for the project, subject to the relevant approvals;
2. Note the revised project budget of £1,695,014 (excluding risk), from the £12m estimated budget which is unchanged;
3. Approve the £35,000 in Costed Risk Provision;
4. Note the revised programmatic approach to coordinate projects in Smithfield area, and the changes to the delivery plan; and;
5. Note the updates since the last Committee Report.

6. MUSEUM OF LONDON S278

The Sub-Committee received a report on a project to ensure the effective and safe operation of the new MoL development via Section 278 obligations.

RESOLVED: That, Members of the Sub-Committee:

1. Approve the additional budget of £335,000 to reach the next Gateway funded from S278 contributions (subject to receipt of funding);
2. Note the revised project budget of £435,000 (excluding risk);
3. Note the total estimated cost of the project at £3m - £7m (excluding risk);
4. Approve a Costed Risk Provision of £50,000 (to be drawn down via delegation to Chief Officer); and
5. Delegate authority to the Executive Director Environment, in consultation with the Chamberlain, to make any adjustments between elements of the approved budget, provided the total approved budget of £435,000 (exc. CRP) is not exceeded.

7. **FINSBURY CIRCUS ACCESSIBILITY IMPROVEMENTS**

The Sub-Committee received a report on a project seeking to implement accessibility improvements and to rearrange parking to enable improvements and micromobility parking in line with the Liverpool, Street Area Healthy Streets Plan.

A Member queried the lack of a progress report given the cost of £860,000. Officers noted that gateway projects under a value of £1,000,000 are delegated to the Chief Officer and explained that there was no need for a progress report as part of the governance process to complete the project. Officers assured members that if there was a problem with the project, whether with timescale or money, it would be flagged and an issues report would go to Committee.

Members explored the opportunities of achieving cost reductions and in sourcing projects such as this one. Officers explained it was being funded through a workstream related to Crossrail, so any cost reductions would flow back into a wider project as it is one of several schemes being delivered in that area. Early engagement with FM Conway was done to price everything and Officers were confident that when Gateway 6 reports came to the Sub-Committee, it would demonstrate the projects delivered value for money. Officers maintained that the contract procured was considerably cheaper than others at the time.

RESOLVED - That, Members of the Sub-Committee:

1. Agree to the proposal as detailed in Section 6 of the report, and to note that the making of the necessary traffic orders, subject to no objections, or the resolution and consideration of any objections arising from the statutory processes, is delegated to the Director of City Operations under the Scheme of Delegation;
2. Approve the budget of £556,000 to reach the next Gateway, to be funded from the Liverpool Street Crossrail Urban Integration project (Phase 2);
3. Note the total estimated cost of the project at £556,000 (excluding risk).
4. Approve the Costed Risk Provision of £304,000 (to be drawn down via delegation to Chief Officer); and

5. Delegate to the Executive Director Environment authority and in consultation with the Chamberlain to approve budget adjustments between budget lines and within the approved total project budget, above the existing authority within the project procedures.

8. **CREECHURCH LANE AREA IMPROVEMENTS**

The Sub-Committee received a report on a project for public realm and highway improvements to the Creechurch Lane, Mitre Street and Bury Street areas, specifically on accessibility and walking improvements, public realm improvements such as parklets and planting and relocation of parking bays.

The Members considered where parking was going to be re-allocated. Officers noted that the motorcycle bays to Billiter Street, the Lime bikes and e-scooters would be moved to Bury Street and one parking bay would be moved to the other side of Creechurch Lane. Two parking bays would be permanently lost where the existing parklets were already placed.

The Sub-Committee expressed concern that Bury Street was a tight turn, especially for some large vehicles. Officers acknowledged this would be reviewed and consider if containing of the bike bay was needed.

RESOLVED - That, Members of the Sub-Committee:

1. Approve recommended Option 1 to reach the next gateway, which involves widening of pavements on the eastern side of Creechurch Lane, the reallocation of parking and paving of carriageway and junction in granite setts;
2. Approve the budget of £60,000 (staff costs and fees) for the project to reach the next gateway, funded from the Section 106 agreement for the 40 Leadenhall Street development;
3. Note the total estimated cost of the project at £650,000-780,000 for Option 1 (excluding risk);
4. Authorise officers to finalise a funding letter to receive the external funding contribution from the EC BID;
5. Agree to delegate to the Chief Officer the approval and drawdown of the costed risk provision at the next gateway; and
6. Agree to undertake the process to prepare the traffic orders to relocate payment, motorcycle, e-scooters and cycle hire parking in the area in advance of Gateway 5 stage.

9. **COOL STREETS & GREENING LUDGATE BROADWAY AND ST ANDREW'S HILL**

Deputy John Edwards left the room as per his declaration.

The Sub-Committee received a report on the Cool Streets and Greening programme, replacing the current temporary parklet at Ludgate Broadway with a permanent design with a widened pavement, a raingarden and tree planting, along with improving accessibility works. The report also sought to introduce a

rain garden and tree planting at St Andrew's Hill with pavement adjustments and the relocation of the parking bay.

A presentation was given by Officers outlining the removal of the current temporary parklet at Ludgate Broadway and replace it with a widened pavement with a rain garden, tree planting and pedestrian walking and accessibility improvements. At St Andrew's Hill, a rain garden is being installed in the place of an existing parking bay which would be moved slightly further up St Andrew's Hill.

Members queried whether Lloyds Avenue was part of the programme. Officers confirmed it was; that was another site that detail was yet to be developed on and a further report would come back to the Sub-Committee once the design for it had been developed. Rain gardens, widening pavements and improving crossing points would be part of it but that was not part of this report.

Concerns were expressed by a Member about the flowerbeds being installed on St Andrew's Hill and abandoned dockless cycles. Officers explained that some extra cycle racks would be included and consultation from the Healthy Street Programmes suggested that consultees wanted greenery installed. Dockless bikes did not tend to be left in planted beds.

A Member expressed surprise at the drawings as it seemed to suggest the flowerbed would be at street level. Officers indicated that there was no curb on this due to the collection of rainwater from the carriageway to go into the planter. The whole Cool Streets & Greening Programme was about 30 projects and Officers were happy to share information on them.

As the pavement was to be widened as part of the proposal, Members asked if there was going to be a table and chairs pavement license applications coming from the venue adjacent to the widened pavement. Officers acknowledge this could happen, but the design of the plan indicated where would be best to place tables and chairs and there was also a little bit of public seating being installed. Officers would work closely with the licensing team to ensure all the space was not taken.

RESOLVED - That, Members of the Sub-Committee:

1. Approve the budget adjustment/increase as per the Table 2 in Appendix 4 of the report in order to fund the staff costs and fees required to reach the next gateway (£35,000 budget adjustment and £40,000 budget increase);
2. Approve the design of the projects as set out in this report, including recommended option 1 for Ludgate Broadway;
3. Approve the funding strategy for the Ludgate Broadway project as set out in Table 4 in Appendix 4 of the report and note the total estimated project cost (excluding risk) is £440,000 - £475,000 for Option 1;
4. Note that the cost of the improvements at St Andrew's Hill is £190,000 – £220,000;
5. Delegate approval and drawdown of the Costed Risk Provision to the Chief Officer if sought at Gateway 5;

6. Approve to undertake and complete the statutory processes and consultation for the proposed relocation of parking bays, changes to the waiting and loading restrictions and the raised carriageways, as set out in the report; and
7. Authorise the Executive Director Environment to consider responses to the traffic order consultation and if they consider it appropriate, to make the Order.

Deputy John Edwards rejoined the meeting.

10. **2 ALDERMANBURY S278**

The Sub-Committee received a report seeking to deliver changes to the public highway in the vicinity of the development at 2 Aldermanbury Square through a Section 278 agreement that was fully funded by the developer.

RESOLVED - That, Members of the Sub-Committee:

1. Approve that officers continue with the design of all three options whilst necessary surveys are undertaken and analysed, and negotiations with the developer are concluded;
2. Approve the budget adjustment related to fees to be actioned as outlined in Appendix 2 of the report;
3. Authorise officers to invoice the developer any reasonable costs necessary to progress to the next gateway (Detailed Options Appraisal), in advance of the full S278 payment to avoid delays to the programme. The amount would be deducted from the full S278 works implementation payment; and
4. Note the total estimated cost of the project for Option 1 at £1,204,096 (excluding risk).

11. **TEMPLE AVENUE**

The Chairman, Graham Packham, left the room as per his declaration.

The Sub-Committee received a report on public realm, climate resilience, greening and accessibility improvements to Temple Avenue, including relocation of cycle racks and parking bays, a permanent design to replace parklets installed in 2021 and 2022 and accessibility improvements. Cycle access through the street would be maintained.

RESOLVED: That Members of the Sub-Committee:

1. Approve the initiation of this project;
2. Approve the budget of £80,000 (staff costs and fees) for the project to reach the next Gateway 3/4, funded from the Cool Streets and Greening Programme (OSPR) (£50,000) and S106 receipts allocated to the Fleet Street Area Programme (£30,000); and
3. Note the total estimated cost of the project at £350,000-750,000(excluding risk).

The Chairman, Graham Packham, rejoined the Committee.

12. 21 MOORFIELDS AND FORE STREET AVENUE S278

The Sub-Committee received a report which included enhancements to the pedestrian environment without compromising security in Moorfields and Fore Street Avenue, as well as public realm improvements to Moor Lane, including greening and walking environment.

Members asked whether the developer would be minded to permit the use of unused funds for the other side of the street which was partly delayed by their project. Officers noted they had asked on several occasions and the developer indicated they wanted the money returned as per the terms of their S278 agreement. Members expressed their disappointment at this outcome.

RESOLVED: That, Members of the Sub-Committee:

1. Note the contents of this report;
2. Approve the budget adjustment related to staff costs to be actioned as outlined in the Appendix 2 of the report;
3. Authorise transfer of £80,500 (including staff costs for a supervision of works) from the Moor Lane S278 budget, to cover the planned resurfacing of Moor Lane, to the Moor Lane S106 project budget;
4. Agree to close the 21 Moorfields and Fore Street Avenue Section 278 project;
5. Agree to close the Area A – Section 278 part of the Moor Lane Environmental Enhancement project; and
6. Authorise return of unused funds to the developer, including any accrued interest as per the Section 278 agreement once the final accounts for these projects are completed.

13. *ADVERTISING BOARD UPDATE

The Sub-Committee received a report informing Members of Officers' intention to start an engagement phase between July and December 2024 to communicate the advertising board ban to businesses. The report noted it would outline advertising boards were an obstruction and could be a trip hazard, particularly for those with visual impairments.

Members received a presentation on the report from Officers. Officers highlighted there was no legal licensing framework for licensing advertising boards and action could only be taken to enforce against them and noted that prior to the pandemic there had not been a zero-tolerance approach. Officers suggested that the report was about respecting a decision previous taken at the Sub-Committee moving toward a position of advertising boards not being on City streets and engaging with business to gather information. Officers noted they were also looking to engage with other Local Authorities and would bring another report after the engagement process in January or February 2025.

Members suggested there was a contrast between the presentation and the content of the report. Officers referenced the timeline and the plan for engagement going forward and cautioned on a two-tier approach as locations would have to be identified on where and where not to enforce.

The Chairman highlighted that some local authorities were operating a two-tier hybrid approach treating advertising boards differently depending on the safety implications of their location and suggested this be considered in the consultation. Officers indicated there had been numerous enforcement policies over the years and more work with neighbouring authorities would be good to understand how advertising boards policy were being applied street-by-street.

A Member suggested there was no need for advertising boards to be on the pavements and drew attention to the example of Hackney that had a zero-tolerance approach to advertising boards, making use of hanging signs and neon signs instead. The Member also discussed the difficulty for those with visual disabilities in trying to navigate around advertising boards.

RECEIVED.

14. ***BANK JUNCTION IMPROVEMENTS PROJECT: NEXT STEPS FOLLOWING THE OUTCOME OF THE TRAFFIC AND TIMING REVIEW**

The Sub-Committee received a report informing Members of the indicative timetable for work to be carried out as included in the appendices of the June 2024 Court of Common Council paper.

The Chairman informed the Sub-Committee that he had previously enquired whether the timetable could be accelerated and was assured by Officers it could not be – the timetable had been agreed by the Court of Common Council.

Members queried whether there was any outline of the funding required to implement the project. Officers informed the Committee that there would not be yet as the success criteria had not yet been identified for monitoring which meant the costs were not in a position to be calculated yet. Officers indicated that an additional sum may have to be requested to get through potentially 18 months of monitoring. The Chairman requested this be a standing item on the agenda for upcoming meetings.

The trial was discussed and whether TfL accepting it would be the most likely scenario. Officers noted that early engagement with TfL indicated they appreciated the view of the Court and want to be reassured that bus journey times are not materially affected as any local authority changes impacting a strategic road are required to prove these can operate alongside TfL's requirements.

A Member considered how the success of the project would be measured and raised concerns about how disabled pedestrians would travel around the Junction, as well as the streets connecting onto the Junction and the potential increase in the number of private hire taxis in the area. Officers advised that

they still needed to define the experiment, and this would be reported back to Sub-Committee once a proposal had been established, along with how it would be monitored. The Sub-Committee noted that not everything could be monitored, but immeasurable factors could still have an impact.

A Member suggested that the response to the written question regarding the fixed penalty notices and those who were abusing the current restrictions be shared with the Sub-Committee once circulated. Officers confirmed they were happy to do that.

RECEIVED.

15. ***UPDATE ON ACTIONS FOR IMPROVING DOCKLESS E-BIKE HIRE IN THE CITY**

The Sub-Committee received a report providing an update on actions agreed at Sub-Committee in January 2024 for improving dockless cycle hire operations in the Square Mile. It noted that several agreed actions had been undertaken, including providing operators with clarification of requirements in writing, updated internal and external resources of reporting inappropriately parked dockless bikes, ensuring operators would enforce against poor user behaviours and finalising micromobility-related studies. It was also noted in the report that other actions were ongoing, including delivering dockless vehicle parking bays and working with operators to improve their warning, fining and banning procedures.

Members received a presentation on the report and were informed that 300 spaces for dockless e-bikes had been identified for installation by March 2025, with an ambition for a further 600 in December 2026. Officers also reported that the web page had been updated with a more specific framework for reporting dumped e-bikes directly to the operators and additional data collection was underway through the Corporation's Street Enforcement Officers. They also informed the Sub-Committee that operators had been asked to provide more information on operational enforcement and monitoring. No-parking zones had been established with the operators, with them being geo-fenced and Officers had asked operators to prove what their finding procedures were and their operational arrangements. Officers indicated that they had considered whether a Memorandum of Understanding would be appropriate and establish a better working relationship with operators and were currently lobbying central government for a change in legislation.

The Sub-Committee expressed surprise at a request for TfL funding as the operators had committed toward funding some docking bays and queried why operators were not being approached more. Officers highlighted that TfL had offered all authorities funding toward this but had agreed that grants would be accepted from operators, who had committed to funding feasibility work. The Sub-Committee also strongly suggested that the Corporation should insist that the operators pay to install dockless bays rather than TfL.

A Member expressed disappointment at the number of docking bays that were to be installed and felt there were a lot more spaces for docking bays for e-bikes, as well as expressing a problem with the dumping of bikes at St Andrew's Hill. Officers responded that space in the City was at a premium and work had been done to identify available curb side space and would work through the process to deliver those bays funded by either TfL or through operators.

The shortfall of dockless bays was discussed, with Officers acknowledging that there would be a shortfall, but would continue to find more spaces and would work through operational agreement to ensure operators would move bikes out of bays there were oversubscribed. Officers indicated that they could not enforce bikes being moved currently.

A Member indicated that it took around five hours for operators to recover bikes that had been dumped and highlighted it was particularly problematic near Tower Hill and Trinity Square. They also suggested this was not occurring when other operators were in the City when a strict Memorandum of Understanding was in place.

Another Member of the Sub-Committee indicated they would like to volunteer themselves for mystery shopping to gather information. The Member also enquired why data for e-scooters was available to be collected, but not for bikes. Officers explained that e-scooters were very heavily regulated in comparison and the purpose of contracts was to align the ability to receive data from operators on e-scooters and bikes without parliamentary regulation.

The Sub-Committee queried whether operators would prefer to be regulated to ensure there is a competitive playing field. Officers agreed and informed that operators agreed informally with that statement.

The Chairman encouraged Officers to go back to operators and insist on the sharing of data and if the operators were unhelpful the obvious assumptions of this stance would be made, he suggested that the new Member of Parliament for the Cities of London and Westminster might support a private members' bill to introduce regulation more quickly.

Questions were raised as to whether the Corporation received any revenue for bikes being abandoned. Officers responded it did not and explained that primary legislation would be required to change that. Officers were in the process of reaching out to the new Member of Parliament for the Cities of London and Westminster to share feedback.

The Committee asked whether data could be shared from operators on how long it takes to move a bike once it had been recorded as this could be substantiated by geolocation.

RECEIVED.

16. ***DAUNTSEY HOUSE, FREDERICK'S PLACE - PUBLIC REALM IMPROVEMENTS (S278)**

The Sub-Committee received a report on public realm improvements related to the redevelopment of Dauntsey House, 4A & 4B Frederick's Place, including works to Ironmonger Lane, new lighting around the development, works necessary to accommodate pedestrian movement south of the development, works to accommodate waiting and loading restrictions and works that the City of London Corporation considers necessary to make the development acceptable in planning terms.

A Member suggested that one of the buildings that are serviced from King Street may need to be serviced slightly differently following the proposed change of use as they would not be able to service from Cheapside or Poultry and may need to be serviced from Ironmonger Lane alone.

RECEIVED.

17. ***RED BADGE HOLDER SURVEY**

The Sub-Committee received a report on responses to the Red Badge Holder Survey which received 54 completed surveys at a response rate of 35%. It reported that general satisfaction was found with the current parking provision whilst also highlighting specific challenges or opportunities for improvement.

RECEIVED.

18. ***OUTSTANDING REFERENCES**

Old Jewry

The Chairman requested an update on the re-opening of Old Jewry. Officers informed that Old Jewry had reopened and there was formal monitoring in place as it was an experimental traffic order and to ensure it was functioning safely. Officers would eventually determine whether it stayed that way or came out as part of a normal experimental traffic order process.

Bus stop at Monument

The Chairman requested the bus stop at Monument be added to the Outstanding References.

Sporting events on the highway

The Sub-Committee agreed that an outstanding reference on sporting events on the highway should be added.

The Chairman clarified that he would like the Bank Junction Improvements Project to be a standing item at future meetings of the Sub-Committee. Officers indicated this would be delivered as a verbal update.

At this point, the Chairman sought approval from the Sub-Committee to continue the meeting beyond two hours from the appointed time for the start of the meeting, in accordance with Standing Order 40, and this was agreed.

19. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB COMMITTEE

There were no questions.

20. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Sunken garden at Cheapside

The Chairman sought clarity on when the sunken garden project on Cheapside would be completed and why the planting currently looked underwhelming. Officers confirmed it would be completed in July 2024 and had been delayed due to lighting equipment that had taken longer than planned to be received. Officers informed that the plants were currently very small as smaller younger plants adapted more successfully to solely rain-fed irrigation and assured that in a year the garden would no longer appear underwhelming.

Traffic Congestion

The Chairman noted that the City of London appeared gridlocked. Officers noted that London Wall being closed was the trigger for the traffic problems which had been deliberately timed with summer holidays; traffic would be lighter now than it usually was. The Chairman requested a chart to outline major works taking place in the City; Officers agreed to provide that. A Member of the Sub-Committee noted the downside being a lack of buses through London Wall now.

Splitting PDF files

The Chairman requested that the Town Clerk explore a way of agenda packs being provided as one whole file rather than split up. Officers assured they would look into it.

The meeting ended at 3.53 pm

Chairman

**Contact Officer: Callum Southern
Callum.Southern@cityoflondon.gov.uk**

Committee(s) Planning and Transportation Committee	Dated: 4 October 2024
Subject: Report of Action Taken	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	Flourishing Public Spaces Dynamic Economic Growth
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
Report of: Town Clerk	For Information

Summary

This report advises Members of action taken by the Town Clerk since the last meeting of the Committee, in consultation with the Chairman and Deputy Chairman, in accordance with Standing Order No. 41(b).

Recommendation:

- That Members note the report.

Main Report

Delegated Authority - City Corporation Response to Government Consultation on Revisions to the National Planning Policy Framework (NPPF)

The government frequently consults upon changes to planning regimes including proposed changes to the National Planning Policy Framework (NPPF). The most recent amendments to the NPPF were made in December 2023 which introduced changes in relation to housing targets and supply, concluding a consultation which closed in early 2023.

The government launched a consultation on the 30th July 2024 into proposed revisions to the National Planning Policy framework (NPPF). This consultation concludes on 24th September 2024. The strategic aim of the revisions is to begin to implement policies that would deliver the new government’s ambition to build 1.5 millions homes in the next five years. There are proposed revisions to green belt policy and to the method for calculating housing targets, alongside more minor changes to a range of topics (climate change, affordable housing, industry and logistics, and public health). The government is also interested in increasing planning fees.

The consultation proposed two headline changes. Firstly, a change to green belt policy, with more explicit support for Local Planning Authorities to review their green belt boundaries, the introduction of ‘grey belt’, and a new route for development on grey belt outside of the local plan process.

Secondly, the standard method for calculating local housing need has been changed.

The underlying data has been updated, the 35% urban uplift removed, and the affordability multiplier has been strengthened. This standard method derived target for the City of London only changes by 1 home per annum, however across the rest of the country targets has increased significantly. The total target has risen from circa 300,000 to circa 360,000.

Others potentially significant changes include giving Local Authorities the power to vary their planning fees. The government also consulted on ways to increase fee income and better fund planning services. Suggested proposals included, raising fees and potentially raising them above cost recovery levels, adding fees for application that currently do not have a fee, and allowing for local variation.

The revised NPPF also reversed many of the changes made by the last government in December 2023. This includes removing the references to beauty, and provisions that could restrict housing supply (such as protection from the 5-year housing land supply test).

The consultation is wide ranging and the government posed questions on ways to better plan for the need of the modern economy, with a focus on data centres, laboratories and 'gigafactories'. They posed questions on a shift to 'vision led' transport planning; on how to better incentivise the delivery of affordable housing, particularly social rent; and climate change.

The wording in the response was developed in consultation with a wide range of different departments across the City.

The views of the following departments were sought:

- Strategic Transport
- Natural Environment
- Housing and Community Services
- Corporate Affairs
- The Remembrancers office
- City Surveyors
- Public Health
- And the entire planning department, including sustainability/climate action, development management, and design

Detailed wording was provided by the Epping Forest Conservation team and this has been used to help answer many of the green belt related questions. The other teams consulted fed in where appropriate and in most cases their text was used verbatim.

Action Taken

The Town Clerk, in consultation with the relevant Members, agreed that the response in Appendix A be submitted on the government's consultation portal on behalf of the City Corporation.

In accordance with Standing Order 41 (b), Members are asked to note the recent decision taken by the Town Clerk in consultation with the Chairman and Deputy Chairman.

Copies of background papers concerning these decisions are available from the Town Clerk on request.

Zoe Lewis

Town Clerk's Department

E: zoe.lewis@cityoflondon.gov.uk

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Planning for the homes we need

Question 1

Do you agree that we should reverse the December 2023 changes made to paragraph 61?

Yes, the City Corporation agrees with this. The *aim* should be to meet an area's local housing need (LHN), precisely because this is an identified need.

Question 2

Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?

The City of London's housing target up to 2028/29 is set at a strategic regional level by the Mayor of London's London Plan. London is a unique region and has the most comprehensive level of strategic planning in the England. This means that the 'standard method' may not be the most appropriate method for calculating housing need at a regional level. The 'standard method' views each London borough's housing need in isolation, whereas it is an accepted approach within the London Plan to view London as a 'single housing market, with a series of complex and interlinked sub-markets' (London Plan para 4.1.2).

Removing reference to alternative approaches to calculating housing need may cause difficulties for strategic planning authorities, as it forces the use of a metric calibrated to a smaller scale. If references to alternative approaches are removed in general, there should be recognition that at a strategic scale the standard method may not be the most appropriate method. This should be considered with regard to the stated ambition to introduce a form of strategic planning.

The City Corporation understands that the GLA have assurances from MHCLG that the approach to London will remain consistent. The apportionment of London's overall target will follow the spatial strategy and capacity of individual authorities, rather than the divisions shown in the standard method. The City Corporation supports a continuation of the existing approach. It is important that the new standard method does not undermine this.

Question 3

Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?

Yes. This was always an arbitrary uplift with no robust justification.

Question 4

Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

Yes, the City Corporation agrees with this deletion, and considers that the government should go further. Suburban intensification is a route towards greater housing delivery that does not increase the pressure for green belt release. There are parts of Greater London outside of the green belt that are suitable for residential development and the NPPF should be stronger in supporting the densification of these areas. These could be near transport hubs and train stations, town centres, or low density residential areas with parcels of underutilised land.

Question 5

Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

Yes, we agree with the move away from authority wide design coding . Design codes aren't always necessary for every area; it would be more effective to direct energy and resources toward developing them where they can offer the most value to schemes. Design codes also have the potential to assist with the adaption of the historic built environment to modern sustainability and accessibility standards and so are not limited to the large scale regeneration sites and urban extensions referenced in paragraph 12 of the consultation document.

Question 6

Do you agree that the presumption in favour of sustainable development should be amended as proposed?

Yes. The extra support for locational and design considerations within the 'tilted balance' is particularly welcome.

There should be further clarity on what out of date means in areas with a Spatial Development Strategy. It is noted footnote 83 specifies the role of SDSs in respect of the transitional arrangements but it is not clear if this can be read through into paragraph 11.

Question 7

Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

The City of London recognises that pro-supply measures are needed to boost housing supply and in this context the requirement for a 4YHLS when in the late stage of plan making is not appropriate. However,

the need to demonstrate a 5YHLS immediately after a Local Plan examination seems redundant. If the examination has confirmed that at least a 5YHLS exists, then this work should not need to be repeated.

Question 8

Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?

Housing delivery fluctuates annually and therefore it is logical to allow past over supply to be considered within the calculation. It is conceivable for LPAs with smaller housing targets, such as the City Corporation, to deliver two years' worth of housing in one development. If past oversupply is not factored in, an LPA might be required to create 'theoretical housing' within an annual assessment when, in reality, that housing was consented in the previous year.

Furthermore, if this situation happens for consecutive years and is not factored in, the 5YHLS can become significantly out of sync with the overall housing target in the local plan. If there are several years of oversupply, and the 5YHLS target is not proportionately reduced, then the target will be overshoot. The 5YHLS needs to account for potential deviations from the trajectory planned for in the local plan. In a plan led system, the 5YHLS should support the delivery of the housing target over the long term, rather than as a stop gap measure to fuel speculative housing development.

It is presumed that the removal of the text in paragraph 77 of the NPPF would be accompanied by the removal of the relevant text within the Planning Practice Guidance, however, this is not clear. From comments made by MHCLG at events attended by the City Corporation it seems that the guidance text would remain. If this is the case, it is not clear what the deletion of paragraph 77 would achieve.

Question 9

Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

Yes. The overall aim to increase housing supply is supported. A 5% buffer is needed given the fluctuations in the housing market and unforeseen complications that arise when delivering housing sites.

Question 10

If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?

Given the significant uplift in housing targets for most LPAs, the government should be aware that a 5% buffer could correspond to a very substantial number of additional sites over and above the sites identified to deliver the local housing need. As there is a step change in housing targets, some form of transitional arrangements may be necessary to prevent a 'cliff edge' when Local Plans become more

than 5 years old (and the target used in the 5YHLS reverts to Local Housing Need calculated via the standard method)

Question 11

Do you agree with the removal of policy on Annual Position Statements?

No comment

Question 12

Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?

Yes. The Square Mile relies heavily on the surrounding region to provide the services and infrastructure that allow it to function as one of the world's premier finance and business hubs. Effective strategic planning is often needed to deliver this infrastructure and the City Corporation welcomes the additional support afforded.

Strategic planning allows many planning issues (housing, industrial development, employment, and environmental protection) to be considered and dealt with at a more appropriate scale. The London Plan allows for the pan-London housing target to be distributed across the region based on local capacity, which in turn allows for a more ambitious target to be planned for. It allows for the most important green spaces or industrial land to be protected and enhanced, with a recognition that they serve areas beyond the LPA's boundaries. For regions that have clear economic, social or environmental geographies that are greater than LPA boundaries, strategic planning is valuable; the formal and binding power of a Spatial Development Strategy eclipses anything that could be achieved through a Duty to Co-operate.

Question 13

Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?

The interpretation of the tests of soundness is primarily a matter for planning inspectors during a Local Plan examination. Therefore, the City Corporation suggests that any modifications to the tests of soundness should be located in the Inspectors guidance, rather than the NPPF.

The NPPF a general framework and if the tests are altered to better suit strategic scale plans, this could risk the tests feeling weighted towards a specific type of plan. Specific guidance to Inspectors on how to analyse strategic scale plans and proposals would be better.

Question 14

Do you have any other suggestions relating to the proposals in this chapter?

No comment

A new standard method**Question 15**

Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?

Updating the baseline used in the standard method is necessary as it is currently 10 years out of date. Given the dwelling stock is updated every year, using this as a baseline would be an improvement on the current method.

Question 16

Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?

This is similar to the existing method and continues to be supported. Averaging the ratio over three years to smooth out fluctuations seems sensible.

Question 17

Do you agree that affordability is given an appropriate weighting within the proposed standard method?

With the removal of the urban uplift, the City Corporation recognises that another method is required to compensate for the areas that have the most demand for housing and concomitant affordability pressures. Strengthening the affordability ratio more evenly distributes housing requirements across the country, with a closer correlation to actual affordability pressures. In the context of increasing housing supply, the City Corporation supports the additional weight given to affordability.

Question 18

Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?

No comment

Question 19

Do you have any additional comments on the proposed method for assessing housing needs?

Given the Square Mile's unique status as an international finance and business hub, housing comprises a relatively small proportion of land uses. The changes to the standard method only increases the annual Local Housing Need for the City of London by 1, and so it would not have a material impact.

However, the overall result of the changes to the standard method – increased housing targets on average and more accurate correlation with real affordability pressure – is supported by the City Corporation. To operate effectively as a business hub, the City of London relies on a functioning housing market within London and the South East, and more broadly across the UK as a whole. The changes to the standard method to increase housing supply are supported in this context.

Notwithstanding, it is recognised that the proposed changes would substantially increase the Local Housing Need figure for most LPAs. This step change in figures will require LPAs to plan in a materially different way, with many more sites identified for housing at densities that may previously have been rejected. Monetary and professional support should be given to LPAs that have to undertake substantial redrafting of their local plans.

Brownfield, Grey Belt and the Green Belt

Question 20

Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

Prioritising the redevelopment of brownfield land is supported and it is acknowledged that this approach is woven throughout the NPPF. Therefore, the City Corporation is not convinced that the introduction of this extra phrase at 124c is necessary, especially as 'substantial weight' is already given to using brownfield land. It is also not clear what 'brownfield passports' are. Further details are required on this before the City Corporation can comment.

The idea that all brownfield land is acceptable in principle for development of essentially any kind ('homes and other identified needs') is problematic. There is no recognition of other policy designations this may cut across. In the City, the City Corporation directs housing development to identified residential areas, and therefore maintains the primary office function of the City. The City Corporation is concerned that a blanket 'acceptable in principle' provision would undermine this spatial strategy by establishing a principle that housing development is acceptable on all brownfield sites.

Additionally, brownfield land can sometimes be important for biodiversity for example if the brownfield site has developed into supporting priority habitats (e.g. open mosaic habitat on previously developed land) and species.) Again a blanket 'acceptable in principle' provision risks cutting across other

important characteristics of the land by removing the ability for a planning judgement to take place. There are always several competing factors that need to be considered before a site is deemed suitable, which is why the language of 'substantial weight' is useful as it guides a decision taker, as opposed to an acceptable in principle approach which removes power from the decision taker.

Conversely, if the phrase is understood to mean that on the 'suitable brownfield land' identified earlier in the sentence, development is 'acceptable in principle', this amounts to little more than a repetition of the overarching philosophy that sustainable development is desirable. If the acceptable in principle provision only applies to brownfield land that is 'suitable' (eg sustainably located - not covered by conflicting designations and/or appropriate for the specific type of development proposed), then it is redundant as the proposed development is already in a 'suitable' location.

Question 21

Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?

Previously Developed Land in the green belt can potentially be close to designated conservation areas (SAC, SSSI, RAMSAR etc) which have buffer zones advised by statutory bodies. The City Corporation supports this change on the basis that the designated conservation areas and their buffer zones remain protected. It should be clear that while new development on PDL in the green belt may not be 'inappropriate' for the purposes of green belt policy, it still may not be desirable due to the proximity to sensitive environmental/ecological areas.

Question 22

Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?

No comment.

Question 23

Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

Yes. The City Corporation supports the definition as a starting point but more guidance is required both in how judgements are made (see question 25), and in the factors to be considered.

Designating land as grey belt, opens the possibility for development, both through the local plan but crucially also through the development management process. The suitability for development of grey belt land is not solely based on its contribution to green belt purposes. Whether it is sustainably located and how much it contributes to ecological outcomes are also important. It could be that areas of green and grey belt have been identified within Local Nature Recovery Strategies (LNRS) to restore habitat and species. Further clarity will be required to ensure designated sites and areas identified within the LNRS are protected and excluded from the grey belt.

It is recommended that the definition of grey belt in the glossary is amended to exclude land which has been identified within the LNRS as locations where it would contribute to achieving LNRS priorities. This could potentially also be accommodated by updating footnote 7 of the NPPF to recognise that land identified in a LNRS should be protected. Furthermore, it is recommended that additional guidance is given on 'sustainable locations', to enable LPAs to make more precise holistic judgements on whether a site is suitable to be grey belt and therefore available for development.

Identification of grey belt must be undertaken with a strategic approach that looks at assessing the land parcels and their position within the landscape, their connection to statutory and non-statutory designated sites and LNRS, and their multifunctional benefits with regards to ecosystem services, biodiversity and climate change and resilience. Decisions must be made at a landscape scale and must be integrated into the NPPF.

Question 24

Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?

There is a tension between the green belt purposes in the NPPF and wider ecological or environmental targets. Land could perform poorly against the green belt purposes but still be important for biodiversity or as buffer zones to sensitive sites. It may not be that green belt land is degraded to make it eligible for grey belt release, but rather that low value grey belt land is valuable for other reasons and should not be released. In the current drafting there is no recognition of these environmental or ecological factors when designating grey belt.

As an example, the Conservators of Epping Forrest (as part of the City of London Corporation) are concerned that land qualifying as grey belt could be identified or released within a short distance of the Epping Forest SAC and SSSI. At present this land use could have little to impact on the Forest and potentially provide an important buffer from adjacent development, despite potentially its lack of contribution to the five greenbelt purposes. The alteration to housing, both in its urbanising effect and recreational impact upon the adjacent/nearby green space would have impact upon the qualifying features and integrity of the habitat conservation of that site.

Question 25

Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?

Yes. The City Corporation suggests that the PPG should include a discussion of what the government expects a 'limited contribution' to mean.

Is it a balancing act whereby a negative contribution to one purpose balances the positive contribution made to another purpose, and therefore a holistic judgement must be made? Or is it a checklist whereby the LPA/applicant must prove a limited contribution to each purpose individually in order to qualify?

Question 26

Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

The City Corporation does not think there is sufficient guidance. The proposed definition of the grey belt is a useful starting point, but further guidance is required to aid practitioners when assessing land against the five green belt principles. As well as clarifying the process outlined in response to question 25 (whether it is a holistic judgement, or whether strong performance against a single green belt purpose disqualifies land from grey belt designation), guidance should also be provided as to how grey belt land interacts with Metropolitan Open Land (MOL) as designated in the London Plan. MOL is qualitatively different from green belt land, as shown by the criteria in London Plan Policy G5 part B, and it should not be available for grey belt development.

Question 27

Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?

England is widely considered to be one of the most nature-depleted countries in the world following historic and ongoing declines. Government has made legally binding commitments to end these declines and for nature to recover. The review, identification and/or release of grey belt should be factored into a wider land use strategy that works for nature and biodiversity and must not contradict or conflict the Local Nature Recovery Strategies (LNRS) for that responsible authority. Each local nature recovery strategy will agree priorities for nature recovery and propose actions in the locations where it would make a particular contribution to achieving those priorities. It could be that areas of the green and grey belt fall within the LNRS and have been identified to restore habitat and species and improve the areas ecological status. Further clarity will be required to ensure designated sites and areas identified within the LNRS are protected and excluded from the grey belt.

It is recommended that the definition of grey belt in the glossary is amended to include land which has not been identified within the LNRS as locations where it would contribute to achieving LNRS priorities. This could potentially also be accommodated by updating footnote 7 of the NPPF to recognise that land identified in a LNRS should be protected.

Question 28

Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

The City Corporation appreciates the government is reluctant to tightly define a 'sustainable location' as this will vary on a case by case basis, however, if the development management route in paragraph 152 continues to be supported, some form of guidance will be necessary to support a plan led system.

The guidance could point towards the local plan process as the primary way of defining a 'sustainable location' and state that sites rejected from a local plan are unlikely to be sustainable. There could also be general guidance for, or the standardisation of, the type of sustainability the government is focused on: is it transport related and reducing the need for private vehicles, is it environmental and biodiversity focused, is it economic or social? Given paragraph 152 concerns grey belt development it seems that transport and environmental sustainability is the most important, but this should be clarified.

It is also noted that the criteria for a 'sustainable location' varies dependant on the type of development proposed. What is sustainable for a housing development may not be sustainable for a logistics or employment hub. The continued growth of the Square Mile depends on excellent transport links for commuters, and therefore, as the UK's premier employment hub, locational sustainability from the City of London's perspective is primarily related to public transport links.

The City Corporation has seen through recent local plans how some green belt can be released through decision making associated with Local Plans and more particularly 'Masterplan' site development which is more akin to 'Garden Town' planning. Such release has the capacity to encompass schools, housing, local facilities, good public transport / active travel links and associated greenspace with both nature and recreational facilities. These large-scale developments are much more likely to be sustainable and there is potential for guidance to indicate this.

It should also be clarified that given the nature of most of the green belt (open countryside, not near transport links, potential ecological or biodiversity value), many sites are unlikely to be 'sustainably located'. The City Corporation is concerned that green belt release has the potential for cross-cutting impacts on nature conservation and should only be pursued within a wider brownfield first context. Green belt release should also be planned for at a strategic level to allow for a holistic consideration of the competing uses of land and the feasibility of meeting needs across the entire plan area. Key issues to be considered include the green belt purposes, environmental or ecological factors (including protected sites), provision of housing to support economic growth and other employment and industrial uses.

Question 29

Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

No comment

Question 30

Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?

The City Corporation is concerned about the new paragraph 152 and the introduction of a development management route to grey belt development. This makes isolated and speculative development on grey belt land possible and undermines an integrated and plan led approach to development. The review,

identification and release of grey belt should be factored into a wider land use strategy that works for nature and biodiversity and must not contradict or conflict the Local Nature Recovery Strategies (LNRS) for that responsible authority. There is also the potential for fragmented islands of development outside of local or major conurbations which will result increased reliance on private car ownership for the majority or all journeys.

The City Corporation notes that green belt release has the potential for cross-cutting impacts on nature conservation and should only be pursued within a wider brownfield first context. Green belt release should also be planned for at a strategic level to allow for a holistic consideration of the competing uses of land and the feasibility of meeting needs across the entire plan area. Key issues to be considered include the green belt purposes, environmental or ecological factors (including protected sites), provision of housing to support economic growth and other employment and industrial uses.

It is recognised that paragraph 152 requires any grey belt development consented outside of the local plan process to be in 'sustainable locations', however this is a vague judgement call and does not offer LPAs a strong argument to refuse development. All applicants will argue their development is 'sustainably located' and in the face of increased housing targets and the more frequent application of the 'tilted balance' an unsustainable location may not outweigh other planning benefits.

This has an impact on recognised ecological sites (SSSI, SAC, NNR, RAMSAR etc), as currently drafted, plots adjacent to these areas could be defined as grey belt and therefore granted permission via paragraph 152. However, it has wider implications for the plan led system as a whole and has the potential to undermine the spatial strategy put forward in the local plan. To counter this, the City Corporation would like to see a standardisation of the criteria for sustainability, so consistent decisions can be made, and decision makers know which types of sustainability the government is most concerned about in the green belt (transport, employment, environmental, cultural or heritage, industrial/logistics).

Question 31

Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

No comment

Question 32

Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?

No comment.

Question 33

Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?

No comment

Question 34

Do you agree with our proposed approach to the affordable housing tenure mix?

Yes – empowering local authorities to decide on the affordable tenure mix for land released from the green belt is welcome. The appropriate tenure mix will vary based on location and it is not appropriate for the government to prescribe a tenure mix at the national scale.

Question 35

Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?

Yes the 50% target is subject to viability and therefore this would factor in the land value at the determination stage. There is no need to authorities to set a lower target at the plan making stage, for this to then be viability tested on a site by site basis at application stage.

Question 36

Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?

In general, the City Corporation agrees with the reasoning that if green/grey belt land is developed, this must include improvements to nature and good public access to open and natural spaces. The City Corporation owns and manages a portfolio of important open spaces in the Green Belt such as Epping Forest, Hampstead Heath, Ashted Common, Burnham Beeches and Coulsdon Common. Some of these spaces are subject to additional environmental designations such as a Sites of Special Scientific Interest (SSSI) or Sites of Importance for Nature Conservation (SINCs).

The new 'golden rules' introduced at paragraph 155 go some way to ensuring green belt development would deliver benefits for nature and public access. However, the City Corporation considers that part c is overly focused on public access to natural spaces. It is not clear that the provision would guarantee improvements to nature in its pure sense, as protected by SSSI or SINC designations. Additionally, increased public access to natural spaces can have adverse impacts on the ecosystem, as shown by the recreational pressures on Epping Forest.

The City Corporation would like to see part c redrafted to explicitly recognise that improvements to nature are different, and can compete with, providing public access to green spaces. In some case they can be complimentary, but as drafted, the City Corporation thinks that the requirement to provide additional access to green spaces may cause adverse impacts to the natural environment. Any off-site accessible public green space delivered via the golden rules must not be land subject to nature

conservation designations (either statutory or non-statutory designated sites) or fall within the Local Nature Recovery Strategy's habitat maps.

Alternatively, a part D could be added that requires demonstrable improvements to the nearby natural environment over and above minimum policy levels. This could link with Local Nature Recovery Strategies, Biodiversity Net Gain, and/or Urban Greening.

Additionally, it is noted the golden rules only apply to major development. Minor development can also increase recreational pressure on open spaces, especially sensitive ecological sites. The City Corporation would like to see the green space golden rule (para 155 part c) extended to all development, ideally with the provision that minor development must provide green space on site. This is because minor development is unlikely to be of a scale or scope, or be financially viable enough, to materially benefit nearby open spaces and so must be able to wash its own face. This in contrast to large scale, 'new towns' or 'garden towns' that can bring benefits to the wider landscape on a strategic and theoretically more sustainable manner.

Question 37

Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?

Question 38

How and at what level should Government set benchmark land values?

Question 39

To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?

Question 40

It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?

Question 41

Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?

Question 42

Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?

Question 43

Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?

Question 44

Do you have any comments on the proposed wording for the NPPF (Annex 4)?

Question 45

Do you have any comments on the proposed approach set out in paragraphs 31 and 32?

Question 46

Do you have any other suggestions relating to the proposals in this chapter?

Delivering affordable well-designed homes and places**Question 47**

Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

Yes. The London Plan already takes this approach, and it is considered useful when planning for housing.

Question 48

Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?

Yes. Increasing the powers local leaders have to determine their own affordable housing provision is welcomed, especially where affordable home ownership is shown to not be viable. The City of London SHMA supplement (2024) shows that the price of newbuild housing in the City Of London makes it unlikely that First Homes and Shared Ownership properties can be delivered within the £90,000 per annum income cap in London.

Question 49

Do you agree with removing the minimum 25% First Homes requirement?

Yes. First Homes are not well suited to a central London context due to the high house prices. And requirement for a £90,000 income cap. This is particularly acute in the City, where it is extremely unlikely that a new build home is under the £420,000 threshold, even when a discount is applied. The City of London SHMA supplement (2024) shows that affordable to own products (such as First Homes and Shared Ownership) have no role to play in meeting needs.

Question 50

Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?

No comment

Question 51

Do you agree with introducing a policy to promote developments that have a mix of tenures and types?

In principle yes, however due to the unique character of the City, new, large mixed tenure housing only sites are unlikely to be appropriate. The City has started to see applications for new housing tenures such as Purpose Built Student Accommodation (PBSA) and Built to Rent (BtR) which can work well when combined with ground floor town centre uses.

Paragraph 69 could reference how a mix of uses also provide benefits, especially when non-traditional housing tenures (student housing, built to rent) are combined with town center uses.

The City Corporation also notes that a mixture of tenures and types works well on large scale developments, urban extensions, and new towns. It is less likely to be successful on small plots or developments that comprise a single building, that for management and logistics purposes are a single tenure.

Single tenures sites can often work well when that tenure is 100% social or affordable rent, and the City Corporation delivers a number of these types of developments on sites in central and outer London. This is alluded to in the answer to question 52 (below).

The government should note the tension between questions 51 and 52. Single tenure and multi tenures sites can both work well in different circumstances.

Question 52

What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?

The City Corporation has delivered and managed a number of 100% social/affordable rent developments on land it owns around London. One way to encourage these types of developments is to have a policy environment that is supportive of single tenure developments, especially when the tenure is social or affordable rent.

Introducing requirements for 'mixed communities' can sometimes make developments too complex to deliver, especially on small plots in inner city locations.

Question 53

What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?

No comment

Question 54

What measures should we consider to better support and increase rural affordable housing?

No comment

Question 55

Do you agree with the changes proposed to paragraph 63 of the existing NPPF?

Question 56

Do you agree with these changes? (strengthening provisions for community led development)

Question 57

Do you have views on whether the definition of ‘affordable housing for rent’ in the Framework glossary should be amended? If so, what changes would you recommend?

Question 58

Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

Question 59

Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to ‘beauty’ and ‘beautiful’ and to amend paragraph 138 of the existing Framework?

Yes, as the terms beauty and beautiful are not defined in the NPPF, and there is no guidance as to how beauty differs from ‘good’ or ‘high-quality’ design. The National Design Guide and National Model Design Code clearly set out the criteria for good design and allow officers to make consistent judgements based on a set of robust principles. The concept of ‘beauty’ has no such equivalent guidance and therefore, in practice, is a nebulous term that is not useful when assessing planning applications, conservation areas, or writing policy.

If beauty were to be retained within the NPPF, guidance should be produced that details how the term is to be interpreted, especially with regard to established good design principles.

Question 60

Do you agree with proposed changes to policy for upwards extensions?

We agree with the deletions/alterations to the mansards’ text, but we think that the word ‘height’ should be retained – *“where the development would be consistent with the prevailing **height** and form of neighbouring properties and the overall street scene, is well- designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.”*

Suggested addition to the text: In addition, the quality of the accommodation created should be taken into consideration by the LPAs before granting permission.

Question 61

Do you have any other suggestions relating to the proposals in this chapter?

As it stands, the NPPF treats the setting of heritage assets as being on a par with that of the assets themselves. While setting is of course important, changes to setting typically do not have the same impact as direct impacts to the fabric of an asset. Matters of setting are often highly subjective, and setting itself is an intangible, ever-changing and difficult to define concept.

The City Corporation has found that questions of setting make the delivery of growth challenging. The mix of new and old that characterises the Square Mile should be developed further to allow the City to grow in response to modern requirements, rather than the character of half the city (i.e. the old) stifling the development of the other half (i.e. the new).

Setting is of course important, but the City Corporation thinks a rebalance is required. A change to the NPPF could be made that removes mention of setting from paragraph 206 of the NPPF, with a new paragraph that sets out that matters of setting should be treated as a matter of ‘balanced judgement’, in the same way that paragraph 209 sets out the approach to considering applications that could affect the significance of non-designated heritage assets.

Building infrastructure to grow the economy

Question 62

Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?

Large new pieces of infrastructure such as laboratories, gigafactories, digital infrastructure, and logistics hubs are unlikely to be appropriate in the City. However, the business function of the City is supported by some of the infrastructure targeted, such as data centres and logistics hubs, and therefore support for the proactive planning of these facilities is welcome.

As a business cluster of international importance, the City is constantly modernising and is a significant contributor to the national economy. However, the services offered by the City may not be fully captured by the use of the word ‘industries’ in part C of paragraph 87. While it is broadly drafted, it could be made clearer within part c that ‘industries of local, regional or national importance’ includes services, such as finance, insurance, law, and professional services. The benefits of agglomeration these services receive from clusters of high density development should be acknowledged.

Question 63

Are there other sectors you think need particular support via these changes? What are they and why?

Service sector professions such as finance, insurance, law, and professional services receive substantial benefits from agglomeration in high density environments. These services form the foundation of the City's business community, contribute significantly to the UK's economy, and require specific types of development to function most effectively. Beyond concentrating in high density environments, the City has recently seen a step change towards 'best in class' office space. These sectors now look for spaces that meet the highest environmental and sustainability standards, accommodate contemporary work patterns, and provide additional amenities.

At part C of paragraph 87, 'expansion and modernisation' of industries should more explicitly recognise the needs of the service sector in contrast to 'industry'. This should start with a recognition of the benefits of agglomeration, and then highlight the new patterns of working and sustainability credentials that are now looked for.

Question 64

Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?

No comment

Question 65

If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?

No comment

Question 66

Do you have any other suggestions relating to the proposals in this chapter?

No comment

Delivering community needs

Question 67

Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

Yes, we agree with these proposed changes.

Question 68

Do you agree with the changes proposed to paragraph 99 of the existing NPPF?

Yes, we agree with the proposed changes. The workforce of the City is supported by both good quality, early years places, and a consistent flow of new employees, from post-16 education and university.

It is noted that there are different delivery models for the different age categories, as early years places are usually privately provided, compared to mostly state funded primary and secondary schools.

Question 69

Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

Yes. The City Corporation has policies and targets that are designed to increase the proportion of sustainable transport modes. The proposed changes are in line with the City Corporation's already established transport strategy and the shift to a vision led approach is fully supported.

Question 70

How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

Despite the current national policy context, development plans are not creating a healthy food environment. More needs to be done in national planning policy to ensure that people have access to healthy, affordable food where they live. There needs to be clearer NPPF recommendations/statements regarding healthy food environments.

The Office for Health Improvement and Disparities (OHID) outlines a number of suggestions to create a healthier food environment such as:

- ensure shops and markets that sell a diverse food offer are easy to reach by walking, cycling or public transport
- ensure development avoids over-concentration of hot food takeaways in existing town centres or high streets,
- and restrict their proximity to schools or other facilities for children and young people and families.

Further suggestions are: to more explicitly include public health teams in the formulation of plans the decision taking on planning applications; limit the amount of hot food takeaways near schools; recognise the public health benefits of food production in allotments, public, and community gardens; and further emphasise active travel and 15 minute cities from a public health perspective.

Question 71

Do you have any other suggestions relating to the proposals in this chapter?

Paragraph 131 should be amended to include reference to public health teams. "Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective

engagement between applicants, communities, local planning authorities and public health teams throughout the process."

Supporting green energy and the environment

Question 72

Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?

No comment

Question 73

Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?

Agree. This should include energy storage technologies.

Question 74

Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

No comment

Question 75

Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?

No comment

Question 76

Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?

No comment

Question 77

If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?

No comment

Question 78

In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?

The City Corporation has developed carbon optioneering guidance (<https://www.cityoflondon.gov.uk/assets/Services-Environment/carbon-options-guidance-planning-advice-note.pdf>) that establishes a robust methodology through which applicants can explore different options and their impacts on Whole Lifecycle Carbon (WLC) emissions. Through a consistent methodology the City Corporation can effectively judge applications, and this enables planning officers to argue for better WLC outcomes.

Decision makers are already trying to consider climate change mitigation and adaptation more holistically in their decisions, however, the NPPF does not provide an appropriate policy framework. To ensure more certainty for development, the government needs to introduce the requirement to minimise whole life-cycle carbon emissions and waste from development, through whole life-cycle carbon assessments (including optioneering) and circular economy strategies for major and strategic development proposals and the need to balance planning benefits against criteria or priorities set out by the government. Technical methodologies and tools to calculate carbon costs are advancing quickly in the industry, however, the government needs to provide guidance as to how social, economic and environmental sustainability should be weighed.

Climate change adaptation should be addressed more holistically, to include the whole range of climate risks such as urban heat island effect, overheating of buildings, water resource efficiency and biodiversity.

Question 79

What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?

Technologies and tools are advancing quickly, and their use to support decisions could be increased over time, starting with requiring:

1. Reporting, perhaps against the forthcoming UK net zero building standard
2. Creating a local benchmark, and encourage developments to comply with this, or justify when they cannot
3. Creating carbon targets for building types, require development to comply with them, and introduce a form of offsetting or mitigating

It is important to provide guidance on how carbon impacts are weighed against other planning benefits.

Question 80

Are any changes needed to policy for managing flood risk to improve its effectiveness?

Schedule 3 of the Flood and Water Management Act 2010 should be implemented. This would enable a more rigorous approach to the management of surface water flooding, which is a significant risk for urban areas.

Statutory space should be created within the planning framework to put the Thames Estuary 2100 Plan on a statutory footing, and enable future regional scale plans for managing sea level change to also have a statutory footing.

Question 81

Do you have any other comments on actions that can be taken through planning to address climate change?

No comment

Question 82

Do you agree with removal of this text from the footnote?

No comment

Question 83

Are there other ways in which we can ensure that development supports and does not compromise food production?

No comment

Question 84

Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?

No comment

Question 85

Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?

No comment

Question 86

Do you have any other suggestions relating to the proposals in this chapter?

No comment

Changes to local plan intervention criteria

Question 87

Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?

Yes, although the existing criteria are already fairly broad. The inclusion of all development needs as opposed to just housing is sensible, as while housing is often the primary development need this is not always the case.

Question 88

Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?

The City Corporation considers that the criteria are a useful tool that give clarity to LPAs. Section 27 of the PCPA 2004 is very vague and therefore the criteria are needed to give clarity ('.. failing to do anything that it is necessary for them to do...'). While the criteria could revised, they should not be withdrawn.

Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects

Question 89

Do you agree with the proposal to increase householder application fees to meet cost recovery?

No comment.

Question 90

If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.

If Yes, please explain in the text box what you consider an appropriate fee increase would be.

No comment

Question 91

If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?

Yes

No – it should be higher than £528

No – it should be lower than £528

No - there should be no fee increase

Don't know

If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.

No comment

Question 92

Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.

The City Corporation processes a high volume of extremely significant, large scale developments that have considerable application fees. The City Corporation uses Planning Performance Agreements (PPAs) to supplement the application fee income which allows it to offer pre-application services. These services are essential given the scale of development in the City and the sensitivities that come with this. Therefore, the City Corporation supports increasing the fee for the largest (and most complex) major applications, as well as increasing the fee for s73 applications.

It is agreed the S73 fee should align with the new S73b fee. S73 applications can often involve significant work – pre-application engagement, detailed technical analysis, consultation, and debate at committee – the current fee of £293 does not even cover the administration involved with these applications.

S96a applications can often also involve significant work and much like S73 applications, the application fee does not cover the cost of dealing with them. The fees for S96a applications on major development should be increased.

The current fee to discharge a condition is £145. Some conditions are simply matters that can be quickly checked by a planning officer and then discharged, and therefore £145 may be adequate (although even in this case it may not meet the cost recovery level. In other cases, a condition can involve complex analysis, with internal and/or external consultees, and the potential for meetings with the applicant to resolve difficulties. In these cases, £145 is clearly not adequate.

Major developments of the scale the City habitually processes often have a substantial number of conditions and it is likely some of these will involve complex discussions. A flat fee of £145 does not cover the costs. PPAs can be used to mitigate this risk, however, an applicant has no obligation to enter into a PPA, and often once the permission is secured applicants have less pressure to meet deadlines (for example option agreements on land are often tied to securing planning permission.)

The simplest way to solve the problem of complex conditions on large scale development is to introduce a new fee category of 'condition discharge for major applications'. This would ensure that those applications that are likely to have simple conditions are charged a lower fee, while major applications

have a higher fee to help manage costs where a select number of conditions on a permission require a significant amount of resource.

Question 93

Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.

Listed Building Consent can take significant officer time as well as significant costs for advertising in the press and therefore there should be a charge for these consents. The City Corporation is aware that fees are not currently charged for these applications as owners cannot opt out of listed building designations, however, in the Square Mile there are many listed buildings owned or managed large companies, rather than individuals.

Fees for Listed Building Consent could vary depending on whether they are for residential or commercial premises, if they accompany major applications, or if the work constitutes major development. This could be tailored to capture major development for commercial purposes, while excluding minor householder development most often carried out by single individuals.

Question 94

Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?

Please give your reasons in the text box below.

Yes. The widespread use of PPA agreements in London means that LPAs do, *de facto*, set their own fees. Given the pressure major developers are under to secure planning permissions and the minor cost of a PPA relative to total build costs, LPAs are often in a strong position to negotiate PPAs. These agreements include the pre-application process, determination, and sometimes the discharge of conditions. Depending on the agreement reached, when the application is submitted the standard planning application fee is sometimes then paid on top of the PPA fee.

There is scope to formalise this process further, perhaps by providing a default PPA template, or advice on standard PPA costs or terms. The planning advisory service does already provide a PPA template, but this could be further endorsed by the government.

Given that there is informal acceptance of LPAs setting their own fees via PPA, and the endorsement of this approach by the development industry (as it allows LPA to guarantee an efficient service), there is a suitable context for the introduction of local varying fees.

Question 95

What would be your preferred model for localisation of planning fees?

Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.

Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.

Neither

Don't Know

Please give your reasons in the text box below.

Local variation is preferred. Full localisation places too much of a burden on LPAs and would likely lead to the duplication of work. Neighbouring LPAs would have to undertake similar work which would likely result in similar outcomes and similar fee structures.

Local variation gives certainty to the users of the planning system, by guarantying fees will be roughly equal across the country, but also gives scope to LPAs where appropriate to vary their fees. It also allows for LPAs to vary select fees only, for example condition discharge or specific types of major developments. This means that LPAs could focus on the types of application they see the most often and devise the most appropriate fee, without having to calibrate fees for applications they see relatively few of.

For example, in the City Corporation receives regular Listed Building Consent for commercial developments, major applications that require significant whole life carbon and sustainability assessment, and tall buildings that require micro climate assessment.

Question 96

Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?

If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?

In recent years an increasing number of specialisms have been required to adequately assess planning applications. This is a result of the proliferation of policy goals the planning system is seen to contribute to (sustainability, circular economy and whole life carbon; heritage, design, and design coding; ecology and biodiversity net gain; digital planning).

Funding should be provided to allow LPAs to resource these highly specialized roles, either through the increase of planning fees, or through additional devolution of funding to local or regional levels. In recognition of the cross cutting nature of planning services, funding from other sources should also be considered (eg money for climate adaption and resilience)

Question 97

What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?

No comment

Question 98

Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?

Full cost recovery is appropriate.

Question 99

If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.

No comment.

Question 100

What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?

No comment.

Question 101

Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.

No comment.

Question 102

Do you have any other suggestions relating to the proposals in this chapter?

No comment.

The future of planning policy and plan making**Question 103**

Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?

Yes. The City Corporation submitted its new Local Plan (City Plan 2040) to the Planning Inspectorate on Thursday 29th August 2024 and agrees that the plan should be examined under the existing NPPF. It is

noted that contrary to paragraph 4 of this part of the consultation, the planning system is not singularly focused on the delivery of housing. The transitional arrangements should be more general, or holistic, rather than taking the housing target as the only relevant factor.

Clear and definitive information on the new plan making system and National Development Management Policies needs to be shared with LPAs as soon as possible.

Question 104

Do you agree with the proposed transitional arrangements?

Yes

Question 105

Do you have any other suggestions relating to the proposals in this chapter?

No comment

The City of London Corporation supports the implementation of the LURA's digital reforms, as well as embedding common data standards and the use of digital platforms. It further supports the production of digital local plans, and it further supports the initiative of national policies being in a format which enabled the integration thereof, particularly National Development Management Policies, in a digital way.

It will be critical in the development of these digital approaches that the digital publication of national policies provides clear versioning, including date of publication and any superseding policy. Web-based national policies should allow for Local Planning Authorities to embed elements thereof into their own Digital Local Plans, as required. This data therefore needs to be accessed both in a way to allow the Local Planning Authority to access, extract, and embed most recent versions of a policy, as well as policies that were in place at a specific moment in time. Clear documentation should be created in terms of how to access, use and, and embed these web-based policies. Should National Development Management Policies have any relevant geospatial attribution these should be made available through planning.data.gov.uk, including relevant

Question 106

Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

Overall, the City Corporation sees significant opportunities to improve the inclusivity of the Framework. We would be very interested to know how the published draft was reviewed by relevant user groups, including disabled people, and what the accompanying EqIA said about this. Please see below for detailed comments on these matters:

- The Public Sector Equality Duty is quite clear about the duty to eliminate unlawful discrimination, advance equality of opportunity between people who do/don't share a protected characteristic and foster/encourage good relations between those who do/don't share protected characteristics. I have not identified much at all about **advancing** equality of opportunity, particularly in respect of disability, nor how these policies will **foster/encourage** good relations between people who do/don't share protected characteristics
- The document talks about 'people with disabilities'. Whilst this is the language of the 2010 Equality Act, the language around disability has changed significantly since then and the government's own guidance on [Inclusive language](#) says that 'disabled people' should be used in preference to 'people with disabilities'. Suggest changing all references to 'people with disabilities' to 'disabled people' and include explanatory footnote with reference to the Act
- The glossary on p.77 includes the following sentence under 'people with disabilities' :
 - **These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs'.**

This part-list appears to fail to meet the PSED because it:

- excludes any reference to D/deaf people
- uses language that is significantly out-of-date and is not favoured by relevant groups e.g. 'ambulatory difficulties' instead of 'mobility impairments' or 'people with blindness' instead of 'blind and partially sighted people' or 'people with autism' instead of 'autistic people'
- perpetuates a discourse of inadequacy e.g. ambulatory and learning '**difficulties**'
- perpetuates a discourse of dependency e.g. 'mental health **needs**'
- p.80 glossary definition of 'Transport statement' has no reference to 'wheeling' or other inclusive transport
- Comments on particular paragraphs:
 - 94(b) suggest revise from 'safe and accessible' to 'safe, inclusive and accessible'
 - 109(a) suggest revise to add 'including for disabled people' to end of first sentence
 - 114 (b) suggest redraft with reference to the above
 - 1149 e) suggest add provision for accessible charging

- 132(f) add 'without disabling barriers' after the word 'accessible'

155(c) insert 'inclusive and' before accessible