

LOCAL PLANS SUB (PLANNING AND TRANSPORTATION) COMMITTEE
Tuesday, 14 January 2020

Minutes of the meeting of the Local Plans Sub (Planning and Transportation)
Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Tuesday,
14 January 2020 at 1.45 pm

Present

Members:

Deputy Alastair Moss (Chairman)
Sheriff Christopher Hayward (Deputy Chairman)
Randall Anderson
Christopher Hill
Shravan Joshi
William Upton QC

Officers:

Gemma Stokley	- Town Clerk's Department
Annie Hampson	- Chief Planning Officer and Development Director
Adrian Roche	- Department of the Built Environment
John Harte	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Annie Hampson	- Department of the Built Environment
Lisa Russell	- Department of the Built Environment
Peter Shadbolt	- Department of the Built Environment
Michelle Price	- Department of the Built Environment

1. APOLOGIES

Apologies for absence were received from Deputy Keith Bottomley, Deputy Jamie Ingham Clark and Graham Packham.

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

There were no declarations.

3. MINUTES

The public minutes of the meeting held on 19 July 2019 were considered and approved as a correct record.

4. CITY OF LONDON LOCAL PLAN REVIEW: PROPOSED SUBMISSION VERSION OF CITY PLAN 2036

The Sub-Committee received a report of the Director of the Built Environment highlighting the main changes that were now proposed to the earlier November 2018 version of the draft Local Plan supplemented by a track changes appendix covering all the citywide policies.

Officers reminded Members that there had been some informal, Working Party meetings towards the end of 2019 looking at certain elements of the Plan but that today's meeting was a chance to review the redrafted document in its entirety. Officers went on to state that the amendments to city wide policies had been informed by consultation responses, the wider planning context and Member input to date. The next meeting of this Sub-Committee would afford Members the opportunity to review final documents around key areas of change, the 'Safe and Secure City' sub section which was awaiting further input from relevant officers, and the implementation sub section.

Members were informed that the key changes to the document were listed at paragraph 8 of the report and that some of these were new elements whilst others were changes to existing elements of the Plan.

Officers reported that there were still some potential risks/outstanding issues to be considered as background to the draft Plan preparation process. One of these was the London Plan with which the City Corporation's own document was required to be in general conformity with.

The London Plan Inspectors' Report has supported the document but recommended changes including a reduction in the overall housing target for London and reductions for a number of boroughs. The Government has not yet responded to the recommended changes and the issue has not yet been resolved. The Deputy Chairman explored this further by questioning whether the issues that the Government had raised with the London Plan around housing in particular would have any bearing on the City Corporation's plan. Officers advised that the recommended reduced housing targets did not apply to the City and so this issue did not have a direct bearing on the draft Local Plan, unless it caused further delays in the final publication of the London Plan.

Officers then stated that housing delivery performance could be a potential risk for the Local Plan process going forward. Recent delivery performance had been volatile and several significant housing proposals had not progressed as anticipated. This was an issue if they consequently could not be counted as part of the future housing delivery pipeline. The potential issue is partly due to how housing delivery performance is being measured by the Government (in three-year snapshots) whereas the draft Plan is looking at average delivery rates over a 15-20-year time horizon. Housing delivery in the City tends to be "lumpy" and dependent on a few large schemes. For these reasons, it was suggested that the City Corporation may need to take up this issue with Government going forward, requesting a greater degree of flexibility.

The Chair interjected by referring to the fact that the grand Committee were very keen to receive assurances on the viability of the Plan. Officers reported that the viability report on the Plan as a whole had been commissioned and was expected to be completed in February 2020. This report will include the scope for Section 106 affordable housing contributions and/or CIL contributions to be increased going forward. If the report supports such an increase this information could then be factored into a revised Supplementary Planning Document (SPD) which would be put to the grand Committee in May 2020 prior

to be putting out for consultation and adoption by September 2020. A Member commented that the issue was around the costs of housing delivery and not whole plan viability. Current policy stated that affordable housing had to be delivered onsite, or offsite through a commuted sum in exceptional circumstances. Current policy, however, meant that it was cheaper to deliver offsite.

Officers responded that the national policy framework recommended assessing the viability of the entire Plan including realistic affordable housing contributions. The intention being that developers would not then be able to challenge the viability of individual sites unless, for example, it could be demonstrated that a particular site was highly unusual. They added that, whilst the plan was a 20-year Plan, national guidance requires that plans be reviewed every 5 years. Consultants would be reviewing whether or not the current policies, as drafted, were viable across the City and, within that, the potential for increased s106 and CIL contributions. Officers concluded on this point by highlighting that they would also be liaising with colleagues in the Housing Department on this matter ahead of the production of an SPD. They agreed with the underlying concern that the current figure was now out of date.

A Member reiterated his concern that, if the consultants were to come back with relatively low 'head-room' on this, it would mean that the current draft policy was problematic and would lead to 'in lieu' payments becoming routine.

The Chair stated that the City Corporation, following consultation, should be clear as an authority that they were confident about their figures and would therefore not expect developers to regularly challenge these. Officers agreed by stating that site by site viability issues would not be desirable going forward.

A Member commented by stating that the housing market was constantly moving and that what could potentially occur, should the top end of the market continue to collapse, is that housing delivery per se would become increasingly difficult with many local authorities then facing penalties from government around this. He added that, unless use of land was constrained in any way, it would always go to whomever offered the best return. He remained concerned that the framework around this could cause great difficulties going forward. Officers advised that one response could be to constrain some land through a process of housing site allocations.

The Chair invited comments from the Sub-Committee on the list of key changes detailed within the report.

A Member made a generic point on Section 6.5 'Tall Buildings and Protected Views' and referred to what he perceived as a general shift in language/tone which appeared to be more conservative and restrictive than had previously been the case, particularly in relation to protecting views of the Tower of London. Officers tabled a number of maps depicting the protected views referred to within the plan. They added that amendments to the wording here had been an attempt to reflect the wishes of Members at the September 2019 Working Party. They assured members that there was no shift in policy here but

a clarification of current practice within both the plan and on the maps. It was also hoped that this would go some way to satisfying the concerns around this matter raised by some consultation respondents such as Historic Royal Palaces (HRP).

Another Member stated that he too had some concern around the Tower 'backdrop' language as currently drafted. Officers undertook to revisit this in light of comments made and present an amended draft of this section to the next meeting of the Sub-Committee. The Chair requested that some preamble to this section, stating that this was intended as a clarification of the current position would be helpful.

A Member referred to the use of 3D modelling for planning applications and questioned the decision here to go with a single service provider. He added that this might be considered unnecessarily restrictive, particularly given that this was an area of technology that was still very much evolving. Officers undertook to look again at this wording, clarifying that it was not necessarily requiring applicant to use the same software, but was more around compatibility with the City Corporation's chosen system. The Chair applauded this step forward.

In response to questions, it was agreed that the wording at section 6.2.39 regarding Heliports and landing facilities for drones, should be further refined.

A Member questioned why Officers had chosen to add paragraph 1.3.28 entitled 'What if things change?' to the introduction section of the plan. Officers stated that this was taken largely from the current Local Plan and was intended as a risk analysis of sorts. It was intended to follow on from the paragraphs relating to implementation and delivery, but Officers stated that, again, they could look to finesse the wording here. The Chair stated that he felt that this paragraph was a good caveat to include. A Member added that he felt that it would be useful to make reference to timescales here so that it was not inferred that the plan was under constant review.

A Member referred to paragraph 3.5.2 and questioned what progress had been made in terms of Climate Change given that references here were all very high level. Officers reported that this was intended as a 'hook' within the draft Plan. It was reported that a Climate Action Strategy was being drafted in 2020 and that revisions to this paragraph might elaborate on timescales around this.

The Member went on to refer to 'Policy D1 – Sustainability Standards' and questioned how this was measured. He also noted that paragraph 2 of this subsection made reference to both 'excellent' and 'outstanding' BREEAM ratings and questioned which of these was the target. Another Member stated that he hoped that this would take into account embodied carbon and the demolition of existing buildings. The Chair responded by stating that he had understood that there was now a presumption that the whole carbon life of a building would be looked at. Officers clarified that this policy related to buildings in operation and not deconstruction. They undertook to look into this matter and report back.

In response to questions regarding 'Policy H8 – Older persons housing' Officers stated that policies had previously referred to lifetime homes but that the guidance around this no longer existed, therefore making it more difficult to define as a concept. Officers stated that they would be happy to re-visit the drafting of this.

A Member referenced Policy D5 – 'Terraces and Viewing Galleries' and highlighted that noise was also an issue here and should therefore be referenced alongside overlooking. The Chair agreed with this addition.

RESOLVED – That Members:

- Agree the sections of the Proposed Submission City Plan 2036 set out at Appendix 1 of this report, subject to the comments made today being adequately reflected within this; and
- Authorise the Director of the Built Environment to make further minor editorial changes and non-material additions to the Proposed Submission City Plan 2036 as necessary prior to its consideration by Planning and Transportation Committee.

5. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE

There were no questions.

6. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There were no additional, urgent items of business for consideration.

The meeting ended at 2.38 pm

Chairman

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