

Article 4 Direction: Consultation Summary June 2021

Comment Number	Respondent Organisation	Comment	CoL Response
1	The Coal Authority	the City of London area lies outside the defined coalfield and therefore the Coal Authority has no specific comments to make on your Local Plans / SPDs etc	Noted
2	Natural England	Natural England have no comments to make on this consultation	Noted
3	Elizabeth Wrigley	<p>Article 4 freezing office capacity?</p> <p>I think the Article 4 is good and not unexpected. However during the pandemic we did debate the fate of London's larger stores and came up with ideas for layering uses such as ground for trading, first for making, second for living, upper and roof for growing.</p> <p>It would be truly wonderful to see more sensible uses on ground floors than the interminable small chain format stores and gyms. Something like Chicago's permeability at ground level from inside to outside would be a fantastic addition to London. They have wonderful lobbies with small shops, coffee houses, indoor courtyards to just sit in, bookshops, etc. as well as people making leather goods etc. Small, high value stores sit in these spaces too, such as you find in hotel complexes in Mumbai.</p> <p>But it would need some active curating and encouragement from the City. What do you think?</p>	Support noted. Wider comments are a matter for planning policy. The Article 4 would allow the LPA to more effectively manage changes of use, allowing a more beneficial mix where appropriate.
4	Thames Water	<p>Thames Water is the statutory water and sewerage undertaker for City of London. As such they are a “specific consultation body” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. Thank you for consulting Thames Water on the above proposed Article 4 Directions.</p> <p>Thames Water support the proposed Article 4 Directions. The change of use of E(g)(i) office uses to C3 residential can have a significant impact on the timing and volume of flows going into the sewer network and as such changes of use of this nature have the potential to result in adverse impacts elsewhere in the network potentially resulting in sewer flooding unless appropriate upgrades are delivered where there are capacity concerns.</p>	Support noted.

		The Article 4 Directions would ensure that planning permission is required. Prior to applying for planning permission developers of any proposals for change of use are encouraged to discuss their proposals with Thames Water at the earliest opportunity so that the impacts on the network can be understood and arrangements made to ensure that any necessary upgrades to the network are delivered.	
5	Theatres Trust	<p>Thank you for consulting the Theatres Trust on the above Article 4 direction which is seeking to remove permitted development rights for conversion from offices to residential following recent changes to the Use Class Order. The Trust supports this Article 4 direction.</p> <p>The need for this Article 4 direction to help maintain the City’s supply of office accommodation as a strategic function of international significance is clearly set out within the accompanying Cabinet paper. There has been an existing Article 4 direction in place, just as there has been within surrounding local authority areas in and around the CAZ.</p> <p>From the Trust’s perspective we are concerned about the potentially negative impact this form of permitted development may have on theatres and other cultural facilities where neighbouring buildings are converted. There are a few theatres within the City with signs of provision increasing, as noted within paragraph 10 of the evidence document. These contribute to London’s overall cultural and tourist offer and should be protected. Therefore, we welcome this Article 4 direction and look forward to further communication as it moves towards confirmation and taking effect.</p>	Support noted
6	Transport for London	<p>Thank you for giving TfL the opportunity to comment on the City of London’s Article 4 Direction to remove permitted development rights for change of use from office (Class E(g)(i) to residential (Class C3). TfL understands that this proposal is a continuation of the existing Article 4 Direction which has been in force since 31 May 2019.</p> <p>TfL is supportive of the proposals from a transport perspective, as we equally recognise the City’s unique characteristics as a world-leading business hub, which underpins the UK economy. The exceptional level of transport capacity and connectivity in the City is optimised to support office development with high office-based trip rates. Protecting office space in the City supports London Plan policy T1 (b), which states: “All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes”.</p>	Support noted

		<p>We are pleased that the supporting evidence to the Article 4 Direction refers to the City’s role as a highly sustainable employment location, benefitting from an advanced transport network which enables over 90% of workers to travel by walking, cycling and public transport. Promoting a sustainable mode shift is key to the Mayor’s Transport Strategy, which aims for at least 95% of journeys in central London to be made by walking, cycling and public transport by 2041.</p> <p>In the case of a large-scale office to residential conversion, this hyperconnectivity would be under-utilised, and the efforts to support office development through sustainable transport would be wasted. Therefore, TfL agrees that any such development proposal must be considered on a case by case basis, with careful analysis of individual applications to determine whether an office to residential change of use would be acceptable. In making such decisions, consideration should be given to the City’s strategic function, physical design and transport connectivity which all focus around offices. In the context of the City, housing quality may be a key concern with office to residential conversions, due to density and design considerations.</p> <p>Additionally, the Direction complies with Policy SD5 (e) of the London Plan, which states the Mayor’s support for removing office to residential permitted development rights across the whole of the CAZ, due to its strategic functions.</p> <p>To conclude, TfL is supportive of the City’s Article 4 Direction due to the high provision of sustainable transport, which is optimised to support office development. Protecting office space, and considering any residential conversions on a case-by-case basis, supports Policy T1 of the London Plan and the Mayor’s Transport Strategy. Additionally, this Direction is in clear compliance with London Plan policy SD5.</p>	
7	Historic England	<p>As the Government’s statutory adviser, Historic England is keen to ensure that conservation and enhancement of the historic environment is taken fully into account at all stages and levels of the planning process. Historic England supports the proposed direction, which we consider will allow suitable assessment of the contribution of office buildings through the planning process to the character and vitality of the areas of the borough in question. We note that much City is covered by conservation area designation, while there is also a highly</p>	Support noted.

		<p>significant concentration of listed buildings in the area. As a result, we consider that supporting mixed uses here is likely to benefit the continued sustainability and identity of the area and hence its heritage significance.</p>	
8	City Property Association	<p>We write to formally support the making of a non-immediate Article 4 Direction for the whole of the City of London, removing permitted development rights granted by Class MA, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 for the change of use of a building or any land within its curtilage from offices (Use Class E(g)(i)) to residential (Use Class C3).</p> <p>We understand that it is proposed that the Direction will come into force on 1 August 2022, which is the day immediately following the date on which the City of London Corporation's current Article 4 Direction will lapse. Without the approval of the Article 4 Direction, the subject of this consultation, the CPA considers that the uncontrolled loss of offices would threaten harm to the City's position as a global commercial centre, potentially resulting in a significant loss of offices in the Square Mile.</p> <p>The CPA shares the concerns outlined in the Supporting Evidence accompanying the consultation, and agrees that the uncontrolled introduction of housing in the City would be liable to undermine the strength of the commercial environment, and as a result would seriously damage the ability of the City of London to continue to operate and evolve as an international centre for tech, innovation and financial and professional services – for the benefit of London and the country. The importance of the Square Mile, its ability to remain commercially competitive and to deliver significant commercial floorspace, is crucial following the UK's departure from the European Union.</p> <p>Within the City of London, the CPA recognise that the City Corporation has long sought to ensure that residential accommodation is located in specific clusters. This careful balancing and control of land uses within the Square Mile has traditionally been achieved via planning control, and it is considered that this continued control is required to sustain and enhance the City's critical role both for London at a regional level and for the whole of the UK. The CPA consider the City Corporation's policy approach to residential has been successful, such that it has seen the growth of a small residential population without compromising its ability</p>	Support noted

		<p>to also deliver the substantial commercial development which forms the core of the Square Mile. The uncontrolled conversion of office buildings to residential use, should, in the CPA’s view, be avoided.</p> <p>The CPA considers that such loss of offices would impact on the potential for business development, and the potential to accommodate new jobs; and in addition, the uncontrolled spread of housing across the City into commercial areas could impact on the 24 hour operations of many existing City businesses and frustrate future commercial development. The direct loss of employment floorspace, is likely to lead to the permanent loss of the associated jobs, both direct and indirect, and linked expenditure and would also detract from the City’s world-class economic, social, cultural and leisure role - including its attraction as a place for new businesses to open and for workers, visitors, and tourists to come.</p> <p>The CPA agrees with the Supporting Evidence that the loss of local planning control over the change of use of offices to residential could impact on the beneficial cluster of offices in the City of London, disproportionately impacting the supply of smaller offices suitable for SMEs and start-ups, and result in the introduction of residential uses into commercial areas, potentially impacting on the 24-hour nature of much of the City and resulting in a poor residential environment. Creating new residential accommodation in otherwise commercial areas often leads to the creation of additional constraints on future commercial uses nearby, due to the need to protect residential amenity and the potential sensitivity of residential occupiers. This would further worsen the health and vitality of the Square Mile, at a time when many retail and hospitality businesses are struggling following the impact of the Coronavirus pandemic.</p> <p>In conclusion, the CPA fully supports the making of a non-immediate Article 4 Direction, which the CPA considers is vital to the continued success and growth of the City of London.</p>	
9	Port of London Authority	Thank you for consulting the Port of London Authority (PLA) on the City of London’s consultation on the introduction of a Non-Immediate Article 4 Direction to ensure the continuation of the removal of national permitted development rights for the change of use of offices to residential. I have now had the opportunity to review the consultation documents and can confirm that the PLA has no comments to make.	Noted

<p>10</p>	<p>Mayor of London</p>	<p>The Mayor strongly supports the introduction of this Article 4 Direction. The 2021 London Plan policies SD5 (Offices, other strategic functions and residential development in the CAZ) and E1 (Offices) encourage boroughs to introduce Article 4 Directions to remove office to residential permitted development rights, as part of a co-ordinated approach across the whole of the CAZ, to safeguard its role as a nationally significant office location.</p> <p>The City of London is recognised in the 2021 London Plan as a nationally important location for globally-oriented financial and business services. It plays a vital economic role in the agglomeration of office functions in the CAZ. It is estimated that the output of the CAZ, Northern Isle of Dogs (NIOD) and a 1km fringe around them stood at just under £228bn in 2017, accounting for nearly 53 per cent of London’s output and just under 13 per cent of UK output. The CAZ and NIOD together contain more than 1.3 million office jobs. The ten CAZ boroughs (incorporating much of London’s nationally significant office space) contained more than 20 million sq.m. of office floorspace in 2019/20. This equates to more than three quarters of London’s total office stock and approximately one fifth of the total in England & Wales.</p> <p>The City’s proposed Article 4 Direction to permanently remove office to residential permitted development rights from 1 August 2022 will help to safeguard the future sustainability of the CAZ and its role as nationally significant office location. It will support the contribution of this area to the London economy and employment and the prosperity of the whole UK nation.</p> <p>The Mayor is currently updating the strategic evidence to support London borough Article 4 Directions (commercial to residential permitted development) and intends to publish this evidence as soon as possible.</p>	<p>Support noted.</p>
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