

<b>Committee(s):</b>	<b>Date(s):</b>
Planning & Transportation	30 July 2014
<b>Subject:</b> Adoption of draft Office Use Supplementary Planning Document as Interim Planning Guidance	<b>Public</b>
<b>Report of:</b> Director of the Built Environment	<b>For Decision</b>

### **Summary**

The draft City of London Local Plan has been formally submitted to the Secretary of State for public examination. Draft alterations to Policy CS1 and draft Policy DM1.1 seek to resist the loss of existing office accommodation in the City.

A draft Office Use Supplementary Planning Document has been prepared to provide further guidance on the evidence that developers will need to submit to the City Corporation in support of proposals for the change of use of office accommodation.

The draft SPD has been subject to public consultation alongside the draft Local Plan and amendments are proposed to reflect comments received. As the draft SPD provides supplementary guidance to the draft Local Plan it will not be formally adopted as a SPD until the draft Local Plan has been considered through public examination and adopted. Adoption is currently expected to take place in spring 2015. In the interim period, it is proposed that the draft Office Use SPD be adopted by the City Corporation as Interim Planning Guidance. This will ensure that the guidance contained in the draft SPD can be a material consideration alongside the draft Local Plan in the determination of planning applications.

### **Recommendation(s)**

Members are recommended to adopt Appendix 1, the revised draft Office Use Supplementary Planning Document, as Interim Planning Guidance, from today's date, pending adoption of the Local Plan.

## **Main Report**

### **Background**

1. The draft City of London Local Plan was formally submitted to the Secretary of State on 23<sup>rd</sup> May 2014 for public examination. Draft alterations to Policy CS1: Offices and new draft policy DM1.1: Protection of office accommodation, seek to resist the loss of existing office accommodation in the City. Protection for

offices is necessary to maintain the City's strategically important office cluster and to enable further office development in order to meet floorspace targets in the draft Local Plan. Draft Local Plan policies also respond to the local exemption given to the City of London from national permitted development rights which allow the change of use of offices to housing without the need for planning permission. The supporting text in the draft Local Plan indicates that a Supplementary Planning Document (SPD) will be prepared to provide further guidance on the evidence that developers will need to submit to the City Corporation to support proposals for a change of use from office to other uses.

2. The Planning and Transportation Committee approved a draft Office Use SPD for public consultation at its meeting on 14<sup>th</sup> January 2014. The SPD was subsequently issued for public consultation for 6 weeks between 17<sup>th</sup> January and 28<sup>th</sup> February 2014, alongside the pre-submission consultation on the draft Local Plan.

### **Current Position**

3. Ten representations were received on the draft SPD. Key issues raised in these representations were:
  - a. objection to the principle of protecting office accommodation and need for further SPD guidance,
  - b. the need for greater flexibility in determining applications for change of use from offices to other uses, particularly to address uncertainty over future economic circumstances and growing market demand for new residential and hotel development,
  - c. the need for greater clarity over timeframes for required information, including marketing information,
  - d. the need to review the SPD in light of the public examination into the Local Plan.
4. There were also a number of comments in support of the draft SPD, including from the Mayor of London, who commented that the draft SPD was comprehensive and in line with both existing London Plan policy and emerging policy in the Further Alterations to the London Plan.
5. Details of these comments and how these have been taken into account in preparing revised draft guidance are set out in the Consultation Statement, which is attached at Appendix 2.

### **Proposals**

6. The National Planning Policy Framework (NPPF) indicates that weight may be given to an emerging local plan in the determination of planning applications, according to the stage of preparation of the plan, with greater weight given the further the plan has progressed. The draft Local Plan has been submitted to the Planning Inspectorate for public examination and, although it does not carry the full weight of an adopted plan, it should carry significant weight for the following reasons:

- a. the draft Local Plan has been subject to several stages of consultation and has now been submitted for examination. The draft Plan has been considered by the Court of Common Council and approved as sound planning policy for submission to the Secretary of State.
  - b. The overall strategy of promoting and protecting office floorspace is in accordance with the policies and strategic objectives of the adopted City of London Core Strategy which, in turn, is in conformity with the adopted London Plan and the reasoning behind the Government's exemption for the City of London from national permitted development rights for the change of use of offices to residential.
  - c. The Mayor of London has indicated that the draft Local Plan is in general conformity with the London Plan.
7. The draft Local Plan is therefore a material consideration in the determination of planning applications carrying significant weight.
8. The draft SPD provides further guidance to the development industry on the evidence required to support proposals which involve the loss of existing offices. The intention is that the draft SPD will be formally adopted once the Local Plan itself has been considered through public examination and adopted by the City Corporation. The current expectation is that the Local Plan will not be adopted until spring 2015. To provide greater certainty to the development industry as to how the City Corporation will interpret and apply draft Local Plan policies CS1 and DM1.1, it is proposed that the draft Office Use SPD be adopted as Interim Planning Guidance to assist in the determination of planning applications. In line with the guidance in the NPPF as to the weight to be afforded to the emerging Local Plan, adopting the draft SPD as Interim Planning Guidance at this time will ensure that it carries weight (albeit less than an adopted SPD) in the determination of planning applications, particularly as it has been informed by up to date evidence, has been subject to public consultation in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, and amendments in the light of consultation responses will have been approved by your Committee. A copy of the revised draft Office Use SPD which is proposed to be adopted as Interim Planning Guidance is attached at Appendix 1. Amendments from the previous draft SPD are shown in bold underline for new text and strikethrough for deleted text.
9. Assuming that the Inspector approves the draft City of London Local Plan without making substantial recommendations for modifications, the intention is that the draft Office Use SPD would be formally adopted by the City Corporation alongside the Local Plan. The proposal to formally adopt the SPD will be brought to a future meeting of your Committee.

### **Corporate & Strategic Implications**

10. The proposed Office Use Interim Planning Guidance will complement and provide further guidance to the City Corporation's draft Local Plan, pending examination and adoption of the Local Plan and formal adoption of the Office Use SPD in spring 2015.

11. The Interim Planning Guidance will contribute towards meeting Divisional Objective PP2 in the Department of the Built Environment's Business Plan 2014-17, and aligns to the Vision, Strategic Aims and Key Policy Priority 1 in the City Corporation's Corporate Plan 2013-17 'Supporting and promoting the international and domestic financial and business sector'.

### **Implications**

12. There are no financial implications arising from this report and the legal implications are dealt with in the body of the report.

### **Conclusion**

13. The draft Local Plan proposes new policy guidance strengthening the protection for existing offices in the City. A draft Office Use SPD has been prepared to provide further guidance on the evidence required to support applications for the change of use of existing offices. The draft SPD has been the subject of public consultation but, since it is based upon policies in the draft Local Plan, will not be formally adopted until the draft Local Plan itself has been adopted in spring 2015. In the interim period, to ensure that the guidance in the draft Office Use SPD is a material consideration in the determination of planning applications, it is proposed that it be adopted as Interim Planning Guidance, pending adoption of the draft Local Plan.
14. Upon adoption, the Interim Planning Guidance and the Consultation Statement will be placed on the City Corporation's website. Notification of adoption will be sent to all those individuals and organisations that commented on the draft Office Use SPD and those who commented on the draft Local Plan. The Interim Planning Guidance will also be included in the evidence base for the City of London Local Plan public examination and a copy sent to the Inspector undertaking the examination.

### **Appendices**

- Appendix 1 – Office Use Interim Planning Guidance
- Appendix 2 – Draft Office Use Supplementary Planning Document Consultation Statement

### **Background Papers:**

Report to Planning & Transportation Committee 14<sup>th</sup> January 2014: Consultation on draft Office Use Supplementary Planning Document

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