

City of London Local Plan

City Plan 2040

Culture and Visitors Explanatory Note

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1. Introduction

- 1.1 The draft City Plan 2040 was subject to a Regulation 20 consultation between the 18th April and 17th June 2024. There were 293 respondents and over 2,000 specific comments on parts of the plan. Several respondents made detailed comments on Chapter 7 'Culture and Visitors' and the purpose of this explanatory note is to clarify the approach taken when drafting this chapter.
- 1.2 As set out in the Procedure Guide for Local Plan Examinations (paragraph 1.6), Local Planning Authorities (LPA) sometimes submit to the examination a list of proposed changes to the published plan that have not been the subject of consultation. The Inspector will not treat those proposed changes as part of the plan to be examined. However, the Inspector may consider it appropriate for some or all of the LPA's proposed changes to be discussed at the hearing sessions, and in appropriate circumstances they may form the basis for Main Modifications.
- 1.3 In the context of paragraph 1.6 of the Guide, the City Corporation will submit to the examination a list of proposed changes to the published plan. While the City Corporation does not believe Main Modifications to be required at this stage to make the plan sound, these changes are being proposed in the spirit of ongoing collaboration with stakeholders and to inform discussions at the hearing sessions. Should the Inspectors consider it appropriate, the City Corporation would welcome the opportunity for these to be discussed at the hearing sessions, and (in appropriate circumstances) for these to form the basis of Main Modifications, should the Inspectors consider Main Modifications necessary. This explanatory note refers to areas of the plan where the City Corporation will propose changes, in line with the approach set out in paragraph 1.6 of the Procedure Guide.

2. Background and Evidence Base

2.1 *Cultural Planning Framework*

- 2.1.1 In January 2024 the City Corporation produced a Cultural Planning Framework (CPF) for the City, a framework to support the delivery of cultural provision through new developments. As part of the evidence base for the City Plan 2040, the CPF provides recommendations on three key areas:
- a. The nature of the city's cultural ecosystem, including a suggested division into nine 'focal areas' with opportunities and priorities identified for each area.
 - b. Methods to capture cultural contributions via planning obligations, using a mix of spatial and financial metrics.
 - c. Best practice formats and outputs for the Cultural Plans requested with planning applications.
- 2.1.2 It is noted that many of the recommendations in the CPF fall outside the scope of the local plan, as they provide a basis for a more detailed cultural strategy or are suitable for guidance usually found in supplementary planning documents. The local plan is a framework to guide

development and so cannot be expected to contain granular guidance for specific cultural uses or focal areas. Notwithstanding, the CPF is the key evidence base document that underpins the Culture and Visitors chapter and is referenced throughout. Aspects of the CPF are also intended to evolve to form part of a Culture SPD.

2.2 *Destination City*

- 2.2.1 Launched in May 2022, Destination City is the City Corporation's vision for the City to become a world-leading leisure destination for UK and global visitors, workers and residents. It contains a rolling package of measures designed to boost the vibrancy of the City, drive the recovery from the Covid pandemic and increase the City's attractiveness as a place to work, which would broaden the cultural offer and ensure the City remains active into the evenings and the weekend. This includes a dedicated visitor website and tourist branding, seasonal arts and cultural events, temporary and pop-up events, improved pedestrian infrastructure and support for al-fresco dining.
- 2.2.2 The culture and visitors chapter of the City Plan will play an important part to realise the City Corporation's Destination City vision. The chapter is drafted with the goal of supporting the delivery of Destination City, and this partly explains, when compared to the 2015 local plan and City Plan 2036, the additional policies and focus on the provision of new cultural infrastructure and facilities through planning gain. As a result, the role new and existing cultural, leisure, recreation and visitor facilities can play to realise this vision is referenced in the supporting text to policies S6 and CV2.

3. Draft Policies

- 3.1 The draft City Plan subject to the Regulation 19 consultation included one strategic policy and six development management policies within the Culture and Visitors chapter. A short summary of these policies is below.
- *Strategic Policy S6: Culture and Visitors*
 - A strategic policy that aims to position the Square Mile as a key cultural and leisure destination by maintaining and enhancing the cultural, leisure, and recreation offer, alongside evening and night-time uses and supporting infrastructure.
 - *Policy CV1: Protection of Existing Visitor, Arts and Cultural Facilities*
 - This policy resists the loss of cultural uses unless replacement facilities are delivered, or it can be demonstrated via marketing that there is no realistic prospect of the site being used for any cultural use.
 - *Policy CV2: Provision of Arts, Culture and Leisure Facilities*
 - Developments >10,000sqm must deliver on site cultural facilities.
 - Major development <10,000sqm must provide on site cultural facilities commensurate with the size of the development, or make an off-site contribution where a specific project is identified.

- All major developments must submit a Culture and Vibrancy Plan.
- *Policy CV3: Provision of Visitor Facilities*
 - Facilities for visitors within new cultural developments and the surrounding area will be encouraged.
 - *Policy CV4: Hotels*
 - Hotels will be permitted where they comply with *Policy OF2: Protections of Existing Office Floorspace*, and several other design, sustainability and accessibility requirements.
 - *Policy CV5: Evening and Night-Time Economy*
 - New evening and night-time entertainment, and related uses, will be supported where it can be demonstrated there are no unacceptable adverse impacts, in line with the Agent of Change principle.
 - *Policy CV6: Public Art*
 - New temporary and permanent public art works will be encouraged.

4. Regulation 20 Comments

4.1 After a review of Regulation 20 comments, six key themes emerged. These are listed below:

- a. **Definitions** - A recognition that culture is hard to define, with some confusion as to how it has been defined throughout the chapter. Different sets of words are used interchangeably throughout the chapter and several respondents recommended consolidating this into the language of 'cultural infrastructure' and 'cultural contributors' as used in the CPF.
- b. **Status of the CPF** - The status of the CPF was questioned, as it is referred to throughout the chapter but is an evidence base document. Respondents made it clear that it should not be treated as if it is a supplementary planning document and therefore reference to it within the draft local plan should be deleted.
- c. **Co-ordinated cultural strategy** - Concerns were raised about the lack of a co-ordinated strategy for cultural provision under Policy CV2. Respondents suggested that the policy could lead to a patchwork of fragmented and underutilised cultural spaces, and requested additional support for pooling financial contributions.
- d. **Operation of Policy CV2** - Policy CV2 was also critiqued for its blanket approach to cultural contributions, whether they be on site or off site, and lack of flexibility with regard to on-site cultural provision for major developments >10,000sqm. There seemed to be confusion as to whether the threshold related to gross floorspace or an uplift, and the requirements for detailed management plans at pre-application stage was stated to be unfeasible.

- e. **Adverse impacts** - There were a small number of minor comments related to the impacts of hotels, night-time uses, and the implementation of the agent of change principle.
- f. **Public Art** - Minor comments were made around the inclusivity and accessibility of public art. Co-ordination with *Policy DE3 (7): Public Realm* was also needed.

5. City Corporation Response

- 5.1 The City Corporation have carefully considered all the responses and concluded that the plan remains sound. However, there are some cases where the City Corporation intends to submit proposed changes to the plan (as set out in the introduction to this note).
- 5.2 The complete list of representations received, and the City Corporation's response, is found within the Consultation Statement (2024). A list of proposed changes will be submitted to the examination shortly.
- 5.3 A discussion on each of the main themes in relation to culture and visitors is set out below.

5.1 Definitions

- 5.1.1 Across the Chapter 7 of the Regulation 19 City Plan several different terms and phrases are used to refer to 'culture'. These include:
 - 'cultural, leisure and recreation offer' (Policy S6)
 - 'visitor, arts and cultural facilities' (Policy CV1)
 - 'arts, culture and leisure facilities' (Policy CV2)
- 5.1.2 The supporting text at 7.1.0 defines culture in the City as 'broad and inclusive', and states that it exists both 'in the buildings and heritage of the City's institutions and in the streets and informal spaces in between'.
- 5.1.3 Culture is defined broadly in the plan in recognition of its diverse and dynamic nature, and in response to the CPF's assertion that 'culture is infamously difficult to define'. There is no universal definition of 'culture' and so the plan utilises a range of terminology to convey this dynamism and breadth, without excluding current or potential future cultural forms.
- 5.1.4 Several respondents also recognised that culture is hard to define and noted that there is varied terminology used across the chapter. However, they suggested that the use of the language of 'cultural infrastructure' and 'cultural contributors' deployed in the CPF would be more appropriate. It is agreed that using the terminology of 'cultural infrastructure' and 'cultural contributors' throughout the chapter would ensure consistency, which could then help a reader to understand what culture means in the context of the plan. It is also agreed that by using a 'cultural ecosystem' approach the CPF is successful at capturing the myriad dimensions of culture, which is then fed into the definitions of 'cultural infrastructure' and 'cultural contributors'. The conceptual split between 'infrastructure' and 'contributors' is also

useful as it highlights that the primary aim of the chapter is to protect and promote cultural infrastructure.

- 5.1.5 However, local plan policy should be drafted at a level that is accessible to an engaged, but non-professional reader, who cannot be expected to be an expert in cultural policy. Therefore, the City Corporation considers that the direct use of 'cultural contributors' within the policy text is more likely to introduce confusion into an already amorphous area. 'Cultural contributors' is not a commonly used term outside of cultural policy professionals and reads as a piece of technical jargon that would then need to be defined in the supporting text or in the glossary. It is appropriate in the evidence base and in the supporting text of the plan, but not in the policy itself. Cultural infrastructure is a more commonly understood term as it is used by the Mayor of London throughout the London Plan and there is a Cultural Infrastructure Plan for London.
- 5.1.6 If through discussion at examination it is considered that there is scope to amend the definitions of culture used in the plan, the City Corporation have a set of proposed changes to consolidate the terminology used across the culture and visitors chapter. The suggested new terminology is '*cultural infrastructure, and leisure, recreation and visitor facilities*'. This phrase could be used across all policy text to ensure consistency and remove the ambiguities produced by the use of different phrases to refer to the same conception of 'culture'.
- 5.1.7 Supporting text at 7.1.0 could be redrafted to include a definition of what comprises 'cultural infrastructure', with the division into 'cultural consumption' and 'cultural production' signposted. A definition of 'cultural contributors' could also be included in the supporting text, to be used as a hook for those professionals who are familiar with the term.
- 5.1.8 Overall, it is considered that the breadth of what constitutes culture warrants the diverse range of terms used in the plan. Nonetheless, the suggested proposed changes could also strike the correct balance between precision, breadth and intelligibility, as there would be a more consistent definition of 'culture' that is also relatively intuitive for an engaged reader. The suggested changes would primarily affect Policies S6, CV1, and CV2.

5.2 *Status of the Culture Planning Framework (CPF)*

- 5.2.1 The CPF is referenced across the chapter and respondents specifically commented on how it is referred to at Policy S6 (2) and CV2 (1). At S6 (2) there is a strategic aim to develop a wide range of cultural infrastructure and facilities '*in line* with the Cultural Planning Framework'. Policy CV2 (1) requires Culture and Vibrancy Plans to be '*informed* by the City Corporation's Cultural Planning Framework'. In both instances it is asserted by respondents that this reference is inappropriate given the status the CPF has as an evidence base document.
- 5.2.2 The City Corporation maintains that referring to the CPF in this manner is reasonable. It is standard practice to refer to evidence base documents within Local Plans. For example, housing targets are often formulated based on Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments, with the evidence that these assessments provide available to be tested at examination in public. The CPF was published alongside the Regulation 19 consultation, therefore, it is suitable to be referred to within the plan.

- 5.2.3 The reference within Policy S6 is appropriate given this is the strategic policy for the chapter. It sets the overall vision for culture and visitors, which in broad terms is expected to be *'in line'* with the CPF. This does not mean that the CPF, as an evidence base document, is policy; rather, that the vision should be in accordance with what the evidence in the CPF shows. While applications should have regard to the strategic policies in the plan, these policies necessarily cover the Square Mile as a whole and Policy S6 outlines the cultural vision for the entire plan area. There is no assertion that due to this drafting specific applications must stick rigidly to all recommendations made in the CPF.
- 5.2.4 This then explains the softer language used in Policy CV2 (1), where culture plans are expected to be *'informed'* by the CPF. Again, this does not convey any obligations on future development to faithfully follow the CPF, rather it is envisaged that the CPF is used as a starting point for developing bespoke cultural plans.
- 5.2.5 It is also noted that the Local Plan is a framework to guide development, it cannot provide the detailed guidance that the CPF contains, hence the references to the CPF within chapter 7. The City Corporation intends to use the CPF as the basis for a Culture SPD.

5.3 *Co-ordinated Cultural Strategy*

- 5.3.1 Policy CV2 requires all major development to provide cultural contributions, either on site for development greater than 10,000sqm or with a more flexible approach for developments less than 10,000sqm. A common response to this requirement was that without a method of co-ordinating these contributions, there is potential for a fragmented cultural provision, with the wrong cultural infrastructure in the wrong places. There were also suggestions that this blanket approach could *'dilute'* the City's cultural offer and detract from the Barbican cluster.
- 5.3.2 The supporting text at 7.3.3 is clear that art, culture and leisure facilities is a broad category that includes many different types of spaces. This is consistent with the text at 7.1.0 that states that *'the definition of culture is broad and inclusive'*. Given the wide range of options available to applicants to satisfy their onsite cultural obligations, it is assumed that they would be able to choose a use that is appropriate for their building or locality. The vision in policy S6 alongside the evidence in the CPF would also assist applicants, and through the pre-application and application process, the suitability of a proposed cultural use would be discussed with officers. Additionally, it is in an applicant's best interest to optimise the mandatory on site cultural contribution, as it would improve the quality and vibrancy of the development, generate interest, aid marketing, and may increase sale and/or rental prices.
- 5.3.3 Therefore, sufficient guidance already exists - both within the City Plan and its evidence base, and the development management process - to guide the type of on site cultural contribution and prevent uses that are poorly suited to the development from being proposed. It is considered too pessimistic to assume that the mandatory requirement for on site cultural provision would result in the wrong cultural infrastructure in the wrong places.
- 5.3.4 Additionally, in line with the Destination City vision, the plan takes a pan-City approach to culture. The City Corporation views the proliferation of cultural uses across the City as a beneficial outcome, as it would boost the vibrancy of the City and make it a more attractive

place to work. The comments assume that the most effective way to promote culture is to focus it on a singular location, which given the definition of culture as broad and inclusive does not seem appropriate, especially for a geographic area as small as the City. The City is small and dense enough to sustain cultural uses across its entire area.

- 5.3.5 It is also noted that the Barbican has a unique and significant cultural offer that is unlikely to be replicated elsewhere in the City. New cultural provision would not compete with the Barbican as it would likely be significantly different to what the Barbican offers.
- 5.3.6 Notwithstanding the beneficial effects in aggregate of increased cultural provision, the City Corporation does recognise the value further guidance on the delivery of cultural uses in applications can bring to maximising the benefits of culture, not only within the planning system but as part of the wider Destination City vision. Therefore, following the adoption of the plan, the City Corporation will build on the recommendations of the CPF to develop and consult on a Culture SPD.

5.4 Operation of Policy CV2

5.4.1 Several respondents critiqued how policy CV2 would operate in practice. These critiques were:

- a. The threshold for mandatory on site contributions should only apply to an uplift in floorspace, to avoid burdening developments such as change of uses, refurbishment or relatively small extensions.
- b. There should be more recognition of viability.
- c. The method for calculating the level of contributions should be clearer.
- d. It is difficult to provide management plans at pre-app and application stage.

5.4.1 Threshold Viability

- 5.4.1.1 Policy CV2 was drafted to apply to all development that meets the threshold, not just an uplift in floorspace. This approach was taken to enable the pan-City approach to cultural provision, in recognition of the plan's retrofit first ambitions. It is envisaged that over the plan's lifetime retrofit will become increasingly common, therefore, an uplift only threshold would exclude an increasing share of development across the City. This would not be in accordance with the strategic aims to 'develop a wide range of cultural, leisure and recreation facilities across the City' (Policy S6).
- 5.4.1.2 While it may not result in a large net increase in floorspace, the retrofit or refurbishment of buildings > 10,000sqm is a significant undertaking. In the City context this often aims to upgrade a building to deliver best in class grade A+ office space. Given the strategic aim to develop cultural uses across the City, and the 'best in class' facilities these developments often strive for, there is, in principle, a logic to requiring on site cultural contributions to secure a 'best in class' cultural provision in the City.
- 5.4.1.3 The City Plan viability assessment tests a range of scenarios (a value of cultural contributions from £40/sqm to £140sqm) and found that they all had a marginal impact on viability. The CPF found that a cultural contribution of £40/sqm would warrant a 'good' contribution. The

viability assessment tests a contribution of £40/sqm and shows that this would, on average, have a 1.6% impact on residual land values. Consequently, the City Corporation considers it likely that the cost of mandatory cultural contributions would not fundamentally impact scheme viability, and so there is no need for explicit recognition of viability in the policy text.

5.4.2 Calculating Contributions

5.4.2.1 With regard to the calculation of the cultural contributions, it is recognised this can be complex, especially where the value of an onsite contribution needs to be considered. The CPF suggests a formula that could be used to both set a target and calculate the value of the contribution. However, the Local Plan is not the correct document to include this technical formula. Consequently, the Planning Obligations SPD will be updated and consulted on following the adoption of the plan. This will give applicants clarity on the exact method used to quantify cultural contributions.

5.4.3 Management Plans

5.4.3.1 To be successful cultural uses need to be planned for early in the development process. They often have specific management and operational needs that cannot be retroactively accommodated. In line with the blanket approach to cultural contributions, management plans should form part of the Culture and Vibrancy Plans to be discussed at pre-application stage.

5.4.3.2 While the City Corporation considers this necessary to ensure the optimal outcomes for the proposed cultural, leisure or recreation uses, the comments received during the regulation 19 consultation make it clear that some feel that this is an unfeasible requirement. The City Corporation intend to propose a change that would alter the requirement to an 'outline management plan' at the pre-application stage, with the full details to be supplied with an application.

5.5 *Adverse Impacts*

5.5.1 It was noted that the drafting at Policy CV4 (2) precludes hotel development if there are any adverse impacts on neighbour amenity. Local Plan Policies should be viewed in the context of the plan as a whole, with it being clear that the purpose of the policy is to encourage hotel development in appropriate locations, not to unnecessarily restrict it. In this context, this part of the policy should not unreasonably prevent hotel development, however the City Corporation will propose a change during the examination.

5.5.2 Some comments were made that the Agent of Change principle should be more consistently referenced across Policy CV5, as it is explicitly noted in part three but not in part one. Part one of the policy is drafted in accordance with the London Plan Policy D13 and therefore there is no need to explicitly reference the Agent of Change Principle. The London Plan is part of the development plan and London Plan Policy D13 would apply irrespective of whether it is explicitly referenced in the City Plan 2040.

5.6 *Public Art*

- 5.6.1 The goal of Policy CV6 is to create a distinctive and engaging public realm by the encouraging the provision of temporary and permanent public art. The City Corporation considers that the policy as drafted would achieve this, however the City Arts Initiative suggested some additional wording that in their view could help to better fulfil this objective. The suggested wording would add explicit support for under-represented artists and recognition that art can appear on buildings as well as the public realm. A change to reflect this will be proposed by the City Corporation.