

# City Plan 2040 Reg 19 Representations | Marldon

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Amelia Hunt [REDACTED]

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To: Planning Policy Consultations <PlanningPolicyConsultations@cityoflondon.gov.uk>

📎 1 attachments (152 KB)

City Plan 2040 Reg 19 Reprs on behalf of Marldon.pdf;

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Good morning,

I hope this email finds you well.

Please find attached the written representation for the City Plan 2040 – Regulation 19 Consultation, made on behalf of Marldon for your consideration.

Please could you confirm receipt of the representation?

Kind regards,  
Amelia

**Amelia Hunt**  
**Planner**  
**Planning**

[REDACTED]



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May 2024

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Environment Department  
City of London  
PO Box 270  
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### Submitted via email

Dear Sir/Madam,

### CITY OF LONDON CORPORATION NEW LOCAL PLAN REGULATION 19 CONSULTATION Representations on behalf of Marldon

#### Introduction

This representation is submitted on behalf of Marldon in response to the City of London Corporation's invitation to comment in respect of the consultation on the draft new Local Plan known as the **City Plan 2040**.

Marldon is the owner of the property at 38 – 41 Houndsditch. This is a ground plus five storey building in lawful use as ground level retail / restaurant and upper levels as offices. The building is highly accessible, located between Liverpool Street and Aldgate stations.

The building was originally constructed in 1970's and currently lies in a poor state, thus not meeting the requirements of the modern day office market as demand trends move towards Grade A floorspace. Consequently, occupation of the building has been limited in recent years and the building lies partially vacant. Options to modernise the existing office to meet modern standards are limited, given the small, inefficient floorplates which characterise the building. In addition to the office floorspace, the majority of the retail space at ground floor lies vacant, and the occupied unit will soon also be vacant, with the current tenants not seeking to renew their lease.

#### Representations

Further to a review of the draft Plan, the following comments are made. It is requested that the Corporation consider these in their further assessment and consideration of the draft before it is issued for Examination.

#### Housing

The comment at **Paragraph 4.1.0** that housing is "*vital for the City's future economy and communities*" is welcomed.

The approach of clustering residential development "*in or near existing residential areas*" is understood, particularly where this affords greater opportunity to protect residential amenity. It is welcomed, however, that there is also recognition that "*There may be occasional opportunities for new residential development on appropriate sites near identified residential areas...*" (**Paragraph 4.1.4**).

**Paragraph 4.1.5** defines the term housing for the purposes of the draft Plan. This includes Build to Rent and Co-Living accommodation which are likely to have an increasing role in meeting future housing needs. Student

accommodation though is not included in this definition as “...it may be appropriate in different locations to other forms of housing.”

Both Co-Living and Student accommodation contribute to general housing need (**Paragraph 4.1.6**).

#### Draft Strategic Policy S3

The provision of a minimum of 1,706 net additional dwellings in the period 2025/26 – 2039/40, is supported and, as **Paragraph 4.1.0** recognises, is necessary.

The approach to “encourage” new housing development on “appropriate sites in or near identified residential areas” is acknowledged. It is right not to seek to define “near” for the purposes of this policy. A pragmatic approach should be taken when considering proposals for new housing development and determining if the proposal is in a location “near” identified residential areas.

As the supporting Paragraphs note, particularly, **4.2.2** and **4.2.3**, both Build to Rent and Co-Living accommodation have potential to add to the City housing stock.

#### Draft Policy HS1

The approach to “encourage” new housing on suitable sites is welcomed. Those “Identified Residential Areas” at Figure 3 are noted.

#### Draft Policy HS6

It is welcomed that the draft policy recognises that new student accommodation could serve to support the primary business function and vibrancy of the Square Mile. As **Paragraph 4.1.5** acknowledges student accommodation may be appropriately located in different locations in the City and not just in those Identified Residential Areas or “near” to these.

It should be clarified what “...well connected to relevant further or higher education institutions” means (**Paragraph 1,c**).

In addition, **Paragraph 2** states that proposals should be supported by an identified further or higher educational institution operating in the City of London or CAZ. What does the word “supported” mean in this context? It is assumed, as at supporting **Paragraph 4.8.1**, that on submission, planning applications for student accommodation include details of those institutions either in the City or CAZ who are in need of student accommodation.

### **Offices**

#### Draft Policy OF1

Office development should be designed for future flexibility and for occupation by a range of occupiers. It should also provide for healthy and inclusive working environments that promote well-being.

The wording of **Paragraph 1.a**. should be aligned with that of **draft Policy DE1** which notes that development proposals should follow a retrofit first approach that thoroughly explores the potential for retaining and retrofitting as a “starting point”. This analysis may conclude that a new building is the most sustainable and suitable approach.

The text should explain how “outstanding design and an exemplar of sustainability” is defined. How does this expectation sit with the prioritisation of retrofit. What does ‘exemplar’ or ‘outstanding’ mean in practice.

The inclusion of complementary uses to support the high quantum of office space in the City is supported (part 2 **draft Policy OF1**). This will enable supporting activities and services for businesses, workers and residents. Other commercial uses to be provided as part of office-led development, particularly at ground and basement levels, (**Paragraph 5.2.3**) where such uses would not compromise the operation of office premises, would activate streets and provide support services for businesses, workers and residents, are supported.

## Draft Policy OF2

Owing to the high quantity of office stock the potential to accommodate the loss of office to alternative use is addressed by **draft Policy OF2**.

The criteria for an assessment of applications for planning permission for a change of use involving the loss of existing office floorspace must balance the need to ensure protection of suitable existing floorspace, alongside the opportunity to bring forward appropriate alternative uses that will deliver long term sustainable development.

In this respect, **Paragraph 1.c.**, includes a requirement for marketing evidence covering a period of no less than 12 months. Marketing evidence is just one means of evidencing demand and/or the attraction or ability of a building to be let and at commercial rates. Flexibility should therefore be applied to the consideration of marketing evidence which could be supplemented, for example, by a detailed office condition survey / market overview.

In addition, the following should be clarified:

- Route B, the 'Retrofit fast track' route states that *"Proposed development will be required to retain the substantial majority of the superstructure of the existing building"*. How is 'substantial majority' to be defined.
- Route C, the 'Residential areas route'. It should be clarified that the 'identified residential areas' include all forms of housing. In addition, it is noted that the words *"immediately adjacent to identified residential areas"* is included. This is inconsistent with policies in the Housing chapter that refer to new housing being *"in or near"* identified residential areas. Is the wording *"immediately adjacent"* applicable solely to Route C and, if so, why? If not then the wording should be amended to reflect that employed in the draft policies in the Housing chapter.

## **Culture, Visitors, and Destination City**

### Draft Policy S6

The aim to encourage cultural placemaking and the creation of vibrant and inclusive places that contribute to the experience of living, working and visiting the City, while addressing the needs and aspirations of the City's communities, is supported.

### Draft Policy CV1

The protection of existing visitors, arts, and cultural facilities, is supported. The policy test for the loss of existing visitor, arts, and cultural facilities requires that these will be protected *"unless [...] it has been demonstrated that there is no realistic prospect of the premises being used for a similar purpose in the foreseeable future"*.

This wording affords an effective level of protection for these existing facilities without restricting future alternative development.

### Draft Policy CV2

**Draft Policy CV2** states that *"large scale development proposals of 10,000 sqm or more in size"* should make provision on-site for arts, culture or leisure facilities. Those *"major developments below 10,000 sqm in size"* are also to make such provision *"commensurate with the size of the development, or to provide off-site provision or contributions towards arts, culture and leisure facilities and infrastructure"*.

The draft wording adds that *"on-site provision will be preferred, with off-site provision only being appropriate where a specific project has been identified through partnership working"*.

The purpose of the policy, to assist with the realisation of the Destination City vision, is understood and in broad terms supported. The provision of these facilities should though be considered on a case-by-case basis. It is recommended that the words “*where practical and/or feasible*” or similar should be added to the current drafting of parts 2 and 3 of the policy.

## **Design**

### Draft Policy S8

The aim to “*promote innovative, sustainable and inclusive high-quality buildings, streets and spaces*” through design solutions that would “*make effective use of limited land and contribute towards vibrancy, inclusion, wellbeing and a greener, net zero carbon City*”, is supported.

**Paragraph 9.1.0** calls for “*world-leading design in all aspects of the built environment*”. **Paragraph 9.3.0** requires “*high quality design*” and **draft Policy DE2** seeks an “*exemplar standard of design, aesthetics, and architectural detail*”. Whilst the broad objective is understood and supported, it is recommended that consistent terminology should be used.

### Draft Policy DE2

The requirement in **draft Policy DE2** for “*plant and building services equipment are fully screened from view*” will not be possible for neighbouring tall buildings or views from roof terraces. The words “*where feasible*” or “*as practical*” should be added.

### Draft Policy DE4

**Draft Policy DE4** requires that “*all tall buildings or major developments to provide free-to-enter, publicly accessible elevated spaces, which may include roof gardens, terraces, public viewing galleries, or other retail or leisure facilities to create attractive destinations for people to enjoy the City’s spectacular skyline and views*”,.

‘Major development’, (i.e. anything over 1,000 sqm) is a very low benchmark for this policy requirement and should be reconsidered.

The benefits of roof terraces and the opportunity they present for additional amenity space, urban greenery and the creation of new viewpoints of the City and the surrounding areas, are recognised.

Seeking this in all Major Developments will add significant design and practical considerations relating to building layout, access arrangements and cores etc.

## **Other Policy Commentary**

### Air Quality

**Draft Policy S1** states that a healthy and inclusive environment will be created by expecting developers and development to “*improve local air quality, particularly nitrogen dioxide and particulates PM10 and PM2.5*”. **Draft Policy HL2** states that “*all developments must be at least Air Quality Neutral*”. **Draft Policy S8, Paragraph 13**, calls for development that “*delivers improvements in air quality*”. **Paragraph 9.2.9** seeks all major developments to provide “*an air quality assessment to meet the requirements of the London Plan demonstrating that the development will not result in deterioration in air quality*”.

A consistent approach should be applied across all those policies discussing / relating to air quality. Targets for air quality should be clear and concise. As some of the drafting acknowledges, improvements in air quality will not be possible across all developments.

Point 6 of **draft Policy HL2** states that “*Developments that include uses that are more vulnerable to air pollution, such as schools, nurseries, medical facilities and residential development, will be refused if the occupants would be exposed to poor air quality.*”

This is unduly restrictive. It is recommended that the wording is amended to recognise that “...uses more vulnerable to air pollution, ...should be sited, as far as practical and feasible, where occupants will not be exposed to poor air quality”

#### Health Impact Assessments

**Draft Policy S1** states that a healthy and inclusive environment will be created by “requiring Health Impact Assessments (HIAs) of different levels depending on the scale and impact of the proposed development”. The wording employed, relating to ‘different levels’ and ‘scale and impact’ should be clearly defined. It is assumed that the approach identified at **draft Policy HL9** is what is intended. **Draft Policy H9** states that “Major development should submit a rapid Health Impact Assessment (HIA). A full HIA will be required on those developments that are subject to an Environmental Impact Assessment (EIA)”.

#### Transport

**Draft Policy VT2** sets out that “Developments must minimise the need for freight trips and seek to work together with adjoining owners and occupiers to manage freight and servicing on an area-wide basis”.

The objective is understood. How is it envisaged that this will work in practice. The draft policy should acknowledge that there will be instances where joint working is neither possible and/or practical.

Reference to “Development should be designed to provide for on-site servicing bays within buildings, wherever practicable”. is welcomed, recognising that there may be instances where on site provision is just not possible.

In a similar vein it is questioned why points 2 and 3 of **draft Policy AT3**, require that “all long stay on-site cycle parking must be secure, undercover and preferably enclosed, in accordance with the London Cycle Design Standards” and “Developments that include ground floor retail and take-away food outlets should provide appropriate off-street storage for cargo bikes and hand carts”. This will be difficult to achieve on all sites and flexibility should be incorporated to the wording.

#### Urban Greening Factor (UGF)

**Draft Policy OS2** requires that “Major development proposals will be required to [...] include an Urban Greening Factor (UGF) calculation demonstrating how the development will meet the City’s target UGF score of 0.3 as a minimum”. The policy wording should be amended to clarify that, as per **Paragraph 12.3.3**, the UGF target will apply to both commercial and residential development.

We trust that these comments can be taken into account as the draft Plan is finalised for Examination. Please contact Matthew Gibbs or Amelia Hunt with any queries.

Yours faithfully,



**Savills**