

**Statement of Common Ground (SoCG) between
City of London Corporation and the Mayor of London**

25 November 2024

Chapter 3 Housing, Chapter 11 Heritage and Tall Buildings

1. Purpose of the Statement of Common Ground

- 1.1. The purpose of this SoCG is to update the local plan Inspectors and other parties in relation to matters raised within Regulation 20 representations. The topics covered in this SoCG are principally Heritage and Tall Buildings and Housing, but other matters include transport, waste, viability and air quality.
- 1.2. This SoCG has been prepared post submission of the City Plan 2040 on 29 August 2024. It highlights matters where agreement has been reached, and areas where agreement has not yet been reached but will be subject to further discussion at the local plan examination hearings.
- 1.3. This SoCG is in addition to any other matters statements to be produced during the course of the examination by either party.

2. Parties

- 2.1. The signatories to this SoCG are the City of London Corporation (City Corporation) and the Mayor of London.

3. Comments received at Regulation 20

- 3.1. The Mayor of London submitted his response to the Regulation 19 City Plan on 20 August 2024. This raised some concerns in relation to the approach to tall buildings and heritage (Chapter 11) and provided some comments on housing and other policies.
- 3.2. Table 1 below includes the relevant reference number of the comments to which this SoCG relates, both parties agree this is a true record of the main matters subject to this SoCG

Table 1- Representation references

Comment ID	Chapter	Summary	Section of SoCG
R0292/C0004	Chapter 3 Housing	Suggestion of a need for further explanation of the London Plan housing targets and delivery within the City Plan	Agree
R0292/C0005	Chapter 3 Housing	Potential for additional flexibility for emerging Gypsy and Traveller evidence	Agree
R0292/C0007	Chapter 3 Housing	Suggestions of how the Mayor's affordable housing threshold approach within Policy	Agree

		H5 of the London Plan could be better reflected within Policy S3: Housing	
R0292/C0010	Chapter 11 Heritage & Tall Buildings	Confirmation that the approach within the plan is now consistent with London Plan policy D9 and by identifying locations suitable for tall buildings, a comprehensive assessment of potential impacts of the approach can be evaluated.	Agree
R0292/C0011	Chapter 11 Heritage & Tall Buildings	<p>Suggests a need for additional explanation of how the approach to the tall buildings parameters meets HC2 (A) and (D), with concern for the eastern edge and the potential impacts on the Tower of London World Heritage Site (WHS).</p> <p>Seeks further clarity on how the Outstanding Universal Value (OUV) is described within the evidence. S11 and HE3 should interpret and consider impacts on the OUV and wider setting. Policy HE3 focuses too much on local setting of the WHS and should consider the wider surroundings in which the OUV is experienced as per paragraph 7.2.3 of the London Plan.</p> <p>HC2 states neighbouring authorities should include policies which conserve, promote, actively protect and interpret the OUV of the WHS, and WHS Management Plans should inform the plan-making process.</p>	Disagree
R0292/C0012	Chapter 11 Heritage & Tall Buildings	<p>Welcome the jelly mould as 3D SVIA, but question how this has been informed by the interpretation of the OUV of the Tower of London World Heritage Site, particularly the eastern edge.</p> <p>The HIA of the ToL refers to the Management Plan and is clear about potential threats but suggests the jelly mould was pre-determined rather than informed by it. Suggests a need for additional evidence on how the considerations of vulnerabilities of the ToL and impact on its OUV attributes have been taken into account in determining the shape and contours of the jelly mould.</p> <p>The HIA suggests the change to the setting would be very small as would not encroach</p>	Disagree

		<p>further towards the ToL, but the jelly mould shows significant increase in massing to the east of 100 Leadenhall Street. Suggests that currently it is not clear how the analysis has assessed heritage impact as relies on physical distance rather than height and scale relationships.</p> <p>The GLA's Practice note on Heritage Impact Assessments and Historic Buildings should be considered in preparation of documents.</p>	
R0292/C0013	Chapter 3 Health, Inclusion and Safety	Suggestion of additional reference to air quality positive approach	Agreed
R0292/C0015	Chapter 10 Transport	Mapping of the TfL cycle hire and additional reference within the plan would be beneficial	Agree
R0292/C0016	Chapter 13 Climate Resilience	Potential for additional text to state that waste movements from the City to locations outside London should be regularly monitored and communicated with the GLA	Agree
R0292/C0017	Chapter 15 Implementation	Policy should reflect Policy DF1 of the London Plan and make clear that affordable housing and public transport improvements should be prioritised.	Agree

3.3. As above agreement has been made in relation to most matters raised within the Mayor's response, apart from comments relating to heritage and tall buildings. Further detail is set out below.

4. Matters on which parties agree

- 4.1. Both parties agree that the addition of the tall buildings parameters, evidence base in support to this and the 3D modelling has addressed the Mayor's previous concerns to the Regulation 19 consultation in 2021, and is consistent with Policy D9 of the London Plan.
- 4.2. Both parties agree that the City Plan reflects the London Plan (2021) housing targets over the period 2019 to 2029 (including for small sites) but that further clarity would be provided by additional references to the targets for the period from 2019 to the start of the Plan period and post 2029 (See proposed changes to paragraphs 4.1.8 and 4.1.10 below).
- 4.3. Both parties agree that the outcomes of the emerging pan-London Gypsy and Traveller Accommodation Assessment (GTAA) would need to be reflected within the plan. If the result of the study identifies a need for GTAA accommodation within the square mile, a proposed change would be brought forward at an appropriate point in the examination.

- 4.4. Both parties agree that the Plan reflects the approach of the London Plan in respect of the affordable housing thresholds, however further clarity could be provided through some proposed changes. See proposed changes to Policy S3 and paragraph 4.2.11.
- 4.5. Both parties note the success of TfL cycle hire scheme within the square mile and agree that the plan can make additional reference to this. See proposed change to paragraph 10.9.1.
- 4.6. Both parties agree that it would be beneficial to make the South East London Joint Waste Planning Group technical paper available through the examination and the stringent monitoring of waste movements outside London would be helpful. See proposed change to paragraph 13.6.4 below.
- 4.7. Both parties agree that the City Plan could benefit from additional reference to the approach within London Plan Policy DF1 (d). The proposed change to Policy S26 makes this amendment.
- 4.8. Both parties agree that The City Plan reflects the air quality neutral approach of the London Plan and requires air quality positive approach for EIA development. This is in line with SD4 (D) of the London Plan which states practical measures should be taken to improve air quality, using an air quality positive approach where possible. Some additional changes are proposed in relation to air quality to update (see proposed changes to paragraph 3.3.1 and HL2 (1) above).

5. Agreed proposed changes

- 5.1. Table 2 below sets out the proposed changes which the City Corporation is putting forward to the examination which result from the matters as above (and other representations in some cases).

Table 2 Proposed changes

Paragraph	Proposed change
4.1.8 In line with the findings of the SHLAA, the London Plan requires the City of London to deliver 1,460 new homes during the period 2019/20 – 2028/29. This includes the 740 units that the London Plan sets as a target to be provided on small sites of less than 0.25 hectares in size over the 2019/20 – 2028/29 period. Beyond 2028/29, the London Plan requires boroughs and the City to draw on the capacity work which underpins the London Plan’s target and any local evidence of capacity, as well as rolling forward London Plan small sites estimates, when setting longer term targets. <u>Analysis of the remaining capacity from the 2017 SHLAA suggests the target of 102 per annum will remain appropriate as a minimum. However, the City Corporation will work in collaboration with the Mayor of London in the current digital SHLAA for the upcoming London Plan to identify additional capacity and the setting of housing targets in the draft new London Plan, the outputs of which will be used to inform targets in the period post 2028/29.</u>
4.1.10	... This Local Plan therefore seeks to meet the City of London’s London Plan housing target between 2025/26 and 2029/30 (<u>an average 146 dwellings per annum for the first 4 years and 102 dwellings in the fifth year</u>) and to meet the housing requirement identified by the national standard method from 2030/31 up to 2039/40...

4.2.11	...On public sector owned land, the higher 50% target will be applied as set out in the London Plan, <u>except where, in accordance with London Plan policy H4, there is a portfolio agreement with the Mayor of London</u>
S3 (2) (a) (b)	<p>2. Ensuring sufficient affordable housing is provided <u>Incentivising affordable housing delivery</u> to meet the City's housing need and contributing to London's wider housing needs by: ia. ensuring the delivery of <u>applying the Mayor's threshold approach of a minimum of 35% affordable housing and a minimum of 50% affordable housing on public sector land</u>;</p> <p>b. requiring residential developments with the potential for 10 or more units to provide a minimum of 35% affordable housing on-site. Exceptionally, new affordable housing may be provided off-site, or through an equivalent cash in lieu payment, if evidence is provided to the City Corporation's satisfaction that on-site provision cannot be satisfactorily delivered and is not viable; and</p> <p>c. providing an appropriate mix of affordable tenures, addressing identified need in the City of London, including social or London affordable rented housing and <u>where appropriate intermediate housing (living rent, shared ownership or other genuinely affordable products) for rent or sale.</u></p> <p>3. Requiring a publicly accessible viability and feasibility assessment to be submitted to justify any proposals that do not meet on-site or off-site affordable housing requirements in this policy. Where policy targets are not able to be met when an application is decided, the City Corporation will require an upwards only review mechanism to be applied to ensure that the benefits of any subsequent uplift in values or reduction in costs are reflected in affordable housing contributions.</p>
10.9.1	TfL Cycleways <u>and the TfL cycle hire scheme...</u> will be prioritised.
13.6.4	The City Corporation has an agreement with the London Borough of Bexley and participates in the South-East London Joint Waste Planning Group, which comprises the boroughs of Bexley, Bromley, Greenwich, Lewisham and Southwark along with the City of London. The Group has identified sufficient waste management capacity up to 2036 to meet the combined apportionment of each of its individual members. The City will continue to contribute to London-wide waste planning through membership of the London Waste Planning Forum. It will continue to work with the GLA, the Environment Agency and other waste planning authorities to improve waste planning, including where any surplus capacity is identified. <u>The City Corporation will monitor waste movements to waste locations outside London and share the data with the GLA regularly.</u>
S26 (3) (4)	<u>S26 (3) Apply the hierarchy approach as set out in London Plan Policy DF1 (d) S26 (4).</u> Use of the Vacant Building Credit is not considered to be appropriate in the City of London.
3.3.1	...The City Corporation's Draft Air Quality Strategy aims to ensure that air quality in over 90% of the Square Mile meets <u>an annual average of 30µg/m³ NO₂ by 2030. the health based Limit Values and World Health Organisation (WHO) Guidelines for NO₂ by the beginning of 2025.</u> Limits set for particulate matter (PM ₁₀) are generally met, although the national target for PM _{2.5} is not <u>currently</u> met anywhere in the City. The Air Quality Strategy aims to support the Mayor of London to meet the tighter <u>World Health Organisation (WHO) Guidelines and Interim Targets</u> for PM ₁₀ and PM _{2.5} by 2030".
HL2 (1)	Developers will be required to effectively manage the <u>their proposal's</u> impact of their proposals on air quality. Major developments must comply with the requirements of the Air Quality SPD for and submit Air Quality Impact Assessments (AQIAs).

6. Matters on which parties disagree

6.1. Table 3 below sets out matters which have not yet been agreed by the two parties.

Table 3- Matters not agreed

Topic/matter	City of London Corporation	Mayor of London
Evidence behind tall buildings cluster approach and how informed by the ToL OUV	<p>The evidence behind the City Plan in relation to the tall buildings cluster and how it has considered heritage impacts is appropriate. The City Corporation has considered the OUV at each stage in the City Plan preparation process. In particular the two most relevant attributes, ‘Internationally Famous Monument’ and ‘Landmark Siting’, and their components, have been instrumental in shaping the proposed Cluster form. More commentary on this is given in the separate note prepared for the GLA in response to their queries on this matter. The impact on all OUV attributes and their components was then formally assessed in the Tower of London WHS Heritage Impact Assessment, particularly section 7, which includes a conclusion for each attribute, all of which would be unaffected. Having been shaped informally by considerations of OUV at each stage in the process, this formal HIA was always intended to be a clear demonstration of how the proposed Cluster envelope would minimise the possibility of harm to the attributes and their components.</p> <p>The City Corporation has considered OUV at each stage in policy preparation. The Outstanding Universal Value (OUV) of the Tower of London World Heritage Site (WHS) informed the 3D modelling of the proposed City Cluster, or ‘jelly mould’.</p>	<p>The Tower of London Heritage Impact Assessment states that it tested the shape of the “jelly mould”. However, the Mayor considers the HIA did not help define the shape of the “jelly mould”. Tested implies that the shape was formulated first and then tested later – the HIA being used to justify the predetermined shape of “jelly mould”. One would expect the HIA to have been conducted before or during the process to set the parameters which would define the shape of it and heritage impacts to inform the contours of the jelly mould.</p> <p>The HIA states that ‘The eastern edge of the Proposed City Cluster has been carefully modelled to respond to the context of the ToL WHS and to accord with the COL Protected Views SPD but it is not clear how this has been taken into consideration and does not form part of the published evidence that accompanies the proposed plan.</p>
Alignment with HC2 World Heritage Sites Part A (including policies)	<p>The City Corporation considers that the City Plan meets the expectations of HC2 (A) by including policies which preserve (‘conserve... actively protect’) and enhance (‘promote’) the ToL, including HE3: Setting of the Tower of London World Heritage Site. HE3 also requires the submission of a ToL HIA for relevant applications (‘interpret’).</p>	<p>It is not clear how the currently proposed shape of the jelly mould meets the requirements of Policy HC2; specifically how it promotes, actively protects and interprets the OUV of the ToL WHS.</p> <p>It is noted that Policy HE3 and Policy S11 of the draft City Plan largely reflect and</p>

		repeat what is contained in LP2021 Policy HC2. The policy does not interpret the OUV of the ToL WHS or consider impacts on its wider setting. For these reasons it is considered that the requirements of Policy HC2 have not been met in full.
<p>Alignment with HC2 World Heritage Sites Part D (utilising WHS Management Plans to inform plan-making)</p> <p>Due consideration of the wider context and surroundings of the OUV and how it has informed the 'jelly mould' (London Plan paragraphs 7.2.1 and 7.2.2)</p>	<p>The City Corporation has considered the 2016 Tower of London World Heritage Site Management Plan (ToL WHSMP) which has informed plan-making, and reference is made to this in S13 Part 3 and paragraphs 11.4.2 and 11.6.6.</p> <p>Additional reference to how the WHSMP has been taken into account is included in Tower of London Heritage Impact Assessment. The ToL WHSMP also lists each element of the OUV.</p> <p>The City considers that the proposed Cluster envelope has been demonstrably shaped by the relevant attributes of OUV in relation to the ToL and its setting.</p> <p>More commentary on how the WHS Management Plan has been used to inform the City Plan is provided in a separate note prepared for the GLA in response to their queries on this matter.</p>	<p>See comment above.</p> <p>It is noted that the GLA have been unable to find within the evidence the articulation of how the jelly mould was informed by heritage impacts on the ToL specifically the interpretation of the OUV of the ToL WHS.</p>
<p>Reference to GLA Practice Note: Heritage Impact Assessments and Historic Buildings</p>	<p>The City Corporation is aware of and has ensured compliance with the GLA's Practice Note, and requires compliance through the development management process but it does not consider it necessary to specifically reference this within the plan.</p>	<p>GLA officers note that CoL officers are familiar with the Practice Note but would like to draw attention to some specific elements. Key advice from the note which should have been included in the HIA is to:</p> <ul style="list-style-type: none"> • Demonstrate that the authors of the HIA are identified and that they have the appropriate and necessary expertise; • Avoid the conflation of townscape and heritage assessment, particularly

		<p>the use of townscape methodologies to assess impacts on heritage settings;</p> <ul style="list-style-type: none">• Avoid the conflation of Environmental Impact Assessment with NPPF heritage assessment and particularly the use of EIA methodologies and terminology in the assessment of harm.
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Signed on behalf of City of London Corporation:



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Signed on behalf of the Greater London Authority 25 November 2024



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