



**City of London Corporation**  
**City Plan 2040 — Examination in Public**  
**Matters Statement**

**Main Matter 8: Design**

**Are the requirements for Design set out in Policies S8 and DE1 to DE8 justified by appropriate available evidence, having regard to national guidance, and local context, and are they in ‘general conformity’ with the London Plan?**

The design policies (S8 and DE1-DE8) are justified by local evidence and national guidance, and are in general conformity with the London Plan (policies D1, D8, D9, SI2 and SI7). Chapter 9 has a strategic focus on sustainable design alongside promoting innovative, inclusive, and high-quality buildings, streets, and spaces; therefore, the chapter draws on several sets of guidance and evidence base documents across its policies.

***Sustainability***

The City Corporation has a corporate objective to be a leader on environmental sustainability, with a target to be net zero as an organisation by 2027, and to work in partnership to deliver a net zero Square Mile by 2040 (Climate Action Strategy ED-DES4, City of London Corporate Plan 2024-2029 ED-COL1 page 44-49). Using the City Plan to deliver more sustainable buildings is a mechanism through which this corporate objective will be achieved.

Policy DE1 and S8(1-6) focus on sustainable design to embed in the CP the *‘proactive approach to mitigating and adapting to climate change’* required by NPPF paragraph 158. These policies seek to ensure the design of new buildings can help to minimise greenhouse gas emissions through location, orientation and design, as per paragraph 159(b) of the NPPF. The ‘retrofit first’ approach is a key component of the CP, referenced at S8(1) and DE1(1), and is aligned with NPPF paragraph 158 and 159 as *‘retrofitting existing buildings is a principal way of reducing the carbon emissions of the construction industry and in the City’* (Planning for Sustainability SPD page 13). The ‘retrofit first’ approach also encourages the re-use and recycling of materials as part of the circular economy.

Applicants will have to assess the carbon impacts of different redevelopment options, including starting with a retrofit option, so that a more informed decision can be made on the most sustainable redevelopment option for a site. This approach is already being applied in practice to all relevant schemes in the City, with information on how to undertake it published in the Carbon Options Guidance Planning Advice Note (PAN) (ED-DES1). This is a sector leading approach to managing carbon impacts that is supported in principle by the development industry (see the City Property Association R0176, and R0190, R0065, R0119, R0122, R0159, R0161) and so is part of the *‘proactive approach’* required by NPPF paragraph 158.

Paragraph 9.2.11 of the LP identifies that *‘operational carbon emissions will make up a declining proportion of a development’s whole life-cycle carbon emissions as operational carbon targets become more stringent’* and therefore a whole life-cycle approach to carbon impacts, that includes embodied carbon, will *‘ensure that a significant source of emissions from the built environment is accounted for, which is necessary in achieving a net zero-carbon city’* (Whole Life-Cycle Carbon Assessments LPG, paragraph 1.2.3). The retrofit first approach and optioneering laid out in CP policy DE1(1) and (2) are in line with the aspirations of LP policy SI1 to minimise greenhouse gas emissions as it will encourage more lower carbon, retrofit development instead of demolition and rebuild.

The Mayor’s Whole Life-Cycle Carbon Assessments LPG encourages whole life-cycle (WLC) carbon assessments for all major development and the Circular Economy Statements LPG states that LPAs may require Circular Economy (CE) statements for other development beyond referable applications. Policy DE1(3) and paragraph 9.2.11 takes this forward to require WLC and CE assessments for all major applications. This is part of the ‘*proactive approach*’ in the NPPF paragraph 158 and is in line with the goal of LP policy SI 2 for major development to be net zero carbon and LP policy SI 7(a) to promote a more circular economy.

Moreover, the Future of Office Use report (ED-OFF2) at paragraph 3.1.1 identifies that there is a ‘flight to quality’ with *demand for net additional office floor space in the City tending to focus on quality best-in-class, Grade A and low carbon offices [Col Emphasis]*. Therefore, the retrofit first approach, carbon optioneering, and sustainability requirements of policy DE1 not only demonstrate a proactive response to national and regional policy, but form a framework tailored to the demand drivers of the local market.

### **High quality design**

Chapter 12 of the NPPF starts with the idea that the ‘*creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve*’ (paragraph 131). Paragraph 132 goes on to say that:

*‘plans should... set out a clear design vision and expectations .... [that] are grounded in an understanding and evaluation of each area’s defining characteristics’*

LP policy D1 suggests that ‘*boroughs should undertake area assessments to define the characteristics, qualities and value of different places within the plan area to develop an understanding of different areas’ capacity for growth.*’

The policies that are more explicitly related to design quality (DE2, DE3, DE4, DE5, DE6, DE7, DE8) are drafted to ensure the creation of high quality buildings and places, based on a comprehensive understanding of the City’s characteristics. Section three of the Tall Buildings Topic Paper (ED-HTB1) provides a detailed analysis of the City that divides the Square Mile into nine ‘character areas’. This analysis is structured around four components:

- Heights, landmarks and tall buildings
- Morphology, topography and urban structure
- Built form and uses
- Local views

Cumulative they amount to a sophisticated and developed understanding of the City’s character. This then feeds into the expectations in CP policy DE2(2), where there are twelve design criteria that new development must meet. The supporting text provides more detailed explanation of the features specific to the City that should be taken account by designers, such as: the network of routes that create the tight knit townscape of the City (9.3.1); wind, solar glare and microclimatic conditions (9.3.4); the cumulative effect of extensions (9.3.5); and the need of innovative solutions for servicing entrances (9.3.8). Additionally, paragraph 9.3.3 links the requirement for good design to

the ten design characteristics in the National Design Guide, which emphasises how the expectations of this policy are drawn from national standards.

The analysis in the Tall Building Topic Paper (ED-HTB1) directly responds to the requirement of LP policy D1(a), and justifies the deployment of the NPPF's overarching objective for high-quality design by grounding it in an understanding of the local context. The subsequent policies (DE3, DE4, DE5, DE6, DE7, DE8) are tailored to the City's unique context and character as understood in section three of the Tall Buildings Topic Paper.

CP policy DE3 and DE4 focus on the provision of a high quality public realm in response to NPPF paragraph 135(f) which notes that planning policies '*should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users*'. This is vitally important given the high volume of pedestrians in the City (750,000 walked and wheeled journeys a day, CP para 10.7.1), the tight urban grain (Tall Building Topic Paper ED-HTB1 paragraphs 9.27, 9.30, 9.57), and location within the Central Activities Zone (LP Policy SD4).

CP Policy DE3 develops the positive attributes that the public realm can deliver, as noted in the NPPF para 135(f) and LP policy D8/SD4(h), into a local framework for managing public realm schemes. Policy DE3 is again based on the understanding of the City's character and tight urban grain as shown in section 3 of the Tall Buildings Topic Paper (ED-HTB1), and also the City Corporation's aspirations for active travel as shown in the Transport Strategy (2024), CP policies AT1, AT2, and AT3 are discussed in Matters Statement 16. Criteria 1, 2, 3, 9, and 12 in policy DE3 stem from the safety and inclusivity in NPPF paragraph 135(f), LP policy D8(b), and evidence of high pedestrian use; criterion 5 is pulled from paragraph 103 of the National Design Guide; criteria 4, 6 and 11 are drawn from the understanding of the City's rich heritage; and criteria 9 and 10 relate back to the Transport Strategy's active travel aspirations. The policy as a whole is therefore based on appropriate evidence, in line with national policy and in general conformity with the LP.

Given the fine urban grain of the City, as shown throughout the Topic Paper (ED-HTB1) (see paragraphs 9.27, 9.30, 9.57), the City Corporation has pioneered the use of free to enter, publicly accessible elevated spaces to provide additional opportunities for public realm. CP policy DE4 details the approach, which is an appropriate response to the City's urban context and is already an established part of the City's unique character (for example: The Garden at 120 Fenchurch Street, viewing galleries at 22 and 8 Bishopsgate, and the Sky Garden at 20 Fenchurch Street). This is also in general conformity with LP policy D9(d), which states that '*free to enter publicly-accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings*'. Tall buildings in the City are often the most prominent in the London skyline and can give striking 360 degree views of London, so are suitable for publicly accessible elevated spaces as per LP D9(d).

CP policies DE5 and DE6 are also appropriate responses to the City's local context. LP policy SD4(c, f + h) is directly concerned with the '*distinct environment*', '*vitality*', and '*attractiveness*' of the CAZ. The experience of shopfronts is a key part of this, as they can enhance the pedestrian experience and enliven the streets, crucial given the vast numbers of people who use the City's streets every day. Policy DE5 provides specific guidance on shopfront design, drawn from the ambitions in the LP and NPPF para 135, alongside the evidence of high pedestrian use in the City. Policy DE6 recognises poorly designed advertisements can diminish the quality of a place as per NPPF paragraph 141. This

is particularly important given the City's '*distinct character and special significance*' (Topic Paper paragraph 2.1) and the large number of designated heritage assets. Advertisements must be sensitively designed in response to this context, as explained at CP paragraph 9.7.0.

The national design guide recognises the role lighting can play in good design. It notes that lighting can create well designed streets that encourage all types of movement (paragraph 79) and that discreet and well-designed lighting systems are part of the detail that can positively contribute to a building (paragraph 134). The London Plan also highlights the importance of good lighting, especially for the public realm and tall buildings, at policy D8(b) and D9(c). Additionally, the City Corporation has adopted a Lighting SPD (ED-DES5) that provides guidance for developers on lighting buildings and the spaces between them. The SPD aims to improve residential amenity and the public realm, and reduce the environmental impact of excessive lighting.

Policies DE7 and DE8 provide a City specific framework for managing lighting, that starts with the acknowledgement that in a dense urban environment the levels of daylight and sunlight in buildings and spaces is lower than suburban or rural areas (CP paragraph 9.8.0). This again stems from an understanding of the City as a tight knit townscape, with many tall buildings, but also many sensitive receptors such as homes, places of worship and open spaces.

Policy DE7 is adapted to the City context to ensure that daylight and sunlight to sensitive receptors is appropriate for its context, taking into account the dense urban environment. However, part two of the policy recognises the importance of lighting to historic interiors given density of the historic environment across the City, and part four notes that solar glare is an important design consideration given the number of tall buildings in the City.

Policy DE8 implements the LP policies D8(b) and D9(c) with regards to the lighting of the public realm, especially at night, which is a consideration for the City given its status within the CAZ and plethora of historic buildings. It brings forward the guidance in the national design guide on lighting, in line with the LP, and in relation to the City as a custodian of many historic buildings that can be enhanced by sensitive external lighting, and a CAZ borough that has significant evening and night time activities.

## **Are the policies relating to Design positively prepared ‘in a way that is aspirational but deliverable’?**

The design policies are both aspirational, given they form a pioneering approach to sustainable design and the delivery of public realm in a dense urban core, and deliverable, since they remain flexible for different building types, are complimented by appropriate guidance documents, and have general support from the development industry.

The ‘retrofit first’ process embedded in policy DE1 is a sector leading approach to managing the carbon impacts of development and develops the LP framework of Whole Life Carbon (WLC) assessments and Circular Economy (CE) assessments. The City Corporation has created a methodology in the Carbon Options Guidance Planning Advice Note (PAN) that details the process applicants should use as part of the ‘retrofit first approach’. It is a clear process of ‘optioneering’ that should be undertaken at the start of project to appraise the carbon impacts of different types of development (from a light retrofit to a full demolition and rebuild). This ensures that policy DE1 is deliverable as applicants have a clear understanding of what is expected of them, and also, what they can expect of the City Corporation, as section six of the PAN is explicit that the optioneering process is a collaborative discussion between officers and the applicant.

The development industry’s responses to the regulation 19 consultation are clear that they endorse the retrofit first approach in principle (see the City Property Association R0176, and R0190, R0065, R0119, R0122, R0159, R0161. The Carbon Options Guidance PAN was released in March 2023, so the approach in CP policy DE1(1) is already embedded in the planning process and already applied to applications. Since optioneering was introduced, approximately twenty major applications have completed Carbon Options Assessments in accordance with the guidance in the PAN.

Moreover, the adopted Planning for Sustainability SPD (pages 12-18) provides additional guidance, case studies and examples of how the retrofit first approach is delivered in the City. The City Corporation has also produced a Heritage Building Retrofit Toolkit that provides specific guidance appropriate for historic buildings. These guidance documents ensure that the retrofit first policy will be deliverable by giving applicants clear advice, tailored to the City context, on what is expected.

The retrofit first policy and the associated optioneering is designed to feed in a consideration of carbon impacts early in the design process. It is one policy within the overall development plan that should be considered as part of facilitating sustainable development and the LP Good Growth objective. The LP paragraph 1.01 defines Good Growth as *‘growth that is socially and economically inclusive and environmentally sustainable’* and the retrofit first policy will ensure growth across the City is environmentally sustainable by explicitly considering carbon impacts and the reuse of material early in the design process.

Applicants are already going through this process on the basis of the Carbon Options PAN and the adoption of the CP will give this process the full weight of the Development Plan. The Carbon Options PAN will continue to provide guidance on the optioneering process including factors that are explicitly linked to the deliverability of any potential scheme (section 4, page 12), such as: the quality of the existing building; the building complexity; and commerciality. Section six of the PAN reinforces this where it states that the first part of an optioneering discussion with the City Corporation should include *‘well-considered options that are realistic and feasible development proposals for a specific*

site.’ Consequently, the retrofit first approach, in both policy DE1 and the guidance in the PAN, is alive to the competing pressures of viability, optimising density, site specific constraints and wider development plan objectives that may shape the design response.

It must be reiterated that the demand drivers in the City demonstrate a *‘flight to quality’* and *‘a new standard of office space has emerged that exceeds the standards of those previously classified as Grade A, termed ‘best-in-class’*. The best-in-class properties typically have a range of different ratings, with BREAAAM Outstanding, EPC A, Well Platinum, Cycling Score Platinum and NABER 5\*+, reflecting high quality and high-amenity building’ (Future of Office Use Report ED-OF2, paragraph 2.3).

Developers have responded to this new demand by proposing new ‘best in class’ buildings prominently advertising the sustainability credentials of their completed projects. The recently completed 40 Leadenhall is targeting BREAAAM excellent and Nabers 5\* ratings; 100 Liverpool Street is British Land’s first net zero carbon building; and 8 Bishopsgate achieved BREAAAM outstanding with zero operational waste going to landfill and 100% renewable electricity. In addition, approximately twenty major applications have completed Carbon Options Assessments in accordance with the PAN. This demonstrates that the framework in DE1 deliverable as it is directly linked to the current market; it compliments and enhances the sustainability and ESG ambitions of developers and future occupiers.

Policy DE4 is aspirational as it is an innovative approach to the delivery of the public realm in a dense urban core. The City Corporation has found that publicly accessible elevated spaces are very popular with the viewing galleries at 22 and 8 Bishopsgate regularly full booked. These two spaces have increased footfall in the area by 30%<sup>1</sup>. The development community is familiar with the expectation that tall buildings must include publicly accessible elevated spaces and all tall buildings permitted, or with a resolution to grant permission, in 2023-2024 included one. Therefore, the policy aspiration at paragraph 9.5.0 for the creation of *‘additional amenity space, urban greenery and the creation of new viewpoints of the City and the surrounding areas’*, is proven to be deliverable and the City Corporation expects this trend to continue, not least because of the public appetite for new publicly accessible elevated spaces.

Publicly accessible elevated spaces is a broad term, as part three of policy DE(4) states *‘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’*. This flexibility has already been utilised by applicants to devise unique offers such as the 11<sup>th</sup> floor podium garden at 1 Undershaft (resolution to grant 13<sup>th</sup> December 2024) or to attach a cultural space to the viewing gallery (60 Gracechurch Street). This flexibility adds to the deliverability of the policy.

It is noted that many responses to the regulation 19 consultation suggested that the requirement at DE4(3) should only apply to ‘tall buildings’ rather than ‘all tall buildings or major development’. The City Corporation has noted these responses and anticipates a discussion at the hearing session, but remains convinced of the soundness of the overall approach due to the past successes and continued public demand.

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<sup>1</sup> Compared to the year before they were open.

Policy DE2 is aspirational in its expectation at part one that proposals *‘should be of an exemplar standard of design, aesthetics and architectural detail and should enhance the townscape and public realm’*. This is clearly a high standard to set, yet it remains deliverable as the Viability Assessment (ED-IMP1) shows that in most cases the cumulative impact of all policies does not render schemes unviable, when using build costs based on tenders for actual schemes in the City (paragraphs 8.1 and 4.11). Buildings in the City have been of the highest standard architectural and these additional costs are factored into the cost of developing in the Square Mile. Deliverability is also ensured at paragraph 9.3.2 as no particular architectural style is encouraged and applicants are signposted to the character areas in the Tall Building Topic Paper (ED-HTB1).

Policies DE5 and DE6 are aspirational as they extend the high standards set by DE2 to specific contexts (shopfront and advertisements). Policy DE5 follows the same format of DE2 where it suggests *‘shopfronts should be of a high standard of design and appearance to create an attractive and welcoming retail and leisure experience on City streets’*, while clearly stating that inappropriate designs will be resisted. This again sets a high standard with a backstop of a resistance to *‘inappropriate designs and alterations’*. The eleven criteria ensure deliverability by giving specific points to designers for them to focus on. Policy DE6 follows the same pattern as part one and two outline the high standards and the minimum requirements respectively.

Policies DE7 and DE8 are drafted appropriately with regard to the dense urban context of the City. DE7 is particularly aspirational at part 2 where it singles out the importance of daylight and sunlight to historic buildings. Nonetheless, the policy remains deliverable as it explicitly acknowledges at part 1 that applications must demonstrate that daylight and sunlight levels to nearby dwellings and sensitive receptors are *‘appropriate for its context’*. This is further explained at paragraph 9.8.1 where it states that assessment methods will be applied to be *‘consistent with BRE and NPPF guidance that ideal daylight and sunlight conditions may not be practicable in densely developed city-centre locations.’* Drafted in this way the policy strikes the correct balance between safeguarding daylight and sunlight levels for sensitive receptors and allowing for development in a dense urban context.

Policy DE8 is positively drafted, is not overly restrictive, and is supported by a practical Lighting SPD (ED-DES5). The policy aspires to sensitively and intelligently designed lighting, that is informed by biodiversity considerations (DE8(1)), makes the City welcoming after dark (DE8(1)) and contributes to the City’s townscape at night (DE8(2)). Furthermore, part three is explicitly aspirational with regard to heritage assets as lighting of these must be sympathetic. Altogether this strikes the right balance between aspiration and deliverability.



## **Are the Design policies clearly defined and unambiguous so that it is evident how a decision maker should react to development proposals?**

The design policies are clearly defined, unambiguous, and provide decision makers with a clear framework to use when reacting to proposals. As the strategic policy, S8 sets out the overall strategy for the chapter, to make it clear that design is considered in two interrelated but distinct ways. Firstly, the City Corporation expects a high standard of sustainability to be woven through the design of all proposals so that they can contribute to the net-zero City. This is made clear as the first heading in the policy is ‘Sustainable Design’ and this includes six distinct criteria that decision makers would expect to see demonstrated in every design. The subsequent three headings in policy S8 (‘Form and Layout, Experience, Quality and Character’) relate to design quality and again provide the broad criteria that a decision maker will use to assess the design quality.

The structure of the chapter mirrors the structure of policy S8, with the first non-strategic policy (DE1) being Sustainable Design. This layout will aid a decision makers as they can read policy S8 to get an overview of what is expected and then turn to each specific policy when they come to a detailed analysis of a proposal.

Policy DE1 is clear that all development proposals should follow a retrofit first approach and that all major development must go through the optioneering process. The Planning for Sustainability SPD (ED-DES2) includes a definition of ‘retrofit’ and this could be added to the CP glossary for additional clarity. The optioneering process is laid out in depth in the Carbon Options PAN (ED-DES1), which is directly referenced in policy DE1(2) and therefore a decision maker has an explicit process that they know a major application must follow. The process outputs the carbon impacts of different development options which a decision maker can use to validate that the process has been followed correctly. Furthermore, the optioneering process makes it significantly easier for decision makers to react to proposals because they can see the WLC impacts of different development options at the outset of the design process. This allows them to make an informed judgement about the acceptability of a scheme, weighing the carbon impacts against the sustainability and wider planning benefits of the chosen option, compared to a different option. This is a robust and transparent process for assessing the carbon impacts of proposals.

Policy DE1 (7) and (8) are also clear as they include explicit criteria that a decision maker can use to judge a proposal. Part seven can be demonstrated through a circular economy statement and decision makers can assess the applicant’s statement against criteria in part 7. BREAM and Nabers are third party programmes that have their own verification processes that a decision maker can rely on, and these are continually monitored via planning conditions. Overall, these criteria constitute a clear and unambiguous policy framework for decision makers to use.

Policy DE2 uses the same approach to lay out twelve criteria in part 2 that a decision maker can use to assess the design quality of a proposal. These are established architectural and urban design principles that qualified professionals can use, such as: the appropriateness of the layout, form, scale, massing and appearance (part a); taking account of pedestrian desire lines (part b); or whether the architecture has high quality details, finishes, and materials (part d). Design and access statements commonly set out how a proposal addresses these criteria and provide a clear route for decision makers to appraise a design.

Policies DE3 to DE8 also deploy specific criteria where appropriate to aid decision makers, with clear triggers and explanatory text that render the policy unambiguous. For example, the explanatory text for policy DE3 at paragraph 9.4.3 explains how the *‘City Corporation will actively promote schemes for the enhancement of the public realm’* and at paragraph 9.4.5 that *‘Developers will be required to demonstrate that public realm enhancements will improve the function and appearance of the space.’* This makes it clear that the policy applies to both schemes that solely focus on the enhancement of the public realm, and developments where public realm enhancement compromises a part of the overall proposal. Additionally, paragraph 9.4.9 directs applicants and decision makers to several guidance documents that provide a detailed criteria that a decision maker can use to react to a proposal (such as paragraphs 8.1 – 8.2.12 of the City Public Realm SPD that specifically relate to the public realm around tall buildings).

There is a clear threshold (tall buildings or major developments) in part 3 of policy DE4 for the requirement of publicly accessible elevated spaces, and policies DE5 and DE6 clearly apply to shopfronts and advertisements respectively. Policy DE7 references the BRE guidelines which is the well understood standard guidance for assessing daylight and sunlight impacts. Policy DE8(4) is clear that major applications should follow the requirements of the lighting SPD, while all other applications should address how lighting has been considered more generally. These provide the adequate criteria and guidance for decision makers.