

5 March 2018

London Plan Team
Sadiq Kahn (Mayor of London)
GLA City Hall
London
SE1 2AA

Dear Sirs,

Representations on Draft London Plan on behalf of Shaftesbury PLC

On behalf of Shaftesbury PLC I set out representations on the Mayor of London's Draft London Plan (2017) which has been released for consultation. Shaftesbury welcomes this review of strategic planning policy and sees this as an invaluable opportunity to ensure that the London Plan strengthens the role of the CAZ as an international centre, supports the evening and night time economy and facilitates the delivery of strategic guidance in order to ensure the CAZ, and particularly the West End remains a vibrant and exciting destination within London to shop, visit, work and live.

Background

Shaftesbury is a real estate investment trust which invests exclusively in the heart of London's West End. Shaftesbury's portfolio extends to 15 acres and centres on retail, restaurants and leisure in the liveliest parts of the West End. Our holdings are mainly concentrated in Carnaby, Seven Dials and Chinatown but also include substantial ownership in East and West Covent Garden, Soho and Fitzrovia. The portfolio comprises 282 restaurants, cafes and pubs, and 302 shops extending to 1.1 million sq. ft., 460,000 sq. ft. of offices and 562 residential units. Shaftesbury is the single largest freeholder of licensed premises in the West End, supporting exciting food and entertainment destinations, and the second largest owner of retail premises. The company's management strategy is to create and foster distinctive, lively and prosperous locations.

Shaftesbury makes an important contribution to the West End as an internationally recognised and successful, trading location. Through long-term ownership and investment as well as hands-on, active management, a safe, attractive and vibrant environment has been created that supports the international reputation enjoyed by the West End as a shopping, entertainment and tourist destination.

Shaftesbury works closely with Westminster City Council and Camden Council and this partnership has undoubtedly enhanced the West End. Shaftesbury also engages with the GLA and has made representations on the Culture and Night Time Economy SPG last year.

Representations on Draft London Plan

Overall, Shaftesbury welcomes the new draft London Plan and its aim of supporting the retail and leisure clusters within the CAZ as well as its aim of ensuring that the vitality and viability of the CAZ should be enhanced along with improvements to the quality of the environment and public realm. It is important that this approach is clearly detailed within the plan in order to provide clear guidance for subsequent local plans in order to support the retail and leisure function of the West End.

In addition Shaftesbury supports the encouragement of offices within the CAZ and the strengthening of the night time economy as detailed in our earlier submission relating to the Night Time Economy SPG.

The following specific comments / observations are limited to those aspects of the draft plan where we have a particular knowledge or experience;

Building strong and inclusive communities – Policy CG1

This policy supports Shaftesbury's aspirations for generating a wide range of economic and social opportunities. Shaftesbury is in full agreement that making the best use of land will allow the city to grow in a way that works for everyone. It will allow more high-quality homes and workspaces to be developed as London grows, while supporting local communities and creating new ones that can flourish in the future. Shaftesbury takes this approach to each of their villages. We review each individual property within the portfolio to ensure the best use and most flexible use. This flexibility and vitality is visible throughout the villages which are considered strong and inclusive communities.

Making the best use of land – Policy GC2

Shaftesbury considers this an important policy. It seeks to make the best use of land and to proactively explore the potential to intensify the use of land which is important if future needs in the West End are to be met.

The policy confirms the key to achieving this will be taking a balanced approach to the way neighbourhoods operate, making them work not only more space efficiently, but also better for the people who use them.

This will mean creating places of higher density in appropriate locations to get more out of limited land, encouraging a mix of land uses, and co-locating different uses to provide communities with a wider range of services and amenities. This is key to the West End and Shaftesbury's portfolio where a building can have a mix of different uses, for example a restaurant use on the ground floor with office, Class D1 use and residential uses all stacked within one building.

The policy requires developers to understand what is valued about existing places and use this as a catalyst for growth and place-making, strengthening London's distinct and varied character. Shaftesbury's villages celebrate the individual character of the area and all villages have a unique offer. Within all of Shaftesbury's planning applications, the history and character of the area is always assessed. Heritage Appraisals which acknowledge the value of the existing place support larger developments, so we support this approach.

Growing a good economy – Policy CG5

Shaftesbury fully supports the promotion and support of London's rich heritage and cultural assets and its role as a 24 hour city.

Small Sites – Policy H2

The small sites policy introduces a new 'presumption in favour' of small housing developments. Small sites are considered to be those which deliver up to 25 homes or are up to 0.25ha. To deliver, presumption in favour to the following types of small housing;

1. Infill development
2. Residential conversions and extensions
3. Redevelopment or upward extension of flats and non-residential developments.

However excluded are listed buildings (of which Shaftesbury has many) and mixed use schemes in the CAZ. It should be recognised that in some circumstances conversions of small office space, which is not suitable to modern office occupiers demands, should be converted to provide residential accommodation.

Increasing Housing Supply - Policy H1

Shaftesbury supports the approach to encouraging more homes to be built across London. The London wide target of 66,000 homes per annum demonstrates an ambitious target which will help provide a range of housing choice.

Housing Mix – Policy H12

Shaftesbury supports this policy which recommends the prescriptive housing mix targets are removed from boroughs development plans. The policy allows more scope for developers to put forward housing mixes based on their own market research.

The supporting text of the policy is welcomed which states '*Family units have historically been considered to be those consisting of three or more bedrooms. However, as many families do live in two bedroom units this should be taken into account when assessing the needs that different sized units can meet (in terms of bedrooms) and the design and approach to management of a development both for market and affordable housing*'.

Many Boroughs seek to ensure a provision of family units in buildings which are not suitable for conversion into 3 bedroom units or not within a desirable location for family dwellings. The policies therefore become a strain on the planning application. The acknowledgment that 2 bedroom flats can be classed as a family unit represents modern living and is welcomed.

However, Shaftesbury is concerned with the wording of Policy H12 (B) and its presumption against schemes consisting mainly of one-person units and/or one bedroom units. We assume this relates to 'new build' schemes which can accommodate a mix of units. The majority of Shaftesbury's applications are conversions within existing buildings, creating less than 10 units. We therefore consider this policy would not apply to the minor applications, but we would encourage further clarification.

The CAZ – Policy SD4

This is one of the most important policies for Shaftesbury with all of the portfolio located within the CAZ. The subtle change is that new residential development should be complementary and not compromise the strategic functions of the CAZ, which we support. However, the policy could go further to support the growth of complementary uses within the CAZ and to ensure that the special character and mix of uses within the CAZ is supported.

The policy states that the CAZ contains the country's largest concentrations of night-time activity in Soho, Covent Garden and Shoreditch. These areas and functions should be recognised, nurtured and supported in line with CAZ Policy and other policies related to culture and supporting the evening and night-time economy. Shaftesbury previously made representations on the Culture and Night-time Economy SPG (2017) and strongly supported the aspiration of the SPG.

Offices and residential development in the CAZ – Policy SD5

The thrust of the CAZ policy has switched tone from protection of residential neighbourhoods to protecting the strategic functions of the CAZ and this is welcomed. The policy places focus on new residential development not compromising the functions within CAZ. Offices are given greater weight relative to new residential development in the West End, Soho, Covent Garden and Fitzrovia. We support the policy position which is already in place within Camden and Westminster.

Agent of Change – Policy D12

This is a new policy introduced into the London Plan however Shaftesbury is already fully familiar with the principles. Camden already has this policy within their adopted Local Plan and draft CPG.

Shaftesbury is already familiar with the increasing acoustic mitigation measures required at the planning stage. Noise Impact Assessment are already prepared for new developments and change of use applications which introduce residential and therefore Shaftesbury understands the need for this policy.

Night time Economy – Policy HC6

The Mayor is promoting London as a 24 hour global city which is fully supported by Shaftesbury. The night-time Economy is focused in the CAZ which includes all of Shaftesbury's portfolio.

The policy recognises the benefits of promoting the night-time economic activity, which is supported by Shaftesbury. It encourages the flexibility to permit day-time uses to extend into the night time and vice versa, which is important for a 24 hour city and fits with consumer demand.

Enjoying the outside spaces including the public realm at night is supported as it attracts visitors and helps decrease crime. This is being encouraged where possible within Shaftesbury's holdings, but policy needs to recognise this within the CAZ.

The policy will assist with the inconsistency in opening hours conditioned to new night time uses. For example, the planning applications for new a public house uses are limited to boroughs standard trading hours. The policy should give boroughs greater support to allow later opening hours in CAZ locations to support the vitality of the CAZ as an international destination.

Seeking to integrate planning and licensing is an important policy drive. It will encourage the planning officers to view the licencing hours and ensure they are consistent. Too many conditions have to be amended to reflect licensing because of a lack of joined up thinking in the boroughs, which leads to confusion and problems for business operators.

Out of house servicing and deliveries and environmental cleansing should be supported. This policy will give weight to planning officers when liaising with residents during planning applications.

Public House Protection – Policy HC7

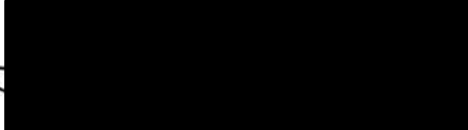
Shaftesbury has many existing and former public houses uses within our portfolio. The policy supports proposals for new public houses which will assist with the conversion of restaurants back to their original public house use. Shaftesbury has already successfully converted a small number of restaurants back to their former use prior to this policy through National Policy incentives (CAMRA, NPPF). We therefore support this policy as long as the recognition remains that upper floors can be converted to alternative uses if the commercial public house use is not significantly adversely affected.

Summary

We trust that Shaftesbury's comments within this representation will be carefully considered as part of the formulation of the new London Plan. We would welcome the opportunity to discuss in further detail if required.

If you have any queries, please do not hesitate to contact me.

Yours faithfully

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Brian Bickell
Chief Executive