Permitted development rights for change of use from commercial to residential

Request for exemption for London's nationally important office locations

Submitted by the Mayor of London

Introduction
The Mayor of London has a leadership role for strategic planning in London, through his spatial development strategy (the London Plan) and in his work with boroughs, developers and others involved in the London planning system. He agrees with government that in some parts of London there is surplus provision of office space; that this should not be 'fossilised' by the planning system; that it should be returned to active use as soon as possible, not least to housing, and that this process should contribute to national economic recovery. As he made clear in responding to previous government consultations on this issue, the blanket national approach originally suggested was not the best way of doing this.

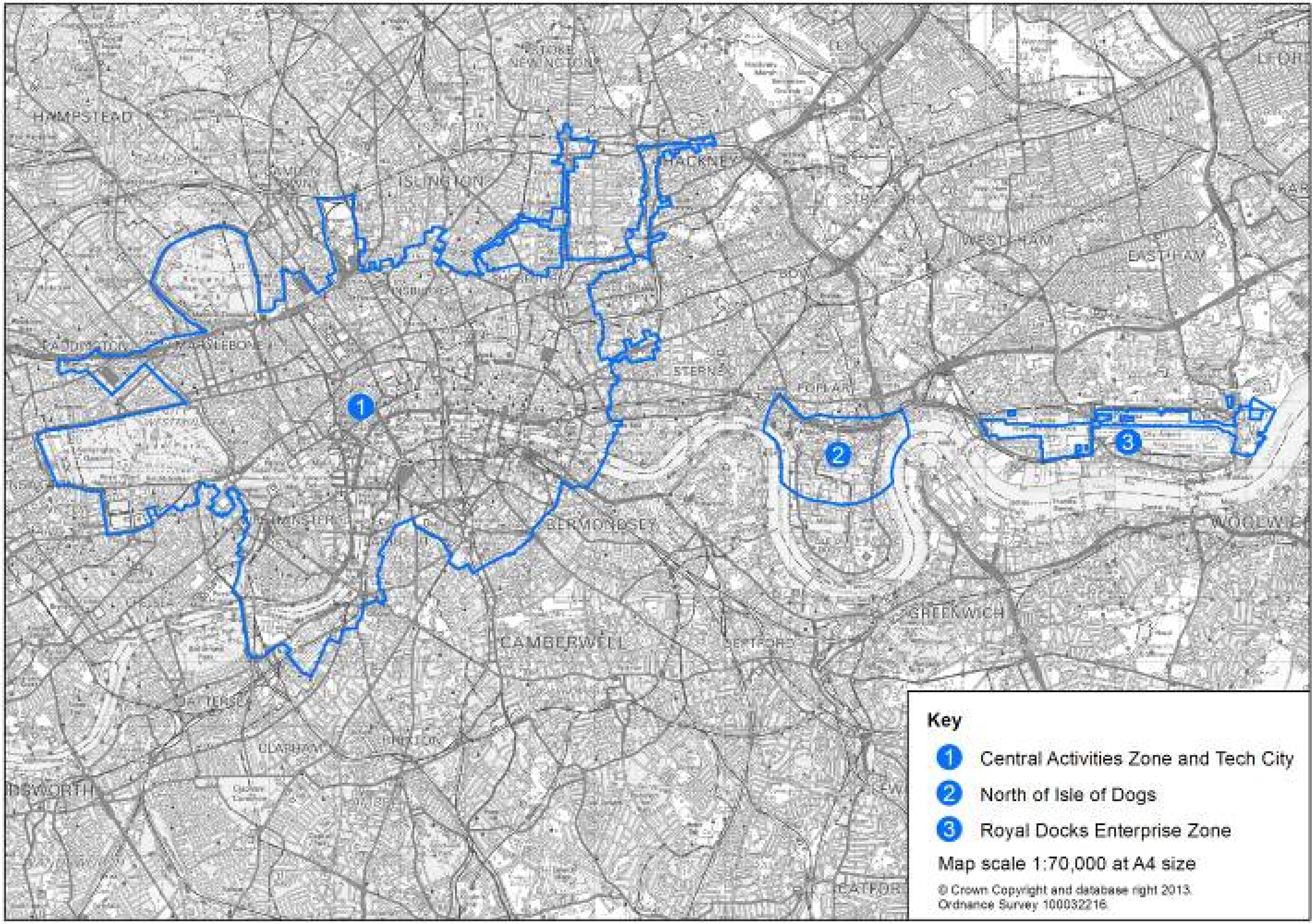
He therefore welcomes the Government's proposal for locally-based exemptions where these can be shown to be justified. This document makes the case for such an exemption covering the Central Activities Zone (CAZ) as defined in the London Plan; the north of the Isle of Dogs (IoD) as defined in the Crossrail S106 Charging Area SPG; the commercial core of the emerging 'Tech City' (TeC) Opportunity Area Planning Framework as agreed by the Mayor and relevant boroughs; and the Royal Docks Enterprise Zone (EZ) as agreed with CLG (these areas are illustrated together in Map 1 overleaf).

This case is being made for what are concentrations of office provision important at national and strategic London levels to enable established policy to continue to operate there to support activities that make an irreplaceable contribution to the continued prosperity of the United Kingdom. It therefore focuses on those locations of national importance (CLG category A) in and around central London and is supported in principle by the main boroughs which accommodate them and by other stakeholders in the London office market.

Even though current office vacancy rates across London are comparatively high (largely but not entirely a result of cyclical rather than structural forces – see below), most space is in fact occupied and it is crucial that existing employment is not compromised. It is essential that the planning system is allowed to provide a more sensitive approach to encourage and manage release of office stock in ways which will avoid employment loss, focussing on surplus and structurally under-occupied space. The London Plan has already put such a mechanism[1] in place to address the unique circumstances of the different parts of the capital's office market, and surplus office capacity has been yielding some 4,000 new homes pa[2] across London as well as sustaining employment accommodation where this is still required.

[1] Mayor of London. The London Plan. The Spatial Development Strategy for Greater London. GLA, 2011 Policies 4.2, 4.3, 2.11, 2.7
Mayor of London. Housing Supplementary Planning Guidance. GLA, 2012 sections 7.2 – 7.4
[2] Ramidus Consulting et al. London Office Policy Review 2012. GLA, 2012

Map 1: Areas in the Mayor of London's exemption request for London's nationally important office locations (1:10,000 maps are supplied separately on CD Rom)



The Mayor's focus on the office locations of national importance should not be taken as a lack of support for more locally-based cases for exemptions made by individual boroughs. This submission is accompanied by a document providing a pan-London, generic context for borough exemption requests in respect of other concentrations of office activity of more local importance, focusing on office and industrial locations of strategic significance outlined in the London Plan[3] (Annex 2). The Mayor supports such requests where boroughs can make a robust case for them in the terms set by Government, and where they are not seeking to protect vacant office floorspace which has no real prospect of being occupied in the short/medium term.

This submission meets the principles outlined in the CLG Chief Planner's letter of 24th January 2013 and subsequent comments by him and the Minister for Planning. In particular:

- It seeks to draw the boundaries of the exempted areas sought as tightly as possible while also recognising the need to keep the planning system as streamlined as possible. With these factors in mind the boundaries of established or emerging planning areas have been used where these are relevant and approximate reasonably to office market areas. These boundaries have been tested against office market data collected to inform revision of the London Plan[4] and through the Mayor's ongoing monitoring activities[5] as well as contributions from boroughs and other partners and specialist advice from Jones Lang LaSalle[6] (copy attached to submission).

- The CLG Chief Planners letter makes clear that it is for local planning authorities to identify the boundaries of these areas on maps of at least 1:10,000 and the Mayor has encouraged boroughs to do this. In line with his strategic role the Mayor has therefore provided a less detail map (see Map 1) in the body of his submission. In the case of London's nationally important office locations, these larger scale maps provide the bigger picture necessary for CLG to consider exemptions covering the locations in a coordinated way - most are significant areas crossing borough boundaries and must be considered as single entities. However, in case CLG does require comprehensive 1:10,000 maps of these areas (as well as local ones prepared by Boroughs to cover parts of the areas) the Mayor has also submitted a CD of such maps for each of the nationally important locations. The Mayor has not produced 1:10,000 maps for other office locations in London. Instead, he has listed those identified in the London

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3 Mayor of London. The London Plan 2011 op cit:
- Para 4.12 - Croydon and Stratford as London's main strategic office centres beyond central London; Strategic Outer London Development centres like Biggin Hill – Policy 2.16; mid urban business parks like Chiswick Park; town centre office quarters – in particular London Plan Annex 2, centres classified as having 'A' or 'A/B' office development potential; conventional business parks like Stockley Park and Bedfont Lakes; science and innovation parks; existing linear office developments such as the 'Golden Mile' in Hounslow which can be made more sustainable; and locally oriented, town centre based office provision which can be consolidated to meet local needs, or where necessary, changed to other uses – cumulatively the viable office component of these is of strategic significance.
- Strategic Industrial Locations and, where relevant Locally Significant Industrial Sites Policies 2.17, 4.4

4 Ramidus Consulting 2012 op cit.

5 Mayor of London. London Plan Annual Monitoring Report. 2011-12. GLA, forthcoming

6 Jones Lang LaSalle. Interim Report. Permitted development rights for change of use from commercial to residential. GLA, 2013.

Plan as being of strategic significance and shown them diagrammatically in Annex 2. Where justified by robust evidence on a case by case basis, it is for boroughs to identify these locations specifically on 1:10,000 maps.

- The CLG Chief Planner′ letter indicates that to justify local (CLG category B) exemptions nationally, local authorities should provide the view of the LEP on whether the loss of business space in a particular locality would have a significant impact on the wider local authority in area. Government should note that because of London′s distinct administrative arrangements, for the purposes of this consultation the Mayor is providing such a view for the capital through the strategic context he has provided for category B submissions to support those which are robustly evidenced in the terms of CLG requirements.

The case for a CLG category 'A' exemption to prevent the loss of nationally significant areas of economic activity

The remainder of this document sets out the case for an exemption for those parts of central and inner London that house the nationally - and internationally - significant areas of office-based economic activity:

- the Central Activities Zone (CAZ) as defined in the London Plan (see Policy 2.10 and Map 2.3);
- the north of the Isle of Dogs (IoD) covered by the Isle of Dogs contribution area as defined by the Mayor in his Use of planning contributions in the funding of Crossrail supplementary planning guidance;
- the commercial core of the emerging 'Tech City' (TeC) Opportunity Area Planning Framework as agreed by the Mayor and relevant boroughs; and
- the Royal Docks Enterprise Zone (EZ) as agreed with CLG.

A.i The scale of the adverse impact in absolute terms

Office and residential values

In short, the difference between office and residential values in this area are such that a change to permitted development rights of the kind proposed would be likely to see large-scale loss of office stock and an irreversible change in the nature of the country's commercial hub.

The fundamental dynamic underlying the Mayor's concerns over the potential impact of government's proposals is the relationship between the value of land in housing and office use, even within these nationally important office locations. While they are attractive as places to do business, they are also very attractive places to live, particularly for high earning individuals. In part, of course, this is because of the proximity to the places where these individuals work, and there is an extent to which large-scale loss of offices to residential will become counter-productive. Striking the right balance, and avoiding the kind of market failure that leads to large-scale negative effects because of the cumulative effects of a number of uncontrolled individual conversions, is one of the main justifications for planning – one that is vital in areas like those dealt with here.

There is no shortage of evidence for the Mayor's concerns. Jones Lang Lasalle[7] has reported that in the City of London in the six years to 2011 maximum office prices were likely to exceed prime residential prices (most residential development there is 'prime') only in some years, and that in current economic conditions residential prices are likely to be stronger than offices. Looking at the office stock as a whole, average office prices at the peak of the office market were only 75% of those for residential. For the most part they were little more than 50% and by 2011 had dropped to 41%. Office rents in the City have now recovered slightly, but are no higher than the average during the last cycle (c£60 sq ft), potentially offering a 'good deal' to office occupiers and business, but one which could be undermined by blanket liberalisation of change of use to much higher value residential. JLL considers that the price differential means that "if the

[7] Jones Lang Lasalle (JLL). Potential Impact of Use Class Order Relaxation for Changing Use from Offices to Housing on City Office Stock. JLL, 2011

potential to convert exists then such conversion to residential use will inevitably be a viable option for any property".

In the particularly vibrant West End residential market, the differential against the office average is even greater (even though the office price is significantly higher than in the City – rents in the West End are now approaching £100 sq ft[8]). Average office rents are much lower elsewhere in the nationally important office locations eg £50/sq ft in 'mid town', £40 in the Isle of Dogs, £45 in parts of the South Bank and in much of Tech City significantly less than £35 sq ft, but, when converted to prices, similar or greater differentials between offices and residential as recorded in the City are likely to remain because of the attractiveness of these areas for housing.

In addition, JLL expects yields on central London apartments to exceed those on offices, and as funding for housing is much easier to obtain than for offices (not least because of pre-sales), for developers to continue to find housing a more attractive business proposition than offices.

Office stock

Using Census Medium Super Output Areas which approximate to the boundaries of the nationally important office locations, 2008 Valuation Office Agency floorspace data combined with subsequent net gains to stock shown by the London Development Database (LDD) suggest that these areas contain at least 18 million sq m of office space, broken down broadly into over 16.6 mll sq m in CAZ and TeC and over 1.4 mll sq m in IoD. There is currently also 9,000 sq m in the Royals EZ.

Together, these represent 64% of London's total office stock, and 18% of the national total – or more than 160% of Birmingham, Manchester, Leeds, Bristol, Liverpool, Cardiff and Leeds combined (these are the next biggest, non-London concentrations of office space in the country). Just in terms of principle, it is questionable whether the planning system should be changed to a degree which technically could place this amount of space 'at risk' of change to residential. Moreover, these figures under-estimate the economic importance of this stock; relative to that in the country as a whole, much of it is comparatively new and efficient in terms of function. On the face of it, the value of this new space might appear to make it unlikely to be susceptible to pressures for change to residential. However, this does not take into account the very significant differential in values between land in office and residential use in these prime areas (see above), much less the indirect effect that the introduction of housing can have on the functioning of even modern office locations (see below).

However, it is recognised that, realistically, some parts of the office stock are likely to be more susceptible to change of use than others. In this regard, JLL highlights the importance of buildings which over the next five years will be subject to lease expiry or break options to single tenants where residential conversion could form an alternative to an office refurbishment scheme or inclusion within a larger redevelopment. They suggest that within the City and the City Fringe the maximum potential loss of office

[8] It should be noted that maximum rents can be significantly higher than this. Colliers report £110 sq ft for winter 2013 and Cushman Wakefield (19.2.13) reports that London has again recorded the most expensive office occupation costs in world. Estates Gazette provides a property consensus view on current rents in the different parts of the central London market: Poised on the Brink. London Offices market analysis 26.1.13

floorspace to residential conversion is equivalent to 22.5% of the existing stock over the next 5 years

Taken together, the City and the City Fringe include a wide spectrum of office types and ages. If these can be taken as representative of the stock as a whole across the nationally important London office locations (18 mll sq m), then applying the JLL finding would suggest that a maximum of some 4 mll sq m of space might be 'at risk'. On the one hand, this might theoretically provide capacity for up to 40,000 - 58,000 dwellings (at a prudent 100 - 70 sq m/dwelling). On the other, if the space was retained it might represent the loss of capacity to accommodate 270,000 – 340,000 jobs (at, say, 12 – 15 sq m/worker[9]).

This begs a profound question for the Mayor and government: what is the primary purpose of central business districts: employment or housing? The Mayor would argue that across London as a whole his Plan already makes provision for more than 30,000 homes a year, and that in a 'good year', output already exceeds this figure. On the balance of benefits for London (and the country – see below) as whole it therefore makes much more sense to keep adequate capacity to help drive the most important part of the London economy rather than to sacrifice it for the equivalent of less than two years housing supply (and a type of supply which, under government's proposals, could well be of a quality which might not constitute 'sustainable development' in terms of either the London Plan or the NPPF).

The London Plan recognises the mixture of strategic activities and more locally-based and residential ones in the CAZ. This mixture is an important part of its dynamism. But allowing a fundamental shift in the balance without the scope for strategic overview and assessment of likely impacts at each stage is likely to change its nature; given the disparity in values this is likely to be to the detriment of offices and employment.

Office pipeline

There is uncertainty as to how government's proposals might bear on the pipeline of proposed office development in London's nationally important office locations. Some government commentary on the proposals suggests that they are intended to apply to buildings rather pipeline, though the proposals themselves can be read as implying that they might also apply to the pipeline. Even if they do not, there is still an issue as to how they might bear on recently implemented permissions eg if these were occupied for only a short period/tokenistically as offices, could they then convert to residential, or could proposals be approved as offices but built to be readily converted to housing (subject only to the broad brush prior approval process which would be unlikely to pick up might on such important but relatively fine grained distinctions).

Whatever the case, and given the process of office development (see below), there is concern that the proposals could put at risk the sustained growth and improvement of the offer of nationally important office locations which hitherto has been managed through the planning system.   The London Development Database shows that the office pipeline for these locations in London currently has capacity for 2.52 mll sq m of space.

[9] Ramidus 2012 op cit

In its 2011 work for the City Corporation on the City itself and the City Fringe, JLL recognised that the whole pipeline was unlikely to be 'at risk' to conversion. JLL suggested that schemes which entailed demolition, were under construction or involved large floorplates which are unsuitable for residential conversion should be excluded from the calculation. Taking these factors into account, it was considered that approximately 69% of the pipeline "would have had potential to be lost to residential conversion". Even if this percentage was reduced by, say, half (to 34.5%), the impact would still be very substantial.

Applied to the pipeline within London's nationally important office locations, government's proposal might constrain renewal/extension of the stock there by some 0.87 - 1.74 mll sq m: a significant part of the 2.71 – 3.07 mll sq m projected new floorspace requirement in CAZ and IoD 2011- 31. The potential loss of this space from the pipeline could accommodate 58,000 to 145,000 new office workers at 12/15 sq m per worker. Even at the lower end of this range these are substantial figures relative to the projected increase in office based employment in CAZ and IoD 2011- 31[10] (177,000, equivalent to 27% of London's total projected employment growth for this period), much less relative to endogenous demand for modern new space.

A.ii The significance of the adverse impact at national level

Contributions to the national economy

London's residents alone generate a fifth of national GVA and when the net contribution of those who commute from beyond London is taken into account the proportion rises to 22%. Directly and indirectly office based activities are the key driver of this activity, not least because they are the source of most of the 'tradeable' wealth London produces, whether this is 'traded' with the rest of the country or overseas. The higher 'value added' office functions are concentrated in the nationally important office locations in and around central London, contributing to an agglomeration of activities which account for 44% of London's GVA, or, on a prudent GLA estimate, 9% of that of the UK (and 9% of the nation's tax revenues). Other estimates suggest these contributions may be higher.

At the macro level, the nationally important central London office locations must be seen as an integral part not just of the London economy but of that of the wider south east which in 2011 contributed £590 mll to national GVA, 45% of the total, and of which nearly half was produced in London alone. Central London office based activities are at the centre of the complex web of linkages which make up this vast regional economy. Ensuring that they have an adequate and competitive range of accommodation to grow and change is essential to securing London's net contribution to the national exchequer, estimated by some to be more than £20 bll pa in non-recessionary times[11].

Within the CAZ, research commissioned by Westminster City Council suggests that its gross value added in 2011 was £46 billion, 3.5% of that for the United Kingdom as a whole. Not all of this arises from office-based activity, although 62% of Westminster's non-domestic premises are offices, and evidence suggests that the office-based sectors

[10] Mayor of London. London Plan 2011 op cit Table 4.1
[11] London School of Economics. London's Contribution to the UK Economy. City of London Corporation. 2008

are more productive in GVA terms). The same research suggests that the City of London contributed £40 billion of GVA – 3% of that for the UK.

Employment

Self evidently, creation of this wealth generates employment, both directly and indirectly. In 2011 London had 4.9 mll jobs, of which a third were in CAZ and TeC, with at least a further 60,000 in the north of the Isle of Dogs (informed estimates suggest that 90,000 could be a more realistic figure). Of these 57%[12] were in office based sectors. Recent projections[13] suggest that in CAZ alone office employment could grow by over 280,000 jobs between 2011 and 2036, a rate of increase higher than anticipated in the current London Plan. Accommodating this growth is a central concern of the London Plan and Local Plans – the present proposals could compromise the careful balance they seek to strike between fostering growth, supporting change and managing the mix of uses across the central London office market areas for the benefit of both residents and workers.

Every day, around 246,000 people travel from outside London for jobs in the central area; a substantial number of these will be in office-based employment in the areas dealt with here. A further 775,000 travel in from other parts of London. Loss of employment opportunities in these areas will have direct effects on those individuals concerned; it will also have effects on the places from which they travel – in London and beyond – with the loss of spending power, and consequent effects on local employment.

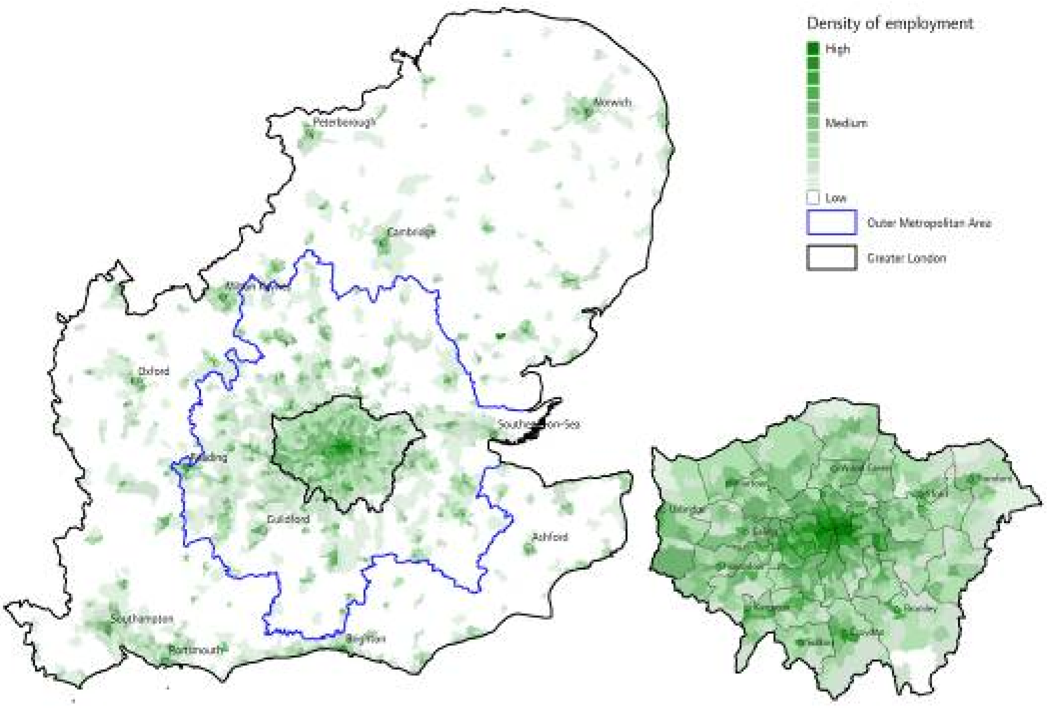
The central London office market and the wider south east

Within the wider South East is a collection of areas that have especially strong links with London, not only between businesses, many of which are office based, but also in labour market terms. This area is commonly known as the Outer Metropolitan Area and includes areas directly surrounding Greater London as diverse as Southend-on-Sea, Crawley, and Reading. It is in this area that London's influence is greatest and where, because of labour market linkages, it can be said that the local economy is integrally part of the regional (and national) economy – a key issue graphically underlined in government's consultation on its proposals.

Figure 1 below shows this area and clearly illustrates the high level of employment density required for the level of economic activity in the core of the regional office market in central London as well as for London as a whole when compared with the wider surrounding region. It is essential it is not compromised by un-managed 'residentialisation'.

[12] Mayor's Outer London Commission. First Report. GLA, 2010
Roger Tym & Partners. London Employment Time Series. GLA, 2010
[13] Ramidus 2012 op cit Fig 7.16

Figure 1: Employment density in 2008 in London, the Outer Metropolitan Area and the Wider South East



Agglomeration and the central London office market

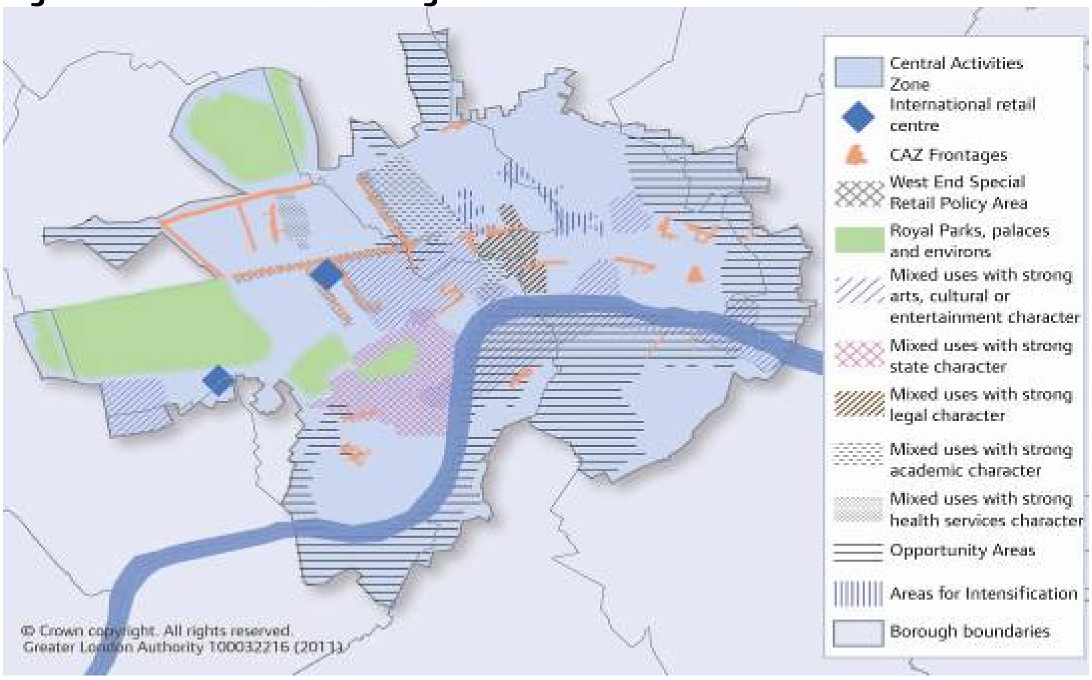
Urban centres, once established, benefit from agglomeration economies. Agglomeration economies are positive externalities that firms benefit from when they locate in large groups.

There are two forms of agglomeration economies: urbanisation economies, where firms benefit simply from the presence of many other firms in a large economy; and localisation economies, where firms in a particular industry gain from clustering together. Both are important factors in the success of central London office market and must be addressed through planning policy.

Urbanisation economies occur when businesses are attracted to large urban centres like London that put them close to a very large number of suppliers and customers. This is primarily an example of economies of scale. In the modern economy activities like labour recruitment and advertising agencies benefit greatly from this process.

Localisation economies are more sophisticated and go beyond simple economies of scale, and are derived from shared labour markets and knowledge transfer. In urban economies, this is evident when insurers find benefits in locating together and near to legal services for support on contractual issues, for instance, or when the wealth management arms of banks locate in the same area and share the services of nearby fund management companies. Indeed, it is possible to see that many of London's specialisms are located in distinct parts of central London, and these clusterings are supported by the London Plan CAZ (see Figure 2 below).

Figure 2 London Plan CAZ Diagram



Agglomeration, labour supply and the central London office market

Businesses in urban centres share a large and often highly skilled pool of labour. The presence of so many businesses pulls in more labour, which makes cities like London an even more attractive place for firms to locate. Agglomeration produces benefits within the labour market because of the number and variety of firms that offer a wide range of employment opportunities. With so many jobs on offer, especially the number of specialist jobs, it is more likely people will find a job that makes the most of their skills. The nationally important central London office locations are particularly well placed to access such an extensive and skilled pool of labour (see Figure 3). The transport network which has developed (and is being developed – see Figures 4a and 4b) over a long period to maintain and improve this accessibility represents an irreplaceable investment in infrastructure to support the efficiency of the labour market and the offer of these office locations. One of the unintended consequences of eroding the office stock could be to erode the raison d'etre for this investment.

Figure 3 Number of residents accessible by public transport in 45 minutes

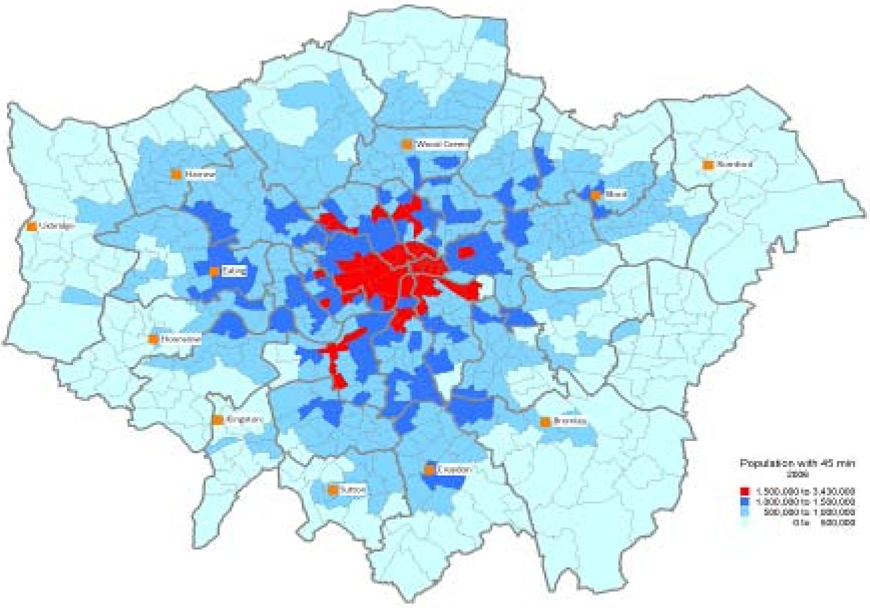


Figure 4a Overground rail investment

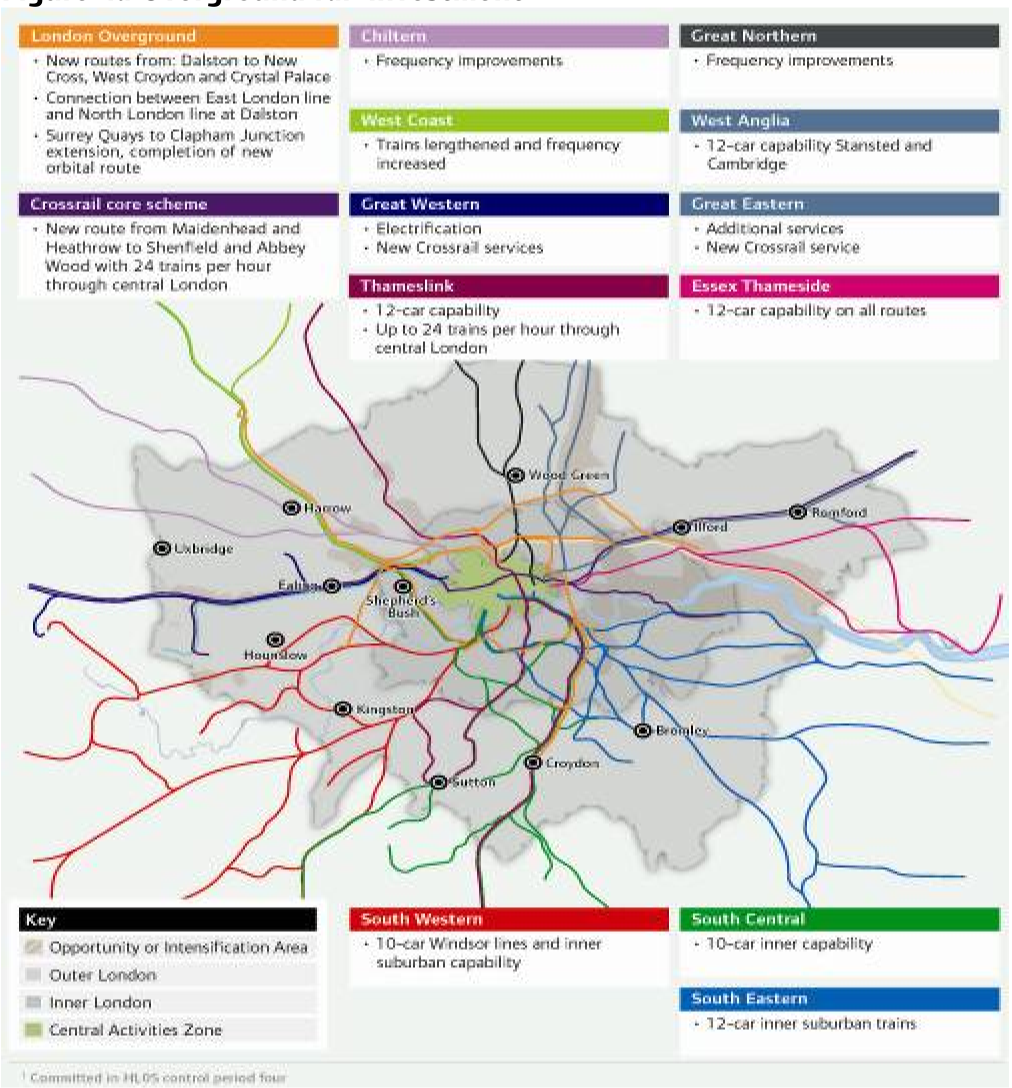
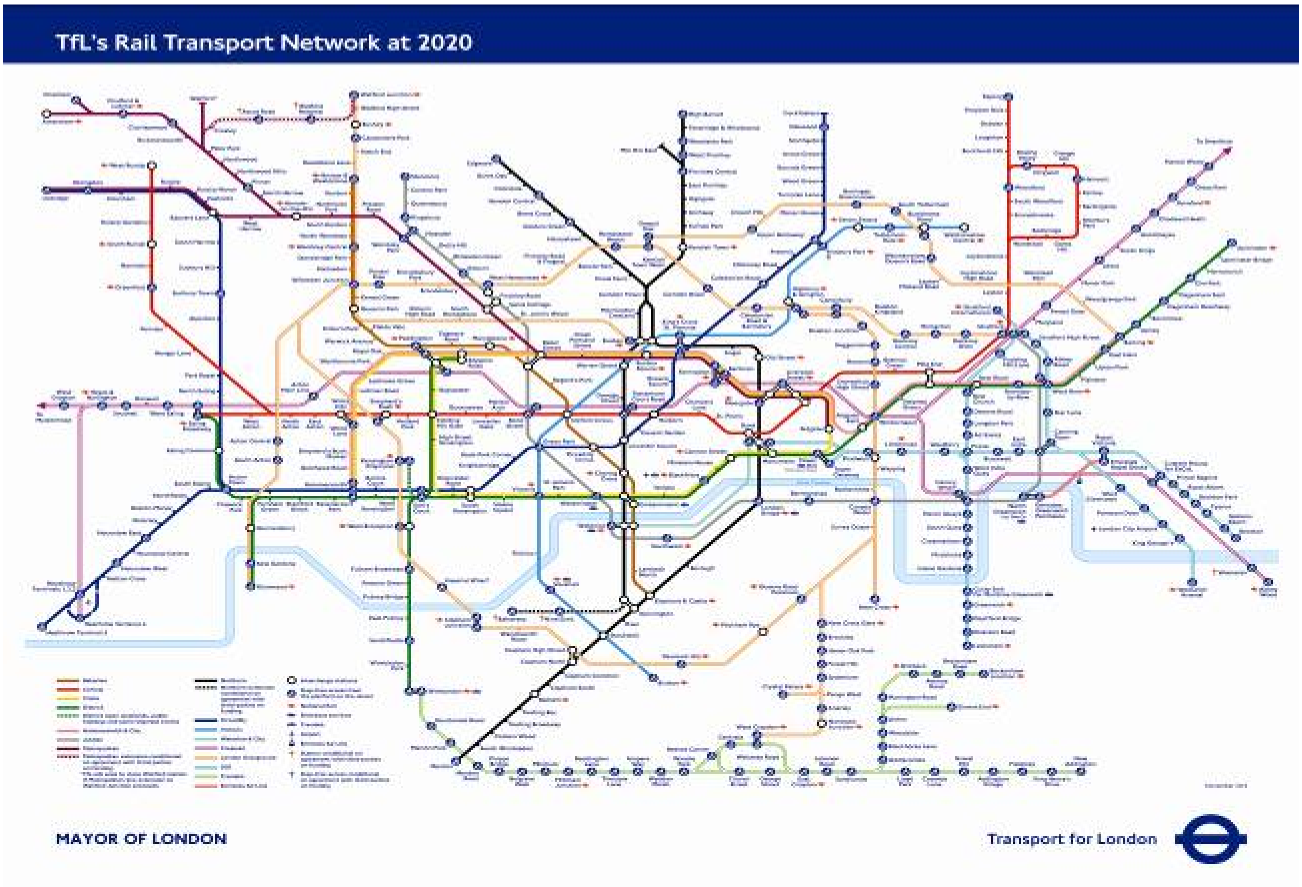


Figure 4b TfL's Rail Transport Network at 2020



Agglomeration, knowledge transfer and the central London office market

Knowledge spillovers from other firms, whether in the same industry or in others, occur in large cities, and nowhere more so than among the occupiers of the closely clustered offices of central London. Direct business interactions, fluid labour markets, and close formal and informal networks spread ideas around cities, and especially around central London office based activities. This helps businesses keep up-to-date with ever-changing markets and technology so they remain competitive.

Agglomeration, services and the central London office market

Finally, the proximity of a large number of suppliers and customers in an urban area create economies of scale in input and output markets, adding to the benefits of agglomeration. There are very few service activities that are not represented to some extent in London, which means most firms can gain from complementary businesses that bring about economies of scale. The proximity of so many competing businesses leads to more effective competition and puts pressure on all businesses to maximise the efficient use of resources, making them more competitive locally as well as globally. The benefits of such clustering to office occupiers arise both within the Central Activities Zone and within Tech City, and in their hinterlands, which also serve the IoD and the Royals EZ. Sustaining these benefits, especially those provided from within the nationally important office locations, means maintaining a varied and readily accessible accommodation offer, not least in terms of rents. Office and industrial land policy for and around central London has been remarkably effective in doing this, with cheaper premises available to provide at least some of the essential services necessary for nearby higher value added activities. It is these cheaper premises which would be most at risk to change of use through blanket liberalisation of the UCO, or by drawing the boundary of an exemption area so tightly that they were excluded.

Agglomeration and the central London office market - synopsis

Together these agglomeration effects support the development of economic activity by providing firms with access to a deep and highly skilled labour force, a range of complementary input and output markets and the benefits of spillover effects such as the rapid transfer of innovation.

By locating close to one another firms are more productive than when businesses are far from one another. Such benefits have a degree of circular causality, with existing spatial concentration resulting in forces that encourage further spatial concentration.[14]

The risk with allowing a blanket office-to-residential conversion across central London is that such circular causality begins to work in reverse as the benefits of agglomeration are increasingly diluted and lost through increased residential provision at the centre.

Aiii The degree to which there is likely to be a strategic and long term adverse economic impact

CLG proposals and the office development process

To be viable, much of the office development in these locations takes place on comparatively low value land ie that which is already in office use. Particularly in areas where offices are tightly clustered this also provides flexibility for site assembly. Both viability and flexibility would be undermined if uncontrolled residential ie higher value, development was permitted in these areas. Strategically, this would compromise London's ability to provide a modern, competitive international office offer.

CLG proposals and existing office stock

Within central London there is not a well stratified distribution of those office buildings most 'at risk' of conversion, which would naturally separate housing from offices. Under government proposals, the process of conversion of offices to housing is likely to be opportunistic, resulting in a 'pepper potting' of housing within office areas. 'Bad neighbour' relations between the uses will no longer be subject to the sort of careful management through the planning system which has enabled the mix of uses in parts of central London not merely to co-exist, but to thrive in mutual symbiosis. Instead, the amenity, daylighting, privacy and other requirements of residential development will erode those of offices and the distinct activities of office areas eg noisy and /or 24 hour deliveries will create unacceptable residential environment. Residents will also be isolated from more populous communities. Meeting their social and environmental infrastructure requirements in already congested business locations will be particularly

[14] Krugman, Paul. Increasing returns and economic geography, *Journal of Political Economy*, 1991, vol 99, no.3.

challenging. So too will accommodating car parking requirements in areas which hitherto have been deliberately planned to be as car free as possible. In net terms, experience suggests that the net losers in this unmanaged mix of uses is likely to be the office sector and its capacity to provide a competitive, commercially attractive business environment.

CLG proposals and office occupation costs

To some, having the most expensive office occupation costs in the world is a token of London's international attractiveness as a business location[15]. While there is truth in this, it also poses a challenge – the need to keep these costs down, especially for the bulk of occupiers who are not in the office 'super prime' market but require decent, modern and affordable space for their business model to flourish here. It is even more the case for 'services to the service sector', which are essential to the functioning of the wider office market (see agglomeration benefits above) and for which occupation costs can form a more substantial part of overall business costs.

The long term, strategic impact of CLG's proposals must be to reduce the stock of offices in this internationally vital location, probably impacting first on lower cost accommodation but over time incrementally eroding the mainstream stock office. This is likely to impact initially on the agglomeration benefits provided by these locations and then on the range and scale of choice within their mainstream offer. The result will be loss of commercial competitive advantage, which cannot be offset by a possible short term increment to housing provision.

CLG proposals and vacancy

The NPPF gives welcome recognition to the principle of market indicators informing the planning process, but to be effective these must help in securing government and the Mayor's prime strategic objective: sustainable development, with its economic, social and environmental dimensions. In debate over government's proposals much has been made of the potential importance of vacancy and availability rates as potential indicators of what office space should and should not be released.

Some of this debate has not distinguished between structural and cyclical vacancy and availability. Relatively short term, cyclical variations in these rates are a necessary fact of life in the London office market and should not be used as an indicator of the need for a change to the planning system which could have long term, strategic consequences. Indeed, the monitoring process for the London Plan uses an 8% vacancy rate to test whether the market is tightening or loosening, but only as one among a wide range of indicators which might prompt a change in policy.

In this latter regard, structural vacancy consistently above this level over the longer term is much more useful, but in London even that is used in combination with other indicators to trigger the managed release of long term vacant or underused space. It is crucial that any guidance on implementation of government's proposals recognises this, and to secure sustainable development in a social and environmental as well as an economic sense, that it also highlights the importance of the quality of any justified housing and residential environment outputs.

[15] See Cushman Wakefield 2013 op cit

CLG proposals and S106/NNDR contributions

Government's proposals are likely to impact on potential S106 contributions which might otherwise have arisen from the redevelopment of office sites through the planning system, and from NNDR contributions (including the supplement for Crossrail) which potentially would have been generated by increments to office stock which might otherwise have come forward through redevelopment.

Strategic policy across most of these nationally important locations is designed to ensure that the housing consequences of growth in office employment are addressed by a requirement that office provision takes place as part of mixed use development which includes housing. This housing (including affordable housing) is required on-site in all but justified exceptional circumstances eg when it could compromise the offer of a strategically important cluster of office activities eg in the City or Isle of Dogs. In these circumstances it should be provided on identified sites elsewhere, or, in very exceptional circumstances set out in the London Plan, through a cash contribution ring fenced for new housing provision. This process has been successful not only in helping to meet the housing needs generated by London's growing office based economy but also in enhancing the mixed use character of central London which adds to its attractiveness as a national office location. Government's proposals could undermine it significantly.

Crossrail funding implications

Crossrail is a major cross-London rail link that will serve London and the south-east of England, linking Maidenhead and Heathrow Airport to the west with the West End, the City, Canary Wharf and Abbey Wood and Shenfield to the east. It is essential to support development of London as a world city and the development of its regeneration areas to help meet the challenges of population and economic growth. It is jointly sponsored by the Government (through the Department for Transport) and the Mayor (through Transport for London). Funding arrangements for the project are set out in Heads of Terms agreed in November 2007 and reaffirmed in 2010. Under these, the Mayor is required to provide £7.1 billion towards the £14.9 billion cost of the project: of this, £4.1 billion will be financed by the Crossrail Business Rate Supplement (supporting £3.5 billion of borrowing, and £0.6 billion of direct income). In January 2010 the Mayor set the Crossrail Business Rate Supplement o 2p in the pound of rateable value for each individual heriditament with a rateable value of £55,001 or more[16].

Of the 46,468 heriditaments with a value above this threshold, 17,510 (or 38%) are in Westminster, the City and Tower Hamlets. These figures cover all commercial uses, but a significant proportion of the 11,729 in Westminster will be offices; as will the large majority of those in the City (4,329) and Tower Hamlets (1,452, most of which will be offices on the Isle of Dogs) and a substantial proportion of the 11,664 heriditaments in the remaining seven CAZ boroughs. By encouraging conversion of offices to residential rather than their redevelopment for new space, government's proposals will undermine this. The scale of the office capacity at risk of such conversion is outlined above.

[16] For further details see Mayor of London, Intention to levy a business rate supplement to finance the Greater London Authority's contribution to the Crossrail project: Final Prospectus, January 2010

CLG proposals and housing

The Mayor recognises that London has a pressing need for more housing – for at least 35,000 more homes a year set against a minimum provision target of some 32,000. He is also very conscious that output dipped during the recession. However, London Development Database (LDD) monitoring shows that completions are again increasing and consultants'[17] 'leading indicators' suggest that work in progress could lead to output soon returning to pre-recession levels.

Across London as a whole, local implementation of strategic policy to carefully manage the release of surplus office capacity has already led to completion of 14,400 homes from this source 2009 – 2012. Among the boroughs covering the nationally important central London office locations, the figure is 6,700 (or 2,250 per annum). Work has started on a further 6,800 and 7,600 more are approved in the planning pipeline[18].

Of more direct relevance to government's proposals are the scale of London's development pipeline and the nature of the London housing market.

The LDD shows a pipeline with approved capacity for some 200,000 dwellings and independent consultants[19] have suggested that it could be even higher. This is equivalent to more than 5 years supply measured in terms of either the provision target or identified need, begging the question as to why government's proposals are required in the first place. Research[20] for the Mayor has shown that there are barriers to delivery of homes in the pipeline but for the most part these are not barriers occasioned by the planning system but by other factors – government action would be better placed in addressing these than in seeking unplanned provision which puts employment at risk.

Unplanned provision poses a fundamental question as to the quality of the resultant output. The average density of new housing development across London as a whole (130/140dph) is already approaching twice the national average, and is even higher in central London. Ensuring that people can have a decent home and a good residential environment at these densities is a major challenge for the planning system and the Mayor has made improving the quality of housing one of the leitmotifs of his London Plan. The sort of housing which is likely to result from government's proposal in central London will almost inevitably be at high densities. Yet in being outwith the planning system, it will not have to meet his housing standards which are delivered through the London Plan eg for space, daylight, aspect, ceiling height, balconies, wheelchair provision and parking, much less the measures to mitigate the impact of climate change in what is already the biggest heat island in the country. It will also not contribute to meeting the need for affordable housing as is required by the NPPF.

[17] Molior London Limited. Barriers to Housing Delivery. What are the market-perceived barriers to residential development in London. GLA, 2012
[18] Ramidus 2012 op cit Figure 8.10
[19] Molior 2012 op cit
[20] Molior 2012 op cit

A.iv Whether the proposed area for exemption is the smallest area necessary to address the potential adverse economic impact.

Central Activities Zone

Government's national advice to focus on the smallest area necessary to address potential adverse impact is perhaps cast with a tightly concentrated cluster of office buildings in mind. London's Central Activities Zone is different. This is not simply because of the scale of office provision here. It is also because this provision is an integral part of a wider mix of uses, whether these uses be:

- the 'services for service sector' which meet the needs of occupiers and those maintaining the buildings;
- the shops, restaurants, bars, theatres and other facilities which cater for its workers (and also for other visitors, which in turn raises the quality and depth of the offer available to workers);
- the transport facilities which underpin the efficient operation of the office labour market;
- the range of local housing, both market and affordable, which provides conveniently located homes to a broad spectrum of workers;
- the physical environment of CAZ with its open spaces, waterways, heritage buildings, views and vistas which make it an attractive place to work, and through association, adds status as a place to do business; and
- the variation in uses and built form which, carefully managed through the planning system, provide capacity for office expansion.

Combined together the elements of this rich mix form the basis for what is the most distinct, and arguably most attractive, major office location in the world. The tightness of this mix, and the office component within it, varies across its various quarters (see above), and mechanistic application of the Chief Planner's principle iv could no doubt split it into constituent parts. But to draw a boundary which ignored its diversity and the complex network of physical, environmental and business relationships would be to fail to recognise what underpins the power house of the national economy – its office sector and the setting which is integral to its successful.

If this mixed use argument is accepted then the issue is where to draw the line. The Mayor has continued established precedent in defining CAZ as tightly as possible around what makes it distinct[21] while providing adequate capacity for expansion in its associated Opportunity Areas. This boundary has been rigorously tested through examination in pubic, and is now widely accepted across a range of constituencies, and indeed accords broadly with popular perception of what constitutes central London. The London Boroughs which include parts of CAZ support the submission that its boundary be used as the basis for an exemption from government's proposals.

North of the Isle of Dogs

The Chief Planner's principle can be applied more readily in defining this area. The Crossrail S106 charging zone was deliberately designed to focus on the nationally important cluster of media, financial and other activities which should contribute to the cost of Crossrail. It was adopted following rigorous scrutiny, including through an examination in public. It does include some non office activities, but as with CAZ, this

[21] Mayor of London. London Plan 2011 op cit Policies 2.10 - 12

mix is essential to its functioning and they are inextricably combined with the core office activities. It is also an area whose integrity has been tested through the planning process, one which is recognised in public perception (albeit as Canary Wharf) and is now widely accepted by the different constituencies of interest in London development. Its boundary provides a robust basis for defining a nationally important office location for exemption from government's proposals in the terms of CLG guidance.

'Tech City'

This is a new planning construct for London, and its national importance as a location for a distinct mix of office occupiers was first promulgated by the Cabinet Office (see Annex 1). It is now in the process of being incorporated into the London Plan as an Opportunity Area which will overlap with CAZ (as does Vauxhall Nine Elms Battersea – see below) and extend some way into neighbouring boroughs. The area proposed for exemption does not cover the whole of the proposed Opportunity Area Planning Framework (OAPF) but represents only its commercial core where the retention of affordable workspace is crucial to the continuing success of the unique concentration and mix of TMT related companies located there. As a 'city fringe' location the premises of these companies are particularly susceptible to pressure for conversion to housing. LB Islington, Tower Hamlets and Hackney have worked with the Mayor to define this boundary as a robust basis for exemption in the terms of CLG guidance.

The Royal Docks and Vauxhall Nine Elms Battersea (VNEB) Enterprise Zones

These are London's only two nationally recognised Enterprise Zones and are being built out with a mix of uses where the main commercial element will be a cluster of nationally important office based activities. The boundary of the Royals EZ has been accepted by CLG and will form part of a wider Opportunity Area being developed with LB Newham. That for VNEB is close to finalisation and, as a CAZ Opportunity Area being developed with LBs Lambeth and Wandsworth, it will in any case be very largely within the CAZ exemption area.

One of the integral features of these zones is that of business rate retention – that additional business rates here can be retained or a period and used to fund regeneration activity in London. It would appear perverse to designate areas on this basis, and then to permit easy charges from non-domestic to residential uses, thereby undermining the underlying principle.

As indicated in the Introduction to this submission, the Mayor has provided large scale, OS based maps of these areas to enable CLG to consider the coordination of the proposed boundaries of what are nationally important locations which for the most part span borough boundaries. Boroughs will in addition submit 1:10,000 scale maps of their own parts of the areas.

For the convenience of CLG the Mayor has also provided a CD ROM copy of 1: 10,000 maps for all the above areas in his exemption request.

Annex 1: Tech City in the City Fringe

> *"Here is our vision for East London Tech City - a hub that stretches from Shoreditch and Old Street to the Olympic Park"*
>
> David Cameron, November 2010

The GLA is currently preparing the City Fringe Opportunity Area Planning Framework, which will include a specific piece of work focusing on the 'Tech city' cluster. The aim is to enable the cluster to continue growing as a mix of large corporations, micro businesses and start-ups and become the innovation hub driving growth in London and the UK's the digital economy. Given its importance in supporting high-growth firms in their early stages the provision of affordable workspace is likely to be a key pillar of any planning strategy.

Adverse impact anticipated

The proposed permitted development rights pose a risk that many properties in Tech City and the wider City Fringe would be converted to residential accommodation. This risk is particularly high in the core area around Old Street and Shoreditch, but still significant in the "overspill" areas. Should this happen then the anticipated adverse impacts would be as follows:

- Shared workspaces, incubator spaces and commercial property for startups and micro businesses would become increasingly less viable in Tech City.
- Relocation of displaced businesses within inner east London would be limited and the Prime Minister's vision for an ecosystem of digital clusters from Old Street to Kings Cross and Stratford would become difficult to envisage.
- The Tech City cluster would dissipate as businesses are forced to move further away from inner East London. Should this happen on a significant scale, the benefits of clustering would be lost, as would much of the innovation and drive that attracts inward investment.
- Dissipation of the cluster would make it more difficult for Banks, Venture capitalists and Business Angel investors to establish a presence within close proximity to so many domestic start-ups.
- Dissipation of the cluster would also disconnect the digital creative businesses from the institutions growing to support them and maximize the growth potential. This would therefore lessen the impact of the government and Mayor's investment in institutions such as UCL, the ODI and the OI.
- Once residential, buildings would be unlikely to revert wholesale to commercial at some point in the future. Office renewal would become problematic as land use and ownership patterns become more fragmented.
- The significant uplift in residential units in Old Street/ Shoreditch would give rise to issues such as such as access and servicing and implications for the thriving night time economy in the area, which is of regional significance.
- Cumulatively these impacts could make Tech City, and therefore London, less competitive in attracting the highly skilled demographic required for the digital economy to thrive. Rival clusters outside of the UK economy such as New York City, Paris or Berlin stand to be the main beneficiaries.

How the permitted development rights will lead to that impact

Tech City's unique character, central location mix of uses, location, transport connections, social infrastructure and informal networking opportunities make it a very attractive place for the professionals that successful tech companies need to attract. These factors and the concentration of affordable workspace in older office, light industrial or warehouse buildings are the main reasons the cluster formed here. These buildings tend to have smaller floorplates and are available because of their unsuitability for large commercial operators or retail.

The new permitted development rights will provide a financial incentive to change use in Tech City, where the difference between residential and commercial values are high. Furthermore much of the commercial building stock would be easily conversed and is highly desirable for the reasons outlined above.

> *"When people ask: Give an example of the Government's industrial strategy I say this: we want nothing less than to make the UK the technology centre of Europe…Tech City [is] at the heart of this ambition"*
>
> George Osborne, March 2012

> *"The time is right to lay solid foundations in Tech City for London's digital revolution, and this list of major new firms committing to the area is a testament to the confidence leading tech entrepreneurs have in the capital."*
>
> Boris Johnson, December 2012

> *"We want big companies to invest in the infrastructure of inner east London in order to create the right environment for small high-tech businesses that have real potential to grow"*
>
> Nick Clegg, November 2010

The importance of London's digital economy to the UK

As manufacturing naturally relocates to low cost labour markets, the digital economy is becoming more important for the UK and other western economies. Realizing the potential, governments around the world are actively engaged in efforts to intensify growth in their technology and creative clusters. The approach of the UK government is to support the growth of the existing clusters and the wider promotion of technology, creative and knowledge intensive businesses as part of their strategy to rebalance the economy and strengthen the UK's competitive position internationally.

The total value of the digital economy worldwide is now £20.4 trillion, or approximately 14% of global sales (Oxford Economics) and the UK's digital economy now has the biggest share of GDP of any country in the G20. This is expected to rise, with London driving much of this growth given that activities such as computing are something of a London specialism. In 2009 London was responsible for around 24% of all UK computer and information services exports. In 2010 private investment and venture capitalists invested £453m in 60 technology companies in London, which also absorbed 18% of Europe's Foreign Direct Investments in the software sector (GLA Intelligence).

London's digital economy is growing. In central London the digital economy accounted for 6% of the leasing market in 2006 but by 2012 this had risen to 17% (Knight Frank). London is home to 23,000 ICT and software companies alone, already one of the worlds leading digital economies (GLA Intelligence) and is poised to become the digital capital of Europe.

> *"Long term investment in our economic strengths and being at the forefront of technological development are essential if we are to achieve sustainable and balanced growth.*
>
> *"We have world leading, innovative businesses in the ICT, Digital and Creative sectors which have considerable potential for growth. A few years ago, there were just fifteen technology start-ups around Old Street and Shoreditch- now there are hundreds of high-tech companies in the area"*
>
> Vince Cable, January 2012

Tech City as the foundation for new Economic Growth in the UK

Whereas the common image of tech clusters is that of the Silicon Valley model, the reality is increasingly to be found in dense, walkable, urban areas which are natural collaborative environments. New businesses seek proximity to similar firms and locations with lively leisure and informal networking opportunities. These are conditions found in other urban tech clusters that have sprung up in cities like New York City, Berlin and Austen. These conditions combined with the availability of affordable workspace in old factories have fueled the development of the inner East London cluster.

Although similar and largely based around the digital economy, the specific industrial make-up of each of these clusters varies according to the agglomeration opportunities of each particular location.

Digital businesses have been setting up in London since the 1970's. IBM, Verizon and Sony were part of the "first wave" and were followed by a "second wave" with the arrival of US giants Apple, Cisco and Google and Microsoft. Since the late 1990's a "third wave" has seen the proliferation of British startups and companies at varying stages of growth (Knight Frank). Much of this growth has focused on inner east London, roughly centered on Old Street roundabout. This area subsequently become known as "silicon roundabout" and is now often referred to as "Tech City".

The cluster is growing exponentially across multiple sectors, each of which feed growth across the set as advances in technology multiply opportunities in media and increase expansion in telecoms (Deloite). The same movements are also giving rise to a new wave of British manufacturing as technology and design firms collaborate on new manufacturing and production methods. These industries sit side by side and receive ideas and inspiration from fashion, mobile and advertising sectors.

The particular economic mix of small businesses in Tech City is now being augmented by larger corporations, international companies and venture capitalists drawn to the area by the rich economic energy this mix creates. These private sector relocations are essential if a cluster is to grow, and the fact that the small independent businesses laid the foundations for this to happen underlines the important part they continue to play in the development of the cluster.

Residential development pressure on land in Tech City and the wider city fringe has exacerbated a situation where demand for commercial property already outstrips supply and there are concerns that rising rents may disrupt the cluster. The result is that the cluster is now expanding to nearby "overspill" areas, mainly Hackney Central, London Fields, Dalston, Haggerston, Whitechapel and a small area lining Regents Canal to the north of Old street Roundabout. These areas are all still within walking or cycling distance of the Tech City core and have sufficient concentrations of commercial premises to allow expansion and consolidation of the Tech City cluster. This supply of commercial property in the "overspill" areas is providing the low-rent "breathing space" needed to allow successful young businesses to mature into the high growth firms that will drive much of the future growth in London's digital economy. Not only has the presence of these small firms been essential to attracting large corporations to the cluster, but it is catalysing investment in other emerging clusters throughout the wider digital London ecosystem. Google have announced the building of a new £650m HQ in Kings Cross , BT Sport Broadcasting have announced that they will become the anchor tenant in the Media Center in the Olympic Park, and Canary Wharf Group are facilitating a fintech incubator in level 39 of 1 Canada Square. In addition to this Amazon, Omnicom, Yelp and several other major digital firms are seeking property of over 100,000 square feet in central London. London office space is playing a pivotal role in a key international growth area and Tech City's small businesses are playing a major role in attracting inward investment.

The digital economy is characterised by high-wage, high-skill, labour intensive activity and has substantial multiplier effects- one job could support up to five elsewhere in the economy (Moretti, 2012). Whilst the Tech City cluster has grown, parallel growth has been experienced in hotels, restaurants, pubs, cafes and retail. This growth has seen increased employment opportunities for some of the UK's most deprived communities in inner Eats London despite the recession caused by the sub-prime crisis.

Developing business community

The job density and the culture of co-working in Tech City has also given rise to a strong sense of community and networks that reinforce social, technical and business skills within the cluster. Entrepreneurs have also formed organisations aimed at raising awareness of the cluster and forming international bonds with similar clusters such as in New York, Austen and Berlin. Digital Shoreditch is one example- a not for profit, industry-led community dedicated to fostering connections and celebrating the outstanding creative, technical and entrepreneurial spirit of Tech City and raising it's international profile. Their annual festival attracted contributions from 180 companies and 2000 people in 2011. By 2012 this had grown to 500 companies over 50,000 people (TCIO).

Developing Institutions and support

> *"Today we are seeing [Tech City] continue to grow and go from strength to strength - and that is down to the talented, creative entrepreneurs who have set up there. As well as backing the businesses of today, we are creating an aspiration nation and also backing the innovative, high-growth businesses of the future…we're investing in creating the largest civic space in Europe - a place for start-up companies and the local community to come together and become the next generation of entrepreneurs."*
>
> David Cameron, December 2012

Several world class universities are located just a few miles from Tech City and these and other education providers are developing strong relationships with a number of companies and other organisations that have interests in the area. As part the Government's drive to enhance growth conditions in Tech City Secretary of State for Business, Innovation and Skills Vince Cable awarded a grant of £4.5m to UCL in 2012. UCL will use this to support small businesses in Tech City through allowing digital startups to test their new products and services, by offering access to UCL as the world's largest "living-lab" for digital and media content. In the wider inner East London ecosystem universities are fast establishing a presence. UCL and Imperial College are sponsoring a Research and Innovation Centre, there is to be a University Technical College and London Fashion College in the Media Centre and there are plans for a joint UCL, UEL and Birkbeck College "University Quarter" in Stratford. These developments will firmly put East London on the academic map and potentially it could rival (or supplement) Oxford and Cambridge as an international centre for learning.

In addition to the growing links between academic institutions and the digital cluster, specialist institutional support is being fostered within Tech City. In 2012 the Open Data Institute (ODI) was founded in Shoreditch by Sir Tim Berners-Lee and Professor Nigel Shadbolt, with help and £10m from the government's innovation agency, the Technology Strategy Board. The ODI is located at the heart of Tech City in order to focus on incubating and nurturing new businesses whilst exploiting open data for economic growth.

In June 2012 Minister for the Cabinet office, Frances Maude set out his vision to maximize government efficiency by embracing new technology. The minister acknowledged the important role that the ODI and digital businesses in Tech City can play in driving efficiency, increasing choice and spurring new growth. The government estimates that potential savings of up to £3.8billion could be made through a 30% switch of current government activities to digital.

Plans for another new institution, The Open Institute, and £50m to fund it were announced in December 2012 by Prime Minister David Cameron and Mayor of London Boris Johnson. The government's aspiration is that it will become Europe's largest civic indoor space, hosting classrooms and workshops equipped with the latest 3D printing technology. The development will be located in the Old street- Shoreditch area and will also have support for start-ups, a gateway for investors, create a bridging space for connecting problems to problem-solvers and make technology, ideas and enterprise an everyday part of civic life.

In addition to public investment aimed at supporting the growth of the cluster, large private initiatives have also been announced. KPMG has stated its intention to open an office in Shoreditch with a dedicated team to support early stage technology companies, and technology firm IBM is also bringing its global entrepreneur programme to the area (Huffington Post).

> *"The UK has a vibrant and growing culture of digital innovation - an ecosystem which can drive economic growth in troubled times. Government can and must embrace these new organisations, and enable them to transform public services for the digital age. By opening Government commissioning and service provision to these innovators, user needs will be met, Government will become more efficient and jobs will be created in a high growth, globally competitive marketplace."*
>
> Francis Maude, May 2012

Boundary

It is proposed that in order to address the potential adverse impacts outlined at the beginning of this appendix, the emerging City Fringe Opportunity Area incorporating the Tech City cluster be exempted from the proposed changes to PD rights. A boundary has been drawn up using the following methodology:

1. The original City Fringe OAPF boundary was the starting point**.** This had been drawn up almost 10 years ago and in 2010 the City Fringe boroughs (Hackney, Islington, Tower Hamlets and City Corporation) responded to consultation with a new suggested boundary, more tightly drawn and excluding much of the large residential area to the east of Aldgate.
2. This boundary excluded much of Whitechapel and other areas that it was felt commercial activity in the City Fringe may expand to. As a result, the conceptual "fingers" diagram was overlaid to explore commercial expansion along Kingsland Road, Hackney Road, Bethnal Green Road, City Road, Whitechapel High Street and Commercial Road.
3. This conceptual diagram was overlaid with a strategic map of commercial floorspace from 2007, supplied by Cities Revealed. This dataset shows land use as categorised by the National Land Use database, which allows the separation of office, storage and warehousing, retail and industrial property and therefore is a good baseline for mapping commercial property concentrations. The City Fringe/ Tech City boundary was refined, excluding areas without the significant concentrations of commercial buildings required for expansion of business activity from the City or Tech City cluster.

4. As the dataset was from 2007, the City Fringe boroughs were engaged to confirm the continued existence of sufficient commercial property in these locations. This was augmented by site visits completed by GLA officers.
5. Further refinements were made using data supplied by the City Fringe Boroughs that ensured that the boundaries harmonised with established borough employment designations where they overlapped, such as Preferred Employment Locations and Local Office Locations.
6. Finally, a week long intensive consultation with the City Fringe boroughs resulted in the tightly drawn City Fringe/ Tech City boundary that was added to the CAZ boundary to form the basis of the GLAs exemption bid.

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