

Planning Policy Consultations
Environment Department
City of London Corporation
PO Box 270
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17 May 2024

By email only: PlanningPolicyConsultations@cityoflondon.gov.uk

Dear Sir/Madam,

RE: Supplementary Planning Document – Planning for Sustainability

I am writing on behalf of the City Property Association (CPA), the membership body for the owners, investors, professional advisors and developers of real estate in the City of London. A link to our 162 member companies can be found [here](#).

The CPA continues to endorse the adopted Climate Action Strategy (2020-2027), which supports the achievement of net zero for the Square Mile by 2040, development of climate resilience and champions sustainable growth within the City. The City Corporation's Whole Life Carbon Optioneering Planning Advice Note (PAN), published in 2023, further builds the suite of policy and guidance to achieve this position in the City. The CPA is supportive of the strategy and reaching this target.

This draft Planning for Sustainability SPD (hereafter referred to as the "draft SPD") provides further guidance, requirements, and processes in relation to the retrofit and reuse of existing buildings and building elements, as well as promoting exemplary standards for new buildings. It also identifies climate-related risks that are likely to affect the City in the future, including flooding, overheating, biodiversity losses, and disruption to infrastructure. The SPD also covers approaches to the design, delivery and operation of buildings and spaces with high-quality sustainability standards. It provides further guidance to both the adopted and draft City Plan policies.

The CPA considers that it is essential for the City to be sustainable and more resilient, to ensure that it reduces the impact on the climate and mitigates future risks, and to maintain its position as a global city. The CPA considers that sustainability measures, as detailed in the draft SPD, will further enhance the quality of the environment for residents and occupiers.

The CPA supports in principle the preparation of this further piece of detailed guidance which sets out exemplary standards for sustainability, and considers it aligns well with many of the objectives of the London Property Alliance's [Retrofit First, Not Retrofit Only](#) research paper published in 2022.

Overall Planning and Policy Context

The National Planning Policy Framework (NPPF) requires local authorities to plan for new development to reduce greenhouse gas emissions consistently with the targets set out in the Climate Change Act 2008. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. It further details that the planning system should support the transition to a low-carbon future in a changing climate.

The draft City Plan 2040, sets out the City Corporation's vision, strategy, and objectives, providing a framework for future development in the Square Mile. This framework outlines priorities for people, businesses, places, and

spaces to 2040 and beyond. The draft SPD has informed these draft policies alongside those currently adopted. It also aligns with the principles of ‘Good Growth’ as set out in the London Plan. These principles ensure that London remains resilient to our changing climate and is green and healthy, with clean air, easy access to green space and more efficient buildings supplied by cleaner energy. Overall, the CPA considers that the draft SPD aligns with both the NPPF and London Plan Policies.

The CPA believes the guidance is a useful tool for developers and other stakeholders in the industry, supporting the objective of delivering significant growth and floorspace sustainably over the next Plan period. The CPA welcomes the draft SPD and the opportunity to comment on it.

Chapter 1 and Practical Application of SPD

The CPA acknowledges the purpose of this SPD to provide guidance on how to approach sustainability in its developments through the planning application process. It is clear that it further builds on the adopted and draft City Plan policies, providing additional guidance on how to fulfil the policy requirements. The SPD also sets out recommended requirements to deliver ‘exemplar’ developments. The CPA is clear that the SPD has been prepared for the use of applicant teams, City Corporation officers and decision makers.

The CPA supports the preparation of this additional piece of guidance, and it is acknowledged that each of the chapters of the SPD overlap in topics, as the sustainability of developments are inherently interlinked. The CPA suggests that the structure of the guidance more closely aligns with the GLA guidance on Circular Economy and Whole Life Carbon, to ensure that applicants are easily able to review requirements, prepare documents and monitor targets. For example, climate change adaptation is very similar to climate resilience, which is also interlinked with biodiversity. In addition, the retrofit and reuse chapter should be part of the Circular Economy chapter as it is clearly linked to the pre-redevelopment audits. Therefore, the CPA recommends overall that the format of the SPD is reviewed and more closely aligned to the structure of the GLA guidance documents, so it will be easier for all to track requirements, documents, and targets.

The CPA considers the absence of transport in the SPD’s key approaches and actions as a major omission. The transport sector is the biggest contributor of carbon emissions in the UK and justifies inclusion. The City of London pursues a number of progressive considerations for transport through the application process which could be highlighted in the SPD. The CPA suggests a key action is included within Chapter 4 that covers the pursuit of best practice in delivering sustainable and active travel in development proposals.

Chapter 2 – Climate Change Mitigation and Adaption

This chapter sets out the planning policy basis for the SPD and details the national, regional and local planning policies that underpin it. The CPA considers this to be clear, but suggests that this is included within the introduction, or the title of the section is clearer, in that it relates to the planning policy basis.

The CPA has endorsed the City Corporation’s Transport Strategy and Climate Action Strategy, and therefore supports the preparation of this document which further provides guidance on how these commitments and strategies will be achieved. In terms of the measures listed on page 10, the CPA will encourage its members to deliver developments that support these. As set out above, there is no transport specific chapter in the document, so the draft SPD should set out how transport initiatives can support sustainability in the Square Mile.

Chapter 3 – Retrofit and Reuse

The draft SPD sets out further guidance around the draft planning policy requirement to follow a ‘retrofit first approach’. This has been introduced in draft City Plan Policy DE1 ‘Sustainable Design’. The CPA acknowledges that, in practice, applicants have been taking a retrofit first approach to developments, and this was introduced by the carbon optioneering assessment included in the Carbon Options Planning Advice Note (PAN).

The CPA disagrees with the general statement that *‘a retrofit scheme is likely to result in a more sustainable development than new build when considering the whole-life impact on the environment’*. The draft SPD should distinguish between absolute whole life impacts and impacts measured on a per sq m basis, as required by London Plan guidance, and optioneering should be used to understand the comparative impacts on absolute impacts and intensity, on a case-by-case basis.

In terms of the additional guidance provided in this chapter, the CPA makes the following detailed comments on retrofit and reuse:

- 1. Key actions** - The CPA acknowledges the *‘key actions to develop an exemplar City scheme’* and considers that these assist with the design of developments in the City. However, there is no text which accompanies these actions to indicate their applicability or explain their status as requirements or recommendations. The CPA considers that applicants should strive to meet these actions, but it needs to be ensured that there is an element of flexibility so that developments are deliverable and viable. Not all developments will be able to meet each of these actions, due to site specific considerations and constraints. Therefore, the CPA recommends further text is introduced to set out the expectation of applicants, whilst ensuring that flexibility is applied.
- 2. Retrofit first approach** – The CPA considers that this section is clear. However, within the *‘retrofit first approach’* content, it details that a storage strategy also needs to be identified. This is a new requirement, and further parameters should be included to set out specific guidance on this to assist applicants. It is not always practical or realistic to identify storage requirements at application stage, and it is not clear from the document what would be necessary to satisfy the requirement. This section should also recognise that planning conditions may be most suitable to deal with demolition and salvage drawings, which again may not be practical at application stage.
- 3. Definitions of retrofit** – The CPA supports the inclusion of these definitions within the SPD and considers them to align with GLA policy and guidance. However, the CPA considers that the definitions should be included in the relevant examples referenced throughout the draft SPD. The CPA considers this a missed opportunity and that these references should be used and applied within the draft SPD to aide understanding and applicability of the terms.
- 4. Examples referenced** - The CPA considers that the use of case studies in this section to be useful and effective. However, as noted above, the definitions set out should be applied to the relevant case studies, to apply these in practice.
- 5. Retrofit in historic buildings** – The CPA endorses the preparation and inclusion of this toolkit and agrees that it collates and signposts best in practice principles, providing a resource that will allow building owners to follow a process of responsible retrofit. However, the draft SPD does not include guidance of how this is applied to developments and how this process should be presented at pre-application stage and planning application stage. The CPA considers that this additional guidance should be included in the draft SPD, as there is not further reference to it in later chapters of the draft SPD. This is important given that the City includes over 600 listed buildings and 27 conservation areas.

Chapter 4 Green House Gas Emissions and Energy Use

The CPA endorses approaches to minimise carbon emissions and agrees that developments must employ circular economy principles, in accordance with GLA policies and guidance. The CPA supports the aim for net zero operational carbon dioxide emissions. The CPA makes the following detailed comments on Green House Gas Emissions and Energy Use:

- 1. Key actions** – As noted, the CPA supports in principle the *‘key actions to develop an exemplar City scheme’*. However, the same comment applies as with chapter 3, that there is no text which

accompanies these 'actions' to indicate the applicability of these or to explain their status as requirements or recommendations. It should be noted that not all developments will be able to meet each of these actions, due to site specific considerations. The draft SPD should also distinguish between major and minor developments. In terms of bullet point 4, most developments include a 'bespoke, optimised energy strategy', as this is led by the design of a building. The CPA supports creativity and innovation in energy approaches, but this needs to be considered and finely balanced with the viability and deliverability of developments, and this needs to be specifically stated in this section of the draft SPD.

2. **Whole life carbon** – It is acknowledged that carbon emissions targets set by applicants initially may change, either positively or negatively, due to supply chain considerations and that this may result in an embodied carbon gap between planning stage and practical completion. The draft SPD requests the submission of RIBA Stage 4 whole life-cycle carbon data, including a review of related details of the proposals for major developments by condition attached to a permission. This is a change in scope, and it is noted that the GLA only requires a planning and post completion Whole Life Carbon Assessment (WLCA). The CPA acknowledges the basis for this requirement and overall supports the principle. However, it needs to be a fluid process and applied with some flexibility to ensure that it does not impact or delay the delivery of developments. Therefore, the CPA recommends that flexibility is applied to this requirement, to ensure that the trigger of any imposed planning condition, does not delay the delivery of development, and ultimately scheme viability.
3. **Targets** – The CPA has the following comments:
 - a. The CPA acknowledges that the draft City Plan (Policy DE1) includes the requirement for major developments to achieve a minimum BREEAM rating of 'excellent' and aim for 'outstanding'. The draft SPD guidance requires applicants to carry out a BREEAM assessment that demonstrates the pathway to an 'outstanding' rating. It is considered that flexibility should be applied to the requirement to achieve outstanding, as on a case-by-case basis, there may be site specific factors which mean mandatory performance requirements for rating cannot be achieved, particularly for retrofit projects.
 - b. The CPA acknowledges that the draft City Plan (Policy DE1) introduces a requirement for applicants to 'commit to achieving a minimum Nabers UK rating of 5*'. However, throughout the guidance the terminology of the applicability of the requirement is inconsistent. It states that there should be 'engagement' with and in other parts states 'commit to a minimum'. The inclusion of targets needs to be consistent throughout the draft SPD and again flexibility needs to be applied to this requirement on a case-by-case basis. In particular, a Nabers rating of 5* may not be practical or reasonable for retrofit schemes, particularly those with retained facades, where it may not be possible to achieve the fabric efficiencies necessary for ratings at the upper end of the Nabers scheme. The application of Nabers 5* needs therefore to be applied proportionally and with appropriate flexibility, reflecting the recent introduction of the scheme to the UK. It is assumed that the requirement for Nabers rating only relate to office developments, however the draft SPD should clarify this position.
4. **Exchange thermal load** - The CPA acknowledges that there may be opportunities for synergies between nearby developments to share services, facilities, technologies, and materials, and therefore to increase efficiencies and reduce carbon emissions. The guidance focuses on the ability to exchange thermal load (heating and cooling) via heat networks or otherwise. The CPA supports this aspiration to benefit community uses and public realm within the City. However, the draft SPD needs to explicitly acknowledge the need for flexibility and practicality to be applied to this aspiration to ensure deliverability of developments, and to ensure developments are not unduly compromised through the additional complexity of connectivity to adjacent sites with delivery programmes beyond their control.

Furthermore, the document should explicitly acknowledge the whole life carbon implications of the provision of additional equipment to provide resilience of supply.

- 5. Operational energy use** - The CPA acknowledges that for refurbishments and retrofit schemes, the level of energy efficiency should be optimised to meet Minimum Energy Efficiency Standards (MEES) regulations and other drivers such as alignment with Carbon Risk Real Estate Monitor (CRREM) decarbonisation pathways. These are increasingly being adopted by investors and asset managers in commercial real estate to avoid the risk of an asset becoming stranded. It is important that no buildings within the Square Mile become stranded assets. The introduction of these standards within the draft SPD is supported in principle but flexibility needs to be applied.

Chapter 5 – Circular economy

The CPA supports the GLA’s circular economy hierarchy for building approaches and has the following detailed comments on this section.

- 1. Key actions** - The CPA supports in principle the ‘key actions to develop an exemplar City scheme’. However, the same comment applies as with chapters 3 and 4, in that there is no text which accompanies these ‘actions’ to indicate the applicability of these or to explain their status as requirements or recommendations. It should be noted that not all developments will be able to meet each of these actions, due to site specific considerations, and the nature and scale of the development. The CPA would also comment that the final bullet point, which states *‘to prepare building material data (i.e. material passports) for demolition, retained and new materials; commit to an end-of-life strategy that supports as-built information management and updates, through the life of the development’* needs further guidance and explanation as this goes a step beyond the GLA guidance, and there is no support or guidance offered by London Plan policies. In particular, guidance should be provided on the level of detail to be provided at planning stage. Granular detail on specific materials will not be available at this stage, and there is limited value to collating generic data. Instead, it is suggested that the document requests a commitment to collate appropriate materials data ‘at an appropriate stage’. The CPA queries the need to update pre-demolition audits ‘throughout the planning process’. This is not necessary or practical, any updates to a pre-demolition audit should be limited to specific RIBA stages or specific development programme stages.
- 2. Targets** - The CPA has the following comments:
 - The CPA supports that development and refurbishment projects within the City should target zero construction waste to landfill and follow the GLA’s circular economy hierarchy for building approaches. However, the CPA notes that this goes substantially beyond the London Plan’s target of diverting at least 95% non-hazardous materials from landfill.
 - City Zero-waste when in operation – CPA does not consider this is achievable or realistic in the short or medium term and questions the feasibility of this in the draft SPD. The CPA considers that this needs to be reviewed and re-written to ensure it is fully justified.
- 3. Planning condition requirement** - As set out under chapter 4, the guidance requires the submission of a RIBA Stage 4 circular economy update for major developments by condition attached to a permission. The CPA reiterates the point made under section 4 part 2.
- 4. Multi-use layers and long-life** - The CPA queries the suggestion that ‘all new construction must be built in layers’. It is assumed that these layers are as defined in Figure 5.2. While this concept is considered extremely effective in influencing design decisions, the CPA disagrees that it is appropriate to mandate the concept to the construction of buildings, which may merge or eliminate layers to reflect the brief or requirements of the site. The CPA does not consider this element of the draft SPD is practical and the

CPA would welcome further discussions on this topic, so that the draft SPD can reflect the realities of the procurement and longevity of materials.

5. **Maintenance and deconstruction strategy** – The guidance sets out that a maintenance and deconstruction strategy is produced in close collaboration with the design team at an early stage of a scheme to demonstrate the reusability of materials. The CPA would query whether there is a template or how this might be secured through the planning process, as it is not clear and further such details are unlikely to be available until much later RIBA stages. The CPA suggests that this document would be more appropriate to later stages of the design, thus avoiding the need to produce a document with generic solutions. The draft SPD also needs to acknowledge procurement and supply chain constraints which may arise during the deliverability of a project.

Chapter 6 – Climate Resilience

The CPA supports the City’s Climate Action Strategy. The CPA acknowledges the six key risks to the City as a result of climate change and that these need to be addressed within development and other planning processes to ensure that the City remains resilient. The CPA comments on the relevant risks below.

1. **Key actions** – The CPA supports the key actions to develop an exemplar City and would reiterate the comment as set out under chapter 4, 5 and 6.
2. **Flood risk** – The CPA supports the approach to flood risk management. However, much of the content of this section is already encapsulated in the draft City Plan 2040 and would benefit from condensing to focus on additional guidance rather than repetition.
3. **Building and urban overheating** – The CPA acknowledges the City Corporation’s Cool Streets and Greening Programme and the interventions recommended for developments to alleviate heat stress on the ground and around buildings.
4. **Infrastructure** – The CPA supports the recommendations. It is noted that developments should use resilience-based measurement frameworks and reporting standards and the CPA suggests that the guidance should explicitly identify relevant examples.

Chapter 7 – Urban Greening and Biodiversity

The CPA supports additional guidance on how to incorporate habitats in the City that enhance biodiversity and support wider urban greening initiatives as set out by the GLA, in particular the urban greening factor.

The CPA queries the alternative calculation of Biodiversity Net Gain included within the SPD. The draft SPD states that this has been prepared due to the dense urban nature and high proportion of zero baseline sites within the Square Mile, and that the mandatory BNG of 10% within the Environment Act 2021 is not considered to be an appropriate measure for the delivery of meaningful BNG within new developments. The SPD states that to meet the requirements of delivering BNG in the City, developments are expected to achieve at least 3.0 BU/ha on site and where a development falls short, offsetting measures should be agreed with planning officers.

The CPA considers that this section of the draft SPD needs to be updated in the light of the more recently published ‘The Biodiversity Gain Requirements (Exemptions) Regulation 2024’. In addition, it is noted that the Planning Practice Guidance states ‘*It will also be inappropriate for plans or supplementary planning documents to include policies or guidance which are incompatible with this framework, for instance by applying biodiversity net gain to exempt categories of development or encouraging the use of a different biodiversity metric or biodiversity gain hierarchy*’. The draft SPD is in conflict with the statutory guidance and should be reviewed and updated accordingly.

Chapter 8 – Key Considerations and Submission Requirements

Section 8 sets out the RIBA Stages and the key considerations for applicants and stakeholders, alongside the submission requirements and recommendations. The CPA welcomes the inclusion of this guidance, however, requests that requirements are made clearer in relation to what are considered minimum requirements and what are considered recommended requirements. The draft SPD should be updated accordingly. The CPA would also question how this checklist works alongside the City Corporation’s own validation checklist, which sets out requirements to make a valid planning application. The draft SPD needs to align with the checklist to ensure consistency and avoid confusion. It is considered that the overall format could also be simplified, and a checklist could assist the reader in reviewing the requirements and recommendations.

In principle, the CPA supports the use of green leases, however, it is not appropriate that they are included in key considerations for planning application stage, as this is not a planning matter and there is no planning policy basis to require this at the application determination stage.

The status of appendix A is unclear, and the CPA considers that this needs clarification. It is considered that the appendix should distinguish between what is considered necessary for compliance with policy, and what is recommended to inform best practice. It is also unclear what “Key Considerations” means in this context. This needs to be confirmed in the draft SPD.

It is considered that the glossary should better reflect the definitions and terms set out through the draft SPD.

The CPA looks forward to the further development and adoption of this guidance document and would welcome the opportunity to meet with officers to discuss the comments provided.

Yours faithfully,



Charles Begley

Chief Executive

City Property Association

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