



<b>ORGANISATION</b>	<b>London First</b>
<b>RESPONDENT</b>	<b>79</b>
<b>MATTER</b>	<b>1: Procedural and Legal Requirements</b>

**18) What are the implications of the changes to the Use Classes Order set out above on the legal compliance and soundness of the City Plan particularly with regard to (but not limited to) objectives 2, 3 and 4 and the policies contained within the Spatial Strategy, Housing and Economy and Employment sections of the City Plan?**

1. The changes to the Use Classes Order require some fundamental changes to the draft City Plan (the Plan) to ensure its compliance and soundness.
2. Firstly, **Policy 15**: Town Centres, High Streets and the CAZ will require a radical overhaul. The approach to protecting Class A1 retail units specifically, and preventing the flexible change of use to other town centre uses, is simply unsound as it contradicts the Government's flexible approach to town centre uses in the form of the new Class E. The amendments we have proposed to Policy 15 at paragraph 30 of our written statement in respect of Matter 5 already reflect the Government's new approach and remain our recommended approach.
3. With regard **Policy 10**: Affordable Contributions in the CAZ, and notwithstanding the concerns we have already set out in our written statement in respect of Matter 4, the introduction of Class E raises further questions about the soundness of this policy approach. Class E will allow change of use between a range of commercial uses without the need for planning permission, therefore Policy 10 in its current format is unlikely to be triggered by as many planning applications. We are therefore concerned that the City Council may use planning conditions or S106 planning obligations to restrict the flexibility for change of use within Class E, which we would object to on the basis that it conflicts with the Government's clear objective for Class E.

4. Whilst we remain of the view that Policy 10 should be deleted in its entirety, should the Inspectors support its retention it must be updated to include any restrictive measures that the City Council intend to use and the circumstances in which they would seek to apply them. This will allow the justification, and soundness, of the policy approach to be tested during the examination.
5. Finally, it should be noted that additional guidance was expected from the Government prior to the new legislation coming into force on 1 September, but this has not yet been published. Further implications of the proposed Class E for the draft Plan may therefore need to be presented during the hearing sessions.