Planning and Transportation Committee

Date: TUESDAY, 16 JULY 2013
Time: 10.45am
Venue: LIVERY HALL - GUILDHALL

Members:
Deputy Michael Welbank (Chairman)
Oliver Lodge (Deputy Chairman)
Randall Anderson
Alex Bain-Stewart
David Bradshaw
Deputy John Chapman
Dennis Cotgrove
Revd Dr Martin Dudley
Peter Dunphy
Sophie Fernandes
John Fletcher
Marianne Fredericks
Deputy Bill Fraser
Alderman John Garbutt
George Gillon (Chief Commoner)
Alderman David Graves
Christopher Hayward
Michael Hudson
Gregory Jones QC
Deputy Henry Jones
Deputy Keith Knowles
Paul Martinelli
Brian Mooney
Sylvia Moys
Alderman Dr Andrew Parmley
Ann Pembroke
Deputy Henry Pollard
Chris Punter
Jeremy Simons
Deputy John Owen-Ward
Tom Sleigh
Alderman Dr Andrew Parmley
Deputy Henry Pollard
Deputy James Thomson

Enquiries:
Katie Odling
tel. no.: 020 7332 3414
katie.odling@cityoflondon.gov.uk

Lunch will be served in Guildhall Club at 1PM

John Barradell
Town Clerk and Chief Executive
AGENDA
Part 1 - Public Agenda

1. APOLOGIES

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

3. MINUTES
   To agree the public minutes and summary of the meeting held on 25 June 2013.  
   For Decision  
   (Pages 1 - 6)

4. TOWN PLANNING AND DEVELOPMENT APPLICATIONS
   Report of the City Planning Officer relative to development and advertisement applications dealt with under delegated authority.  
   For Decision  
   (Pages 7 - 18)

5. REPORTS OF THE CITY PLANNING OFFICER RELATIVE TO PLANNING APPLICATIONS
   a) 43 Farringdon Street, 25 Snow Hill, 1A and 29 Smithfield Street Report  
      For Decision  
      (Pages 19 - 122)

   b) 43 Farringdon Street, 25 Snow Hill, 1A and 29 Smithfield Street - Listed Building Consent  
      For Decision  
      (Pages 123 - 126)

   c) 43 Farringdon Street, 25 Snow Hill, 1A and 29 Smithfield Street Report - Conservation Area Consent  
      For Decision  
      (Pages 127 - 130)

6. REPORTS OF THE DIRECTOR OF THE BUILT ENVIRONMENT
   a) Barbican Area Enhancement Strategy - Report on Progress and proposed review  
      For Decision  
      (Pages 131 - 144)

   b) Adoption of Liverpool Street Area Enhancement Strategy  
      For Decision  
      (Pages 145 - 164)

7. LAW COMMISSION CONSULTATION ON RIGHTS TO LIGHT
   Joint report of the City Surveyor and Remembrancer.  
   For Information  
   (Pages 165 - 172)
8. **REVENUE OUTTURN 2012/2013**
   Report of the Chamberlain, Director of Built Environment, Director of Culture, Heritage and Libraries and the City Surveyor.
   For Information
   (Pages 173 - 182)

9. **RESOLUTION FROM THE BARBICAN RESIDENTIAL COMMITTEE**
   For Information
   (Pages 183 - 184)

10. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

12. **EXCLUSION OF THE PUBLIC**
   MOTION – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

   **Part 2 - Non-public Agenda**

13. **NON-PUBLIC MINUTES**
   To agree the non-public minutes of the meeting held on 25 June 2013.
   For Decision
   (Pages 185 - 186)

14. **TOWER BRIDGE LIGHTING UP REPORT**
    For Decision
    (Pages 187 - 202)

15. **OUTCOME REPORT - TOWER BRIDGE ACCESS IMPROVEMENTS**
    For Decision
    (Pages 203 - 210)

16. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

17. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

   Any drawings and details of materials submitted for approval will be available for inspection by Members in the Livery Hall from Approximately 9:30 a.m.
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1. **APOLOGIES**
   Apologies for absence were received from Christopher Hayward, Gregory Jones QC, Alderman Sir David Lewis, Jeremy Simons and Tom Sleigh.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
   There were no declarations of interest.
3. **MINUTES**
RESOLVED – That the Minutes of the meeting held on 4 June 2013 be approved as a correct record subject to the following –

5.3 – St Bartholomew’s Hospital North Block – paragraph 5.

Insertion of an additional paragraph after paragraph 5 to read as follows:

“In addition, Members made, inter alia, the following comments:

- Reverend Dudley commented that the application appeared to be half an application as it did not deal with the whole of the building.
- Marion Fredericks commented that there was no analysis of the impacts on the listed buildings other than the North Block and did not consider the effects on the Church, the Screen Wall, the Lucas Block or the East and West Blocks, which are all listed.
- Gregory Jones QC drew attention to the English Heritage letter regarding landscaping proposals indicating that they would not approve them, and commented that the statutory duties to pay special attention to the desirability of preserving the listed building or its setting and the desirability of preserving or enhancing the character or appearance of the conservation area had not been met and he referred to a High Court decision on the issue.”

5.4 - St Bartholomew’s Hospital North Block – Listen Building Consent

“RESOLVED – That further to the refusal of planning permission, this item be refused.”

5.5 - St Bartholomew’s Hospital North Block – Conservation Area Consent

“RESOLVED – That further to the refusal of planning permission, this item be refused.”

**MATTERS ARISING** –

Item 5.1 (Land at Moor Lane, Barbican) – With regard to the removal of the pavilion, Members were informed that some destruction work had taken place, however the deadline for complete removal of 30 June would not be met.

Item 8 (Millennium Bridge Inclinator) – Members were informed that the replacement parts had been given a 12 year warranty.

4. **DELEGATED DECISIONS OF THE CITY PLANNING OFFICER AND THE PLANNING SERVICES AND DEVELOPMENT DIRECTOR**
The Committee received a report of the City Planning Officer relative to development and advertisement applications that he had dealt with using his delegated authority since the previous meeting.

RECEIVED.
5. REPORTS OF THE CITY PLANNING OFFICER RELATIVE TO PLANNING APPLICATIONS

5.1 North Wing St Bartholomew’s Hospital West Smithfield London

Consideration was given to a report of the City Planning Officer relative to a planning application which was considered at the 4 June 2013 meeting in respect of a proposal for a Maggie’s Centre at St Bartholomew’s Hospital.

Members noted that at the last meeting of this Committee it was resolved to refuse all three planning applications subject to reasons for refusal being brought back to the Committee. This report was to inform the Committee that the applicant had now withdrawn the applications prior to their determination and there was therefore no decision that needed to be made.

The City Planning Officer informed the Committee that a decision remained live until a decision notice had been issued.

RECEIVED.

6. GOLDEN LANE ESTATE LISTED BUILDING MANAGEMENT GUIDELINES DRAFT SPD

Consideration was given to a report of the City Planning Officer which sought agreement of the draft Golden Lane Estate Listed Building Management Guidelines Supplementary Planning Document (SPD) to be issued for formal public consultation prior to its adoption as a SPD.

RESOLVED – That the draft text of the Golden Lane Estate Listed Building Management Guidelines Draft SPD be approved for public consultation in July 2013.

7. REPORTS OF THE DIRECTOR OF THE BUILT ENVIRONMENT

7.1 20Mph Speed Limit Benefits and Disbenefits Investigation

Consideration was given to a report of the Director of the Built Environment in respect of the 20mph speed limit benefits and dis-benefits investigation.

During discussion, reference was made to ensuring there was adequate technology to enforce speeding, improving safety figures and CCTV arrangements.

Upon being put to a vote Members supported the report with the exception of one Member abstaining and one Member voting against.

RESOLVED – That,

a) subject to the agreement of the Court of Common Council, public notice of the City’s intention to make an order prohibiting the driving of motor vehicles on all streets in the City of London for which the City is the local traffic authority at more than 20mph be given;

b) any objections that are made to the making of that order be reported to your Planning and Transportation Committee for consideration; and

c) the costs of implementing a 20mph limit be met through Local Implementation Programme funding with approval being sought to utilise the ‘on street parking reserve’ in the event of any shortfall.
7.2 Consultation on City of London Community Infrastructure Levy Draft Charging Schedule

Consideration was given to a report of the Director of the Built Environment which proposed that the Community Infrastructure Levy (CIL) Draft Charging Schedule and supporting material be approved for public consultation.

RESOLVED – That,
   a) the proposed City CIL Draft Charging Schedule and supporting material be approved for public consultation and, following the consultation, be submitted for public examination; and
   b) Officers be authorised to make any further, non-material, changes to the CIL documentation, prior to public consultation.

7.3 Mobile Phone Payment Technology for Parking

Consideration was given to a report of the Director of the Built Environment which provided an update on the introduction of mobile phone payment technology (credit and debit card payment using mobile phone), which was introduced in the City for on-street parking on 28 November 2011.

RESOLVED – That,
   a) the take up of the new service to date be noted;
   b) the removal of pay and display machines to reflect the fall in usage by coin, debit and credit card payments at the P&D machine be approved;
   c) the possible introduction of extending the service by PaybyPhone in those car parks managed by the Department of the Built Environment, as an interim measure to replacing the existing pay on foot equipment be approved;
   d) the PaybyPhone with Verrus UK Ltd trading as PaybyPhone contract by 12 months to 27 November 2014 be extended; and
   e) the introduction of a free one-hour parking trial for three months to encourage greater up take of the service provided by PaybyPhone subject to a review at three-months be approved.

7.4 Road Danger Reduction Plan 2013 - Progress Report

Consideration was given to a progress report of the Director of the Built Environment regarding the Road Danger Reduction Plan for 2013.

RESOLVED – That the delivery plan and funding arrangements for the short term RDRP actions (up to December 2014) as set out in the table in paragraph 5 of the report.

7.5 Department of the Built Environment Business Plan 2012-15 - Quarter 4 Update and Financial Outturn Report

Consideration was given to a report of the Director of the Built Environment which set out the progress against the 2012/13 Business Plan and the Financial Outturn Report for the Department.

RECEIVED.
8. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were questions from the Committee in respect of the following –

**Former Midland Bank** - Further to a question, the City Planning Officer advised that this building was now under new ownership and he was anticipating a planning application on the site in the near future. In addition, the City Planning Officer agreed to speak to the owners in respect of improving the appearance of the building.

**Residents Car Parking** – One Member queried as to whether there was scope to introduce a scheme for resident’s car parking in the City. The City Planning Officer advised that there was no provision for this type of parking as the City was not a residential area, however as part of a project to re-examine parking in the City, this could be considered.

**Phone payment technology for parking** – Further to question, Members were informed that the possibility of using the internet to pay for parking could be considered as a possibility in the future.

9. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

**Farringdon Street Bridge** – The City Surveyor informed the Committee that this project required urgent authorisation of additional payments.

RESOLVED – That authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Planning and Transportation Committee and the Chairman and Deputy Chairman of the Projects Sub Committee in respect of Farringdon Street Bridge in respect of authorisation of additional payments.

**Chartered Institute of Highways and Transportation** - The Chairman was delighted to announce the ‘CIHT/Enterprise Mouchel Streets’ Award given to the City of London for the Cheapside scheme. The judges had considered the scheme to be outstanding and addressed the balance between movement and place as well as by the use of high quality materials.

Further, the Chairman expressed congratulations to Annie Hampson, Planning Services & Development Director who had recently undertook a cycle ride in Holland in aid of charity.

10. **EXCLUSION OF THE PUBLIC**
RESOLVED:– That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

11. **DEBT ARREARS - PERIOD ENDING 31 MARCH 2013**
Consideration was given to a report of the Director of the Built Environment in respect of debt arrears for the period ending 31 March 2013.

RECEIVED.

12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions.
13. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED
   There were no items of urgent business.

The meeting closed at 12.15pm

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Chairman

Contact Officer: Katie Odling
tel. no.: 020 7332 3414
katie.odling@cityoflondon.gov.uk
Committee: Planning and Transportation  
Date: 16 July 2013

Subject: Delegated decisions of the City Planning Officer and the Planning Services and Development Director

Public

1. Pursuant to the instructions of your Committee, I attach for your information a list detailing development and advertisement applications determined by the City Planning Officer or the Planning Services and Development Director under their delegated powers since my report to the last meeting.

2. Any questions of detail arising from these reports can be sent to plans@cityoflondon.gov.uk

DETAILS OF DECISIONS

<table>
<thead>
<tr>
<th>Registered Plan Number &amp; Ward</th>
<th>Address</th>
<th>Proposal</th>
<th>Date of Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>13/00450/FULLR 3 Aldgate</td>
<td>30 St Mary Axe Plaza, North-West &amp; South-West Quadrants</td>
<td>Retention of temporary installation of three sculptures - 'The Good, The Bad and The Ugly' by Jake and Dions Chapman - for a temporary period of up to 1 year, to be taken down on or before 10 June 2014.</td>
<td>13.06.2013</td>
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<td></td>
<td>London EC3A 8BF</td>
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<tr>
<td>13/00421/FULL Aldgate</td>
<td>6 Bevis Marks &amp; 30 St Mary Axe London EC3</td>
<td>Creation of a Pedestrian Bridge link between 6 Bevis Marks (Bury Court) and 30 St Mary Axe.</td>
<td>20.06.2013</td>
</tr>
<tr>
<td>13/00453/FULLR 3 Aldgate</td>
<td>Outside Willis Building, 51 Lime Street London EC3</td>
<td>Retention of installation of a sculpture 'One Through Zero (The Ten Numbers)' by Robert Indiana for a temporary period of up to 1 year, to be taken down on or before 10th June 2014.</td>
<td>20.06.2013</td>
</tr>
<tr>
<td>Application No.</td>
<td>Location</td>
<td>Details</td>
<td>Date</td>
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<tr>
<td>13/00233/ADVT</td>
<td>Aldgate</td>
<td>Installation of (i) two halo-illuminated fascia signs measuring 0.36m high by 4.46m wide at 4.13m above ground, (ii) one internally illuminated projecting sign measuring 0.7m high x 0.7m wide at 3.43m above ground, (iii) one non-illuminated name plate measuring 0.49m high by 0.34m wide at 1.6m above ground, (iv) one non-illuminated letter box sign, measuring 0.025m high by 0.175m wide at 1.0m above ground.</td>
<td>27.06.2013</td>
</tr>
<tr>
<td>13/00235/LBC</td>
<td>Aldgate</td>
<td>Installation of two halo-illuminated fascia signs, one illuminated projecting sign, one name plate and one letter box sign.</td>
<td>27.06.2013</td>
</tr>
<tr>
<td>13/00429/MDC</td>
<td>Aldgate</td>
<td>Part submission of details of the removal and storage of two plaques pursuant to condition 7 of Planning Permission dated 27th June 2011 (application No 10/00371/FULMAJ)</td>
<td>27.06.2013</td>
</tr>
<tr>
<td>13/00410/LBC</td>
<td>Aldersgate</td>
<td>Installation of a dropped ceiling in living room, hall and bedroom, reinstatement of original entrance to kitchen, installation of sliding divider to living room and installation of fitted wardrobe to bedroom.</td>
<td>20.06.2013</td>
</tr>
<tr>
<td>13/00182/CLOPD</td>
<td>Aldersgate</td>
<td>Application for a Lawful Development Certificate for the removal of existing car barrier and installation of new access gate to provide secure access to rear of office deliveries area.</td>
<td>27.06.2013</td>
</tr>
<tr>
<td>13/00365/FULL</td>
<td>Broad Street</td>
<td>Installation of two additional chillers at roof level each measuring 2.53m high by 2.25m wide and 14.08m depth.</td>
<td>27.06.2013</td>
</tr>
<tr>
<td>Reference</td>
<td>Address 1</td>
<td>Address 2</td>
<td>Details</td>
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<tr>
<td>13/00459/NMA</td>
<td>Regis House 45 King William Street London EC4R 9AN</td>
<td>Non-material amendment under Section 96A of the Town &amp; Country Planning Act 1990 to planning permission (11/00957/FULL) dated 2 February 2012 for the installation of a single automatic sliding entrance door.</td>
<td>13.06.2013</td>
</tr>
<tr>
<td>13/00160/MDC</td>
<td>Centurion House 24 Monument Street London EC3R 8AJ</td>
<td>Details of an acoustic report pursuant to condition 16 of planning permission (application no. 11/00294/FULMAJ) dated 21st September 2011.</td>
<td>27.06.2013</td>
</tr>
<tr>
<td>13/00402/FULL</td>
<td>55 Old Broad Street London EC2M 1RX</td>
<td>Installation of telecommunications equipment at roof level consisting of (i) 3 x panel antennae; (ii) 4 x dish antennae; (iii) 1 x equipment cabinet measuring 0.60m wide by 0.65m long and 1.60m high.</td>
<td>20.06.2013</td>
</tr>
<tr>
<td>13/00009/FULL</td>
<td>Old Change House 128 Queen Victoria Street London EC4V 4BJ</td>
<td>(i) Change of use of part ground floor from office (Use Class B1) to retail (Use Class A1) (41sq.m.) (ii) replacement of existing glazing panels with glazed double entrance doors.</td>
<td>13.06.2013</td>
</tr>
<tr>
<td>12/01228/MDC</td>
<td>1- 3 St Paul's Churchyard London EC4M 8SH</td>
<td>Details of windows and external joinery, soffits, handrails and balustrades, window cleaning equipment, protection of existing trees pursuant to condition 2(e), 2(g), 2(i), 2(k). Submission of an acoustic report pursuant to condition 10 of planning permission 11/00709/FULL dated 01/02/2012.</td>
<td>20.06.2013</td>
</tr>
<tr>
<td>Reference</td>
<td>Address 1</td>
<td>Address 2</td>
<td>Details</td>
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<tr>
<td>13/00401/MDC</td>
<td>1 St Paul's Churchyard</td>
<td>London EC4</td>
<td>Details of plant and ductwork to serve A1, A2 and A3 uses pursuant to condition 2 (j) of planning permission 11/00709/Full dated 01.02.2012.</td>
</tr>
<tr>
<td>12/00775/MDC</td>
<td>Roman House Wood Street</td>
<td>London</td>
<td>Details of soffits, handrails and balustrades, junction with Salters Hall and roof plant pursuant to conditions 2 (g), (h) and (i) of planning permission dated 23.12.11 (case no 11/00295/FULL).</td>
</tr>
<tr>
<td>13/00430/MDC</td>
<td>1 Aldermanbury Square</td>
<td>London EC2V 7SB</td>
<td>Details of fenestration and entrances, external soffits, handrails and balustrades, alterations to facades and junctions to adjoining premises pursuant to conditions 3(a), (b), (c) and (d) of planning permission dated 20.12.12. (12/00941/FULL).</td>
</tr>
<tr>
<td>13/00289/MDC</td>
<td>20 St Mary At Hill</td>
<td>London EC3R 8EE</td>
<td>Details of louvres, plant screens and the integration and garaging of cleaning equipment pursuant to conditions 8 (e) and (f) of planning permission (application no. 11/00916/FULL) dated 20th March 2012.</td>
</tr>
<tr>
<td>13/00297/ADVT</td>
<td>20 St Mary At Hill</td>
<td>London EC3R 8EE</td>
<td>Installation of (i) one internally illuminated fascia sign measuring 0.79m high by 3.28m wide and 2.82m above ground level; (ii) two externally illuminated projecting signs each measuring 0.65m high by 1.00m wide and 2.72m (lowest) and 4.65m (highest) above ground level and; (iii) one externally illuminated wall mounted sign measuring 0.70m high by 0.70m wide and 2.16m above ground level.</td>
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<tr>
<td>Application No.</td>
<td>Location</td>
<td>Details</td>
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<tr>
<td>13/00479/MDC</td>
<td>Billingsgate 20 St Mary At Hill London EC3R 8EE</td>
<td>Details of mechanical plant mountings pursuant to condition 11 of planning permission (application no. 11/00916/FULL) dated 20th March 2012.</td>
<td></td>
</tr>
<tr>
<td>13/00161/FULL</td>
<td>Castle Baynard 6 - 8 Bouverie Street London EC4Y 8AX</td>
<td>Alterations to the Bouverie Street elevation including: (i) Installation of new office entrance, (ii) replacement ground floor glazing, (iii) installation of replacement curtain wall above main entrance, (iv) removal of railings and upstand, (v) enclosure of lightwell by new plinth and glazing, (vi) recladding of existing sub-station vent, (vii) new balustrade to stairwell.</td>
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</tr>
<tr>
<td>13/00411/FULL</td>
<td>Castle Baynard 10 Bouverie Street London EC4Y 8AX</td>
<td>Installation of new clear glazed balustrade panels to existing stainless steel balustrade railings at fourth and fifth floor levels on the East, South and West elevations.</td>
<td></td>
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<tr>
<td>13/00516/LDC</td>
<td>Cripplegate Barbican Centre For Arts And Conferences Barbican London EC2Y 8DS</td>
<td>Details of the windlass assembly, drum winch assembly, hoist patch cabinet and method statement and programme of work for their removal arrangements for storage pursuant to LBC dated 21/02/13 (Registered Plan Number 12/01211/LBC)</td>
<td></td>
</tr>
<tr>
<td>12/01047/FULL</td>
<td>Cornhill Tower 42 25 Old Broad Street London EC2N 1HQ</td>
<td>The retention of LED fittings to the upper roof plant storeys to provide a lighting scheme.</td>
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<tr>
<td>Ref</td>
<td>Category</td>
<td>Address</td>
<td>Description</td>
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<tr>
<td>13/00234/ADVT</td>
<td>Cornhill</td>
<td>39 Threadneedle Street, London EC2R 8AU</td>
<td>Installation of (i) one internally illuminated roundel sign measuring 0.7m x 0.7m at a height of 4.75m above ground, (ii) two non-illuminated projecting signs measuring 0.6m x 0.6m at a height of 3.4m above ground, (iii) two non-illuminated metal plates measuring 0.28m high by 0.9m wide at 2.0m above ground and (iv) two non-illuminated metal plates measuring 0.59m high by 0.29m wide at 1.5m above ground.</td>
</tr>
<tr>
<td>13/00236/LBC</td>
<td>Cornhill</td>
<td>39 Threadneedle Street, London EC2R 8AU</td>
<td>Installation of one internally illuminated roundel sign, two projecting signs and four metal plate signs.</td>
</tr>
<tr>
<td>13/00435/LDC</td>
<td>Candlewick</td>
<td>113 Cannon Street, London EC4N 5AW</td>
<td>Details of the suspended ceiling pursuant to condition 2 of Listed Building Consent 13/00057/LBC dated 25.04.2013.</td>
</tr>
<tr>
<td>13/00387/FULL</td>
<td>Coleman Street</td>
<td>Tenter House 45 Moorfields, London EC2Y 9AE</td>
<td>Installation of 1 No. microwave transmission dish and 1 No. equipment cabinet and ancillary equipment.</td>
</tr>
<tr>
<td>13/00480/TCA</td>
<td>Dowgate</td>
<td>Vestry House Laurence Pountney Hill, London EC4R 0EH</td>
<td>Works of pruning to a London Plane Tree.</td>
</tr>
<tr>
<td>13/00349/FULL</td>
<td>Dowgate</td>
<td>64A Cannon Street, London EC4N 6AE</td>
<td>Alteration to shopfront including the installation of new entrance doors.</td>
</tr>
<tr>
<td>13/00425/FULL</td>
<td>Dowgate</td>
<td>5 Laurence Pountney Lane, London EC4R 0EE</td>
<td>Subdivision of an existing duplex flat at ground and basement levels to create 2 studio flats.</td>
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<tr>
<td>Reference</td>
<td>Address</td>
<td>Description</td>
<td>Date</td>
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<tr>
<td>13/00426/LBC</td>
<td>5 Laurence Pountney Lane London EC4R 0EE</td>
<td>Internal alterations to enable subdivision of an existing duplex flat at ground and basement levels to create 2 studio flats.</td>
<td>27.06.2013</td>
</tr>
<tr>
<td>13/00460/LBC</td>
<td>22 College Hill London EC4R 2RP</td>
<td>Installation of a sign and door entry panel on the inside reveals of the stone archway entrance.</td>
<td>27.06.2013</td>
</tr>
<tr>
<td>13/00258/FULL</td>
<td>Harp House 83 - 86 Farringdon Street London EC4A 4BL</td>
<td>Extension of existing stair enclosure to provide adequate headroom over reconfigured stair; Installation of new security railings and guarding.</td>
<td>13.06.2013</td>
</tr>
<tr>
<td>13/00388/FULL</td>
<td>Crossrail Site Office 33 Charterhouse Square London EC1M 6EA</td>
<td>(i) Replacement of existing timber framed windows with new double glazed aluminium framed windows at ground to third floor level on the south elevation (ii) replacement of existing timber framed windows with new double glazed aluminium framed windows at first to third floor level on the west elevation.</td>
<td>18.06.2013</td>
</tr>
<tr>
<td>12/00913/MDC</td>
<td>52 - 60 Holborn Viaduct London EC1</td>
<td>Details of the proposed gatehouse pursuant to conditions 5 and 19 of planning permission reference 06/00915/FULL dated 14th December 2007, amended by Non Material Amendment reference 11/00026/NMA dated 10th February 2011 and Minor Material Amendment reference 11/00213/FULL dated 8th August 2012.</td>
<td>27.06.2013</td>
</tr>
<tr>
<td>13/00116/MDC</td>
<td>St Dunstan's House 133 - 137 Fetter Lane London EC4A 1BT</td>
<td>Submission of measures taken during demolition and construction for the protection of trees to be retained and details of pruning pursuant to condition 12(i) of planning permission dated 12.12.11 (Application no. 10/00569/FULMAJ).</td>
<td>13.06.2013</td>
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<tr>
<td>Reference</td>
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<tr>
<td>13/00334/MDC</td>
<td>184-186 Fleet Street London EC4</td>
<td>Submission of samples and materials, new shopfront design of fenestration and dormer windows pursuant to conditions 2(a), (b), (h) and (i) of Planning Permission 10/00682/Full dated 10/11/2010.</td>
<td>13.06.2013</td>
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<tr>
<td>13/00350/ADVT</td>
<td>10 Smithfield Street London EC1A 9LA</td>
<td>Installation and display of (i) one internally illuminated fascia sign measuring 0.55m high, 3.65m wide at a height above ground of 2.4m (ii) one internally illuminated projecting sign measuring 0.5m high, 0.8m wide at a height above ground of 2.4m.</td>
<td>18.06.2013</td>
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<tr>
<td>13/00119/FULL</td>
<td>33 Furnival Street London EC4A 1JQ</td>
<td>Change of use from office (Class B1) to a single dwelling house (Class C3) 231sq.m. (ii) Demolition of existing and construction of a new rear single storey extension (iii) Alteration to rear window and associated alterations.</td>
<td>20.06.2013</td>
</tr>
<tr>
<td>13/00120/LBC</td>
<td>33 Furnival Street London EC4A 1JQ</td>
<td>Removal and insertion of internal partitions, Demolition of existing and construction of new rear single storey extension, Alteration to rear window and associated alterations connected with the conversion to Residential use.</td>
<td>20.06.2013</td>
</tr>
<tr>
<td>13/00389/FULL</td>
<td>5 Essex Court And 4 Brick Court Middle Temple London EC4Y 9AH</td>
<td>Installation of safety latchwires on main roof.</td>
<td>20.06.2013</td>
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<tr>
<td>13/00412/FULL</td>
<td>1 And 2 Plowden Buildings Middle Temple London EC4Y 9BU</td>
<td>Installation of safety latchwires and ladders at mansard and roof level.</td>
<td>20.06.2013</td>
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<td>Application No.</td>
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<tr>
<td>13/00355/MDC</td>
<td>Farringdon Without</td>
<td>Details of a scheme for protecting nearby residents and commercial occupiers from noise and dust, submission of a Deconstruction Logistics Plan pursuant to condition 2 &amp; 3 of planning Permission 12/00789/FULL dated 15/01/2013.</td>
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<tr>
<td>13/00392/PODC</td>
<td>Farringdon Without</td>
<td>Submission of Highway Schedule of condition and draft programme for ordering and completion of service connections from the utility providers pursuant to schedule 3 paragraph 8.1 and paragraph 11.1.2 of agreement dated 28.03.2012.</td>
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<tr>
<td>13/00400/LBC</td>
<td>Farringdon Without</td>
<td>Cleaning and localised repairs to stone facade.</td>
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<tr>
<td>13/00495/MDC</td>
<td>Langbourn</td>
<td>Submission of samples and particulars of the glazing and Portland Stone pursuant to condition 2(a) (in part) of planning permission dated 28.05.2010 (Application no. 10/00128/FULMAJ)</td>
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<tr>
<td>13/00448/FULLR</td>
<td>Lime Street</td>
<td>Retention of installation of a sculpture 'More Really Shiny Things that Don't Mean Anything' by Ryan Gander for a temporary period of up to 1 year, to be taken down on or before 10th June 2014.</td>
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<tr>
<td>13/00451/FULLR</td>
<td>Lime Street</td>
<td>Retention of installation of a sculpture 'Parallel Field' by Antony Gormley for a temporary period of up to 1 year, to be taken down on or before 10th June 2014.</td>
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<td>Reference</td>
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<tr>
<td>13/00597/MDC</td>
<td>Lime Street</td>
<td>Details of the faience tile (blue sample) for the south facade pursuant to condition 13(a) of planning permission 10/00902/FULMAJ dated 15th March 2011.</td>
<td>27.06.2013</td>
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<tr>
<td>13/00598/MDC</td>
<td>Lime Street</td>
<td>Details of the faience tile (red Sample) for the south facade pursuant to conditions 13 (a) of Planning Permission 10/00902/FULMAJ dated 15/03/2011.</td>
<td>27.06.2013</td>
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<tr>
<td>13/00237/FULL</td>
<td>Portsoken</td>
<td>Change of use from shop (Class A1) to hot food takeaway (Class A5).</td>
<td>28.06.2013</td>
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<tr>
<td>13/00239/FULL</td>
<td>Queenhithe</td>
<td>Improvements to external upper playground to include: replacement of existing playground surface; replacement of perimeter fencing; replacement of existing floodlights and erection of a new metal storage shed.</td>
<td>13.06.2013</td>
</tr>
<tr>
<td>12/01081/NMA</td>
<td>Tower</td>
<td>Non material amendment (under Section 96A of the Town and Country Planning Act 1990) to planning permission dated 4th August 2008 (App No 06/01144/FULL) (as amended by non material amendment 11/00526/NMA dated 03.08.11) for alterations to shower facilities at basement level, retail storage area, additional retail space, entrance, core depth, cladding, spandrels to south facade, BMU external gantry removed, footprint of level 10, 12, 14 and plant screen and additional green roofs added to top of cores.</td>
<td>20.06.2013</td>
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<tr>
<td>13/00422/FULL Tower</td>
<td>14 Seething Lane London EC3N 4AX</td>
<td>Re-cladding at ground floor level of existing public house at south and part-east elevations.</td>
<td>27.06.2013</td>
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<th>Committee:</th>
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<td>Planning and Transportation</td>
<td>16 July 2013</td>
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**Subject:**

43 Farringdon Street, 25 Snow Hill 1A And 29 Smithfield Street London EC1

Partial demolition of the existing building and other structures at 43 Farringdon Street and part redevelopment and part refurbishment of the existing buildings to provide office (B1) and retail (A1-A3) partial demolition of the existing building and other structures at 25 Snow Hill and 29 Smithfield Street to provide office (B1) and retail (A1-A3) uses with associated servicing and access (39,441sq.m).

Notice is given that the Applicant has submitted the following in respect of the proposed development as 'other environmental information' for the purposes of Regulation 22 of the Environmental Impact Assessment Regulations:

1. A response to the EIA Scoping Opinion dated 28 January 2013 including an Air Quality Assessment;
2. An Environmental Statement Addendum in respect of the Statement of Significance of the Built Heritage; and
3. Amended drawings and other material regarding minor alterations to the new office building at 25 Snow Hill to comprise revisions to the glazed facade and removal of the office bay at fourth and fifth level to the rear of the retained Red House building.

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<tr>
<th>Ward:</th>
<th>Public</th>
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<tr>
<td>Farringdon Without</td>
<td>Registered No: 13/00150/FULEIA</td>
<td>Registered on: 20 February 2013</td>
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<th>Conservation Area:</th>
<th>Listed Building:</th>
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<td>Smithfield</td>
<td>Grade II</td>
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**Summary**

The proposal relates to a 1.03 ha site which includes the General Market, the Annex Building, the former Engine House and the Grade 2 listed Canopy spanning West Poultry Avenue located at the western end of the Smithfield Conservation Area.

The buildings on the site are substantially vacant and in a poor state of repair.

The scheme is the subject of an E.I.A. is a conservation led scheme which retains and refurbishes the perimeter buildings around the site except to West Poultry Avenue and the Iron Mountain Building but removes the interiors of the General Market and Annex Market and redevelops them to provide new office floorspace. The perimeter buildings will be in retail use and new publically accessible private routes will be created through the sites.

The scheme has been negotiated with English Heritage who is now supportive of it.

A number of comments have been made in support of the scheme and a large number of objections to it have been raised. The principal grounds of objection are that the buildings in their entirety contribute to the character of the Conservation
Area and that the loss of the interior and roofscape would neither preserve or enhance the Conservation Area and would result in substantial harm to the undesignated heritage assets.

It is considered that less than substantial harm is caused to these important non-designated heritage assets and to the designated heritage assets (the conservation area and setting of listed buildings) and that on balance a scheme has been developed that is well designed and secures a future for these buildings and provide uses which are appropriate to the site and the Conservation Area.

A number of matters are subject to conditions and clauses in the proposed S106 including Crossrail access and site concerns.

On balance it is considered that the scheme provides a development which does not cause substantial harm to designated and non-designated heritage assets and that it provides public benefits which outweigh the less than substantial harm.

Recommendation

That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule subject to any variations that are agreed and subject to those interested in the land entering into a planning obligation:

The Mayor of London being given 14 days to decide whether to allow the Corporation to grant planning permission as recommended, or to direct refusal, or to determine the application himself (Article 5(1)(a) of the Town and Country Planning (Mayor of London) Order 2008); That the application be determined in accordance with the terms of the Crossrail Safeguarding Direction issued in January 2008 by the Secretary of State for Transport; That you agree in principle that the land affected by the buildings which are currently public highway and land over which the public have right of access may be stopped up to enable the development to proceed and, upon receipt of the formal application, officers be instructed to proceed with arrangements for advertising and (subject to consideration of objections) making a Stopping-up Order for the various areas under the delegation arrangements approved by the Court of Common Council.

That your Officers be instructed to negotiation and execute obligations in respect of those matters set out in 'Planning Obligations' under s106 and any necessary agreements under s278 of the Highway Act 1980 as you agree and commence the CIL collection procedure.
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ADDRESS:
General Market, Annex Building and Former Engine House

CASE No.
13/00150/FULMAJ, 13/00155/LBC, 13/00156/CAC

SITE LOCATION
LISTED BUILDINGS
CONSERVATION AREA BOUNDARY
CITY OF LONDON BOUNDARY
Annex Market from Farringdon Street towards West Smithfield and Snow Hill – Existing

Annex Market from Farringdon Street towards West Smithfield and Snow Hill – Proposed
Hart’s Corner – Existing

Hart’s Corner – Proposed
View of the Red House and Engine House – Existing

View of the Red House and Engine House – Proposed
Environmental Impact Assessment

1. This application is accompanied by an Environmental Statement (ES). The ES is a means of drawing together, in a systematic way, assessment of a project’s likely significant environmental effects. This is to ensure that the importance of the predicted effects and the scope for reducing them, are properly understood by the public and the competent authority before it makes its decision.

2. The Local Planning Authority must take the environmental information into consideration in reaching its decision and shall state in their decision that they have done so. The environmental information includes the environmental statement, any other information and further information supplied by the applicant, and comments made by the consultation bodies and any representations from member of the public about environmental issues.

3. The Environmental Statement must include such of the information referred to in Part 1 of Schedule 4 to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as is reasonably required to assess the environmental effects of the proposal, and which the applicant can, having regard in particular to current knowledge, and methods of assessment, reasonably be required to compile, but must include at least:

   • A description of the development comprising information on the site, design and size of the development;
   
   • A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;
   
   • The data required to identify and assess the main effects which the development is likely to have on the environment;
   
   • An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice, taking into account the environmental effects;
   
   • A non-technical summary of the information provided.

Site

4. The 1.03 ha site is within the Smithfield Conservation Area and is bounded by Farringdon Street to the west, Charterhouse Street to the north, West Poultry Avenue to the east, Smithfield Street to the south-east and Snow Hill to the south-west. The portion of West Smithfield that is enclosed by these streets is also part of the site.

5. The following structures occupy the site:

   The General Market Building, 43 Farringdon Street;
The Annex Building, 25 Snow Hill, comprising the former Fish Market, The Red House, 1A Smithfield Street and the former Iron Mountain storage facility
The former Engine House, also known as the Lavatory Block
The canopy spanning between the General Market Building and the Poultry Market;
The canopy spanning between the General Market Building and Annex building;
Thameslink running tracks and sidings;
6. The site is in the setting of the Hatton Garden Conservation Area in the London Borough of Camden and the Charterhouse Square Conservation Area in the London Borough of Islington.
7. The extreme eastern boundary of the site is within the St. Paul's Height's policy area. The site is within several London View Management consultation areas. These are:
Parliament Hill
Blackheath Point
Greenwich Park
Primrose Hill
Kenwood
Farringdon Street is a London Distributor Road.
8. The basement areas of part of the site are occupied by the Thameslink running tracks and sidings and the site is affected by the Crossrail project. As part of the Crossrail project, the basement of the General Market Building is scheduled as Surface Interest and is being used during Crossrail’s construction as a temporary administrative and logistic support space and lorry park in connection with the Farringdon Crossrail Station.
9. The site lies within the Central Activities Zone (CAZ) and is in an Area of Intensification (AOI) as defined by the London Plan.

General Market
10. The General Market building is bounded by Farringdon Street, Charterhouse Street, West Smithfield and West Poultry Avenue. It forms the northwest boundary of the Smithfield Conservation Area and is linked by a canopy to the listed Poultry Market (Grade 2) and provides a setting to the Central Market (Grade 2*), the Port of London Authority and former market cold store on Charterhouse Street both listed Grade 2. Other listed buildings in the vicinity include Holborn Viaduct (Grade 2), the Gate House (Grade 2), to the west and number 4 Snow Hill (Grade 2) to the east.
11. The General Market and Building was constructed in 1883, designed by Sir Horace Jones, included basement access to the railway. The building was constructed with decks spanning the railway tracks and
sidings. It is built of red brick, with Portland stone detailing, and is mainly two to three storeys in height. Parts of the building were rebuilt in the 1950's following bomb damage. The building is now vacant except for its use as a Crossrail temporary works site and lorry holding area. It was previously occupied as a market, shops and The General Market Building is linked to the Annex Market, 25 Snow Hill by a bridge link.

The Annex Market, 25 Snow Hill, The Red House and the Lavatory Block

12. The Annex Market, 25 Snow Hill is bounded by West Smithfield to the north, the listed Red House to the east, Smithfield Street to the south-east and Snow Hill to the south-west which forms the south-west boundary of the Smithfield Conservation Area.

13. The Annex Market was originally designed as a fish market opened in 1888 and occupies the same island site as the Red House. It is linked to the General Market by a canopy over West Smithfield and at basement level through the car park and railway tunnels. Part of the site is occupied as a document store comprising an infill development constructed in the 1960s referred to as the Iron Mountain facility. The Department of the Built Environment occupies part of the Annex Market basement as a salt store.

14. The Thameslink running tunnels occupy part of the basement and are open to the sky through wells in the building.

15. The Red House was constructed as a cold store but is long disused and is in a poor state of repair.

16. The Lavatory Block/Engine House is a separate single storey building, now disused.

17. Certificates of Immunity were granted in respect of 43 Farringdon Street, 25 Snow Hill and the Lavatory Block in West Smithfield on 15 December 2005. None of the buildings on the site are listed.

Site History

18. In May 2004 applications were made for planning permission and conservation area consent (LPA refs: 04/00537/FUL and 0400536/CAC) to redevelop 43 Farringdon Street, 25 Snow Hill and 29 Smithfield Street. An application to dismantle the canopy between 43 Farringdon Street and the Poultry Market building (Ref: 04/00663/LBC) was also submitted. These applications were withdrawn in May 2006.

19. The Secretary of state for Culture, Media and Sport listed the Red House cold store Grade 2 in March 2005 following requests from several bodies and individuals including SAVE Britain's Heritage (SAVE). In June 2006 the applicant requested that the listing of the Red House be reconsidered. This request for delisting has since been confirmed. Applications were made for Certificates of Immunity from listing for the other buildings on the application site and Certificates were granted in respect of 43 Farringdon Street, 25 Snow Hill and 29 Smithfield Street on 15 December 2005.
20. Subsequent to the listing of the Red House applications for planning permission, conservation area consent and listed building consent for the redevelopment of 43 Farringdon Street only were made in August 2005 (LPA Refs: 05/00768/FULEIA, 05/00760/CAC and 0500770/LBC). The City's Planning and Transportation Committee resolved to grant planning permission subject to conditions and a Section 106 Agreement, in May 2006. However, in June 2006 the Secretary of State called the applications in and issued an Article 14 Direction preventing the City from determining any application for similar development on the site until a decision on the 2005 applications had been issued.

21. Further applications were submitted in February 2007 and the City resolved on 23 April 2007 that, but for the Article 14 Direction, it would have granted planning permission subject to conditions and a Section 106 Agreement. On 27 April 2007 the Secretary of State called in the 2007 applications. The 2005 applications were withdrawn on 2 May 2007.

22. These applications comprised the demolition of the General Market and its replacement with a new building, seven storeys in height above ground and the part demolition and part retention and refurbishment of the Annex Market, refurbishment and alteration of the Red House and alteration to the Lavatory Block. The scheme provided offices, retailing and ancillary car parking and servicing. There was an associated application for the dismantling of the canopy between the Poultry Market and the General Market and for works of making good to the Grade 2 listed Poultry Market.

23. An inspector heard an Inquiry in the autumn of 2007 and the Secretary of State issued her decision on 6 August 2008 which was to refuse planning permission, conservation area consent and listed building consent for the proposal.

24. In arriving at that decision the Secretary of State agreed with the Inspector's overall conclusions. She considered that the existing buildings on the site make a significant contribution, not only to the character and appearance of the Smithfield Conservation Area but also to the settings of adjoining Conservation Areas and nearby listed buildings. She therefore concluded that there was a presumption in favour of retaining the buildings.

25. The Secretary of State concluded that the proposals would conflict with PPG15 (now superseded by the NPPF) and the then development plan policies which aimed to preserve or enhance the character and appearance of conservation areas and preserve listed buildings.

26. The Inspector was of the view that the buildings and tunnel lids were in a poor condition which was due at least in part to neglect and was of the view therefore that less weight should be given to the costs of repair which would help the viability of any re-use scheme. The Secretary of State agreed with the Inspector's reasoning and conclusions on repair, maintenance and retention of the existing
structures. She agreed that both the buildings and the tunnel lids were in a poor condition.

27. The buildings have been substantially out of use for more than a decade and for a long period of time were subject to low key maintenance, and inadequate measures were taken to ensure that the buildings were wind and weathertight.

28. Since the present applicant has had responsibility for the buildings they have ensured that they have not been subject to further deterioration and there is no evidence that there has been deliberate neglect of the buildings.

29. The Secretary of State further concluded that there were no material considerations which outweighed the harm to the character and appearance of the conservation area and the setting of listed buildings, or which indicated that the application should be determined other than in accordance with the development plan policies relating to conservation issues, housing and small-scale employment uses. She accepted that the proposals before her conformed generally to the development plan provisions with regard to accessibility, retail and transportation, but did not consider that these outweighed the harm to the character and appearance of the conservation area and the setting of listed buildings.

Proposal

30. The application has been submitted on behalf of Henderson Global Investors. The scheme has been developed by John McAslan and Partners, a practice with experience of integrating new development into a sensitive historic context. The City continues to have a freehold interest in the site. Other owners and occupiers have had notice served on them in relation to the application and include Snowhill Real Estate Limited, Network Rail and Crossrail.

31. The proposals comprise three applications:

Planning Application

32. 1. Planning permission is sought for the part demolition of the existing building and other structures on the General Market site and for the part redevelopment and part refurbishment of the existing building to provide offices and retail.

33. The ground floor would comprise a piazza, with retail units off it, accessed from the north-west Hart’s Corner and from West Smithfield. The offices are located above the piazza in three office pavilions connected through link bridges two to four storeys in height, stepping up from west to east. The Victorian building would be retained on three sides to an approximate depth of four to five metres and would be linked to the retail and office accommodation.

34. The Annex Building would provide retail accommodation within the retained Fish Market facades with accesses from West Smithfield and
Snow Hill and a six storey office building would be located within the site.

35. The Red House facade would be retained as would the canopy spanning between the General Market and the Annex Building.

36. The former Engine House/Lavatory Block would provide a retail use within a retained but altered facade.

37. The scheme provides 5,766sq. m of A1/A3 floorspace and 21,225 sq. m of B1 floorspace.

38. The scheme has a designated loading bay within the General Market Building accessed from the existing vehicular ramp on the south-west corner of the building from which the various premises and uses can be accessed.

39. In addition two mobility-impaired car parking spaces, 21 motorcycle and 134 cycle spaces are provided along with associated and changing facilities.

40. The salt store would remain in the basement of the Annex building accessed from a circulation route linked to the General Market basement.

41. The scheme shows no security measures external to the site.

**Conservation Area Consent**

42. Conservation Area Consent is sought for the demolition of the relevant parts of the General Market, Annex Building and Engine House/Lavatory Block to facilitate the development for which planning permission is sought.

**Listed Building Consent**

43. Listed Building Consent is sought for the removal of the canopy which is listed Grade 2 as part of the Poultry Market and which spans West Poultry Avenue between the Poultry Market and the eastern elevation of the General Market Building.

**Consultations**

44. The views of other City of London departments have been taken into account in the preparation of this development scheme and in this report. Some detailed matters remain to be dealt with under conditions. There are issues in relation to refuse storage arrangements which need to be resolved by condition.

45. The applications have been publicised on site and in the press. Surrounding residents in the City of London and the London Borough of Islington have been notified of the proposal. At the time of writing 84 letters of support and 251 letters of objection have been received (10 letters of objection did not include a postal address and some letters of support were not dated). Two petitions have been received. One in support of the scheme with 47 signatures and one objecting to the proposal with 2,666 signatures. The relevant letters and petitions are
attached to this report. The main comments of support and grounds of objection are summarised as follows:

- The site has become an eye sore and the area has become run down. It needs regeneration. The idea of keeping the facade whilst turning the internal area into shops, restaurants and areas that can be used is exactly what the site needs. The proposal needs to be implemented in order to bring vitality. The offices are needed to support the growth that will follow the opening of the Crossrail/Thames Link interchange at Farringdon Station.

- The market buildings are a landmark. They are a fine example of Victorian architecture and a piece of London's history. They constitute a heritage asset. The external appearance of the buildings needs to be maintained and they should be listed. Any redevelopment should be sensitive and retain the features of the market.

- In accordance with the NPPF a more convincing justification needs to be given for development and its impact on the heritage assets. The buildings have been deliberately neglected which is not a justification for their partial demolition.

- The buildings have never been market tested. The recommendations of the previous public inquiry should have been adhered to and the buildings should have been marketed in order to gauge the viability of preserving them. English Heritage has based its comments on the applicant's figures which claim deficit to justify offices in place of market halls.

- The proposal would cause substantial harm to the Smithfield Conservation Area and the surrounding conservation areas, the setting of the adjacent grade II* and grade II listed Meat and Poultry markets including the loss of its listed canopy. The proposal would be contrary to the Draft Plan 2013 as there is a failure to preserve and enhance the character and appearance of the Conservation Area.

- The historic interiors of the Annex building and General Market would be lost through the proposal.

- The proposal is contrary to the NPPF as it would not be sustainable.

- The elaborately roofed market halls should be maintained as they create one of the City's most spectacular interiors. The roofs should be protected as a centre piece of the Smithfield Conservation Area.

- The significance of Hart's Corner is diminished by the proposal.

- The turret beside the ramp on Smithfield Street could be topped off in its original form to pinpoint its key location in the street scene.

- Only the facades of the existing buildings would be retained. The new development would dominate the retained fabric and the Conservation Area. The scale of development would be more in
keeping with the recent office development along Farringdon Street than to the character of buildings in the Smithfield Conservation Area.

- The development would result in the loss of important views, including from Holborn Viaduct and at the gateway of the Smithfield Conservation Area on Farringdon Road.

- The owners and applicants have not considered alternative, conservation-led proposals to bring the building back in use as recommended by the Planning Inspector’s Report from the Public Inquiry in 2008.

- SAVE’s conservation led scheme would be of benefit to the City. The Corporation should seek a more distinctive and sophisticated reuse of the public market and work with SAVE in order to achieve this.

- There are many examples of the successful reuse of Victorian market buildings including Oxford’s Covered Market, Covent Garden, Borough Market in Halifax and Kirkgate Market in Leeds. These buildings have powerful links to Victorian social and economic history.

- The scheme is based on an outdated development model and presumption that the banking sector will continue to expand. The reverse is true. Office vacancy rates are rising. The sustainable sectors of London’s economy are tourism and retail, both major opportunities scuppered by this proposal.

- Allowing this proposal could set a precedent for the redevelopment of the rest of the market.

46. Comments were received from the following organisations:

47. **Twentieth Century Society** objects to the loss of the canopy between the General Market building and the Poultry Market. The Society considers that the comments made about the significance of the canopy in the 2008 public inquiry still stand. It further objects to the proposed large stepped development behind the facade of the General market, the roof of which would rise higher than the roof of the Poultry Market. The Society feels that this would have an overbearing impact on the setting of this grade II listed building.

48. **Smithfield Market Tenants’ Association** raises the following concerns about the scheme:

- Scale of development at West Poultry Avenue – The proposed offices at the West Poultry Avenue end of the General Market site would be considerably taller than the Poultry Market. This would cause a loss of light and privacy to the offices on the first floor of the Poultry Market.

- West Poultry Avenue - The current plans do not include any provision for West Poultry Avenue to be re-opened. Instead they show the road to be permanently pedestrianised and provide
opportunities for off street drop off by cars or use of the road for outdoor activities associated with whichever retailer takes space in the new development. This would result in a loss of amenity to the Market.

- Market Loading Bays – The Market loading bays around the site will be removed once the development is complete. This would result in a loss of amenity to the Market as the bays are frequently used.

- Demolition and Construction – It is unclear when the proposed development works would take place. The works could overlap with ongoing Crossrail works and the potential Bartholomew Close redevelopment works. There is already pressure from Crossrail for use of Market Loading bays during the day and it appears that the developers of the site plan to use them for their works also. It will be vital to ensure that proper control is exercised over the works to ensure that Market operations are not brought to a standstill.

- Dust – Reassurance is required that dust levels would be monitored and controlled to avoid contamination of meat products.

49. **The Smithfield Trust** objects to the scheme on the basis that there are no grounds for the virtual demolition of very important buildings. The leasehold for the buildings has not been offered on the open market. The proposal would result in an oversupply of office space in the locality. There is more than an adequate supply of offices proposed in the pipeline for the foreseeable future to satisfy the demand. The proposal ignores the importance of Farringdon Station following the completion of Crossrail anticipated in 2018. The area will become an important pedestrian hub. The General Market building offers an opportunity to create within the existing buildings a retail, leisure, culture and conference facility unlike anything in the world.

50. **The Greater London Authority** does not consider that the proposal complies with the London Plan. Matters relating to design, inclusive access, transport, energy and surface water drainage need to be addressed.

51. **Network Rail** raises no objection to the scheme subject to certain stipulations i.e. the scheme must not prevent access to railway infrastructure and must not compromise safe operation of the railway.

52. The scheme does not compromise the existing Network Rail access rights. Additional rights over land are also sought but these cannot be provided through the planning process. Negotiations are continuing between Network Rail and the developers.

53. **The Victorian Society** objects to the loss of historic fabric, the impact that the proposal would have on the form and group coherence of the market buildings and the individual buildings in their own right. They consider that the proposal would be contrary to the NPPF. The visual dominance that the proposed development would command would cause significant harm to the Smithfield Conservation area. The proposal would irreparably and detrimentally alter the character of the
conservation area. A series of design alterations are suggested if the proposal is approved.

54. **English Heritage** note that the new office floors to the centre of the General Market Building and the Red House would result in moderate harm to the Smithfield Conservation Area in certain views. Notwithstanding, English Heritage considers that the proposals have the potential to deliver economic, social and heritage benefits that would outweigh the harm caused. The current proposals safeguard those historic elements of the site that contribute most significantly to the character and appearance of this part of the Smithfield Conservation Area and focus new development on less significant parts of the site. If the City of London Corporation takes the view that the public benefits of the proposals outweigh the harm to the historic environment, or that the proposals are appropriate in other planning respects, then English Heritage would support their approval.

55. **CABE** supports the premise of retaining the significant historic fabric comprising the General Market perimeter buildings and existing facades of the Red House, former Fish Market and Engine House and introducing sufficient new development to bring the structures into a viable current use. The architectural ambition for the scheme and the proposed massing are welcomed. CABE considers that the proposal could be improved by further consideration of the relationship between the retained elements and the internal public spaces. In particular further thought should be given to the internal covered square so that it does not read as being part of the original fabric.

56. **SAVE Britain’s Heritage** considers that the application should be refused. They consider that the Corporation should follow the conclusions of the 2008 Public Inquiry that overturned a previous application to demolish these buildings. They note that the Inspector stated that the site should be placed on the open market to test the commercial viability of a conservation-led scheme. Unless this is done, any scheme that comes forward will be justifiably open to challenge.

57. **SAVE** cite 10 grounds of objection to the scheme (grounds 1 – 5 are included in a standard format within a number of the objection letters from members of public):

1) The proposal entails the loss of a major landmark building including its splendid market halls and roofs.
2) The proposal will cause substantial harm to the Smithfield conservation area and surrounding conservation areas, Grade II* listed Meat Market and Grade II listed Poultry Market including the loss of its listed canopy. There will be the loss of important views, including from the Holborn Viaduct.
3) The site has never been put on the open market by the City, as recommended by the Inspector following the Public Inquiry of 2007/2008 that overturned a previous application to demolish. He concluded that this was the only way to test the economic viability of a conservation led scheme for the site. This is despite the existence of such a scheme.
4) There is no convincing justification for loss and demolition. "Heritage assets are irreplaceable, any harm or loss should require convincing justification." (NPPF paragraph 132)

5) The condition of the buildings, which have been deliberately neglected, is not a justification for demolition. "Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision." (NPPF paragraph 130).

6) The application breaks up a significant group of buildings and causes substantial harm to the setting of the Grade 2 Listed Poultry Market. The loss of most of the built fabric of the General Market will lead to the loss of Smithfield Market as a group of buildings.

7) The application is misleading as it does not mention demolition anywhere instead the works are described as ‘soft-stripping’ and ‘dismantling’. The way that the scheme is portrayed in the application documentation is misleading.

8) The applicant claims to be working in the spirit of the buildings architect Sir Horace Jones. There is no evident connection with Horace Jones in the proposed scheme and any attempt to establish a connection is misleading.

9) The conclusions of the 2007/2008 Public Inquiry are poorly represented in the application. The Inspector’s Report concluded that the Inquiry is of important material consideration. Despite this there is no reference to the Inspector’s comments on the significance of the buildings or site. In contradiction to the Inspector the applicant claims that the roofscape has no significance and that most of the original roof is missing.

10) Covent Garden came to life through natural regeneration. The Smithfield site has potential to do the same especially in light of the sites close proximity to the Crossrail station. The area does not need more offices.

58. SAVE considers that the Corporation should refuse the application. The Inspector stated that the site should be placed on the open market. Unless this is done the scheme would be open to challenge.

59. SAVE considers that the ‘Alternatives and Design Evolution’ document submitted with the application is inadequate. It states that General Market has steadily declined and the decline is consistent with a trend of prolonged decline of markets since the 1960s. The document does not distinguish between retail and wholesale markets. Wholesale markets may have declined but retail markets have increased and prospered. The inspector at the Inquiry noted the only proper test of the viability of the General Market and Fish Market annexe for market use was to offer it for sale on the open market. The application dismisses this with no supporting evidence. Viable propositions for market use have been put forward by Eric Reynolds from Urban Space Management. These have been ignored by English Heritage and Henderson Global Investment.

60. The Statement of Significance submitted with the application is further noted as being deficient.
61. The London and Middlesex Archaeological Society consider that the proposal has failed to conserve the General Market buildings. They note that the loss of the General Market’s rotunda and arcades is detrimental to the character and appearance of the designated area. The use of the building as an office as opposed to a retail use is difficult to reconcile with the aims of preservation and enhancement. They consider that the impact of the proposal on the Annexe Building, the Red House and the Poultry Market canopy would be detrimental.

62. The Society for the Protection of Ancient Buildings is disappointed with the way that the scheme has evolved. Converting the buildings from market use to office use would be detrimental as it would sever the long-established pattern of use on the site. The Crossrail development would bring large numbers of people into the area ensuring requirements for retail, leisure and amenity. The demolition of the interiors of the buildings would be regrettable. The Society does not condone the moving or gutting of buildings or their reduction to facades. SAVE Britain’s Heritage has demonstrated that there is a viable alternative development proposal for this site that would enable the structures to be retained and reused. It is disappointing that the buildings have been allowed to become so run down and this should not be taken into account in decision making. Overall the scheme would have a negative impact on the Smithfield Conservation Area.

63. Islington Borough Council objects to the scheme. They consider that the General Market possesses considerable architectural and historic significance. It forms part of the largest and finest grouping of market buildings in Britain. The proposal would result in an unacceptable loss of significant historic fabric and compromise the architectural integrity of the General Market building. It would harm the General Market and the Smithfield Conservation Area. The London Borough considers that the development would substantially harm designated heritage assets within the London Borough of Islington, namely the Charterhouse Square Conservation Area and the setting of the Grade II listed 51 – 53 Charterhouse Street. The proposed scheme fails to comply with the National Planning Policy Framework.

64. Natural England raises no objection. Sufficient information has been provided on bats and the application is unlikely to affect the species. Consideration should be given to requesting biodiversity enhancements for the site in accordance with the NPPF.

65. Crossrail objects to the proposal. They are of the view that permitting this application would seriously prejudice the use of the basement of the application site as a work area for offices, welfare, lorry holding and access purposes to facilitate the successful construction of Crossrail infrastructure works at Farringdon Station.

66. TfL would only support the scheme if Crossrail’s safeguarding concerns were alleviated. They note that contributions would be required to upgrade the public realm and transport, cycle and pedestrian facilities in the locality. They welcome the car free nature of the scheme and the provision of two off-street parking spaces for blue
badge holders. Further analysis of footway capacity has been requested. The S.106 agreement should secure a travel plan, a Crossrail contribution and it should reflect the need for the applicant to liaise with Network Rail in respect of ensuring the safety, security and operation of the rail network.

67. **Council for British Archaeology** objects to the scheme on the basis that it would threaten the significance of the market buildings which are a unique asset to the City of London. The loss of the interiors of the buildings would be unacceptable as they articulate knowledge about the life of the site as a market. The applications do little to preserve the character of the Smithfield Conservation Area, do not present conservation-led solutions to the problems and seek to damage the architectural and archaeological importance inherent in the building and the site. The proposal is not justified under the NPPF. The Council supports the alternative vision for the site put forward by SAVE.

68. **Environment Agency** – No objection subject to conditions.

69. **Thames Water** – No objection subject to conditions relating to the water supply infrastructure.

**Policies**

70. The Development Plan consists of the London Plan, the saved policies of the Unitary Development Plan and the Core Strategy. The London Plan, the UDP and the Core Strategy policies that are most relevant to the consideration of this case are set out in Appendix A to this report.

71. On 14 January 2013 public consultation commenced on the Draft Local Plan and this ended on 11 March 2013. It is expected that a revised Local Plan will be issued in Autumn 2013 and the final plan adopted in 2014. At this stage the policies in the Draft Local Plan are of limited weight and the weight to be given to relevant policies will increase as the plan advances towards approval and adoption.

72. The Draft Local Plan incorporated the Core Strategy which has been carried forward with limited alterations. It includes new policies for Development Management.

73. There is relevant City of London SPD and GLA supplementary planning guidance in respect of Planning Obligations and Sustainable Design and Construction.

74. Governance Guidance is contained in the National Planning Policy Framework (NPPF).

**Considerations**

75. The Corporation, in determining the planning application has the following main statutory duties to perform:-

To have regard to the provisions of the development plan, so far as material to the application, to local finance considerations so far as material to the application, and to any other material considerations (Section 70 (2) Town & Country Planning Act 1990);
To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);

76. In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Building and Conservation Areas) Act 1990)

77. When considering the applications special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area (S72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).

78. In considering whether to grant listed building consent the City shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (section 16(2) of the Planning (Listed Buildings and Conservation Areas) act 1990).

79. The NPPF sets out key policy considerations for applications relating to designated and non-designated heritage assets.

80. At paragraph 130 the NPPF states that where '...there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision'.

81. Paragraph 131 of the NPPF advises, 'in determining planning applications, local planning authorities should take account of:

The desirability of sustaining and enhancing the significance of heritage and assets and putting them to viable uses consistent with their conservation;

The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

The desirability of new development making a positive contribution to the local character and distinctiveness.'

82. At paragraph 132 the NPPF sets out that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting".

83. Paragraphs 133 of the NPPF advises that "Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or the following apply:
• The nature of the heritage asset prevents all reasonable uses of the site; and

• No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

• Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and

• The harm or loss is outweighed by the benefit of bringing the site back into use.

84. If the proposal would lead to less than substantial harm to the significance of a designated heritage asset paragraph 134 of the NPPF states "...this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".

85. In respect of non-designated heritage assets paragraph 135 of the NPPF advises "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

86. Paragraph 137 of the NPPF states that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to 'enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably'.

87. With regard to the loss of buildings or elements that make a positive contribution to the significance of the conservation area paragraph 138 of the NPPF states "Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole".

88. Other relevant guidance is provided by English Heritage including the documents Conservation Principles, and The Setting of Heritage Assets. Building in Context (EH/CABE) and the PPS5 Practice Guide in respect of the setting of heritage assets.

89. In respect of sustainable development the NPPF states at paragraph 14 that 'at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision taking... for decision
taking this means: approving development proposals that accord with the development plan without delay.’

90. At paragraph 7 it states that sustainable development has an economic, social and environmental role.

91. The NPPF (Para 18) commits to ‘securing economic growth in order to create jobs and prosperity’ and advises LPAs to ‘plan proactively to meet the development needs of business and support an economy fit for the 21st century to help achieve economic growth.’

92. Under Section 149(1) of the Equality Act 2010, the City Corporation must have due regard to the need to:
   a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
   b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
   c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

93. In considering the planning application before you, account has to be taken of the environmental information including the Environmental Statement, the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.

94. The Environmental Statement is available in the Members’ Room, along with the application documents, the amendments submitted in May 2013 and the drawings.

95. It is necessary to assess all the policies and proposals in the Development Plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.

96. The principal issues in considering this planning application are:
   The extent to which the proposals comply with the relevant policies of the London Plan, Core Strategy and saved policies of the UDP.
   The extent to which the proposals comply with Government policy advice (NPPF).
   Whether the proposal would preserve the listed Poultry Market or its setting
   The impact of the proposal on the significance of designated and non-designated heritage assets and the setting of listed buildings surrounding the site.
   The appropriateness of the design and massing of the new works in the context of the area and their impact on views.
   The impact on the character and appearance of the Smithfield Conservation Area.
   The economic and other benefits of the proposals.
97. In relation to the application for Conservation Area Consent for demolition (and when considering the other applications) the City Corporation is required to have special attention to the desirability of preserving or enhancing the character or appearance of that area and its setting (Section 72(1) Planning (Listed Buildings and Conservation Areas) Act 1990.

98. The relevant section of the NPPF in relation to conserving and enhancing the historic environment (paras 126 – 141) are attached at Appendix B. Those of particular relevance to the Conservation Area application are paras. 135 – 138 and 140).

99. The proposals will result in the loss of part of buildings which make a positive contribution to the significance of the Smithfield Conservation Area (and to the settings of Charterhouse Square Conservation Area and nearby listed buildings and views out of the Hatton Garden Conservation Area), and as a result the policy in paragraph 138 of the NPPF applies. In my view the loss should be treated as less than substantial harm, and that the approach set out in paragraph 134 of the NPPF should be applied.

100. In relation to the Listed Building Consent application the City Corporation is required to have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses.

101. When weighing any harm to designated heritage assets against the public benefits of the proposals, great weight should be afforded to the desirability of preserving the listed building and the setting of listed buildings or any special features of special architectural or historic interest which they possess, and to the desirability of preserving or enhancing the character or appearance of the conservation area.

102. Any deterioration of the buildings as a result of neglect prior to Henderson adopting responsibility should not be taken into account in weighing public benefits. Henderson has maintained the buildings in a weather tight condition to avoid further deterioration.

103. Regard must also be had to local finance considerations so far as material to the application. In this case the sums that the City will receive through S.106 and that the Mayor of London will receive in payment of Community Infrastructure Levy and S.106 is a local finance consideration which is material to the application, and weighs in favour of the grant of planning permission.

**Alternatives**

104. The site became surplus to market requirements in the 1980’s. Since then opportunities to re-utilise the site have been considered. The site has a number of constraints that have limited the options available. The buildings are in need of considerable refurbishment to bring them up to modern useable standards. Any development would have to take into consideration the condition of the roof of the running tunnels and other structures associated with the railway.
105. The site is constrained by the St Paul’s Heights limitations. The existing buildings with the exception of the Iron Mountain Store are considered to be non-designated heritage assets within the Smithfield Conservation Area (which is itself a designated heritage asset). The canopy attached to the General Market and the Poultry Market is listed as part of the Poultry Market and the buildings lie within the setting of a number of listed buildings and of two conservation areas.

106. The non-development option has been considered and is discounted by the developers as it would result in the continued underutilisation of the site and the continued retention of the buildings. The expenditure to maintain the existing structure and to refurbish it to modern health and safety standards was considered by the developer to make this option unviable.

107. Alternative uses for the site have been considered including use as a market or retail market. However, the applicants state that there has been a continued trend for decline in markets since the 1960s. They highlight the report commissioned by the CLG Committee ‘Market Failure? Can the traditional market survive’? This states that ‘there is evidence of prolonged decline coinciding with the growth in supermarkets’

108. The applicants consider that this decline has had an impact on the long-term operation of the site, leading to the General Market and Annex Market ceasing operation in the 1980s.

109. Alternative uses have been suggested including residential and hotel use. These uses were not considered appropriate as they would be adversely affected by the other extant activities within the area including late night uses. Consequently, the Developers considered the use of offices with some retail to be the most appropriate option for the site.

110. The proposal for total redevelopment and replacement of the structures over the running lines, by Thornfield Properties was refused by the Secretary of State as she considered that there were insufficient grounds to allow for the demolition and replacement of existing buildings which make a positive contribution to the Conservation Area.

111. Following the decision of the Secretary of State, alternatives were discussed with English Heritage which would retain those parts of the buildings as intended by this current proposal.

112. In discussions with English Heritage the design of the present scheme developed. Earlier schemes were rejected on the basis that the scale and massing of the new structures would be excessive and inappropriate.

113. The development of the Annexe Market and the other buildings has been considered throughout the application process and their external appearance has been changed as a result of discussion with English Heritage and the City.

Economic Development Issues
114. The site is located within the North of the City, Key City Place area as identified in the Core Strategy and subject to Policy CS5. This recognises the impacts and benefits Crossrail have upon this part of the City and its potential to 'lead the way as an 'eco-design' district within the City', capitalising on its mixed use character and improved public transport.

115. The London Plan identifies Farringdon/Smithfield as an Area of Intensification where opportunities should be taken to accommodate growth in employment and new homes, although the City considers that the majority of this growth should be accommodated in Camden and Islington, 'with some growth within the wider northern and western areas of the City'.

116. Prior to the current vacancy on the site, except for its use by Crossrail, the buildings were in market use, retail and storage.

117. The proposed scheme provides 5,766 sq. metres of retail use and 21,225 sq. metres of office use and represents an appropriate intensification of use commensurate with the site's status comprising of non-designated heritage assets.

118. The provision of 21,225 sq. metres of offices on the site accords with the mixed use policy of the area and provides new office floorspace in accordance with Policy CS1 which is to provide for employment growth and to strengthen the beneficial cluster of activities that contribute to London's role as the world's leading financial and business centre. There is continuing evidence of a need for office floorspace, with a current vacancy rate in the City of 8%, which is less than is desirable to meet needs and provide flexibility.

119. The offices, both in the General Market and Annex site are capable of use by both single occupiers and as multi-tenanted buildings providing suitable flexibility and high quality space both for existing City occupiers and new and diverse occupiers more recently attracted to the City. In the case of the General Market, the new office floorspace is provided with links to space in the retained upper floors.

Retail

120. The proposed scheme provides 5,766 sq. metres of retail floorspace in a number of units of varying sizes accessed from the adjoining streets and internal arcades. The piazza area and arcades create opportunities for market stalls.

121. The site is not located within a Principal Shopping Centre or existing Retail Link and does not incorporate a Local Shopping Centre. However, it is located adjacent to Smithfield Market (Sui Generis use), which is not classified as retail use but it is considered to provide a retailing facility. Due to the location of the proposal outside an existing centre identified in the retail hierarchy, a sequential test is required.

122. Policy CS20 sets out a sequential approach to the location of new retail development, in accordance with the London Plan and NPPF, and seeks to focus new retail development in the Principal Shopping
Centres (PSCS) to enhance their attractiveness as shopping destinations. If this is not feasible, sites immediately adjoining the PSCs or located within a Retail Link are preferred before assessing other areas of the City. The sequential test undertaken by the applicant concludes that there are no development sites within the boundaries of the City’s five PSCs. However, apart from considering the Retail Link between Moorgate and Liverpool Street via Eldon Street, no assessment has been made of any other of the existing Links.

123. Since the proposal is for 5,766 sq. metres it is classed as a large retail scheme, above the NPPF and London Plan retail threshold of 2,500 sq. m and the City’s own locally set retail threshold of 1,000 sq. m. In accordance with Core Strategy Policy CS20 a retail impact assessment is required to demonstrate that this level of retail provision is acceptable in relation to the sequential test and would not have an adverse impact on the vitality and viability of the PSCs and Retail Links.

124. The site’s location in an area of intensification and the nature of City retailing means it is unlikely that the retail use here would detract to a significant degree from current retail locations in the City but would provide new facilities of benefits to commuters and occupiers in the area. As such the proposal would not detract from the Principal Shopping Centres and linkages between them and would not therefore conflict with policy CS20.

125. The submitted retail impact assessment indicates the scheme would have an effect on turnover in all five PSCs, with the anticipated impact particularly concentrated on convenience retail, including an 8.2% trade draw from Cheapside and 7.4% from Fleet Street, the closest PSCs to the proposal. This scale of draw is considered significant, but has to be considered in the context of the overall growth in retail expected in the City, and the potential increase in footfall following completion of the Thameslink and Crossrail improvements.

126. The City of London Retail Study 2010 estimated that there was a potential need for a further 14,000 sq. metres of retail floorspace by 2016 and a further 43,000 sq. metres between 2016 and 2021. The proposed development would contribute towards meeting this requirement. The significant growth in footfall in this area combined with its distance from the closest PSC would mitigate the potential trade draw from established centres.

127. The proposed retail element of the scheme will enable the effective use of the retained elements with appropriate facades and facilitate public access through the site.

128. Policy Shop 2 seeks the replacement of retail units in a redevelopment scheme and ensures such replacements are primarily at a pedestrian level. The scheme does this.

129. Policy Shop 3 seeks new retail facilities close to transport interchanges. The site is in close proximity to Farringdon Station. Pedestrian footfall will increase significantly in the area on completion of Crossrail in 2018.
The scheme would provide a facility serving a significantly increased footfall, and increase the vitality and vibrancy of the area.

130. Policy Shop 4 encourages a variety of retail unit sizes in new developments which are compatible with the character of the area. The proposals provide a diverse range of unit sizes and are broadly in accordance with the previous retail layout of the site and would not detract from the character of the area.

Design and Heritage

Heritage Assets

131. In considering the application scheme paragraph 129 of the NPPF requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal. The assessment of significance should be taken into account when considering the impact of a proposal on a heritage asset.

132. The identified non-designated heritage assets of relevance in the assessment of this application are:

The General Market
The Annex Market, Red House Cold Store and Iron Mountain Facility
The Engine House

The identified designated heritage assets of relevance in the assessment of this application are:

The Grade II listed Poultry Market and its canopy
The Smithfield Conservation Area
The Hatton Garden Conservation Area (London Borough of Camden)
The Charterhouse Conservation Area (London Borough of Islington)
The setting of listed buildings and structures including the Grade II listed East and West Market buildings, Holborn Viaduct and 51 – 53 Charterhouse Street

133. The subsequent sections of this part of the report assess the significance of these heritage assets and identify the impact of the proposal on them, and in particular, on their significance.

134. English Heritage recommend a methodology for assessing "significance", i.e. the sum of all heritage values ascribed to a particular place, by grouping these attributes into four categories and considering their value. These categories comprise: Evidential Value - the potential of a place to yield evidence about past human activity, Historical Value - the way in which past people, events and aspects of life can be connected through a place to the present; Aesthetic Value - the ways in which people draw sensory and intellectual stimulation from a place, and Communal Value - the meanings of a place for the people who relate to it or for whom it figures in their collective experience or memory.

Significance of the Designated and Non-Designated Heritage Assets
135. The Smithfield Conservation Area Character Summary and Management Strategy SPD identifies the conservation area as being of unique character derived from an established history of approximately 2,000 years and a physical fabric and street pattern which have evolved over almost 1,000 years with market use predating this.

136. The Conservation Area is highly significant for its concentration of historic buildings and infrastructure relating to three great institutions founded during the medieval period: the Priory of St Bartholomew the Great; St Bartholomew’s Hospital and the meat markets. Smithfield Market remains the most significant working market complex in central London and represents the longest running and largest wholesale meat market in Europe.

137. In relation to the character and appearance of the Smithfield Market Complex The Smithfield Conservation Area Character Summary and Management Strategy SPD states:- The buildings of the market and their associated structures are substantial in scale and elaborate in appearance, and as such have a dominant presence in the conservation area. Their character reflects the single commercial use for which they were built, whilst their layout allows for the ease of movement which facilitates the distribution of wholesale goods.

138. The complex is large and architecturally varied, but a number of elements unite the different buildings, including their scale and urban grain; their use of canopies around and between each building; the use of vertical modular elements and pavilions which punctuate the long low elevations; and the use of architectural detailing and statuary to enliven the roofscape.

139. To the western end of the market range, the former General Market, Annexe Market, Red House and former engine house form a separate grouping, once again characterised by their use of deep red brick with Portland stone dressings and Classical detailing. Looking west along West Smithfield towards Farringdon Street, the view is terminated by the elevated facade of the Red House which rises behind the truncated form of the former engine house, as the street level drops into the Fleet river valley. Slightly to the west, the canopy over the street adds further enclosure to the view. The north frontispiece of the Annexe, which has carved boys riding dolphins, is partly concealed by the canopy over West Smithfield which was added in the early 20th century and terminates views north-east and south-west.

140. The General Market, Annexe and Red House share several characteristics in terms of scale, architectural character, and materials, with the East and West markets. They are consequently recognisable as part of the same family of buildings. This architectural unity between all the market buildings would have been more pronounced prior to the destruction of the 19th century Poultry Market by fire and the WWII damage to the corner of the General Market.

141. The 1960s replacement Poultry Market is architecturally distinct from its Victorian neighbours, and by virtue of its design, which incorporates
black brick piers with hexagonal glass blocks, is a distinctive feature in this location. The pavilions along the flank walls of the Grade II listed building continue the vertical rhythm created by the pilasters and Classical details of its neighbours, and the green paraboloid roof of the Poultry Market has a visual relationship with the copper-tiled pavilions of the East and West Markets. The Poultry Market is linked to the West Market and General Market by two c1970s concrete-framed canopies which are included within its Grade II listing yet are of a different date and character to the main building.

142. There is a further relationship between the Poultry and General Markets and those former market buildings to the north of Charterhouse Street, outside the City boundary.

143. The former General Market and Annex buildings are also rich in sculptural adornment, with the City arms carved in stone on the Snow Hill elevation; boys riding dolphins over the West Smithfield frontispiece; and a metal pineapple surmounting the western entrance on Charterhouse Street. Reference is also made to the Annexe Market Opening Plaque, located on the west corner of the Annexe market at junction of West Smithfield and Snow Hill.

144. In relation to building heights the SPD states:-

145. The buildings of the market complex have consistent building height of predominantly one or two storeys on a grand scale, with taller elements such as the corner turrets and pavilions forming prominent landmark features. The General Market has a mansard roof characteristic of its French-influenced architecture.

146. While building heights are relatively consistent, this is complemented by variations in building materials or surface finishes, and by the addition of decorative features and architectural details. In numerous examples the ground floor incorporates a timber shopfront, prominent entrance, broad openings or rusticated stonework which demarcates it from the upper storeys. In addition, the rooflines of several buildings, particularly those of the 19th century, are enriched by pediments, dormer windows, a balustrade, statuary, or other detailing.

147. In relation to views and vistas relevant to the proposal it identifies the following as being important:-

1. View of the Red House from the top of Smithfield Street.
2. View of the General Market and wider conservation area from Holborn viaduct as it crosses Farringdon Street.
3. View of the parabolic roof of the Poultry Market from the junction of Smithfield Street and Snow Hill.

148. All of the application buildings with the exception of the Iron Mountain facility are considered to make a significant and positive contribution to the character of the Smithfield Conservation Area and the setting of the
Charterhouse Square Conservation Area, the setting of nearby listed buildings and views out of the Hatton Garden Conservation Area. This view was expressed by the Secretary of State and the Inquiry inspector in 2007.

149. The application buildings, with the exception of the Iron Mountain facility are considered to be significant heritage assets of importance in their own right and by virtue of their relationship in form, architectural style, materials and historic use to the Market complex and by marking the western boundary of the conservation area as a signal to the Market complex.

150. In coming to this view regard has been had to English Heritage’s guidance entitled ‘Conservation Principles’ which provides advice on assessing heritage significance and managing change to significant places.

151. In their assessment of the significance of the Market Buildings English Heritage note that the application buildings “...possess strong historical value for their role in illustrating the massive late 19th century transformation of this area into ‘modern’ markets served by an extensive rail and road infrastructure. The fact that two of the buildings were designed by one of Britain’s more reputable Victorian architects (Horace Jones) adds further weight to the historical value of the site. The buildings are also of considerable aesthetic value for their highly decorative red brick architecture and the way this succeeds in integrating very large footprint buildings into the surrounding townscape, and possess a degree of communal value for their role within the local meat trading community. Until the buildings were taken out of use in the 1990s, they were affectionately referred to by Smithfield meat traders as ‘the village’.

The Existing General Market Building

152. The General Market building comprises an interior market hall surrounded on four sides by perimeter ranges of market offices. The building is constructed of red brick with Portland stone dressings. The architectural style is not excessively grand but is enlivened by French classical detailing such as oval dormers and more formal classical elements including pilasters, cornices and pediments, etc. The principal frontage is to Farringdon Street but this facade has lost the domed tower and decorated spirelet that once embellished its northern and southern corners.

153. The domed tower at Hart’s Corner and part of the market hall’s roof were destroyed by a bomb during the war. The damaged parts of the building were rebuilt in the 1950s in a less elaborate, austerity, style. The upper parts of the West Poultry Avenue facade which have been extensively altered to accommodate a concrete canopy structure that bridges over the street between the General Market and the Poultry Market buildings.

154. The interior spaces of the General Market are notable but largely unseen from outside of the building, though the roofs are visible in
some longer distance views. The roof of the market hall is borne on arched metal roof trusses supported on decorated iron columns. The central area of the market hall is lit by a glazed dome, a 1950s replacement for a more elaborate Victorian original lost as a result of war damage. The decorated columns are comparatively rare examples of Phoenix columns. Phoenix columns were fabrications of angled sections of iron plate riveted together to form longer columns with reduced vulnerability to casting defects and increased resistance to fire.

Impact of the Proposal

155. The most significant change to the site would be the construction of a new office building inserted within the restored Victorian perimeter ranges requiring the demolition of the market hall roofs and their supporting structure. The introduction of a new office building onto the General Market site has been achieved by a design that successfully relates to the retained parts of the market buildings.

156. The positioning of the new development behind the retained roofs of the perimeter ranges creates a breathing space between the street frontages of the existing market building and the new building behind. Street level views of the office building would generally be over the foreground of roofs and chimneys of the retained buildings. The entrance into the office accommodation would utilise the prominent gabled entrance bay on Charterhouse Street. Revolving doors and a glazed screen would be inserted at ground floor level.

157. The massing of the new building is formed in three distinct steps upwards from Farringdon Road to West Poultry Avenue. Each stepped block would be separated from the next by glazed core areas. The building would rise three storeys behind the retained Farringdon Street frontage, increase to four storeys in the central portion, and reach five storeys at the eastern end. The stepped massing effectively responds to the change in topography and relates well to the ornate and finely scaled market buildings at street level which achieve their level change in a sequence of smaller steps.

158. The facades of the new building, despite their overtly modern appearance, have been designed to accord with the retained market buildings. The elevations to the office accommodation would be faced in weathered steel, orange in colour, to compliment the red brick of the retained ranges behind which it will be seen to rise. The architectural treatment would comprise full height narrow glazed panels for each floor, with a steel frame structure replicating the proportions of the windows. The framework would project forwards from the facade, providing the required degree of solar shading and adding depth and interest to the facades. The layering effect created by the facade elements would generate subtle variations in appearance according to the direction of view, the play of light and shadow, and add interest at roofline through the effect of a perforated skyline. The vertical emphasis given to the long, narrow windows and the projected steel framework and solar shading screens, corresponds to a similar
emphasis imparted to the market buildings by their stone pilasters, chimneys and finials. The presence of the extensive planting scheme for the roof and the use of glass for the divisions between the blocks and on the western facades would add refinement, offsetting the steelwork’s industrial association in a manner similar to the way the market building’s stone dressings relieve its commercial functionality.

159. At the eastern end of the site the existing West Poultry Avenue facade and the Poultry Market canopy would be largely demolished and the new building would be seen to “break through” the retained ranges and project forward of the existing building line, cantilevering out over part of the street. The ground floor would be recessed beneath the cantilevered office structure and comprises fully glazed shopfronts divided by pilasters retained from the existing elevation. Objections have been received concerning the loss of the eastern elevation. The installation of the canopy in the early 1960s has resulted in inappropriate and detrimental changes to this elevation. Although the loss of any of the existing facades to the market buildings is regretted, this facade is in the least satisfactory condition.

160. At Hart’s Corner, the 1950s elements would be largely demolished to create an opening through the perimeter buildings. Ground levels would be adjusted and stairs and lifts provided to create an accessible entrance into a new external square located behind the perimeter buildings. The loss of the post-war tower element at Hart’s Corner has been objected to on the basis that these interventions were well designed and comprise part of the building’s history and that the replacement of the 1950s tower with a void would result in Hart’s Corner becoming coming architecturally weaker. The applicants have considered these points but consider that the retention of these elements would detract from their scheme by reducing the visibility of the new retail square from outside the site.

161. The new square entered from Hart’s Corner would be fronted on three sides by retail. The external square would provide an entry into an “internal piazza” around which would be arranged retail uses and spaces for tables and chairs. A route would continue through the building as a walkway, exiting beneath the West Smithfield canopy. The entire ground floor area, with the exception of the office entrance and lift lobby, would be given over to retail uses and walkway. Retail units facing onto the new interior spaces would be extensively glazed and utilise retained decorative “Phoenix” columns from the parts of the market hall that would be demolished.

162. Concern has been expressed that the proposed vaulted brick ceiling to the internal piazza could be mistakenly read as part of the original fabric. A condition would be imposed to ensure that a satisfactory transition between the new and old fabric is achieved.

163. An objector considers permeability through the site would be much reduced by the current proposals. Numerous entrances into the market hall currently exist but none of these lead to routes through the building that the public have rights to use. The entrances into the building
would be re-utilised for entries into specific retail units or the main office reception and for the proposed public route which would create improved access through the General Market and Annex Market sites for the public.

164. The loss of the General Market's trading hall and roof have attracted most objections, primarily on the grounds that the market hall forms an impressive architectural composition, provides functional meaning to the ranges which would be retained, and makes an important visual contribution to the conservation area. Although not listed, the General Market is an undesignated heritage asset by virtue of its significance in terms of the evidential, historic, aesthetic and communal value. A substantial proportion of this value is derived from the building's market hall. The loss of the market hall would have a detrimental impact on these heritage values, causing harm to the building in terms of its overall heritage value. There is, however, little direct expression given to the internal market hall in the exterior architecture of the building; the interior spaces of the market hall are only glimpsed through the entrances when viewed from adjoining streets and the market hall roofs are visible only in longer distance views. The most significant of these is from Holborn Viaduct although the loss of this view does not detract from its setting. The loss of the market hall is considered to be detrimental to the building itself (as a non-designated heritage asset) but the impact of this loss on the Smithfield conservation area, the designated heritage asset, is less than substantial.

165. In summary although the loss of the existing fabric is regretted, there are many positive aspects of the proposals. The retained buildings making up the perimeter of the General Market on Farringdon Street, Charterhouse Street and West Smithfield would be fully restored. Brickwork, stone dressings, windows, roofs and decorative elements would be refurbished and repaired where required. The ground floors of the retained perimeter buildings would be almost exclusively devoted to retail uses with new or refurbished period style shopfronts and awnings. Some units would have additional new retail space at the mezzanine level above. The restoration of the retained parts of the General Market would enhance these parts of the market buildings which have considerable significance and form a substantial proportion of the existing fabric. The loss of the market hall to make space for the new parts of the building would not generally be perceptible from outside of the building except in elevated views, such as from Holborn Viaduct. The applicants have indicated their willingness to recreate the spirelet that formerly capped the turret at the corner of Farringdon Street and West Smithfield to help offset the loss of the market hall roofs in such views, and this would be required by condition.

The Existing Annex Market, Red House Cold Store and Iron Mountain Facility

166. These three buildings occupy a trapezoidal shaped street block.

167. The Annex Market is constructed of the same materials as the General Market. It is of an Italianate/French architectural style with restrained
classical stone decoration in the form of pilasters, cornices and pediments. The West Smithfield and Snow Hill frontages of the Annex Market are two stories in height and are connected by a corner tower that is a storey higher than the facades and surmounted by a pyramidal roof.

168. The Annex Market’s internal market hall space is laid out in triangular plan form around a raised first floor central “island” office space. The roof is supported on arched timber trusses and the internal spaces are well lit from above by a timber ridge lantern and glazing set into the roof.

169. The Red House cold store is similarly red brick with Portland stone dressings. The building has two primary elevations. The principal facade faces north east. It is windowless and detailed with two double height arcades with pilasters, blind window architraves and other classical details picked out in stone. A single double height blind arcade fronts Smithfield Street to join the Annex Market facade at the corner of Snow Hill. The rear, west facing elevation, is less detailed with blind arches and abuts the Iron Mountain facility and railway tracks below street level. The internal floors of the southern half have been removed and scaffolding has been erected to protect the north-east elevation whose internal structure has become unstable.

170. The Iron Mountain Storage facility is a modern structure constructed in the early 1960s over a former void over the railway tracks. It has no architectural or historic value.

Impact of the Proposal

171. A new seven storey office building is proposed within the retained street frontages of the Annex Market and Red House which would be retained and restored.

172. The main core and reception area for the office building would be within the area currently occupied by the Iron Mountain facility. The office facades would follow the alignment of the Red House frontages on West Smithfield and Smithfield Street. The west facing facade of the office structure would curve away from the corner of Smithfield Street and Snow Hill to adjoin the West Smithfield frontage. The curvature in the west facing facade would enable part of the Annex Market roofs to be retained and provides some separation between the new development and the facades of this non-designated heritage asset. In local views from Farringdon Road, the new building would appear as a separate, background, element behind the retained roofs of the market arcades.

173. The infill development would be sited immediately behind the principal Red House facades where internal fabric has been lost and on the Iron Mountain site to retain the significant historic fabric of the Annex Market. Concerns have been raised over the loss of the rear elevations of the Red House. These elevations are not without interest despite being angled sharply away from the street. A positive visual effect created by the new office building would be the infilling of the
apparent void in the street frontage behind the Red House's east facing facade by the replacement of the unsightly Iron Mountain facility with new development. This would improve the coherence of the street scene in westward looking views from West Smithfield, by linking the visually disconnected Red House facades to the Annex Market frontage.

174. On the West Smithfield frontage the new development would not cut across the existing gabled entrance to the Annex Market and the first floor canopy. There would be no loss of existing fabric on this street frontage other than the unsightly frontage of the Iron Mountain facility. Details of the junction between the retained Annex Market entrance and canopy and the new office building would be conditioned to ensure an appropriate appearance.

175. A projecting frame design would be employed for the office building's facade. This would be of a similar design to that proposed for the General Market but formed of black anodised aluminium components. The black anodised finish is considered by the applicants to be more complimentary to the more refined architectural qualities of the Annex Market, and would provide a contrast to the weathered steel finished proposed for the General market office block. The design of the frontage behind the east facing facade of the Red House has been the subject of further discussion since the application was submitted. Its design has been altered to appear more solid and respectful to the Red House facade in views looking west along West Smithfield.

176. A number of blind windows and doorways would be opened up within the east facing facade of the Red House to provide natural light or accesses. Objections have been received to these works on the grounds that architectural features would be unnecessarily damaged. The principle of adapting blind openings to provide natural light into the proposed buildings is considered acceptable subject to the submission of further details that would be required by condition.

177. Concerns have been raised regarding the possible removal of the cast iron decorative metalwork over the window openings into the Annex Market to allow for the insertion of new glazing. It is proposed to condition details of such alterations to safeguard the ironwork.

178. The north/south interior arcade of the Annex Market would be adapted to form a walkway through the building. This walkway would link with the proposed route through the General Market, via the covered canopy across West Smithfield. Objections have been made to the partial loss of internal fabric within the Annex Market to create this link, and concerning the resulting internal appearance. The partial loss of the fabric would enable a pedestrian route from Hart's Corner to Snow Hill improving permeability and allowing public access for the first time. A satisfactory transition between new and old fabric within the internal walkway would be sought.

179. Though not listed, the Annex Market and the Red House are considered to have the status of undesignated heritage assets due to
their significance in terms of evidential, historic, aesthetic and communal value. The loss of part of the Annex Market's trading hall and the loss of the secondary elevations of the Red House would have a detrimental impact on these heritage values.

180. With regard to the Annex Market, the loss of a small part of the Annex Market's trading hall would be detrimental to the building itself but the effect of this loss on the Smithfield conservation area, the designated heritage asset, would be less than substantial due to there being little external change to the building. The principal change would be the impact of the large office building that it is proposed to construct on the Red House and Iron Mountain sites. The loss of the secondary elevations to the Red House would be detrimental to the building's status as an undesignated heritage asset. However, when considered in the context of the building's poor condition and the minimal contribution that these secondary elevations make to the conservation area, the loss of these facades amounts to less than substantial harm to the conservation area.

181. Although the loss of the existing fabric of the Annex Market and the loss of the secondary elevations of the Red House is regretted, there are positive aspects of the proposals. The exterior and most of the internal areas of the Annex Market would be retained and restored. The principal elevations of the Red House would be restored. With regard to both buildings, their brickwork, stone dressings, windows, roofs and decorative elements would be refurbished and repaired where required. The Annex Market would be almost exclusively devoted to retail uses. The refurbishment of the Annex Market, the removal of the Iron Mountain Facility and the restoration of the retained parts of the Red House to a safe structural condition are welcomed and would be considered enhancements to the conservation area.

The existing Engine House

182. The Engine House dates from around 1886 and is located on a small triangular plot left over from the construction of the surrounding roadways. The building originally supported a tall chimney which was subsequently removed. The building is currently capped by three modest rusticated chimneys. In more recent years the building had been converted into a lavatory block.

Impact of the Proposal

183. The Engine House would be refurbished and adapted for retail use. The central section of the western facade would be removed and replaced by full height glazed opening doors to form a retail unit from the limited internal space. A decorative metal faced plant screen would be added to the roof requiring an alteration to the positioning of one of the chimneys on the roof.

The Grade II Listed Poultry Market Canopy

184. The canopy forms part of the Grade II listed Poultry Market building and Listed Building Consent is required for its removal. It consists of a series of un-braced concrete ribs that bridge the street in a single span.
Finely profiled longitudinal concrete purlins accommodate metal transverse members that in turn support the corrugated translucent roof covering. Much of this roof covering has been removed leaving parts of the structure uncovered and West Poultry Avenue open to the weather.

185. The Grade II listed Poultry market was designed in 1961-3 by TP Bennett and Son, working with structural engineers Ove Arup and Partners, to replace the Horace Jones designed market building destroyed by fire in 1958. It has a reinforced concrete frame, with an external cladding of dark blue brick and a reinforced three inch thick concrete shell paraboloid concrete roof clad in copper with circular rooflights. A contemporary canopy to the east which links it to the listed market buildings of 1866-67 would remain.

Impact of the Proposal

186. The canopy covering the full length and width of West Poultry Avenue would be demolished to enable the cantilevered eastward extension of the new office structure to extend outwards over the pavement and western side of West Poultry Avenue. The first floor office accommodation contained within the Poultry Market building would continue to bridge over the eastern side of the street leaving a narrow part of the street open to the sky between the two buildings.

187. The canopy has a harmful impact on the General Market, as its ribs anchor into the eastern facade behind a glazed and concrete structure that obscures much of the upper level facade with little concern for the architectural features affected. The brick faced walls screening the ends of the canopies have a very unsympathetic relationship to the General Market.

188. The removal of the canopy would have a minimal impact on the Poultry Market as it is a robust commercial structure, industrial in character. The structure itself has some elegance in the form of its internal ribs but is a peripheral element to the building.

189. The Twentieth Century Society has objected to the loss of the canopy and considers that the comments made about the significance of the canopy in the 2008 public inquiry should stand. The Inspector’s comments regarding this structure were as follows;

190. “In my opinion, each component of the market complex contributes to the setting of the whole, and the linked sequence of buildings is a powerful feature of the conservation area. The removal of the canopy spanning West Poultry Avenue, listed by virtue of being attached to the Poultry Market, would open up a view of the historic cold store to the north but would sever the visual and functional link that extends from the Meat Market through the Poultry Market and the General Market Buildings to the Annex.”(Paragraph 12.2.36), and with regard to the setting of the Grade II East and West Market building “...its setting as part of the whole complex would be detrimentally affected by the demolition of part of the linked sequence of buildings.”(Paragraph 12.2.37).
191. The Inspector’s 2008 comments are not directly transferrable to the current context as they refer to a scheme that would have demolished the General Market in its entirety and replaced it with a building of contemporary appearance. By retaining the exterior ranges of the General Market, with the exception of the eastern elevation, the visual links in views along Charterhouse Street and West Smithfield are retained. In views along West Poultry Avenue, the manner in which both the Poultry Market and the new General Market infill would cantilever inwards towards each other would be reminiscent of the way the current canopy partially encloses the space.

192. The canopy is listed because it is attached to the Poultry Market building. It is a later construction and was not part of the original design of the market building. The canopy is not considered to be of great merit in itself. The removal of the canopy would not have a detrimental impact on the Poultry Market itself because its western elevation was originally designed to be seen unimpeded by a canopy. The existence of the canopy does not enhance the Poultry market’s western elevation. The setting of the Poultry Market would not be adversely affected by the removal of the canopy. The issue regarding the maintenance of a visual connection between the Poultry Market and the General Market is addressed above. The removal of the canopy would not therefore have a detrimental impact on the special architectural interest of the Poultry Market or its setting. The listed building and its setting and the features of special architectural or historic interest which it possesses would be preserved.

Impact on Conservation Areas

193. Smithfield Conservation Area. The visual impact of the proposals on the local townscape views around the area are considered to have some positive benefits balanced by a degree of harm.

194. The restoration of the long ranges of the market buildings and the refurbishment of the Red House facades would be welcomed. The Iron Mountain facility is an unsightly element that makes no positive visual contribution to the conservation area. In many local views the new developments would not be visible above the roofline of the retained buildings. Where they are visible, e.g. along Charterhouse Street, it is considered that the new development would complement the retained buildings.

195. In longer distance views and within some of the views referred to in the Smithfield Conservation Area Character Summary document, the relationships between the new and retained buildings is more challenging. The new office developments would undoubtedly change the nature of the views. For example, the Red House, as seen from the east, would lose its currently isolated and enigmatic nature by being seen in relation to a larger new building. The view looking towards the Poultry Market from Snow Hill would experience substantial change in terms of the impact the new office building on the Red House site would have on the foreground.
196. The general uniformity of scale and grain of the market buildings, as referred to in the Character Summary, would be changed in some views by the imposition of new, significantly larger, office buildings. Some of this change would be mitigated by the manner in which the old and new have been co-joined. The Annex Market, in views from Farrington Road, for example, would retain its own clear identity, the new building above taking on the appearance of background development in this view.

197. In other views there would be harm. The loss of the view of the roof of the General Market and its relationship to the other market buildings from Holborn Viaduct, one of the few locations where the market hall roof and dome can be appreciated from pedestrian level, is to be regretted. The suggested restoration of the spirelet to the General Market’s corner turret would provide some compensation for this loss and it is recommended that its replacement is conditioned.

198. The loss of the 1950s Hart’s Corner element is balanced by the benefits brought to the conservation area including the opening up of a new way through the site and new public spaces.

199. The character and appearance of the Conservation Area would be preserved and enhanced by the restoration of the principal facade of the buildings and the provision of active frontages and associated activity. The less than substantial harm resulting from the relationship of the new buildings to the retained perimeters is outweighed by these public benefits.

200. Charterhouse Square and Hatton Garden Conservation Areas have been adopted by the LB Islington and LB Camden respectively. The southern boundary of the Charterhouse Square CA extends the length of Charterhouse Street and adjoins the City’s Smithfield Conservation Area boundary. In relation to the Charterhouse Conservation Area the main visual elements are retained and the new elements at Hart’s Corner, the office entrance and infill to West Poultry Avenue result in less than substantial harm to the conservation area. The views of the proposals from the Hatton Garden Conservation Area are not considered to be of sufficient impact to cause harm.

Settings of Listed Buildings

201. Although there are a number of listed buildings within the immediate vicinity of the proposed development, the proposals principally impact the Poultry Market, including the canopy spanning West Poultry Avenue, the Grade II* listed East and West Market buildings and 51-53 Charterhouse Street. The setting of Holborn Viaduct is not impacted by the proposal although views from it of the General Market are impacted.

202. The impact on the listed Poultry Market and the west Poultry Avenue canopy has been addressed in detail above and no substantial harm results. The impact on the East and West Market buildings is considered to be limited to the physical connection that these buildings have via the canopies at either end of the Poultry Market so creating a
linked sequence of market buildings. This point has also been addressed above.

203. 51-53 Charterhouse Street is a grade II listed former cold store, built in 1899 and is located across the City boundary in LB Islington. The building is a substantial structure rising three stories above ground level. Its original function as a cold store caused its Charterhouse Street facade to be virtually without windows and for it to be architecturally decorated in a spare manner. It is considered that 51-53 Charterhouse Street has a sufficiently robust appearance to ensure that its setting would not be compromised by the upper levels of the new office development that would be visible over the retained Charterhouse Street range of the General Market's perimeter and its setting would not be harmed.

204. Overall the proposal would not harm the settings of the surrounding listed buildings with the exception of the Poultry Market where the harm is considered to be less than substantial.

St Paul's Heights

205. The majority of the site area falls outside the St Paul's Heights policy area. A thin sliver of the part of the office building on the General Market site falls within the policy boundary, indicating a breach in the acceptable height limitations. This is a technical infringement arising from the manner in which the serrated edge of the Heights grid meets the extreme edge of the application site boundary. Careful consideration has been given to this and it is clear that the proposals would have no impact on the view of St Paul’s Cathedral.

LVMF

206. The proposals are within the geometricaly protected views of St Paul’s Cathedral, or its background setting, from Parliament Hill, Kenwood, Primrose Hill, Greenwich Park and Blackheath but are not of sufficient height to trigger the Mayor of London’s statutory consultation process, to have any impact on the view of the Cathedral, or to have any visual prominence within the designated London Panorama views.

Impact of the Proposals on the Significance of the Heritage Assets

207. The extent of the proposed demolition would cause some harm to the significance of the application buildings as non-designated heritage assets. This is particularly through the loss of the roofscape of the General Market building which contributes to the appearance of the Smithfield Conservation Area, the loss of the minor facades of the Red House, the loss of the north eastern elevation of the General Market and the partial loss of the eastern arcade of the Annexe Market. The harm is considered to be less than substantial.

208. The demolition and alterations required to construct the new office and retail accommodation would secure the long term viable use of the retained market buildings. The degree of harm caused by the works to the buildings have to be balanced against the public benefits of the proposal. These benefits include the retention and restoration of the
historic facades that contribute to the character and appearance of the Conservation Area, enabling the application buildings to be brought back into use, securing a long term use for the site and the opening up of the interiors of the buildings to new public areas. Paragraph 137 of the NPPF states that local authorities should look for opportunities to enhance or better reveal the significance of heritage assets.

209. The proposed changes would impact on the Smithfield Conservation Area as a designated heritage asset in terms of how the market buildings are viewed. Taller development would be introduced into an area characterised by the consistent scale and urban grain established by the market buildings in their current form. Well established views from within the Conservation Area, such as those along West Smithfield and Charterhouse Street would change in nature. The views across the conservation area from Holborn Viaduct would be harmed by the loss of the roof of the General Market.

210. It is considered that any harm caused by the proposal, to the character and appearance of the conservation area and to the setting of listed buildings is less than substantial. The proposal would result in public benefits and enhance the Conservation Area by restoring the most significant elements of the building to the Conservation Area, by enlivening them, allowing access to them and by introducing mixed uses which are supportive of its character.

211. In applying paragraph 135 of the NPPF it is acknowledged that some harm would result to the undesignated heritage assets of the General Market and Annex Market through the removal of the roofs and interior spaces. The scale of the harm would be outweighed by the public benefit of restoring and refurbishing the perimeter buildings of the General Market, Annex Market and Engine House and the principal facade of the Red House and removing the unsightly Iron Mountain store and bringing the land and buildings back into use for retail and office purposes.

**Market Testing**

212. SAVE Britain's Heritage and a significant number of objectors consider that the proposal would cause substantial harm to the identified heritage assets and that the viability of retaining the existing buildings should be subject to market testing. The grounds of this objection are founded upon the conclusions reached in the August 2008 decision letter of the Secretary of State and the accompanying inspector's report, which relate to the earlier redevelopment proposals for the application site by the then developers, Thomfield.

213. In paragraph 18 of the 2008 decision letter from the Public Inquiry, the Secretary of State notes that "...market testing would be the real test of viability for any retention and re-use and notes that this has not been carried out". This decision has to be considered in the light of the arguments put forward by the then applicant and the relevant policy context at that time. At the time of the 2008 decision the relevant
national policy considerations on heritage issues were set out in PPG15 and the relevant policies of the City's UDP.

214. Policy ENV11 of the UDP would have been of relevance which seeks to "...resist the demolition of buildings which make a positive contribution to the character or appearance of a conservation area and to encourage their sympathetic refurbishment". The supporting text in paragraph 10.50 of the UDP notes that "Any application to demolish a building in a conservation area will be viewed in terms of the contribution it makes to the character or appearance of the area concerned: the contribution of the existing building will be assessed in accordance with the criteria set out in PPG15".

215. Paragraph 4.27 of PPG15 notes that proposals to demolish buildings which make a positive contribution to a conservation area should be assessed against the same broad criteria set out in paragraphs 3.16 – 3.19, as applied to proposals to demolish listed buildings. The inspector described the first criterion in paragraph 3.19 as "...essentially a viability test". The second criterion in paragraph 3.19 referred to the adequacy of efforts made to retain the building in use and included the following words: "This should include the offer of the unrestricted freehold of the building on the open market at a realistic price reflecting the building's condition...".

216. National policy is now set out in the NPPF which superseded PPG15 on the 27th March 2012. As saved UDP policy ENV11 and its reasoned justification is inconsistent with the approach set out in the NPPF it has to be considered as out of date. Paragraph 215 of the NPPF notes that "...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework". Greater weight should be given to the policy approach towards heritage assets set out in the NPPF than policy ENV11 of the UDP.

217. Paragraph 133 of the NPPF sets out the approach to be taken when considering 'substantial harm to or loss of significance of a designated heritage asset'. Amongst the criteria to be applied in those circumstances is: "no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation".

218. It is concluded that the proposal would not lead to substantial harm to or total loss of significance of a designated heritage asset. English Heritage concurs with this view. On the basis of this analysis, paragraph 133 of the NPPF would not apply. Paragraph 134 (to which reference is also made in paragraph 138) of the NPPF sets out the approach to be applied in this instance as the harm to designated heritage assets is considered to be less than substantial.

219. Paragraph 134 of the NPPF advises the less than substantial harm to a designated heritage asset should be weighed against "...the public benefits of the proposal, including securing its optimal viable use". Although market testing could be relevant when considering 'optimum viable use' it is not essential to consider the results of appropriate
marketing as it would be if the application fell within the purview of paragraph 133 of the NPPF.

220. In applying paragraph 134 of the NPPF the public benefits of the proposal include the restoration of the most important elements of the historic fabric of the market buildings in order to better reveal their significance. The site would be brought back into use and developed to enliven the area with uses appropriate uses to the area and create jobs. Members of the public would be able to access the buildings again and experience routes through them.

221. When considering optimum viable use paragraphs 88 – 89 of the PPS5 Practice Guide contains relevant guidance. Notwithstanding the fact that PPS5 has been cancelled, the Practice Guide is still a government endorsed supporting document which notes the following at paragraph 89:

“It is important that any use is viable, not just for the owner but also for the future conservation of the asset. Viable uses will fund future maintenance. It is obviously desirable to avoid successive harmful changes carried out in the interests of speculative and failed uses. If there are a range of alternative ways in which an asset could viably be used, the optimum use is the one that causes least harm to the significance of the asset...The optimum viable use is not necessarily the most profitable one. It might be the original use, but may no longer be economically viable or even the most compatible with the long-term conservation of the asset”.

222. As set out above, the applicant has considered various uses for the site and has advised that there is no longer any requirement or market demand for the buildings to be put back to their original use, namely as a wholesale market. It was concluded that this was an unviable option due to the decline in markets since the 1960s. The proposal however does provide a significant retail element on the site through the introduction of A1 – A3 uses on the ground floor of the application buildings. This retail space would increase footfall through the site, create vibrancy and active frontages that would be characteristic of a fully functioning market. As such retailing is considered to be appropriate for the ground floor of the building and its optimum use.

223. The applicant has advised that B1 office use would be the most appropriate use for the upper floors of the building to ensure the restoration of the retained historic fabric and the long term sustainable use of the site. The B1 office use would be appropriate to the area and to the zone of intensification and would constitute the optimum use of the buildings above ground floor level.

224. On the basis of the applicant’s evidence and statements the proposed retail and office uses are viable and would fund the future conservation and maintenance of the historic fabric that is to be retained, they constitute the optimum viable use. A condition would be imposed that these benefits are secured prior to the occupation of the relevant office and retail areas.
225. Notwithstanding the above, in applying paragraph 134 of the NPPF to the application for planning permission and balancing the harm to the significance of the designated and non-designated heritage assets against the public benefits of the proposal, including securing its optimum viable use, greater weight should be given to the statutorily desirable objectives set out at sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The duties and the objectives which they advance are the desirability of preserving the listed building (in this instance the Poultry Market) or any features of special architectural or historic interest which it possesses, the setting of listed buildings and the desirability of preserving or enhancing the character or appearance of the conservation area.

226. It has been concluded that the proposal would not detract from the special historic or architectural interest of the Poultry Market nor would it have any undue impact on the setting of adjacent listed buildings. The harm to the Smithfield Conservation Area would be less than substantial. The proposal would enhance the character and appearance of this part of the Conservation Area through bringing the buildings back into use and through the restoration of their facades in order to better reveal their significance in accordance with paragraph 137 of the NPPF. As a result the public benefit of the proposals outweigh any harm to the designated heritage assets and to the non-designated heritage assets.

SAVE Alternative Scheme

227. SAVE consider that the proposal would irreparably harm the application buildings. They have worked up an alternative proposal for the General Market and Annexe Market in conjunction with John Burrell of Burrell Foley Fischer LLP. The scheme is supported by Eric Reynolds of Urban Space Management and Ian Lerner of Ian Lerner and Co. This scheme is not the subject of a planning application.

228. In the SAVE scheme the existing buildings would be retained and utilised with minimal intervention. A small first floor mezzanine extension could be accommodated if required. The basement would accommodate uses including manufacturing, galleries, fashion shows, events, dancing/club, restaurant, conferences and lectures. The ground floor could be used for retail, gallery space and small offices. The first floor could be retail, small offices and meeting rooms. The attic level would comprise either offices, studios or a hotel.

229. Alternative means of developing a site can be relevant when considering a planning application. As the scheme before you does not conflict with planning policy or otherwise cause planning harm the consideration of alternatives is not relevant to the consideration of this case in this instance.

230. Even if a different view was taken, and alternatives were considered to be relevant, little weight could be given to the SAVE proposal as there is no clear evidence that it would be deliverable. It does not therefore
alter judgements made on this application. No application for this scheme has been made.

**The Structure of the Buildings and Works over the Network Rail Running lines**

231. The developers have replaced most of the structure over the railway running lines in the Annex Market other than the main girders. They have carried out minimal works providing a ten year life to the structures over the running lines within the General Market and West Poultry Avenue.

232. The developers have replaced most of the structure over the Railway running lines in the Annex Market other than the main girders this would provide the structure with an additional 60 year life. They have carried out minimal works providing a ten year life to the structures over the running lines within the General Market and West Poultry Avenue at current loading levels. The buildings themselves would be self-supporting. The developers have agreed to remove the existing surface of West Poultry Avenue and replace it with a lighter weight fill bearing in mind that a reduction in load may result in changes to the structures.

233. The superstructure of the General Market would be split into three blocks located to the east (Block A), centre Block B and the west (Block C). Block A would cantilever over West Poultry Avenue and straddle the Network Rail lines below. Approximately one quarter of block B would be located above the Network Rail lines. Block C adjacent to Farringdon Street would not be located above the rail lines. The ground floor within Blocks A and B that would over sail the Network Rail lines would be suspended from the steel frame superstructure above, ensuring that no additional load would be applied to the tunnel roof structure.

234. The minimal repairs to West Poultry Avenue are only on the basis of the current loading status with the area closed to all traffic. The Smithfield Market Traders' Association are concerned that this proposal would not provide for the strengthening of West Poultry Avenue to allow it to be reopened for traffic.

235. West Poultry Avenue is not included within the development site and therefore there is no requirement on the developer to strengthen the structure above the running lines, as part of this development.

236. The superstructure of the main Annex building would be constructed with steel columns and steel beams. The floors would be formed of composite steel-concrete slabs. An area of the Annex Building lies over the railway running lines and the proposed trussed curved elevation along Snow Hill would be constructed to span over the railway. The floors would be supported over the running lines between the columns and the truss.

237. The following components of the site would be retained:
The outer facades and buildings of the General market Building, with
the exception of the eastern facade that fronts onto West Poultry
Avenue;

The former Fish Market;

The facades of the Red House;

The canopy spanning between the General market building and Annex
Market building.

The facade retention systems and details of removal, reinstatement
and replacement would be subject to condition and approval by the
City.

238. Those parts of the existing masonry structures around the General
Market building and Annex Building to be retained be would be
repaired and restored. All retained masonry would be surveyed for
damage and repaired, including cleaning and repointing.

239. The former Fish Market Building, within the Annex Building Would be
retained and refurbished. The refurbishment works would include
cleaning and restoration of masonry, repair and strengthening works to
the timber roof and partial replacement of the mezzanine floor
structure.

Sustainability and Energy

240. Energy Statements and a Sustainability Statement have been
submitted in respect of the redevelopment of site. This supporting
documentation sets out how the development would make the fullest
contribution to minimising carbon dioxide emissions, in accordance with
the London Plan's energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

241. The General Market and Annex Building have been designed to
incorporate energy efficiency measures. These include:

- Solar control glazing and extensive Brise soleil and fins to limit solar
gain;
- Mechanical ventilation with heat recovery;
- Efficient lighting control systems that incorporate presence
detection and day lighting with fully dimmable control;
- High efficiency low NOx emissions natural gas boilers; and
- High efficiency water cooled electric chillers.

242. The London Plan states that development proposals should prioritise
connection to a decentralised energy network in order to ensure that
energy can be efficiently supplied. The applicant has investigated the
feasibility of connection to the Citigen District Energy network and
concluded that carbon dioxide emission savings would be greater from a site wide biodiesel CCHP plant. Notwithstanding, the development would be designed to allow future connection to a district heating or cooling network if required.

243. A range of renewable energy technologies have been investigated. It is proposed that 134 photovoltaic panels would be installed on the roof of the General Market Building and 66 panels would be installed on the roof of the Annex Building.

244. Biodiesel fuelled combined cooling, heating and power (CCHP) units would be installed within the Annex Building and the General Market building to serve all uses across the site. The CCHP system would be supplied from two energy centres due to the constraints posed by the railway tunnels which divide the site. An Air Quality Assessment has been submitted to demonstrate that emissions from the CCHP plant would have a neutral impact on air quality in accordance with policy 7.14 of the London Plan.

245. The overall carbon dioxide emissions savings from the development would be 34%. This would exceed the savings targets set out in policy 5.2 of the London Plan.

246. The development would have the potential to score a BREEAM construction rating of 'excellent' in accordance with policy CS15 of the Core Strategy. Measures that would be incorporated into the scheme to improve the sustainability and climate change adaptation of the development include rain water harvesting, the use of sustainable materials and the incorporation of green roofs to absorb rainwater, attenuate water run-off, improve insulation and improve biodiversity.

Access

247. The proposal seeks to accommodate level changes across the site. The retail units would have level access with the exception of the units on the corner of West Poultry Avenue and Charterhouse Street. In order to form level access alterations would be required to the pavement in front of the unit which is outside of the control of the applicant. Details of the access arrangements for this unit would be required by condition.

248. The main entrance into the proposed General Market piazza would be from Hart’s Corner where there is an existing stepped access. As part of the proposal the existing stairs would be reconfigured and a platform lift would be installed in order to improve ease of access. The applicant has advised that the constraints of the site prevent the requisite space for the installation of a passenger lift. The proposed platform lift would be of a high specification whereby it would be enclosed and fully automated. Further details of the lift would be required by condition. As an alternative to the Hart’s Corner access a ramped access to the piazza is proposed from West Smithfield.

249. The Access Officer has made a number of detailed comments in respect of the internal layout, access to the public WC in the General Market building and manifestations on the glazing. The developer has
advised that these comments will be taken into account when the detailed design is developed. Further details of which would be required by condition.

**Flood Risk**

250. A flood risk assessment (FRA) has been undertaken which states that the proposed development is within Flood Zone 1 and therefore at low risk from fluvial and tidal flooding.

251. Farringdon Street is identified as being at risk from surface water run-off in the City’s Strategic Flood Risk Assessment. The FRA notes that surface water from the site would be managed through measures including a rainwater harvesting system, living roof (1,130sq.m) and attenuation tanks/geo-cellular storage within the basement to a total of 280 cubic metres. It is anticipated that these measures would reduce the existing run-off by at least 50% and as such the proposal is considered to comply with the drainage hierarchy in policy 5.13 of the London Plan.

252. The Environment Agency raises no objection to the proposals subject to a condition requiring further details on the surface water drainage arrangements which has been included.

**Archaeology**

253. The site is in an area of archaeological potential where remains from all periods may be expected to survive. The site is outside the Roman and medieval city walls in an area of potential Roman burials and on the eastern side of the Fleet river valley. An Historic Environment Assessment assessing the impact of the scheme on buried archaeological remains which includes results of previous archaeological evaluation on the site has been submitted with the planning application. The assessment and evaluation have shown that disturbance from the existing building is likely to have removed remains from most of the site, with the exception of any deeper cut features. On the western part of the site, there is greater potential for survival of remains such as artefacts, environmental material, alluvial deposits and foreshore gravels associated with the Fleet river valley.

254. The proposed basements would be at a similar level to the existing. New foundations, temporary propping and underpinning for the new basement floor slab and potential lift pits would have an impact on surviving remains.

255. Conditions are attached to cover a programme of archaeological work to record archaeological remains on the site and submission of foundation details and piling configuration. A condition is also attached to cover recording the building and the integral railway sidings which survive below the existing basement slab.

**Crossrail Safeguarding**

256. The site falls within the Crossrail Safeguarding Directions and the basement of the General Market has been designated for use by Crossrail as a work area. The use of the application site as a work area
and site access to Farringdon Station was set out in the Agreement entered into on the 2nd August 2007 between the Secretary of State for Transport, Thornfield Properties (London) Limited and BPP (Farringdon Road) Limited.

257. Crossrail is of the view that to permit this application would seriously prejudice their use. Crossrail have recommended refusal of the application and that any recommendation to grant must first be referred to the Secretary of State for Transport.

258. Transport for London state that the issues connected with Crossrail’s safeguarding interests have been resolved, in line with London Plan Policy 6.1. The Mayor of London advised that the applicant should liaise with Transport for London to resolve the issue.

259. The developers have written to Crossrail stating that the use of the Safeguarding Directions to recommend refusal is not appropriate in the circumstances of this case. They consider that there is no justification for resisting the grant of planning permission in order to safeguard Crossrail’s use of the basement in terms of the 2007 agreement. They state that there is nothing in the 2007 agreement which prevents applications being submitted for permission to develop the buildings.

260. They do not accept that the implementation of the planning permission will affect Crossrail’s use of the basement of the General Market, for the following reasons:

- Crossrail’s occupation and use of the General Market, in accordance with the 2007, agreement is protected under the terms of that agreement;

- The planning application encompasses the Annex Block and the former lavatory block as well as the General Market. The developer could progress proposals for the development of these sites so as not to interfere with Crossrail’s temporary occupation for the period envisaged by the 2007 Agreement.

- The developers are in discussions with Crossrail, with the aim of securing a mutually acceptable modus operandi which will allow both parties to achieve their aims.

- The developers do not see why Crossrail’s concerns could not be addressed by an appropriately worded condition.

261. A condition is recommended requiring that no works including demolition commence until a scheme setting out details of how works can be carried out without interfering with Crossrail’s use of the basement to the General Market as a work area has been submitted to and approved in writing by the local planning authority.

**Wind Effects**

262. The Environmental Statement indicates that the proposed scheme does not generate any particular adverse conditions regarding the wind environment and that no significant changes in the wind pattern should arise.
263. The proposed buildings occupy a similar footprint to the existing buildings and will not be significantly taller than the surrounding existing buildings, thus reducing the possibility of high winds being brought down to ground level creating a downwash effect.

264. The assessment regarding likely wind conditions shows that the development would create a comfortable and safe wind microclimate for on-site and off-site pedestrians.

Daylight/Sunlight/Light Pollution and Overshadowing

265. The site is, surrounded by commercial buildings, with no affected residential properties and no open amenity space.

266. The Smithfield Markets Tenants’ Association have raised concerns that the development on the General Market would impact on the office premises on the first floor of the Poultry Market particularly in terms of light pollution and privacy.

267. Daylight tests are applied to residential windows in particular. Commercial properties have a greater reliance on electric lighting and the situation that would result as a consequence of the development would not be an untypical one for a commercial environment in the City. The policies relating to loss of privacy apply to residential premises. There would not be an unacceptable adverse impact on the 1st floor offices in relation to either light pollution or privacy.

268. The buildings would incorporate modern lighting systems designed to reduce glare and minimise horizontal and vertical light spill.

Environmental Effects of Deconstruction and Construction

269. The site is surrounded by commercial uses and the nearest residential premises are in Hosier Lane. The development site is immediately adjacent to the meat market and therefore careful consideration would be given to both the effects of works of demolition and construction on its operation and other occupiers in the area. The developers intend to agree an Environmental Management Plan with the City that would accord with the City’s Code of Construction Practice for Deconstruction and Construction Sites. Suitable conditions are proposed for both the deconstruction and construction stages of the development.

Highways and Transportation

270. The site is in an excellent location for access to public transport which would improve with the completion of Crossrail. The existing vehicle access to the basement would remain and the existing public car park use would cease.

271. The development would provide two parking bays for use by people with disabilities but would otherwise be car free. The proposed cycle parking is at the higher standard of 1/125sq.m and motor cycle parking would be provided to above the required standard all of which is supported.

272. The ramp would provide access to the basement for cyclists, motor cyclists and servicing and other vehicles. A vehicle management
system would be required to ensure the safety of all users. It is recommended that a condition be attached to ensure visibility for cyclists exiting the cycle store area onto the ramp.

273. The application includes a transport assessment and whilst the methodologies are considered to be broadly appropriate further detailed studies in respect of future trip generation, footway capacity and the pedestrian environment are required to be undertaken at the detailed stage. The proposed Travel Plan requires further consideration and a revised travel plan and a servicing management plan are required by condition.

Planning Obligations and Community Infrastructure Levy

274. Under Section 106 of the Town & Country Planning Act 1990 a planning obligation can be entered into, either by agreement between the land owner/s and the local planning authority or unilaterally by the landowner/s:

- restricting the development or use of land in any specified way;
- requiring specified operations or activities to be carried out in, on or under or over the land;
- requiring the land to be used in any specified way; or
- requiring a sum or sums to be paid to the authority on a specified date or dates or periodically.

275. Planning obligation arrangements were modified by the Community Infrastructure Levy Regulations 2010 (‘the CIL Regulations’). The Regulations introduce statutory restrictions on the use of planning obligations to clarify their proper purpose, and make provision for planning obligations to work alongside any Community Infrastructure Levy (‘CIL’) arrangements which local planning authorities may elect to adopt.

276. Regulation 122 states that it is unlawful for a planning obligation to constitute a reason to grant planning permission when determining a planning application if the obligation does not meet all the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

277. The National Planning Policy Framework (March 2012) stated that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It repeated the tests set out above and then stated that where planning obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. (NPPF paragraphs 203-206).
Mayor of London Policies
Mayoral Community Infrastructure Levy (CIL)

278. On 1\textsuperscript{st} April 2012 the Mayor of London introduced a new statutory charge, the Mayoral Community Infrastructure Levy (CIL), in accordance with London Plan Policy 8.3. The Mayoral CIL is paid by developers to help fund strategically important infrastructure, initially focussing on Crossrail. The Mayor has set a charge of £50 per sq.m and this applies to all development over 100sq.m (GIA) except social housing, education related development, health related development and development for charities for charitable purposes.

Mayoral Planning Obligations

279. Since April 2010 the Mayor of London has sought contributions towards the cost of funding Crossrail through the negotiation of planning obligations in accordance with London Plan Policy 6.5. Mayoral planning obligations are payable by developers according to an indicative level of charges for specific uses set out in the Mayoral SPG (July 2010): offices (£140 per sq.m net gain in GIA floorspace), retail (£90) and hotels (£61) provided there is a net gain of 500sq.m for that use.

280. The Mayor of London has stated in his Mayoral CIL Charging Schedule (April 2012) that he will not ‘double charge’ developments that are liable for both Mayoral CIL and Mayoral planning obligations payments for Crossrail. His approach is to treat any Mayoral CIL payment as a credit towards any Mayor planning obligation liability. Therefore the Mayoral planning obligation liability can be reduced by the Mayoral CIL.

281. At the time of preparing this report the Mayoral CIL has been calculated to be £696,500. The full Mayoral planning obligation has been calculated to be £1,827,850 but this would be reduced to £1,131,350 after deduction of the Mayoral CIL. The full Mayoral planning obligation is also subject to a 10% discount if the development is commenced before 31\textsuperscript{st} March 2014. It should be noted that these figures may be subject to change should there be a variation in the CIL liability at the point of payment and should therefore only be taken as indicative figures at this point.

282. These contributions towards the funding of Crossrail will be collected by the City Corporation. Under the CIL regulations the City Corporation is able to retain 4% of the Mayoral CIL income as an administration fee; the remainder will be forwarded to the Mayor of London. The whole of the Mayoral planning obligation income received will be forwarded to the Mayor. However, the developer will also be liable to pay an additional £3,500 Mayoral planning obligation administration and monitoring charge to the City Corporation. The total contributions due in accordance with the Mayoral CIL and Mayoral planning obligation policies are summarised below:
<table>
<thead>
<tr>
<th>Liability in accordance with the Mayor of London’s policies</th>
<th>Contribution £</th>
<th>Forwarded to the Mayor</th>
<th>Retained by City Corporation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayoral Community Infrastructure Levy payable</td>
<td>696,500</td>
<td>668,840</td>
<td>27,860</td>
</tr>
<tr>
<td>Mayoral planning obligation net liability*</td>
<td>1,131,350</td>
<td>1,131,350</td>
<td>Nil</td>
</tr>
<tr>
<td>Mayoral planning obligation administration and monitoring charge</td>
<td>3,500</td>
<td>Nil</td>
<td>3,500</td>
</tr>
<tr>
<td><strong>Total liability in accordance with the Mayor of London’s policies</strong></td>
<td><strong>1,831,350</strong></td>
<td><strong>1,799,990</strong></td>
<td><strong>31,360</strong></td>
</tr>
</tbody>
</table>

*Net liability is on the basis of the CIL charge remaining as reported and could be subject to variation.

**City of London’s Planning Obligations SPG policy**

283. On 8th June 2004 the City’s Supplementary Planning Guidance on Planning Obligations was adopted. This policy seeks a contribution of £70sq.m from developments over 10,000sq.m provided that there is also an increase of 2,000sq.m.

284. In this case the proposed net increase would be 16,281sq.m. On the basis of the figure indicated in the Supplementary Planning Guidance, the planning obligation figure would be £1,139,670. It is the City’s practice that all financial contributions should be index-linked with reference to the appropriate index from the date of the Committee resolution.

285. The applicant has agreed a breakdown which accords with the Supplementary Planning Guidance as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Contribution £</th>
<th>Percentage share %</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Contribution under City’s SPG</strong></td>
<td>1,139,670</td>
<td></td>
</tr>
<tr>
<td>Allowance for Monitoring of Agreement by City (1%)</td>
<td>11,397</td>
<td></td>
</tr>
<tr>
<td><strong>Balance available for allocation</strong></td>
<td><strong>1,128,273</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

**Proposed allocations:**

- Local Community and Environment 564,136  50
- Affordable Housing 338,482  30
- Transportation 169,241  15
- Local Training and Skills 56,414  5
| Total allocation under City’s SPG | 1,128,273 | 100 |

286. I have set out below the details that I am recommending concerning the planning obligations. All elements of the planning obligations sought are considered to be necessary to make the application acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development and meet the above tests contained in the CIL Regulations and in government policy. I would also request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations as necessary.

Local Community and Environmental Improvements

287. It is inevitable that a development of the scale and intensity of the proposals will have a range of impacts in the vicinity of the site both in terms of the demolition and construction phase, and in terms of the operational phase, as referred to in this report. The contribution for Local Community Facilities and the Environment will be used to help mitigate the impact of the development by providing facilities and opportunities which may include but are not limited to education, health & welfare, church works and for the benefit of other voluntary organisations, arts & culture, leisure and recreation, childcare provision, street scene and air quality improvements. The City has identified a number of matters required to mitigate the impact of the development and which meet the planning tests and these are set out below.

288. The site falls within the emerging West Smithfield Area Enhancement Strategy which is due to be adopted in the summer. The strategy includes schemes to improve the function and appearance of the streets and public realm in the area.

289. The proposed development would result in an increase in traffic to and from the site and the number of people using the streets and spaces around the site and in the general Smithfield area. The streets would need to accommodate this increase which are already overcrowded at peak times particularly on routes to and from stations and transport interchanges the proposals include the following:

- Widening of footways and improvements to crossing points
- Access improvements in the local area, including raised tables and/or dropped kerbs
- Reducing conflict between modes of transport and road safety improvements
- Creating new and enhancing existing public spaces in the area including accessible seating areas, implementing measures for climate change adaptation and pollution reduction
- A greater number of trees and green areas to mitigate the increase in pollution and
• The introduction of a sustainable urban drainage scheme in the area which is prone to sewer flooding.

290. The details of such proposals are yet to be fully scoped and developed. The planning obligation contributions provided would ensure that works for the benefit of the local community, the provision of local community facilities and environment improvements can be carried out to help mitigate the adverse effects of the development.

291. The applicant will be required to pay some of this contribution for feasibility and design studies upon demolition and the balance would be payable on or before the implementation of the planning permission.

Affordable Housing

292. The Affordable Housing contribution will be used for the purpose of off-site provision of affordable housing in suitable locations in or near to the City of London in accordance with the London Plan. The applicant will be required to pay this contribution on or before the implementation of the planning permission.

Transport Improvements

293. The proposed development will generate additional demands for movement in the form of new walk, cycle, public transport, taxi and servicing trips. Although these movements may have a destination at the development, they will have an origin elsewhere, probably outside the City. As a result, the impacts of these additional movements will be felt throughout the City, not just in the area immediately surrounding the development.

294. It is therefore proposed that the Transport Contribution should help to fund projects in the emerging Traffic Management Programme. The Traffic Management Programme is an emerging series of projects that seek to actively improve the functionality of City Streets in order to help them to accommodate growth in movement. This Programme has been set out in the City's adopted Local Implementation Plan (2011).

295. As the development lies close to the borders of the City's West Smithfield and Holborn Strategy Areas, it is considered that preference would be given to transport projects that lie within the areas bounded by these Strategies.

296. Transport for London have requested contributions of £200,000 be put towards an Improvement scheme for the junction of Farringdon Street and Charterhouse Street, adjacent to Smithfield Market, £20,000 towards upgrading the two closest bus stops to the site and £195,000 to provide a 32 point cycle hire docking station.

297. It is considered that the site is well provided for by existing cycle hire sites with two docking stations within 300 m. Contributions requested for improvements to the road junction and upgrading of bus stops are considered to be justified against the regulation 122 tests. These contributions would be sought in addition to the City's transport improvement contributions. Negotiations with the developer are yet to be finalised.
298. The developer would be required to submit both interim and full Travel Plans prior to occupation and six months after occupation respectively. The obligations in relation to this shall apply for the life of the building.

299. A proportion of the contributions are sought towards strengthening the pipe subway at Snow Hill and Holborn Viaduct. The proposed development would increase demand on the existing pipe subway which would need to be improved to deal with the scale of the development.

Local Training, Skills and Job Brokerage

300. The Local Training, Skills and Job Brokerage contribution will be applied to the provision of training and skills initiatives, including job brokerage, in the City or City fringes. The Developer will be required to pay this contribution on or before the implementation of planning permission.

301. The development represents a substantial uplift in office and retail space, which is likely to lead to an increase in employment opportunities available within the Square Mile. A contribution from the developer would support work to open up employment opportunities in the City. This is consistent with both The City Together Strategy and the emerging Local Development Framework.

Public Realm Access

302. The proposal includes publically accessible space through the site. The balance of public access and private access rights will be secured through Section 106 covenants subject to a detailed regime for public access to be only prevented or temporarily restricted or limited to enable cleansing, maintenance and security. The details of this regime are yet to be finalised and negotiations with the developer are in progress.

Highway Reparation and other Highways obligations

303. The cost of any reparation works required as a result of the development will be the responsibility of the Developer.

304. If required, prior to implementation and based on the City's standard draft, the developer will be obligated to enter into an agreement under Section 278 of the Highways Act 1980 to meet the cost of highway works that are necessary to meet the burden placed on the highway network by the development.

Utility Connections

305. The development will require connection to a range of utility infrastructure. Early engagement by the applicant about utilities infrastructure provision will allow for proper co-ordination and planning of all works required to install the utility infrastructure, particularly under public highway, so as to minimise disruption to highway users. A s106 covenant will therefore require the submission of draft and final programmes for ordering and completing service connections from utility providers in order that the City's comments can be taken into
account, and will require that all connections are carried out in accordance with the programme. Details of the utility connection requirements of the Development including all proposed service connections, communal entry chambers, the proposed service provider and the anticipated volume of units required for the Development will also be required.

**Method Statement, Plans and Audits**

**Delivery and Servicing Management Plan**

306. The developer would be required to submit for approval a Delivery and Servicing Management Plan prior to occupation. In the event of any breach of the Management Plan, the developer will be required to resubmit a revised document, and should the developer default on this requirement, the City will be given the ability to provide a replacement plan. The operation of the Delivery and Servicing Management Plan will be subject to an annual review.

**Travel Plan**

307. The developer would be required to submit both interim and full Travel Plans prior to occupation and six months after occupation respectively. The obligations in relation to this shall apply for the life of the building.

**Local Training, Skills and Job Brokerage Strategy (Construction)**

308. The applicant will be required to submit for approval details of the Local Training, Skills and Job Brokerage Strategy (Construction) in line with the aims of the City Corporation’s Employment Charter for Construction. This Charter aims to maximise job opportunities in the City for residents of the City fringes and offer employment and training opportunities to local people wishing to begin a career in construction. The Strategy will be submitted in two stages: one to be submitted prior to the First Preparatory Operation Date in respect of the Preparatory Operations; the second to be submitted prior to Implementation in respect of the Main Contract Works Package.

309. The Economic Development Office is able to introduce the Developer or its Contractor and Sub-Contractors to local training providers and brokerage agencies to discuss their site-specific skills needs and to identify suitable local people to fill opportunities on site. The Developer is encouraged to liaise with the Economic Development Office at the earliest stage in the development process in order that the strategy can be submitted prior to commencement.

**Local Procurement**

310. The developer has agreed to submit for approval a Local Procurement Strategy prior to implementation of the planning permission. The Local Procurement Strategy shall include details of: initiatives to identify local procurement opportunities relating to the construction of the development; initiatives to reach a 10% target for local procurement, from small to medium sized enterprises in the City and City fringes; the timings and arrangements for the implementation of such initiatives; and suitable mechanisms for the monitoring of the effectiveness of
such initiatives e.g. a local procurement tracker can be used to capture this information.

311. The developer will be required at the 6 month stage, or half way through the project (whichever is earliest), to report to the City of London Corporation’s Economic Development Office on their performance against the 10% local procurement target.

312. The Economic Development Officer is able to provide information and guidance to the Developer its Contractor and Sub-Contractors. The Developer is encouraged to liaise with the Economic Development Officer at the earliest stage in the development process in order that the strategy can be submitted prior to implementation.

Carbon reduction targets

313. The London Plan sets a target for major developments to achieve an overall carbon dioxide emission reduction of 25% increasing to 40% in 2013-2016, through the use of on-site renewable energy generation. The design proposals would achieve this target. A detailed assessment confirming this is required by condition. If this target is not met on site the applicant will be required to make cash in lieu contribution to a carbon off-setting scheme. The contributions will be secured through the section 106 agreement.

Monitoring and Administrative Costs

314. A 10 year repayment period would be required where by any unallocated sums would be returned to the developer 10 years after practical completion of the development.

315. The applicant will pay the City of London’s legal costs incurred in the negotiation and execution of the legal agreement and the City Planning Officer’s administration costs in respect of the same. 1% of the total contribution (secured under the City’s SPG) will be allocated to the monitoring of the agreement.

316. Separate additional administration and monitoring fees will be applied in relation to the Crossrail Contribution.

Conclusion

317. The 3 applications before you are separately considered and recommended for approval.

Planning Permission

318. The proposal should be assessed against the relevant development plan policies. Regard should have also been had to local finance considerations and other material considerations. There is a statutory duty to have special regard to the desirability of preserving the listed building (the Poultry Market) and its setting and the features of special architectural or historic interest which it possesses, and to have special regard to the desirability of preserving the setting of nearby listed buildings. There is also a statutory duty that special attention shall be
paid to the desirability of preserving or enhancing the character or appearance of the Smithfield Conservation Area.

319. It is acknowledged that some harm would result to the undesignated heritage assets of the General Market and Annex Market through the removal of the roofs and interior spaces. Such harm is less than substantial and would be outweighed by the public benefit of restoring and refurbishing the perimeter buildings of the General Market, Annex Market and Engine House and the principal facade of the Red house and removing the unsightly Iron Mountain store, and bringing the land and buildings back into use for retail and office purposes, being the optimum viable uses. In arriving at that view no account has been taken of repairs necessary to remedy defects arising as a result of neglect.

320. Public access would be provided into both the Market buildings increasing permeability of the sites and providing new public routes.

321. The character and appearance of the Conservation Area would be preserved and enhanced by the restoration of the principal facade of the buildings and the provision of active frontages and associated activity. The less than substantial harm resulting from the relationship of the new buildings to the retained perimeters is outweighed by these public benefits.

322. The scheme in providing retail and office uses provides a mix of uses that are appropriate in land use terms and optimum viable uses, which support the vitality and do not detract from other land use in the area.

323. The intensification of the use of the site in this highly accessible location is supported by policy where, as in this case it is achieved without substantial harm to designated and non-designated heritage assets.

324. The scheme necessitates the removal of the Grade 2 listed canopy of the Poultry Market. This does not detract from the remainder of the listed Poultry Market or from the continuity of the run of Market Buildings due to the continued oversailing of West Poultry Avenue.

325. The setting of other listed buildings is not detrimentally affected. Whilst the scheme does impact on views out from Holborn Viaduct it does not detract from its setting.

326. When balancing any public benefits of the proposal against less than substantial harm to heritage assets, in recognition of the statutory duties imposed by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 greater weight should be afforded to the desirability of preserving the listed Poultry Market or any features of specific architectural or historic interest which it possesses and its setting, the setting of other listed buildings, and the desirability of preserving or enhancing the character or appearance of the Conservation Area.

327. The safeguarding of the most significant elements of the buildings and creating new development in the manner proposed does not result in
substantial harm and secures a future for the site, and any harm which is caused is outweighed by the public benefits.

328. The scheme provides public benefits in relation to s106 and CIL payments which accord with the Mayor of London and the City’s objectives to provide planning benefits in accordance with policy. In addition the s106 will require the provision of public access through the site and other objectives not met through Conditions.

329. The scheme accords with the NPPF and the Development Plan when taken as a whole, subject to a number of matters including those relating to Crossrail, the detailed design and the restoration of the spirelet being dealt with by condition and the S.106 agreement.

330. The scheme provides these important buildings with a viable future which ensures that the most significant elements of the buildings have a safeguarded future.

331. On balance taking all material considerations into account it is recommended that conditional planning permission be granted in accordance with the recommendations set out.

Conservation Area Consent

332. In relation to the application for Conservation Area Consent the City is required to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

333. The demolition proposed within the site is required to facilitate the re-development of the interiors of the site with new facades on the street in West Poultry Avenue and West Smithfield. The loss of this fabric results in less than substantial harm to the Conservation Area and enables the safeguarding of the most important elements of the buildings, provides new uses, routes and vitality which would preserve and enhance the Conservation Area. The less than substantial harm is outweighed by the public benefits of the proposal, including securing the optimum viable use.

334. On balance it is recommended that Conditional Conservation Area consent be granted in accordance with the recommendation set out.

Listed Building Consent

335. Listed Building Consent is required for the removal of the Poultry Market canopy and in determining that application the City is required to have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses.

336. The canopy is a utilitarian structure attached to both the General Market and the Poultry Market. The canopy was constructed as part of the Poultry Market. Canopies are characteristic of the Market complex but this one is not of exceptional quality and its removal would not detract from the listed Poultry Market, the status of which is not detrimentally affected by the proposal.
337. Its construction resulted in damage to the eastern facade of the General Market and its demolition is required to facilitate the new infill development.

338. Its removal would not result in substantial harm and on balance it is recommended that Listed Building Consent be granted in accordance with the recommendation set out.

**Background Papers**

Internal

External

Design and Access Statement, John McAslan and Partners

Energy Statement – General Market Building, Long & Partners/RES

Energy Statement – Annex Building, Long & Partners/RES

Sustainability Statement, Long & Partners/RES

Retail Impact Assessment, DP9

Retail Strategy, Bruce Gillingham Pollard/Savills

Statement of Community Involvement, Indigo Public Affairs

Transport Assessment, SKM Colin Buchanan

Framework Travel Plan, SKM Colin Buchanan

Framework Construction and Logistics Plan, SKM Colin Buchanan

Framework Delivery Servicing Plan, SKM Colin Buchanan

Waste Management Plan, SKM Colin Buchanan

Environmental Statement Vol 1, Waterman Group EED

Environmental Statement Vol 2, Townscape, Heritage and Visual Impact, Hayes Davidson/Francis Golding

Environmental Statement Vol 3 – Appendices, Waterman Group EED

Environmental Statement – Non Technical Summary, Waterman Group EED

Existing Drawing Numbers: 1354 P GM JC10 P 00 001; 1354 P GM JC10 P 01 001; 1354 P GM JC10 P 02 001; 1354 P GM JC10 P 03 001; 1354 P GM JC10 P B2 001; 1354 P GM JC10 S AA 001; 1354 P GM JC10 S BB 001; 1354 P GM JC10 E NE 001; 1354 P GM JC10 E NW 001; 1354 P GM JC10 E SE 001; 1354 P GM JC10 E W 001; 1354 P GM JC10 E RA 001; 1354 P AB JC10 P 00 001; 1354 P AB JC10 P 01 001; 1354 P AB JC10 P 02 001; 1354 P AB JC10 P B2 001; 1354 P AB JC10 S AA 001; 1354 P AB JC10 S CC 001; 1354 P AB JC10 E E 001; 1354 P AB JC10 E NE 001; 1354 P AB JC10 E NW 001; 1354 P AB JC10 E SW 001; 1354 P EH JC10 A AL 001.

Environmental Statement Addendum, Waterman Group EED

26.03.2013 Email Natural England

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09.04.2013 Letter Sean Wilcox
10.04.2013 Email the Victorian Society
12.04.2013 Email Vanessa Jane Hall
12.04.2013 Email Mark Gilbert
15.04.2013 Letter Network Rail
15.04.2013 Email Phillipa Edwards
17.04.2013 Email Design Council CABE
17.04.2013 Email Matt Keen
19.04.2013 Email Laurence Guillez
19.04.2013 Email Twentieth Century Society
20.04.2013 Email Tracy Coleman
20.04.2013 Email Jeremy Musson
20.04.2013 Email Philip Hewat-Jaboor
20.04.2013 Email Robert Ayton
21.04.2013 Email L.A. Hackett
21.04.2013 Email N.C. Hackett
22.04.2013 Email George Graham
22.04.2013 Email Nick Roscoe
22.05.2013 Email Phillipa Edwards
23.04.2013 Email Richard Baker
23.04.2013 Email Robert Ayton
24.04.2013 Email Jonathan Brown
24.04.2013 Email Jane Hanson
24.04.2013 Email Rosemary Paterson
24.04.2013 Email Alison Homewood
24.04.2013 Email Transport for London
24.04.2013 Email Andrew Carter
24.04.2013 Email Crossrail Limited
25.04.2013 Email SAVE Britain’s Heritage (Letter of Objection and Appendix 1)
25.04.2013 Email Heritage of London Trust
25.04.2013 Email Paul Latham
25.04.2013 Email Matthew Plummer
25.04.2013 Letter Tim Knox
26.04.2013 Emails SAVE Britain's Heritage (Appendices 2 and 3 to support objection received on the 25.04.2013)
26.04.2013 Email Rick Glanvill
26.04.2013 Email Emily Whittredge
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26.04.2013 Email Patricia Wilkey
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28.04.2013 Email Chris Emery
28.04.2013 Email John Finn
28.04.2013 Email Matthew Beckett
29.04.2013 Email Mark Sladen
29.04.2013 Email Mike Bolton
29.04.2013 Email G Lawrence, Smithfield Market Tenants' Association o
29.04.2013 Email Wendy Ahl
29.04.2013 Email Jennifer E Sherwood
29.04.2013 Email Janet Allford
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29.04.2013 Email John Finn
30.04.2013 Email and attachment Jennifer Freeman
30.04.2013 Email Mark Mallindine
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30.04.2013 Letter Julia Hodgkin
30.04.2013 Email Emma Gilman
30.04.2013 Email Francesca Alaimo
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01.05.2013 Letter Sabrina Harcourt-Smith
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06.05.2013 Email Phil Chin
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08.05.2013 Letter Urban Space Management
10.05.2013 Email London and Middlesex Archaeological Society
10.05.2013 Email Debra Marber
13.05.2013 Email Diana Greenway
16.05.2013 Email Adam Wilkinson
16.05.2013 Email Patrick Lorimer
16.05.2013 Email Tamzin Lawrence
17.05.2013 Email Council for British Archaeology
17.05.2013 Letter the Smithfield Trust
17.05.2013 Letter the Society for the Protection of Ancient Buildings
20.05.2013 Email Islington Borough Council
20.05.2013 Email Raymond Hill
20.05.2013 Email Phillipa Edwards
21.05.2013 Email SAVE Britain’s Heritage
21.05.2013 Letter the Lord Cormack
22.05.2013 Email Rohan McCullough
23.05.2013 Letter Sutton’s Hospital, Charterhouse
23.05.2013 Letter Joan Brown
28.05.2013 Email Natural England
04.06.2013 Letter S Lumineau
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14.06.2013 Email English Heritage
14.06.2013 Letter R Entwisle
14.06.2013 Letter Yumi Izutani
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14.06.2013 Letter C Luckwood
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21.06.2013 Email Sue Newman
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21.06.2013 Email Susan Watkin
22.06.2013 Email Ross McCullagh
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25.06.2013 Letter Mollie Bickerstaff
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28.06.2013 Email Ewa Berard
28.06.2013 Email Peter Simpson
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28.06.2013 Email Rosey Taylor
28.06.2013 Email Beverley Bytheway
28.06.2013 Email Elizabeth Carmichael
28.06.2013 Email Adam English
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28.06.2013 Email Jemima Broadbridge
28.06.2013 Email Timothy Arnold
28.06.2013 Email William Palin
28.06.2013 Email Susanna Walker-Robson
28.06.2013 Email Helen Proud
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01.07.2013 Letter Philip Thcknesse, The Haberdashers’ Company
02.07.2013 Email Pamela Gordon
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Appendix A

Policy 2.10 Enhance and promote the unique international, national and London wide roles of the Central Activities Zone (CAZ) and as a strategically important, globally-oriented financial and business services centre.

Policy 2.11 Ensure that developments proposals to increase office floorspace within CAZ include a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in the plan.

Policy 4.1 Promote and enable the continued development of a strong, sustainable and increasingly diverse economy; Support the distinctive and crucial contribution to London’s economic success made by central London and its specialist clusters of economic activity; Promote London as a suitable location for European and other international agencies and businesses.

Policy 4.2 Support the management and mixed use development and redevelopment of office provision to improve London’s competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes.

Policy 4.3 Within the Central Activities Zone increases in office floorspace should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan.

Policy 4.5 Support London’s visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seeking to improve the range and quality of provision.

Policy 4.8 Support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of this Plan, especially town centres.

Policy 5.2 Development proposals should make the fullest contribution to minimising carbon dioxide emissions.

Policy 5.3 Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. Major development proposals should meet the minimum standards outlined in supplementary planning guidance.

Policy 5.11 Major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible.

Policy 6.3 Development proposals should ensure that impacts on transport capacity and the transport network are fully assessed.

Policy 6.9 Developments should provide secure, integrated and accessible
cycle parking facilities and provide on-site changing facilities and showers for cyclists, facilitate the Cycle Super Highways and facilitate the central London cycle hire scheme.

Policy 6.13 The maximum standards set out in Table 6.2 should be applied to planning applications. Developments must:
- ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles
- provide parking for disabled people in line with Table 6.2
- meet the minimum cycle parking standards set out in Table 6.3
- provide for the needs of businesses for delivery and servicing.

Policy 7.2 All new development in London to achieve the highest standards of accessible and inclusive design.

Policy 7.3 Creation of safe, secure and appropriately accessible environments.

Policy 7.4 Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area’s visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.

Policy 7.6 Buildings and structures should:
- be of the highest architectural quality
- be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- comprise details and materials that complement, not necessarily replicate, the local architectural character
- not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- incorporate best practice in resource management and climate change mitigation and adaptation
- provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- be adaptable to different activities and land uses, particularly at ground level
- meet the principles of inclusive design
- optimise the potential of sites.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.
Policy 7.19  Development proposals should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.
Appendix B

Unitary Development Plan and Core Strategy Policies

CS1 Provide additional offices

To ensure the City of London provides additional office development of the highest quality to meet demand from long term employment growth and strengthen the beneficial cluster of activities found in and near the City that contribute to London's role as the world's leading international financial and business centre.

CS3 Ensure security from crime/terrorism

To ensure that the City is secure from crime, disorder and terrorism, has safety systems of transport and is designed and managed to satisfactorily accommodate large numbers of people, thereby increasing public and corporate confidence in the City's role as the world's leading international financial and business centre.

CS4 Seek planning contributions

To manage the impact of development, seeking appropriate contributions having regard to the impact of the contributions on the viability of development.

CS5 Meet challenges facing North of City

To ensure that the City benefits from the substantial public transport improvements planned in the north of the City, realising the potential for rejuvenation and "eco design" to complement the sustainable transport infrastructure.

CS10 Promote high quality environment

To promote a high standard and sustainable design of buildings, streets and spaces, having regard to their surroundings and the character of the City and creating an inclusive and attractive environment.

CS12 Conserve or enhance heritage assets

To conserve or enhance the significance of the City's heritage assets and their settings, and provide an attractive environment for the City's communities and visitors.

CS13 Protect/enhance significant views

To protect and enhance significant City and London views of important buildings, townscape and Skylines, making a substantial contribution to protecting the overall heritage of the City's landmarks.
**CS15 Creation of sustainable development**

To enable City businesses and residents to make sustainable choices in their daily activities creating a more sustainable City, adapted to the changing climate.

**CS18 Minimise flood risk**

To ensure that the City remains at low risk from all types of flooding.

**CS20 Improve retail facilities**

To improve the quantity and quality of retailing and the retail environment, promoting the development of the five Principal Shopping Centres and the linkages between them.

**ENV6 Design of alterations to buildings**

To ensure that all alterations or extensions to an existing building take account of its scale, proportions, architectural character, materials and setting.

**UTIL6 Provision for waste collection**

To require adequate provision within all developments for the storage, presentation for collection, and removal of waste, unless exceptional circumstances make it impractical; to encourage provision to allow for the separate storage of recyclable waste where appropriate.

**TRANS22 Require cycle parking**

To provide cycle parking facilities by:

i. requiring the provision of private parking space for cycles in development schemes;

ii. maintaining an adequate overall number of spaces for cycles in public off-street car parks; and

iii. providing an adequate supply of cycle parking facilities on-street.

**ECON6 Maintain character of Smithfield**

To ensure that development maintains or enhances the varied and special character of Smithfield by:

i. normally requiring that development proposals for sites including existing non-B1 uses shall maintain the amount and proportion of non-B1 uses on the site;
ii. seeking a proportion of non-B1 uses in development proposals for sites wholly in B1 (office) use;

iii. seeking a variety of uses other than B1 to be located at street level.

When assessing the suitability of sites for mixed uses the potential difficulties of accessing and servicing mixed uses on small sites will be taken into consideration.

**TRANS7 Improve pedestrian routes**

To support the retention and improvement of pedestrian routes and crossings, public rights of way and the City Walkway network.

**TRANS9 Ensure highway hierarchy works**

To ensure that the highway hierarchy functions as planned to assist in the management and improvement of traffic circulation and the environment and to widen highways in defined locations.

**TRANS11 Appropriate traffic management**

Appropriate traffic management measures will be introduced to ensure that the highway hierarchy operates as effectively and safely as possible, in accordance with the needs of all user groups and the functions associated with each street. The type of traffic management measures to be applied will be the subject of detailed study and formal consultation prior to implementation.

**ENV8 Promote high quality open spaces**

To promote and ensure high standards in the layout, design, surface treatment and landscaping of open spaces and streets, and to seek the retention of existing surfaces and features which contribute positively to the character and appearance of the location and the City.

**ENV11 Preserve contribution to CA**

To resist the demolition of buildings which make a positive contribution to the character or appearance of a conservation area and to encourage their sympathetic refurbishment.

**ENV13 Control demolition in CA**

Conservation area consent, if appropriate, will normally be subject to a condition preventing demolition prior to the approval of detailed plans of any replacement building and may be subject to a condition that a
contract, or series of contracts, ensuring the construction of such a replacement has been signed.
Appendix C
12. Conserving and enhancing the historic environment

126. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

127. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.

130. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

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29 The principles and policies set out in this section apply to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-taking.
131. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
136. Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

138. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

139. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

140. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

13. Facilitating the sustainable use of minerals

142. Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.

143. In preparing Local Plans, local planning authorities should:

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30 Copies of evidence should be deposited with the relevant Historic Environment Record, and any archives with a local museum or other public depository.
SCHEDULE

APPLICATION: 13/00150/FULEIA

43 Farringdon Street, 25 Snow Hill 1A And 29 Smithfield Street London EC1

Partial demolition of the existing building and other structures at 43 Farringdon Street and part redevelopment and part refurbishment of the existing buildings to provide office (B1) and retail (A1-A3) partial demolition of the existing building and other structures at 25 Snow Hill and 29 Smithfield Street to provide office (B1) and retail (A1-A3) uses with associated servicing and access (39,441sq.m).

Notice is given that the Applicant has submitted the following in respect of the proposed development as 'other environmental information' for the purposes of Regulation 22 of the Environmental Impact Assessment Regulations:
1. A response to the EIA Scoping Opinion dated 28 January 2013 including an Air Quality Assessment;
2. An Environmental Statement Addendum in respect of the Statement of Significance of the Built Heritage; and
3. Amended drawings and other material regarding minor alterations to the new office building at 25 Snow Hill to comprise revisions to the glazed facade and removal of the office bay at fourth and fifth level to the rear of the retained Red House building.

CONDITIONS

1  The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.

2  No development including demolition shall commence and no submissions of details to comply with conditions shall be made until details clearly identifying the different phases of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the offices and retail accommodation in each of the following individual buildings the Annex Market, General Market and Engine House shall not be occupied until all the works of restoration to that individual building have been completed in accordance with the relevant Conditions and the LPA has advised in writing that the works are in compliance with the approved conditions.
REASON: To ensure that full details of the phasing of the development are submitted for approval and that the restoration works in each phase are completed to the satisfaction of the Local Planning Authority.

3 Provision for facilities for work area and site access to Farringdon Station in the basement of the General Market for the construction of the Crossrail project must be maintained and available for use by Crossrail in accordance with a scheme to be submitted to and approved in writing by the local planning authority prior to the commencement of development in consultation with Crossrail to comply with the requirements of the Crossrail Act 2008.
REASON: To enable the delivery of Crossrail.

4 Demolition works shall not begin until a Deconstruction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site deconstruction of the existing buildings has been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The development shall not be carried out otherwise than in accordance with the approved Deconstruction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority (in consultation with Transport for London).
REASON: To ensure that deconstruction works do not have an adverse impact on the transport network in accordance with London Plan Policy 6.14.

5 A scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition taking place on the site. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the demolition process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The demolition shall not be carried out otherwise than in accordance with the approved scheme
REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network in accordance with the following policy of the Core Strategy: CS15.

6 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site construction of the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The development shall not be carried out otherwise than
in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority (in consultation with Transport for London).

REASON: To ensure that construction works do not have an adverse impact on the transport network in accordance with London Plan Policy 6.14.

7 Before any piling or construction of basements is commenced a scheme for the provision of sewer vents within the building shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the local planning authority the agreed scheme for the provision of sewer vents shall be implemented and brought into operation before the development is occupied and shall be so maintained for the life of the building.

REASON: To vent sewerage odour from (or substantially from) the development hereby permitted and mitigate any adverse air pollution or environmental conditions in order to protect the amenity of the area in accordance with the following policies of the Core Strategy: CS15.

8 No development shall take place within the site until the developer has secured the implementation of a programme of building recording, to include the former railway structures, in accordance with a method statement which has been submitted and approved in writing by the Local Planning Authority.

REASON: To ensure that the archaeological and historic interest of the building is recorded in accordance with the following polices of the Core Strategy and UDP: CS12, ARC3.

9 No works except demolition to basement slab level shall take place until the developer has secured the implementation of a programme of archaeological work to be carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. This shall include all on site work, including details of any temporary works which may have an impact on the archaeology of the site and all off site work such as the analysis, publication and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to allow an opportunity for investigations to be made in an area where remains of archaeological interest are understood to exist in accordance with the following policies of the Unitary Development Plan: ARC2, ARC3

10 No works except demolition to basement slab level shall take place before details of the foundations and piling configuration, to include a detailed design and method statement, have been submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.
REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policies of the Unitary Development Plan: ARC2, ARC3.

11 The development shall incorporate such measures as are necessary within the site to resist structural damage arising from an attack with a road vehicle or road vehicle borne explosive device, details of which must be submitted to and approved in writing by the Local Planning Authority before any works hereby permitted are begun. REASON: To ensure that the premises are protected from road vehicle borne damage within the site in accordance with the following policy of the Core Strategy: CS3.

12 No doors or gates shall open over the public highway. REASON: In the interests of public safety

13 The development shall be designed to allow for the retro-fit of heat exchanger rooms to connect into a district heating network if this becomes available during the lifetime of the development. REASON: To minimise carbon emissions by enabling the building to be connected to a district heating and cooling network if one becomes available during the life of the building in accordance with the following policy of the Core Strategy: CS15.

14 Before any construction works hereby permitted are begun details of rainwater harvesting and grey water recycling systems shall be submitted to and approved in writing by the local planning authority. REASON: To improve sustainability and reduce flood risk by reducing potable water demands and water run-off rates in accordance with the following policies of the Core Strategy CS15 and CS18

15 Before any construction works hereby permitted are begun an energy statement shall be submitted to and approved in writing by the local planning authority. The energy statement shall be based on the detailed design of the proposed development and use an approved standard calculation tool for Part L2A of the Building regulations 2010. The measures identified as being incorporated into the development and approved under this condition shall be incorporated into the development and maintained for the life of the development. REASON: To minimise carbon emissions and provide a sustainable development in accordance with the following policy of the Core Strategy CS15.

16 Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) dated January 2013, reference CIV 13986 ES 001 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
The scheme shall include a 50% reduction in run-off and provision of surface water storage on site as outlined in the FRA.
REASON: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with the following policy of the Core Strategy: CS18.

17 Development shall not be commenced until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the local planning authority in consultation with Thames Water. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.
REASON: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand in accordance with the following policy of the UDP: UTIL2.

18 No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure and the programme of works has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
REASON: The proposed works will be in close proximity to underground water utility infrastructure. To ensure that the piling does not have a detrimental impact on local underground water infrastructure in accordance with the following policy of the UDP: UTIL6.

19 Before the development hereby permitted is commenced, a scheme indicating the provision to be made for disabled people to gain access to the retail units and the publically accessible WC within the General Market building; shall have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use.
REASON: To ensure that the development will be accessible for people with disabilities in accordance with the following policy of the Core Strategy: CS10.

20 Before any construction works hereby permitted are begun details of a safety system including appropriate signage, mirrors and optical sensors for use by cyclists entering the ramp from the mezzanine area as shown on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. The safety system shall be implemented in accordance with the approved details prior to the first occupation of the development.
REASON: To ensure the safety of cyclists using the ramp in accordance with the following policies UDP: TRANS15, TRANS22.
21 Before the development hereby permitted is commenced, details of the design of the spirelet to be reinstated on the corner of the General Market building at the junction between West Smithfield and Farringdon Street, shall be submitted to and approved in writing by the Local Planning Authority. The spirelet shall be implemented in accordance with the approved details prior to the first occupation of the General Market building.
REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Unitary Development Plan and Core Strategy: ENV6; CS10 and CS12.

22 Before any works thereby affected are begun the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
(a) particulars and samples of the materials to be used on all external faces of the building including external ground and upper level surfaces;
(b) details of the proposed new facades including typical details of the fenestration, entrances and shopfronts;
(c) details of the alterations to the retained facades;
(d) details of typical bays of the development;
(e) typical details of ground floor elevations;
(f) details of the ground floor office and retail entrances;
(g) details of the flank and return walls of the proposed new building;
(h) details of windows and external joinery;
(i) details of soffits, hand rails and balustrades;
(j) details of all alterations to the existing facades;
(k) details of junctions with adjoining premises;
(l) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level;
(m) details of plant and ductwork to serve the [A1] [A3] [A4] uses;
(n) details of ventilation and air-conditioning for the [A1] [A3] [A4] uses;
(o) details of all ground level surfaces including materials to be used;
(p) details of walkway surfaces including materials to be used;
(q) details of external surfaces within the site boundary including hard and soft landscaping;
(r) details of the platform lift on Hart's Corner.
REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Unitary Development Plan and Core Strategy: ENV6; CS10; CS12; ENV29.

23 Refuse storage and collection facilities shall: (a) be provided within the curtilage of the site to serve each part of the development in accordance with details which must be submitted to and approved in
writing by the Local Planning Authority prior to work commencing; and (b) thereafter be maintained as approved throughout the life of the building.

REASON: To ensure the satisfactory servicing of the building in accordance with the following policies of the Unitary Development Plan and Core Strategy: UTIL 6, CS10, CS17.

24 All unbuilt surfaces shall be treated in accordance with a landscaping scheme to be submitted to and approved in writing by the Local Planning Authority before any such works are commenced. All hard and soft landscaping works shall be carried out in accordance with the approved details not later than the end of the first planting season following completion of the development. Trees and shrubs which die or are removed, uprooted or destroyed or become in the opinion of the Local Planning Authority seriously damaged or defective within 5 years of completion of the development shall be replaced with trees and shrubs of similar size and species to those originally approved, or such alternatives as may be agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity in accordance with the following policies of the Unitary Development Plan and Core Strategy: ENV 8, ENV 9, CS10, CS15, CS19.

25 All work in making good shall match the existing adjacent work with regard to the methods used and to materials, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

REASON: To ensure a satisfactory external appearance in accordance with the following policies of the Unitary Development Plan and Core Strategy: ENV6, CS10.

26 Prior to the occupation of any part of the building all exposed flank or party walls must be faced or treated in accordance with details to be approved by the Local Planning Authority in writing before any such works are commenced and all development pursuant to this permission shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity in accordance with the following policies of the Unitary Development Plan and Core Strategy: ENV 6, CS10.

27 Before any construction works hereby permitted are begun calculations shall be submitted to the local planning authority showing the overall carbon emissions savings and carbon emissions savings in the individual stages of the London Plan energy hierarchy in relation to the building regulations Part L 2010.

REASON: To minimise carbon emissions in accordance with the following policy of the Core Strategy: CS15.
28 Details of the position and size of the green roofs, the type of planting and the contribution of the green roofs to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Core Strategy: CS10, CS15, CS18, CS19.

29 Details of the construction, planting irrigation and maintenance regime for the proposed green roofs shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Core Strategy: CS10, CS15, CS18, CS19.

30 Except as may otherwise be approved in writing by the Local Planning Authority, no development shall be carried out in advance of the building lines as shown on the deposited plans.
REASON: To ensure compliance with the proposed building lines and site boundaries in accordance with the following policies of the Unitary Development Plan and Core Strategy: TRANS 7, CS16.

31 No doors or gates shall open over the public highway.
REASON: In the interests of public safety

32 There must be no building, roof structures or plant above the top storey except as may be approved in writing by the Local Planning Authority.
REASON: To ensure protection of the view of St Paul's Cathedral and to ensure a satisfactory external appearance in accordance with the following policies of the Core Strategy: CS10; CS12, CS13.

33 Prior to the occupation of the office accommodation hereby approved the area shown for retail purposes on the deposited plans shall be constructed to shell and core.
REASON: To ensure that retail facilities are provided in accordance with the following policies of the Unitary Development Plan and Core Strategy: SHOP2, SHOP3, CS20.

34 No live or recorded music that can be heard outside the retail premises shall be played.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Core Strategy: CS15, CS21.

35 At all times when not being used for cleaning or maintenance the window cleaning gantries, cradles and other similar equipment shall be garaged within the enclosures shown on the approved drawings. REASON: To ensure a satisfactory external appearance in accordance with the following policies of the Core Strategy: CS10; CS12; ENV6.

36 No servicing of the premises shall be carried out between the hours of 23:00 on one day and 07:00 on the following day from Monday to Saturday and between 23:00 on Saturday and 07:00 on the following Monday and on Bank Holidays. Servicing includes the loading and unloading of goods from vehicles and putting rubbish outside the building. REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Core Strategy: CS15, CS16, CS21.

37 (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the nearest window or facade of the nearest premises. The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation. Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.

(b) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority. REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Core Strategy: CS15, CS21.

38 Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. REASON: In order to protect the amenities of commercial occupiers in the building in accordance following policy of the Core Strategy: CS15.

39 Before any works thereby affected are begun, a scheme shall be submitted to and approved in writing by the Local Planning Authority
which specifies the fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the Class A use. The details approved must be implemented before the Class A use takes place.

REASON: In order to protect residential/commercial amenities in the building in accordance with the following policies of the Core Strategy: CS15, CS21.

40 No cooking shall take place within any Class A1, A3 or A4 units hereby approved until fume extract arrangements and ventilation have been installed to serve that unit in accordance with a scheme approved by the Local Planning Authority. Any works that would materially affect the external appearance of the building will require a separate planning permission.
REASON: In order to protect the amenity of the area in accordance with the following policies of the Core Strategy: CS10, CS15, CS21.

41 No flues, ductwork, soil stacks, soil vent pipes or any other pipe-work other than rainwater pipes shall be fixed to the elevations of the building unless shown on the drawings hereby approved.
REASON: To ensure that the external appearance of the building is satisfactory in accordance with the following policies of the Unitary Development Plan and Core Strategy: ENV28, CS10.

42 The pass doors shown adjacent to or near to the main entrances on the drawings hereby approved shall remain unlocked and available for use at all times when the adjacent revolving doors are unlocked.
REASON: In order to ensure that people with mobility disabilities are not discriminated against and to comply with the following policy of the Core Strategy: CS10.

43 A minimum of one motor cycle parking space per 750 sq.m. of floorspace (21 spaces) shall be provided and maintained on the site throughout the life of the building. The motor cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.
REASON: To ensure provision is made for motor cycle parking and that the motor cycle parking remains ancillary to the use of the building and to assist in reducing demand for public motor cycle parking in accordance with the following policies of the Unitary Development Plan: TRANS18, TRANS23.

44 A minimum of 2 car parking spaces for use by people with disabilities shall be marked out accordingly and provided and maintained throughout the life of the building and be readily available for use by disabled occupiers and visitors without charge to the individual end users of the parking.
REASON: To ensure provision of suitable parking for people with disabilities in accordance with the following policies of the Unitary Development Plan and Core Strategy: TRANS21, CS16.

45 Permanently installed pedal cycle racks shall be provided and maintained on the site throughout the life of the building sufficient to accommodate a minimum of one pedal cycle per 125 sq. m. of floorspace (minimum 124 spaces). The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.
REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Unitary Development Plan: TRANS22.

46 Changing facilities and showers shall be provided adjacent to the bicycle parking areas and maintained throughout the life of the building for the use of occupiers of the building in accordance with the approved plans.
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Unitary Development Plan: TRANS22.

47 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission: 1354 P GM JC20 P 00 001; 1354 P GM JC20 P 01 001; 1354 P GM JC20 P 02 001; 1354 P GM JC20 P 03 001; 1354 P GM JC20 P B2 001; 1354 P GM JC20 S AA 001; 1354 P GM JC20 S BB 001; 1354 P GM JC20 E NE 001; 1354 P GM JC20 E NW 001; 1354 P GM JC20 E SE 001; 1354 P GM JC20 E W 001; 1354 P AB JC20 P 00 001; 1354 P AB JC20 P 01 001; 1354 P AB JC20 P 02 001; 1354 P AB JC20 P B2 001; 1354 P AB JC20 S AA 001; 1354 P AB JC20 S CC 001; 1354 P AB JC20 E E 001; 1354 P AB JC20 E NE 001; 1354 P AB JC20 E NW 001; 1354 P AB JC20 E SW 001; 1354 P EH JC20 A AL 001; 1354 P GM JC20 P 00 001; 1354 P GM JC20 P 01 001; 1354 P GM JC20 P 02 001; 1354 P GM JC20 P 03 001; 1354 P GM JC20 P B2 001; 1354 P GM JC20 S AA 001; 1354 P GM JC20 S BB 001; 1354 P GM JC20 E NE 001; 1354 P GM JC20 E NW 001; 1354 P GM JC20 E SE 001; 1354 P GM JC20 E W 001; 1354 P AB JC20 P 00 001; 1354 P AB JC20 P 01 001; 1354 P AB JC20 P 02 001; 1354 P AB JC20 P B2 001; 1354 P AB JC20 S AA 001; 1354 P AB JC20 S CC 001; 1354 P AB JC20 E E 001; 1354 P AB JC20 E NE 001; 1354 P AB JC20 E NW 001; 1354 P AB JC20 E SW 001; 1354 P EH JC20 A AL 001; 1354 P GM G250 E NW 001; 1354 P GM G250 E NW 002; 1354 P GM G250 E SW 001; 1354 P GM G250 E W 001; 1354 P AB G250 E E 001; 1354 P AB G250 E NE 001; 1354 P AB G250 E NW 001; 1354 P AB G250 E SW 001; G710 PUBLIC REALM LANDSCAPE; 1354 P G710 P 101; 1354 P
G710 P 102; 1354 P G710 P 103; 1354 P G710 P 104; 1354 P G710 P 105;
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

INFORMATIVES

1 This permission must in no way be deemed to prejudice any rights of light which may be enjoyed by the adjoining owners or occupiers under Common Law.

2 This permission is granted having regard to planning considerations only and is without prejudice to the position of the City of London Corporation or Transport for London as Highway Authority; and work must not be commenced until the consent of the Highway Authority has been obtained.

3 Access for people with disabilities is a material consideration in the determination of planning applications. The City of London Corporation has published design standards giving advice on access for people with disabilities and setting out the minimum standards it expects to see adopted in the City buildings. These can be obtained from the City's Access Adviser, City Planning Officer and District Surveyor. Further advice on improving access for people with disabilities can be obtained from the City’s Access Adviser. Your attention is drawn to the Disability Discrimination provisions of the Equality Act 2010 to ensure that disabled people are not significantly disadvantaged.

Service providers, etc., should make "reasonable adjustments" to facilitate access to their premises and the City asks all applicants for planning permission to ensure that physical barriers to access premises are minimised in any works carried out.

4 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:

detailed advice in the form of statutory policies in the Core Strategy/Unitary Development Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.
5 The correct street number or number and name must be displayed prominently on the premises in accordance with regulations made under Section 12 of the London Building Acts (Amendment) Act 1939. Names and numbers must be agreed with the Department of the Built Environment prior to their use including use for marketing.

6 The Markets and Consumer Protection Department (Environmental Health Team) must be consulted on the following matters:

(a) Approval for the installation of furnaces to buildings and the height of any chimneys. If the requirements under the legislation require any structures in excess of those shown on drawings for which planning permission has already been granted, further planning approval will also be required.

(b) Installation of engine generators using fuel oil.

(c) The control of noise and other potential nuisances arising from the demolition and construction works on this site and compliance with the Construction (Design and Management) Regulations 2007; the Environmental Health Team should be informed of the name and address of the project manager and/or main contractor as soon as they are appointed.

(d) Alterations to the drainage and sanitary arrangements.

(e) The requirements of the Health and Safety at Work etc Act 1974 and the other relevant statutory enactments (including the Offices, Shops and Railway Premises Act 1963); in particular:

- the identification, encapsulation and removal of asbestos in accordance with a planned programme;
- provision for window cleaning (internal and external) to be carried out safely.

(f) The use of premises for the storage, handling, preparation or sale of food.

(g) Use of the premises for public entertainment.

(h) Approvals relating to the storage and collection of wastes.

(i) The detailed layout of public conveniences.

(j) Limitations which may be imposed on hours of work, noise and other environmental disturbance.

(k) The control of noise from plant and equipment;
(l) Methods of odour control.

7 The Director of Markets and Consumer Protection (Environmental Health Team) advises that:

Noise and Dust

(a) The construction/project management company concerned with the development must contact the Department of Markets and Consumer Protection and provide a working document detailing steps they propose to take to minimise noise and air pollution for the duration of the works at least 28 days prior to commencement of the work. Restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(b) Demolition and construction work shall be carried out in accordance with the City of London Code of Practice for Deconstruction and Construction. The code details good site practice so as to minimise disturbance to nearby residents and commercial occupiers from noise, dust etc. The code can be accessed through the City of London internet site, www.cityoflondon.gov.uk, via the a-z index under Pollution Control-City in the section referring to noise, and is also available from the Markets and Consumer Protection Department.

(c) Failure to notify the Markets and Consumer Protection Department of the start of the works or to provide the working documents will result in the service of a notice under section 60 of the Control of Pollution Act 1974 (which will dictate the permitted hours of work including noisy operations) and under Section 80 of the Environmental Protection Act 1990 relating to the control of dust and other air borne particles. The restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(d) Construction work shall not begin until a scheme for protecting nearby residents and commercial occupiers from noise from the site has been submitted to and approved by the Markets and Consumer Protection Department.

Air Quality

(e) Compliance with the Clean Air Act 1993
Any furnace burning liquid or gaseous matter at a rate of 366.4 kilowatts or more, and any furnace burning pulverised fuel or any solid matter at a rate of more than 45.4 kilograms or more an hour, requires chimney height approval. Use of such a furnace without chimney height approval is an offence. The calculated chimney height can conflict with requirements of planning control and further mitigation measures may need to be taken to allow installation of the plant.

Boilers and CHP plant

(f) The City is an Air Quality Management Area with high levels of nitrogen dioxide. All gas boilers should therefore meet a dry NOx emission rate of <40mg/kWh in accordance with the City of London Air Quality Strategy 2011.

(g) All gas Combined Heat and Power plant should be low NOX technology as detailed in the City of London Guidance for controlling emissions from CHP plant and in accordance with the City of London Air Quality Strategy 2011.

(h) When considering how to achieve, or work towards the achievement of, the renewable energy targets, the Markets and Consumer Protection Department would prefer developers not to consider installing a biomass burner as the City is an Air Quality Management Area for fine particles and nitrogen dioxide. Research indicates that the widespread use of these appliances has the potential to increase particulate levels in London to an unacceptable level. Until the Markets and Consumer Protection Department is satisfied that these appliances can be installed without causing a detriment to the local air quality they are discouraging their use. Biomass CHP may be acceptable providing sufficient abatement is fitted to the plant to reduce emissions to air.

(i) Developers are encouraged to install non-combustion renewable technology to work towards energy security and carbon reduction targets in preference to combustion based technology.

Standby Generators

(j) Advice on a range of measures to achieve the best environmental option on the control of pollution from standby generators can be obtained from the Department of Markets and Consumer Protection.

(k) There is a potential for standby generators to give out dark smoke on start up and to cause noise nuisance. Guidance is available from the
Department of Markets and Consumer Protection on measures to avoid this.

Cooling Towers

(l) Wet cooling towers are recommended rather than dry systems due to the energy efficiency of wet systems.

Noise Affecting Residential Properties

(m) The proposed residential flats are close to busy roads and are in an existing commercial area which operates 24 hours a day. The scheme should include effective sound proofing of the windows and the provision of air conditioning or silent ventilation units to enable the occupants to keep their windows closed to benefit from the sound insulation provided. This may need additional planning permission.

(n) The proposed residential units are located in a busy City area that operates 24 hours a day and there are existing road sweeping, delivery, ventilation plant and refuse collection activities that go on through the night. The units need to be designed and constructed to minimize noise disturbance to the residents. This should include acoustic treatment to prevent noise and vibration transmission from all sources. Sound insulation treatment needs to be provided to the windows and either air conditioning provided or silent ventilation provided to enable the windows to be kept closed yet maintain comfortable conditions within the rooms of the flat. This may need additional planning permission.

Ventilation of Sewer Gases

(o) The sewers in the City historically vent at low level in the road. The area containing the site of the development has suffered smell problems from sewer smells entering buildings. A number of these ventilation grills have been blocked up by Thames Water Utilities. These have now reached a point where no further blocking up can be carried out. It is therefore paramount that no low level ventilation intakes or entrances are adjacent to these vents. The Director of Markets and Consumer Protection strongly recommends that a sewer vent pipe be installed in the building terminating at a safe outlet at roof level atmosphere. This would benefit the development and the surrounding areas by providing any venting of the sewers at high level away from air intakes and building entrances, thus allowing possible closing off of low level ventilation grills in any problem areas.
Food Hygiene and Safety

(p)
Further information should be provided regarding the internal layout of the proposed food/catering units showing proposals for staff/customer toilet facilities, ventilation arrangements and layout of kitchen areas.

(q)
If cooking is to be proposed within the food/catering units a satisfactory system of ventilation will be required. This must satisfy the following conditions:

Adequate access to ventilation fans, equipment and ductwork should be provided to permit routine cleaning and maintenance;

The flue should terminate at roof level in a location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. It cannot be assumed that ductwork will be permitted on the exterior of the building;

Additional methods of odour control may also be required. These must be submitted to the Markets and Consumer Protection Department for comment prior to installation;

Ventilation systems for extracting and dispersing any emissions and cooking smells to the external air must be discharged at roof level and designed, installed, operated and maintained in accordance with manufacturer's specification in order to prevent such smells and emissions adversely affecting neighbours.

(r)
From the 1 July 2007, the Health Act 2006 and associated Regulations prohibited the smoking of tobacco products in all enclosed or partially enclosed premises used as workplaces or to which the public have access. All such premises are required to provide signs prescribed by Regulations. Internal rooms provided for smoking in such premises are no longer permitted. More detailed guidance is available from the Markets and Consumer Protection Department (020 7332 3630) and from the Smoke Free England website: www.smokefreeengland.co.uk.

The enabling of archaeological work in accordance with the local plan; is the responsibility of the developer and should be regarded as an integral part of the development programme in accordance with PPS5 and the policies of the Unitary Development Plan and Core Strategy. This would include on site facilities, funding, fieldwork, post excavation analysis and reporting and publication of the work in accordance with recognised guidelines and codes of practice. This is to ensure adequate "preservation by record" of the archaeological resource affected by the proposed development.
Unitary Development Plan and Core Strategy Policies

CS1 Provide additional offices
CS3 Ensure security from crime/terrorism
CS4 Seek planning contributions
CS5 Meet challenges facing North of City
CS10 Promote high quality environment
CS12 Conserve or enhance heritage assets
CS13 Protect/enhance significant views
CS15 Creation of sustainable development
CS18 Minimise flood risk
CS20 Improve retail facilities
ENV6 Design of alterations to buildings
UTIL6 Provision for waste collection
TRANS22 Require cycle parking
ECON6 Maintain character of Smithfield
TRANS7 Improve pedestrian routes
TRANS9 Ensure highway hierarchy works
TRANS11 Appropriate traffic management
ENV8 Promote high quality open spaces
ENV11 Preserve contribution to CA
ENV13 Control demolition in CA
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Agenda Item 5b

Committee: Planning and Transportation  Date: 16 July 2013

Subject:
43 Farringdon Street, 25 Snow Hill And 29 Smithfield. London EC1
Dismantling of the grade II listed canopy spanning West Poultry Avenue between the General Market and Poultry Market and work of making good.

Ward: Farringdon Without  Public For Decision
Registered No: 13/00155/LBC  Registered on: 12 February 2013
Conservation Area: Smithfield  Listed Building: Grade II

Summary

Listed Building Consent is required for the removal of the Grade 2 listed Poultry canopy spanning West Poultry Avenue between the General Market and the Poultry Market.

It is a utilitarian structure in a poor state of repair listed as part of the Poultry Market building, characteristic of the Market buildings in the Smithfield Conservation Area. Its removal will result in less than substantial harm to the listed Poultry Market and the retention of the projection over the road with that proposed o the General Market will maintain a sense of enclosure over the Avenue.

There has been some objection to the removal of the canopy and in particular from the C20 Society. Its removal which causes less than substantial harm to the Poultry Market is required to facilitate the infill development on the General Market site required to provide viable future uses of the site which restore the significant elements and support appropriate uses. Any less than substantial harm to the significance of the listed building is outweighed by the public benefits of the proposals.

Recommendation

It is recommends that London that Listed Building Consent be granted subject to appropriate Conditions set out in the attached schedule.
See report for application 13/00150/FULEIA.

Unitary Development Plan and Core Strategy Policies

**CS12 Conserve or enhance heritage assets**

To conserve or enhance the significance of the City's heritage assets and their settings, and provide an attractive environment for the City's communities and visitors.
SCHEDULE

APPLICATION: 13/00155/LBC

43 Farringdon Street, 25 Snow Hill And 29 Smithfield. London EC1

Dismantling of the grade II listed canopy spanning West Poultry Avenue between the General Market and Poultry Market and work of making good.

CONDITIONS

1 The works hereby permitted must be begun before the expiration of five years from the date of this consent.
   REASON: To ensure compliance with the terms of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 No part of the building shall be demolished before a contract or series of contracts have been made for the carrying out of substantial works of redevelopment and planning permission has been granted for the development for which the contracts provide. Such contracts shall include the construction of all foundations, above ground framework and floor structures.
   REASON: To ensure the protection of the special architectural or historic interest of the building in accordance with the following policy of the Core Strategy: CS12.

3 Before any works hereby permitted are begun, a full photographic record and scaled survey drawings of the exterior of the poultry market canopy shall be submitted to and approved in writing by the Local Planning Authority.
   REASON: To record and advance understanding of the significance of any part of a heritage asset to be lost in accordance with the following policy of the Core Strategy: CS12.

4 All finishes and works of making good to the retained fabric following the removal of the canopy shall match the existing adjacent work with regard to the methods used and to materials, colour, texture and profile in accordance with a schedule of works and detailed specification which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the dismantling of the canopy.
   REASON: To ensure the protection of the special architectural or historic interest of the building in accordance with the following policy of the Core Strategy: CS12.
The works hereby approved are only those specifically indicated on the drawing(s) referred to in conditions to this consent.
REASON: In order to safeguard the special architectural or historic interest of the building in accordance with the following policy of the Core Strategy: CS12.

The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this listed building consent: 1354 P GM JC20 P 00 001; 1354 P GM JC20 P 01 001; 1354 P GM JC20 P 02 001; 1354 P GM JC20 P 03 001; 1354 P GM JC20 P B2 001; 1354 P GM JC20 S AA 001; 1354 P GM JC20 S BB 001; 1354 P GM JC20 E NE 001; 1354 P GM JC20 E NW 001; 1354 P GM JC20 E SE 001; 1354 P GM JC20 E W 001; 1354 P AB JC20 P 00 001; 1354 P AB JC20 P 01 001; 1354 P AB JC20 P 02 001; 1354 P AB JC20 P B2 001; 1354 P AB JC20 S AA 001; 1354 P AB JC20 S CC 001; 1354 P AB JC20 E NE 001; 1354 P AB JC20 E NW 001; 1354 P AB JC20 E SE 001; 1354 P AB JC20 E SW 001; 1354 P AB JC20 A AL 001; 1354 P GM JC20 P 00 001; 1354 P GM JC20 P 01 001; 1354 P GM JC20 P 02 001; 1354 P GM JC20 P B2 001; 1354 P GM JC20 S AA 001; 1354 P GM JC20 S BB 001; 1354 P GM JC20 E NE 001; 1354 P GM JC20 E NW 001; 1354 P GM JC20 E SE 001; 1354 P GM JC20 E W 001; 1354 P AB JC20 P 00 001; 1354 P AB JC20 P 01 001; 1354 P AB JC20 P 02 001; 1354 P AB JC20 P B2 001; 1354 P AB JC20 S AA 001; 1354 P AB JC20 S CC 001; 1354 P AB JC20 E NE 001; 1354 P AB JC20 E NW 001; 1354 P AB JC20 E SW 001; 1354 P EH JC20 A AL 001; 1354 P GM G250 E NW 001; 1354 P GM G250 E NW 002; 1354 P GM G250 E SW 001; 1354 P GM G250 E W 001; 1354 P AB G250 E NE 001; 1354 P AB G250 E NW 001; 1354 P AB G250 E SW 001; G710 PUBLIC REALM LANDSCAPE; 1354 P G710 P 101; 1354 P G710 P 102; 1354 P G710 P 103; 1354 P G710 P 104; 1354 P G710 P 105;
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

Unitary Development Plan and Core Strategy Policies

CS12 Conserve or enhance heritage assets
Conservation Area Consent is required for the demolition necessary to facilitate the development the subject of the planning application in relation to the General Market, Annex Market and former Engine House.

The demolition involves the interiors and roofscape of the General Market and Annex Market and former Engine House, the Iron Mountain Building and parts of the perimeter of the sites including those along West Poultry Avenue, Harts Corner and West Smithfield.

The demolition of these elements will, in the case of the Iron Mountain Building, enhance the character of the Conservation Area and in the case of the other works will result in less than substantial harm that can be appropriately balanced against the public benefits of the scheme.

Very many objections have been raised to the loss of existing fabric and the contribution the buildings as a whole makes to the character and appearance of the Conservation Area.

In the context of the scheme the demolition results in less than substantial harm which is outweighed by public benefits including securing the optimum viable use and would be subject to a Condition to ensure that contracts are in place to ensure the scheme proceeds.

**Recommendation**

That Conservation Area Consent is granted subject to the Conditions set out in the attached schedule.
See report for application reference 13/00150/FULEIA.

**Unitary Development Plan and Core Strategy Policies**

**CS12 Conserve or enhance heritage assets**

To conserve or enhance the significance of the City's heritage assets and their settings, and provide an attractive environment for the City's communities and visitors.

**ENV11 Preserve contribution to CA**

To resist the demolition of buildings which make a positive contribution to the character or appearance of a conservation area and to encourage their sympathetic refurbishment.

**ENV13 Control demolition in CA**

Conservation area consent, if appropriate, will normally be subject to a condition preventing demolition prior to the approval of detailed plans of any replacement building and may be subject to a condition that a contract, or series of contracts, ensuring the construction of such a replacement has been signed.
SCHEDULE

APPLICATION: 13/00156/CAC

43 Farringdon Street, 25 Snow Hill And 29 Smithfield Street London EC1.

Partial demolition of the existing building and other structures at 43 Farringdon Street, 25 Snow Hill and 29 Smithfield Street in association with the part redevelopment and part refurbishment of the existing buildings to provide office (B1) and retail (A1 - A3) use with associated servicing and access.

CONDITIONS

1 The works hereby permitted must be begun before the expiration of five years from the date of this consent.
REASON: To ensure compliance with the terms of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the programme of Crossrail works.

2 Demolition works shall not commence before a contract or series of contracts have been made for the carrying out of substantial works of redevelopment and planning permission has been granted for the redevelopment for which the contracts provide. Such contracts shall include the construction of all foundations, above ground framework and floor structures.
REASON: In the interest of visual amenity and to ensure that the site is not left vacant indefinitely in accordance with the following policies of the Unitary Development Plan and Core Strategy: ENV 13, CS12.

3 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this conservation area consent: 1354 P GM JC20 P 00 001; 1354 P GM JC20 P 01 001; 1354 P GM JC20 P 02 001; 1354 P GM JC20 P 03 001; 1354 P GM JC20 P 02 B2 001; 1354 P GM JC20 S AA 001; 1354 P GM JC20 S BB 001; 1354 P GM JC20 E NE 001; 1354 P GM JC20 E NW 001; 1354 P GM JC20 E SE 001; 1354 P GM JC20 E W 001; 1354 P AB JC20 P 00 001; 1354 P AB JC20 P 01 001; 1354 P AB JC20 P 02 001; 1354 P AB JC20 P 03 001; 1354 P AB JC20 P B2 001; 1354 P AB JC20 S AA 001; 1354 P AB JC20 S CC 001; 1354 P AB JC20 E 001; 1354 P AB JC20 E NE 001; 1354 P AB JC20 E NW 001; 1354 P AB JC20 E SW 001; 1354 P EH JC20 A AL 001; 1354 P GM JC20 P 00 001; 1354 P GM JC20 P 01 001; 1354 P GM JC20 P 02 001; 1354 P GM JC20 P 03 001; 1354 P GM JC20 P B2 001; 1354 P GM JC20 S AA 001; 1354 P GM JC20 S BB 001; 1354 P GM JC20 E NE 001; 1354 P GM JC20 E NW 001; 1354 P GM JC20 E SE 001; 1354 P GM JC20 E W 001; 1354
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REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

Unitary Development Plan and Core Strategy Policies

CS12 Conserve or enhance heritage assets
ENV11 Preserve contribution to CA
ENV13 Control demolition in CA
Summary

This report provides an update on the implementation of the Barbican Area Enhancement Strategy and proposes a review and update of the strategy.

The strategy was approved in 2008 to improve streets and public spaces around the Barbican and Golden Lane Estates (see plan of the strategy area, Appendix A) by focusing on increased access to greenery and enhancing the quality of public space. The strategy was broken down into various individual projects and prioritised based on responses from a public consultation exercise.

The enhancement schemes identified as High Priority in the Strategy have all been initiated and include Silk Street and Moor Lane. Improvements to St Giles Terrace and Ben Jonson High Walk are substantially complete with a review of the scheme underway. Repaving works at Milton Court are pending completion of the development. Of the Medium Term projects, a feasibility study into improvements at Beech Street Tunnel has been initiated and of the Longer Term Projects, which are dependent on development, the environmental improvement of Fore Street has been initiated.

The initiated projects are jointly funded by an allocation for implementing the strategy of £1,500,000 from the On Street Parking Reserve (OSPR) funds, and £2,700,000 of Section 106 funds from the development of new residential and office premises at Milton Court and Fore Street Telephone Exchange.

The area is expected to see major change through the delivery of Crossrail services to Long Lane and Moorgate in 2018, alongside major new residential and office schemes at The Heron (Milton Court), Roman House and St Alphage House and other potential future developments. In addition, the development of a 'cultural hub' including the Museum of London and the Barbican Centre provides the City of London with an unparalleled opportunity to create an international destination that is easy to find, exciting to experience and provides a pleasant environment for residents.

The Strategy is now more than four years old and a review and update of the document is proposed to ensure that it meets the changing needs of the area, whilst respecting and enhancing the environment for residents. This review would also bring the area strategy in line with the City’s Core Strategy (2011) and the Cultural Strategy (2012-17).

It is proposed that the strategy is reviewed and revised using a two stage consultation on issues and opportunities and reported back to committees, matching the successful consultation approach used for the recently adopted Bank Area Strategy

Recommendation: It is recommend that:
(i) The update information on the strategy is received and actions noted;
(ii) A revised strategy is prepared at an estimated cost of £95,000, funded from the On Street Parking Reserve set aside for the Barbican Strategy Area and accrued interest on the Milton Court Section 106 fund, with public consultation being carried out on issues in Autumn 2013.
Background

1. The Barbican Area Streets & Walkways Enhancement Strategy was approved on 16th October 2008 by the Court of Common Council after a public consultation exercise carried out in February 2008. The key vision of the strategy was to provide a greener environment for local residents, workers and visitors to the area and to respect the setting and status of the listed buildings. The strategy sought to build on the improvements brought through new developments in the area by improving access to existing open spaces and to improve the quality and consistency of surface materials and street furniture to enhance the street scene.

2. Projects in the strategy are divided into High, Medium and Longer term priorities dependent on adjacent developments. A full list of all projects and their agreed priority as set out in the strategy can be found in Table 2, Appendix B.

Initiated Projects

3. To date, all of the High Priority projects have been initiated and are being progressed and evaluation/ options appraisal work has begun on Beech Street Tunnel which is a Medium Term project and Fore Street, identified as a Longer Term project, dependent on development. Initiated projects are listed in Table 1 below, alongside approved budgets:

Table 1: Initiated Projects

<table>
<thead>
<tr>
<th>Priority</th>
<th>Description</th>
<th>Status</th>
<th>Priority</th>
<th>Description</th>
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<tbody>
<tr>
<td>High</td>
<td>Creating a linear open space including the provision of a Sustainable urban Drainage scheme (SuDs). Detailed design has been carried out and approval has been granted in July 2011 for implementation of works. The project has been delayed due to the complexity of the engineering for the SuDs. Work is expected on site November 2013. Images of proposed scheme in Appendix C</td>
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<tr>
<td>High</td>
<td>Widening footways, tree planting, creating a pedestrian friendly entrance to the Barbican Centre and improving pedestrian facilities around the junction of Beech Street and Silk Street to improve road safety in front of the entrance to the Barbican Cinemas. The preferred scheme has been consulted on widely and is now being progressed through detailed design. Gateway 5 approval is scheduled for Sept 13. Images of proposed scheme in Appendix C</td>
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<tr>
<td>High</td>
<td>Estimated Cost: £1,550,000</td>
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<tr>
<td>High</td>
<td>Estimated Cost: £767,556</td>
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<tr>
<td>Priority</td>
<td>Project Description</td>
<td>Status</td>
<td>Costs and Details</td>
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<tr>
<td>High</td>
<td>Enhancements to St Giles Terrace and Ben Jonson Highwalk</td>
<td>Under Construction</td>
<td>Improvements to seating, planting, lighting and refurbishment of the tiled plinths. Seating and planting has been installed and is currently under review through an estate wide questionnaire. Refurbishment works will take place once this review of the scheme has been carried out. £134,000 has been held back for the implementation of a planting scheme on Ben Jonson Highwalk whilst repair works are completed to the water proofing. Images of completed scheme in Appendix C</td>
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<tr>
<td>High</td>
<td>Junction Wood Street and London Wall</td>
<td>Feasibility Study</td>
<td>A feasibility design has been drafted by officers that improves the pedestrian environment at the junction alongside improvements to footways on London Wall. Implementation is dependent on completion of Crossrail works at Moorgate and will commence in 2018.</td>
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<tr>
<td>Medium</td>
<td>Beech Street Tunnel</td>
<td>Feasibility Study</td>
<td>Possible lighting improvements and widening of the footways to improve the pedestrian experience of the tunnel. Alan Baxter Associates are currently looking into the technical constraints and formulating outline proposals. This study will inform the estimated costs and enable officers to identify funding.</td>
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<tr>
<td>Longer Term/Dependent on Development</td>
<td>Fore Street</td>
<td>Options Appraisal</td>
<td>Improvements to the public realm around the re-development of the former Telephone Exchange. Whilst not a high priority project, the development of the former telephone exchange has enabled early initiation of this project. Consultation on issues and constraints is programmed for summer 2013.</td>
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</tbody>
</table>

4. All high priority projects set out in the strategy have been initiated with the exception of reparation works to Milton Court which have an estimated cost of £200,000. This project will be implemented on completion of the development in late 2013.

5. The public realm of the area will be significantly enhanced through the implementation of the above projects. As a result, the objectives of the strategy are being realised, with a more comfortable and greener environment emerging. Of particular note is the high standard and consistency of materials and design which will lead to a better connected street environment for the benefit of all users.
6. Consultation on the original strategy was followed by more detailed consultation on individual schemes. This has included resident and member briefings, on street public exhibitions, letter drops and meetings with the Barbican Association and other key stakeholders such as the Barbican Estate, Centre and Museum of London.

7. The delay between consultation and implementation on a number of the high priority schemes has created uncertainty amongst stakeholders. Ensuring that on-going and future consultation exercises are carried out in a comprehensive and inclusive manner will be central to the review of the strategy.

8. The review of the area strategy will seek to consult widely with all stakeholders on the issues and opportunities before developing design solutions to address them. Consultants will be briefed and appointed during summer 2013 prior to the development of a detailed consultation strategy. Consultation with the residents, key stakeholders and general public will commence in late 2013. Consultation is likely to include a range of methods such as resident mailouts, online surveys, interviews and user group surveys with key stakeholders including residents groups and the City of London Access Group (CoLAG).

9. Proposals will be developed in response to the issues that emerge and be included in the draft Area Strategy which will be developed for Spring 2014 and will seek to improve upon the key issues identified and prepare for future growth and change.

10. This process of initial consultation on issues and opportunities prior to the development of design solutions has been used successfully on the Bank Area Strategy to establish ownership of a set of complex problems.

**Proposed Review and Update of the Strategy**

11. The implementation of the high priority projects will make the area more accessible and comfortable for pedestrians and better connected. The retail environment will also be greatly enhanced with a high standard and consistent public realm, especially on the eastern edge of the strategy area, adjacent to new developments.

12. The area has changed significantly since the strategy was adopted in 2008 and the area is expected to see further major change through a range of recent and new developments:

   - Crossrail services will begin in 2018 and this will have a significant impact on the local area with major new stations at Farringdon and Liverpool Street. Platform entrances will be located to the west of the strategy area on Long Lane and to the East at Moorgate. The completion of Crossrail, together with increased capacity of Thameslink services at Farringdon, will result in many more pedestrians walking to and from the Crossrail stations through surrounding areas.
   - Approximately 60 - 70% of new residential development in the City is to be delivered through two major developments within the Barbican residential area at Roman House on Fore Street and The Heron on Silk Street.
   - A further major office development has been approved at St Alphage House which will create new pedestrian routes through the site.

13. Significant further change is expected through the development of a cultural hub, endorsed by the City of London Cultural Strategy for 2012-2017 and the access opportunity afforded by Crossrail to a wider audience for the City’s major cultural institutions. All three major institutions have aspirations to expand and improve their services and both the Museum of London and the Barbican Centre have expressed the view that the original strategy needs reviewing, as it did not take account of Crossrail or the emergence of the Cultural Strategy and Hub. The review of the strategy is also
seen as essential to inform how they shape their individual plans for growth and audience access. Changes since the Barbican Area Strategy was produced include:

- A major new building for the Guildhall School of Music & Drama at The Heron, set to open in September 2013
- New cinemas and associated café space for the Barbican Centre on Beech Street. The Centre receives over 1,500,000 visitors a year on a site that is seen as too confined and confusing and there is a pressing need to develop inviting routes to create a clear sense of arrival at key access points. The Barbican Centre will need to better connect with the other institutions that combine to make up the Cultural Hub and the wider City to take advantage of the visitor numbers at major tourist attractions to the south as well as the City’s increasing work and residential population.

- Aims to increase the number of visitors to the Museum of London from 450,000 to over 1,000,000 per annum (The Museum of London’s strategic Plan for 2013/14 to 2017/18) whilst acknowledging that infrastructure requires major investment in order to make the building more welcoming and accessible. The ability to generate value from their buildings and improve physical connections, especially to the south and at ground level has led to the development of a masterplan for the London Wall site that will take account of changing visitor needs. The impact of this plan will need to be carefully considered and supported by the review of the Area Strategy, improving connections both to the Barbican, St Paul’s Cathedral and the wider City. The strategy will take account of the Cheapside and Guildhall Area Strategy review that is examining the gyratory around St Martin’s Le Grand and King Edward Street and the potential this has for creating street level entrances and how the rotunda building may be developed.

14. A review and update of the strategy is now proposed that will bring the document up-to-date with current policy, including the recently adopted Core Strategy, to ensure that it meets these changing needs.

15. The Strategy review and update will include:

- Updating the document so that it aligns with the Core Strategy (2011) and the emerging City Local Plan, the City’s Sustainability Policy, the revised City’s Cultural Strategy (2012-2017) and the City’s emerging Visitor Strategy (2013-18)
- Improving walking routes and connections between existing public transport infrastructure, the new Crossrail entrances at Moorgate and Farringdon and cultural destinations such as the Museum of London, the Barbican Centre, St Paul’s Cathedral and the Millennium Bridge;
- Alignment with the Road Danger Reduction Plan 2013;
- Review of the need to update Landscaping Listed Building Management Guidelines SPD;
- Assessment of wayfinding in the area, especially around the Barbican Estate;
- Undelivered schemes from the original Barbican Area Strategy where appropriate;
- Developing options for open spaces within the Barbican Estate which were not considered during the original Area Strategy;
- Understanding the links between the various cultural institutions including St Paul’s Cathedral to the south of the strategy area;
- Assessing how best to ensure the future vitality and visitor attraction of the area through an improved public realm.

16. It is proposed that the amended document be reported back to Committees, and subsequently adopted as a revised enhancement strategy for the area.
Financial implications
17. Most of the High Priority projects from the Strategy have been externally funded through Section 106 obligations with a contribution of £1,500,000 from the City’s OSPR fund. Details of costs and funding for projects are set out in Table 2 in the Appendix B.

18. In March 2013, Members approved the allocation of £300k of the Fore Street Section 106 funding to replace the OSPR funding element of the Moor Lane enhancement scheme, therefore releasing the OSPR funding back into a pot of allocated funds for the implementation of the Barbican Area Strategy.

19. The proposed Strategy review and update has an estimated cost of £95,000 (£50K staff costs and £45K fees). It is proposed that this is funded from unallocated OSPR funds and interest accrued on the Milton Court Section 106 fund, currently standing at £19,532 up to 31 March 2012.

Strategic Implications

Corporate Plan:
20. The Strategy helps achieve Strategic Aim: ‘To provide modern, efficient and high quality local services and policing within the square mile for workers, residents and visitors whilst delivering sustainable outcomes.’ by providing an enhanced environment that supports the local retail and leisure offer.

Core Strategy
21. The North of the City area has been identified as a ‘Key City Place’ in the City’s Core Strategy (adopted 2011). The key aims for the area are to retain the character and amenity of the area, whilst managing growth.
Policy CS6 further expands upon these aims as follows:

i. Requiring improvements to pedestrian and cycle routes to maintain effective and efficient pedestrian and cycle flows, including for disabled people, within and through the north of the City.
ii. Ensuring the retention and improvement of pedestrian permeability and connectivity, at ground and high walk level through large sites such as Smithfield Market, Barbican, Golden Lane and Broadgate, whilst preserving privacy, security and noise abatement for residents and businesses.
iii. Identifying and meeting residents’ needs in the north of the City, including protection of residential amenity, community facilities and open space.

22. The Barbican, Museum of London and Guildhall School of Music & Drama are seen as key parts of the Cultural offer within the City. The key aim for the area is to promote high quality street scene which supports the continued development of the City as a cultural destination for its own communities and visitors. Policy CS11 further expands this aim by:

i. Providing and supporting a wide range of cultural facilities, including the Barbican Complex, the Guildhall Art Gallery and City libraries and encouraging and promoting other facilities including the Museum of London.
ii. Protecting existing cultural facilities where they are needed, ensuring there is no net loss of cultural facilities in the City.
iii. Providing visitor information, increasing awareness of the City’s cultural and heritage assets and encouraging the City’s communities and visitors to make full use of them.
Conclusion

23. All of the high priority projects from the Barbican Area Strategy have been initiated with the exception of repaving works at Milton Court which are on hold pending completion of the development. Implementation during 2013/14 will see significant improvements to the quality of the local public realm.

24. The area is expected to see major change over the next 10 years through the opening of Crossrail, increases in the residential population and the aspirations of the institutions that form the ‘cultural hub’ of the City.

25. It is important to balance the sometimes differing needs of both residents and visitors and manage the effects of these significant changes. Therefore a major consultation process will be initiated to inform the review of the strategy.

26. A proposed review and update of the strategy will bring the document up-to-date with current policy and ensure that it meets the changing needs of the area. The amended document will be reported back to committees, before being consulted upon with the public and subsequently adopted as a revised strategy for the area.

Contact:
Tom.perry@cityoflondon.gov.uk | 020 7332 3529
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<tr>
<th>Scheme</th>
<th>Estimated Cost</th>
<th>Authority to Start Work</th>
<th>Priority</th>
<th>Revised Funding Strategy</th>
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<td>Various improvements to planters</td>
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<td>and seating including estimated</td>
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*Table 2: Barbican Area Strategy Projects, Estimated Costs and Funding Strategy*
### Estimated Cost for Barbican Area Strategy

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<tr>
<th>Project Description</th>
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<th>Funding Source</th>
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<td>Golden Lane Estate City Walkway Area</td>
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Appendix C
Initiated Projects

Moor Lane

Proposed Sustainable urban Drainage scheme looking South along Moor Lane

Proposed Sustainable urban Drainage scheme looking North along Moor Lane
Proposed footway widening on Silk Street
Enhancements to St Giles Terrace and Ben Jonson Highwalk

New seating and planting on St Giles Terrace

New seating on Ben Jonson Highwalk
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The City has adopted several Area Enhancement Strategies as mechanisms for delivering public realm improvements in areas of significant change within the City including the Riverside, Cheapside, Eastern City Cluster, Aldgate & Tower and Fenchurch and Monument and most recently the Bank area. The plan showing all the strategy areas covering the whole City is in Appendix A. This report seeks approval for the adoption of the Liverpool Street Area Enhancement Strategy and informs Members of the results of public consultation and the subsequent revisions to the Strategy.

The Liverpool Street Area Enhancement Strategy has been developed to provide prioritised enhancement proposals for public realm and road danger reduction in the area shown in the plan in Appendix B. New Crossrail station entrances in Liverpool Street and Moorgate and new developments in the nearby City Eastern Cluster will lead to increased numbers of pedestrians using the streets. The Strategy will provide an improved, accessible, functional and safe environment that would support the increased pedestrian footfall. It identifies current issues and future demands, and sets out a framework for addressing these within the context of existing policies and guidance.

A public consultation on the Strategy was undertaken from September to December 2012 and 109 responses were received. Responses were generally positive particularly in terms of improving the public realm and providing more space for pedestrians. Concerns were raised regarding street clutter and a lack of signage and way finding. Following the analysis of the consultation responses, two areas of the Strategy have been amended and revisions relate to:

- The strategy is proposing the creation of a pedestrian civic space in Liverpool Street, The importance of providing vehicle access for deliveries has been recognised and the strategy has been revised to include a drop off point at the eastern end of the street;
- In Bishopsgate, the importance of improving safety for pedestrians, cyclists and other road users, and the need to provide more public facilities and a cleaner environment in the area.

A delivery plan for the Strategy has been created and proposals have been grouped into high and medium priorities. It is proposed that projects will be delivered according to priority level and it is anticipated that funding for these will be from
external sources such as Section 106, Section 278 and Community Infrastructure Levy (CIL) contributions from existing and future developments. Funding will also be sought from Transport for London and Crossrail.

The Middlesex Street Area project has been identified in the Strategy as one of the high priority key opportunity areas. The project is funded from the 201 Bishopsgate Section 106 and has already been initiated because of a need for its funding to be committed by January 2013 as specified in the Section 106 Agreement. A specific public consultation has been carried out in the local area, and 231 responses were received. These responses have been analysed and this has resulted in two further areas of the Liverpool Street Area Enhancement Strategy being amended and these relate to:

- For the Middlesex Street Area proposal, the importance of improving the pedestrian environment throughout the whole length of Middlesex Street. The area boundary has therefore been extended to include the whole length of Middlesex Street up to St Botolph Street and include Rose Alley;

- The importance of including Artizan Street in the Strategy because of the changes in the area linked to the Artizan Street Library & Community Centre that recently opened and the new project for the removal of the redundant parking ramps located in the Middlesex Street Estate.

All 340 submissions for both the Liverpool Street Area Enhancement Strategy and the Middlesex Street Area have been collated and are available in the Member’s Reading Room or electronically upon request.

If the Strategy is approved, delivery of some of the high priority schemes will be initiated through the project gateway process.

**It is recommended that:**

(i) The Liverpool Street Area Enhancement Strategy is adopted.

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**Main Report**

**Background**

**Context**

1. The City faces the challenge of co-ordinating sustainable long-term economic and working population growth, whilst protecting and improving the environment and quality of life for the City’s community. The City’s Core Strategy plans for employment growth of 96,000 jobs between 2006 and 2026, with much of this focused on the eastern half of the City.

2. The Liverpool Street area is located in the north east of the City on the border with the London Boroughs of Islington, Hackney and Tower Hamlets (see plan in Appendix B).
3. The area is one of the City’s busiest and most dynamic areas, with significant recent developments at 201 Bishopsgate, Heron Tower and 5 Broadgate, and adjacent to the growing City cluster of tall buildings. It is also a major transport hub with underground, overground and bus services, as well as airport coaches and taxis ranks. It is especially busy around Liverpool Street station, which is a key London transport interchange. The number of pedestrians in this area is set to significantly increase due to new Crossrail station entrances at both Moorgate and Liverpool Street stations. This is anticipated to bring an additional 15,000 commuters on street at peak times, and will increase pedestrian movements, demand for transport and interchange, as well as for pleasant, functional and safe spaces and streets.

4. Unusually for the City, the area is also busy during the weekend and has become the gateway to destinations such as the markets and the shopping areas of Spitalfield Market, Brick Lane, Petticoat Lane Market, and the bars and restaurants of Shoreditch and Hoxton. It should be noted that in the area adjacent to the station there are more pedestrian movements on a Sunday than there are during the working week.

5. The Liverpool Street Area Enhancement Strategy aims to address both the existing conflicts and problems whilst also addressing the demands associated with future growth in the area. In line with the Core Strategy, the City needs to plan for future growth to ensure that it functions successfully, provides a suitable environment and maintains the City’s status as the world’s leading international financial and business centre.

6. The Liverpool Street Area Enhancement Strategy sets out the City’s vision for transportation and public realm improvements in the Liverpool Street area over the next 5-10 years. It provides a framework, ensuring that proposals are coordinated and prioritised to make the best use of available funds. This allows the City to plan for future growth, in accordance with the City’s Core Strategy Policies.

7. The Strategy area is very busy and faces many challenges and pressures which will become further exacerbated as the area develops and becomes busier. Liverpool Street is therefore a key area to ensure that measures proposed help to implement the road danger reduction plan for the City. This relates particularly to pedestrian movement through the area and the safety of cyclist on both the main transport route and their quieter alternatives.

8. The pressure for change in the Liverpool Street area is identified in the City Core Strategy and more specifically in the North of the City policy area which is a key City Place. This identifies the particular challenges over the next 20 years and these challenges relate to:

- This is one of the most densely developed areas of the City and the streets are busy and crowded, particularly at peak times and during the weekend;
- The existing footways are narrow and crowded making it difficult to navigate. This is a concern for all users and especially for people with mobility restrictions;
• The planned increase in the number of pedestrians in the area will add to the existing pressure and will amplify existing issues if they are not addressed;
• Taxis in Liverpool Street with the rank frequently over-subscribed have a detrimental impact on a local air quality as well as congestion on Bishopsgate which leads to further road safety issues particularly for cyclists and pedestrians;
• Airport coaches create congestion on Bishopsgate for pedestrians and road users and do not offer a pleasant and comfortable environment for the customers, especially at night time;
• The area is diverse with a mix of uses at night, leading to problems with antisocial behaviour such as urination, and associated cleansing challenges;
• There is a shortage of public spaces in the area and very few seating opportunities - although it is recognised that the installation of new seating needs to be balanced by the impact on local residents; and
• Many of the open spaces in the area are privately managed and this creates inconsistency within the public realm.

9. Employment in the City is variously predicted to increase with the Mayors high end of prediction to be 428,000 in 2026 (source: 2010 Round Demographic Projections for the London Plan GLA - February 2011), and although this may turn out to be a high prediction, there is no doubt that the City population will increase significantly. Much of this will be realised by the planned new office developments in the Eastern Cluster. In 2018, the Crossrail station is also due to open at Moorgate/Liverpool Street and will effectively add 10% to the capacity of London’s transport thus changing the way people move in the area. There are also planned transport infrastructure improvements including the upgrade of the Northern line platforms.

Strategy Background

10. The evaluation of an Area Enhancement Strategy for the Liverpool Street area was first approved by Members in June 2011 and has been funded through the 201 Bishopsgate Section 106 (S106) contribution.

11. In July 2012, the draft Liverpool Street Area Enhancement Strategy was reported to the Planning & Transportation Committee and approval was given for a public consultation exercise on the Strategy document. Briefing workshops were held for Members and copies of the draft Strategy were supplied to the Member’s Reading Room ahead of that Committee.

12. The Liverpool Street Area Enhancement Strategy develops further the objectives contained within the London Plan, the Mayor of London’s Transport Strategy, the City’s Corporate Plan, Core Strategy and the emerging Local Plan, the Road Danger Reduction Plan and the Department of the Built Environment’s Departmental Business Plan.

13. An Equality Impact Assessment (EQIA) has been carried out for the Strategy and it is considered to have positive impacts upon the users of the City’s streets and spaces.
14. All projects identified within and arising from the Strategy will be subject to detailed option appraisal and design, targeted consultation and reporting via the relevant Committee processes.

15. The Middlesex Street Area project is a high priority project identified in the draft Liverpool Street Area Enhancement Strategy. In March 2012, Members approved the initiation of the project in advance of the Strategy because of a need to commit the funding by January 2013, as specified in the related S106 Agreement. A public consultation for this specific project was carried out from January to April 2013 and 186 comments were received. These comments are included in the second part of the Strategy consultation results document. Both of these documents are available in the Member’s Reading Room.

16. Members should also note that the Middlesex Street Estate Car Parking Ramps project, located in the Middlesex Street Area, was initiated following the permanent relocation of the Artizan Street Library and Community Centre in the Middlesex Street Estate. The Gateway 3 report (Option appraisal) was approved by Members in May 2013 and the design is being developed.

Public Consultation Exercise

17. The public consultation for the Liverpool Street Area Enhancement Strategy was undertaken from September to December 2012 and a total of 109 written submissions were received. All submissions have been collated and are available in the Member’s Reading Room or electronically upon request.

18. This consultation was carefully targeted to ensure that the views of relevant stakeholder groups were gathered including pedestrians, cyclists, motorists, City of London Members, residents, local occupiers and businesses, workers, local churches, visitors, Network Rail, Crossrail, City of London Police, Transport for London, the London Borough of Tower Hamlets, the London Borough of Islington and the London Borough of Hackney.

19. A variety of consultation methods were utilised to ensure a broad coverage including:

- Direct consultations with the main stakeholders, regulatory agencies and the Corporation’s statutory consultees
- City of London website – Liverpool Street Area Enhancement Strategy webpage with a link to return comments on the draft Strategy via e-mail
- Online survey (SNAP survey)
- Stakeholder meetings
- Emails to businesses listed in the Strategy area
- Mail-out of letters to all residents in the Strategy area
- Emails to Ward Members
- City AM article (hard copy, Thurs 13th September 2012)
- City of London E-shot to external parties (19th September 2012)
- City Resident article (hard copy, Issue 27 – Autumn/Winter 2012)
- City View article (online, October 2012 edition)
- Hard copies of the draft Strategy were provided for information in the Guildhall Library and Guildhall North Wing (Planning reception)
- Link on the weekly City Traffic Management Bulletins
- On-street information node signs throughout the Strategy area
20. The City’s Public Relations team also monitored and participated in online blog conversations about the draft Strategy. The general topics mainly revolved around perceived cycling implications of the draft Strategy proposals regarding cycle safety and provision.

Responses to the Public Consultation and changes to the Strategy document

21. Of the 109 responses, 39 were received via email to the Liverpool Street Area email address, 68 responses via the online SNAP survey and 2 written letters.

22. The overall response to the draft Area Enhancement Strategy has been very positive and the proposals have largely been well received by the City community. Many respondents provided meaningful comments that have assisted in prioritising and refining the improvement projects identified within the Strategy.

23. It is noted that only minor revisions were required to the draft Strategy as approved by the Planning & Transportation Committee in July 2012 following the public consultation exercise. Full details between the draft and final Strategy can be found in Appendix D. The pre-consultation workshops undertaken with Members and officers and informal stakeholder liaison throughout the development of the draft Strategy have proven reflective of the wider public opinion.

24. The five Strategy objectives were agreed as being the right ones for the area with 88% of Snap survey responses citing the objectives to “accommodate future growth, addressing the impacts of new Crossrail station entrances in Liverpool Street and Moorgate” and “to improve public spaces and provide more greenery and seating” as the most important.

25. 88% of the SNAP survey comments supported the objective to “improve public spaces and provide more greenery and seating”, and to “declutter any unnecessary street furniture and signage, particularly surrounding Liverpool Street station”.

26. 81% of the SNAP survey comments supported “improving Moorfields as a better space for pedestrian accessibility and safety”, and 83% agreed that “Moorgate should be improved to provide a calm environment for all road users and to introduce more greenery”.

27. The amendments to the Strategy are summarised as follows:

28. Liverpool Street

- 82% of the SNAP survey comments supported making Liverpool Street a new civic space for pedestrians and 66% supported removing the taxis from Liverpool Street relocating them in the underused taxi rank located within the station. This proposal is also widely supported by City Members.

- 87% of the taxi passengers originate from Liverpool Street station (74% by train and 13% by tube). It is therefore proposed that along with the use of the underused rank in the station, smaller (micro) taxi ranks are established within
the wider area to accommodate the needs of the 13% of passengers who currently have to make their way to the station and the Strategy has been amended to propose possible locations for these micro ranks.

- As expected, negative comments were received from taxi drivers that are not supportive of the removal of the Liverpool Street taxi rank. However, the Strategy still proposes the removal of the taxi rank which is frequently congested (causing tail backs in Bishopsgate) and it creates a very poor quality environment, particularly its impact on local air quality. As specified in the Strategy, further discussion with Network Rail is planned.

- Concerns were raised by some respondents regarding access for deliveries in the Eastern end of Liverpool Street. The Strategy has been updated to reflect these comments and the proposals for Liverpool Street have been adjusted to include a vehicle access area on the East end of Liverpool Street for deliveries, and a drop off point.

29. Bishopsgate

- A number of responses noted concern that Bishopsgate already experiences heavy traffic congestion and there are significant safety concerns for road users and cyclists in the area, and that action must be taken to reduce or manage this.

- Comments regarding the removal of the airport coach located in Bishopsgate mentioned the necessity of its location being in a close walking distance of the station. As mentioned in the Strategy, further discussion is proposed with the companies managing the coaches.

- These comments are to be passed to Transport for London to be considered as part of their detailed design process for Bishopsgate.

30. Middlesex Street Area

- In response to significant levels of feedback from both the public and statutory bodies, the draft Strategy has been revised to increase the Middlesex Street Area to include the whole length of Middlesex Street.

- A separate public consultation was carried out for the Middlesex Street Area project and 186 comments have been received supportive of public realm improvements in the area including providing more space for pedestrian and more greenery. People also support traffic improvements especially in Widegate Street and Sandy's Row.

- Comments received supported reinforcing the historical character of the area. These comments have been reflected in the revised Strategy document.

- Members commented that Rose Alley needs improvements to discourage anti-social behaviour. This has been reflected in the Strategy.

- Comments were also received regarding the importance of including Artizan Street in the Strategy because of the changes in the area linked to the nearby Artizan Street Library and Community Centre that recently opened, and the
31. **Cycling**

- A few responses commented that the draft Strategy did not account adequately for cycling needs and increased footway widths would impact on cycle safety. It is apparent that a common email was circulated amongst some of the cycling community to copy and paste and send in their views. 14 of the 19 email responses appear to be based on this copy and paste response.

- The Strategy has been amended to make clear that designs will not be developed that would jeopardise the safety of any particular user group and that any footway widening proposals will need to take account of other road users including cyclists. There is clear evidence that the pedestrian environment needs improving; however this will not be undertaken without consideration for the needs of cyclists or vulnerable road users safety. The traffic demands and the implications for all road users will be carefully reviewed as part of the detailed design of the proposals. A similar approach in the redesign of Cheapside was so far delivered reduced vehicle speed and road danger reduction both of which are of particular benefit to pedestrians and cyclists.

32. **Signage and Way finding**

- Poor signage and way-finding was mentioned as an issue in the area, especially around the Liverpool Street station and Sun Street/Eldon Street. The Strategy already highlights this issue and proposes to improve signage as part of the detailed design of each project.

33. **Cleansing and Public toilet facilities**

- Comments were received regarding the need for more public toilet facilities in the area and the fact that the public toilets located in Bishopsgate are only opened one day a week. The Strategy, based on TfL proposal for Bishopsgate (as the Highway Authority) indicated the removal of the public toilets in Bishopsgate. The Strategy has now been revised to include the public facilities in Bishopsgate to take into account the needs expressed thought the consultation.

- A review is currently being carried out by the City Cleansing Team regarding the use and the maintenance of the public facilities in Bishopsgate. The results are due to be reported to the City Port Health and Environmental Services Committee in the autumn of 2013 and will inform the future development of the area.

- Future enhancement proposals in the area need also to consider the issues surrounding the clutter and the lack of bins as well as a general need for more frequent cleaning of the area. These comments have been passed to the City Cleansing Team who are currently negotiating with TfL regarding bin installation.
34. **Rose Alley**
   - Concerns regarding rough sleepers and anti-social behaviour in Rose Alley were raised and therefore options to improve or close the alley have been added in the key objectives for the Middlesex Street Area.

**Financial Implications**

35. The consultant’s fees to develop the area Strategy document and City of London staff costs were both fully funded by the developer of 201 Bishopsgate. Table 1 sets out the Staff costs that have been incurred in the preparation of the Strategy.

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**Implementation Framework and Funding Strategy**

36. The Liverpool Street Area Enhancement Strategy sets out a Delivery Plan which identifies projects arising from the Strategy, prioritises them and indicates the funding strategy for delivery. These projects are:
   - **High priority**: Liverpool Street Area, Bishopsgate, Middlesex Street Area, Middlesex Street Estate Car Parking Ramps, Sun Street/Eldon Street Area;
   - **Medium priority**: Moorgate, Moorfields.

The full Delivery Plan is shown in Appendix C. Unusually for this strategy area there are currently no identified low priority projects. This relates to the importance given to this area in the Core Strategy.

37. The projects identified in the Delivery Plan are prioritised according to the significance of the issue they address, the results of the public consultation and the objectives of the Strategy that they deliver. The projects are divided into High and Medium priority categories.

38. The implementation of the various measures identified in the Delivery Plan will be subject to approval to traffic orders which will be considered separately following further consultation, including statutory consultation, in respect of those measures.
39. External funding for the Middlesex Street Area project, considered as a high priority project, has already been secured using 201 Bishopsgate S106 funding. The project was initiated in March 2012 and presented in advance of the Strategy because of a need for its funding to be committed by January 2013 as specified in the S106 Agreement. The Eldon Street/Sun Street project has also been initiated, as a result of the commencement of the development of 5 Broadgate triggering the payment of S106 and S278 funding to implement the scheme.

Corporate & Strategic Implications

Corporate Plan

40. The Strategy will support the delivery of the Strategic Aim: ‘To support and promote the City as the world leader in international finance and business services’ by ensuring that the area is fit for purpose in terms of function and environment and is able to accommodate future growth.

41. The Strategy will also assist in meeting the Strategic Aim: ‘To provide modern, efficient and high quality local services and policing within the square mile for workers, residents, and visitors whilst delivering sustainable outcomes’ by providing a fitting and functional local environment that supports sustainable transport and promotes the cultural and historic identity of the City’.

Core Strategy

42. The Core Strategy sets out the vision for planning in the City up to 2026. The proposed Liverpool Street Area Enhancement Strategy helps to deliver this vision and, in particular, Policy CS5 that identify the Liverpool Street Area as having scope for improved movement as part of the wider initiative to improve the North of the City area as a ‘Key City Place’

Conclusion

43. The Liverpool Street Area Enhancement Strategy is based on evidence of needs and requirements for future sustainable growth. The Strategy document sets out a clear framework of proposals for the improvement of the public realm within this area.

44. The Strategy is linked to and informed by the City’s Core Strategy and emerging Local Plan, urban analysis and public consultation. The objectives and proposals of the Strategy develop further the objectives contained within the London Plan, the Mayor of London’s Transport Strategy, the City’s Corporate Plan’s and the Department of the Built Environment Departmental Business Plan.

45. The Strategy has been revised in response to the public consultation feedback to ensure the document reflects the needs of the City community. It sets out a Delivery Plan which identifies the projects arising from the Strategy, prioritises them and indicates the funding Strategy for delivery.

46. It is recommended that Members adopt the revised Liverpool Street Area Enhancement Strategy. On adoption, a number of the high priority proposals can be initiated as projects subject to the gateway project reporting
procedures. Comments from the consultation will be used to assist and inform the design briefs for individual proposals.

Appendices

- Appendix A – City Area Strategies Plan
- Appendix B – Liverpool Street Area Strategy Plan
- Appendix C – Delivery Plan
- Appendix D – Schedule of Changes to Liverpool Street Area Enhancement Strategy – June 2013

Background Papers:

- Bank, Fenchurch & Monument, Liverpool Street and West Smithfield draft Area Enhancement Strategies – Pre-consultation report for Planning & Transportation Committee 24th July 2012.

Clarisse Tavin
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Appendix B - Liverpool Street Area Enhancement Strategy Boundary

Liverpool Street Area Strategy

- Liverpool Street Area Strategy boundary
- City of London boundary
Appendix C – Delivery Plan

(The costs are estimates, based on similar schemes and current industry rates for comparable works).

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<td><strong>High</strong></td>
<td>Liverpool Street Area</td>
<td>£750k + (part funded by Crossrail)</td>
<td>S106 CIL TfL Crossrail</td>
<td>Evaluation: 2015/16 Completion: 2017/18 Proposed</td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>Bishopsgate</td>
<td>Improve pedestrian environment connectivity and create ease of movement; widening footways, rationalising street furniture, improve signage and way finding, raised crossing and improved surface materials.</td>
<td>Project to be developed, funded and implemented by TfL</td>
<td>n/a Project to be developed, funded and implemented by TfL</td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>Middlesex Street Area</td>
<td>Improve pedestrian environment in the whole length of Middlesex street, Widegate Street and Sandy’s Row. Create a new public space at the location of the 2 traffic islands in the north of the Middlesex Street, widen footways, rationalise street furniture, organise traffic improvements and improve or close Rose Alley.</td>
<td>£1-£3m S106 CIL TfL</td>
<td>Evaluation: 2013/14 Completion: 2016/17 Initiated</td>
</tr>
<tr>
<td>Level</td>
<td>Area Name</td>
<td>Description</td>
<td>Cost Range</td>
<td>Tiers</td>
</tr>
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<td>---------</td>
<td>-----------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>High</td>
<td>Middlesex Street Estate – Car Parking Ramps</td>
<td>Remove the 2 redundant ramps and provide a new improved pedestrian environment and improved surface materials.</td>
<td>£400k – £500k</td>
<td>S106</td>
</tr>
<tr>
<td>High</td>
<td>Sun Street/Eldon Street Area</td>
<td>Improvements to pedestrian environment connectivity, street trees, security, improve signage and surface materials.</td>
<td>£1.5m</td>
<td>S106, S278</td>
</tr>
<tr>
<td>Medium</td>
<td>Moorgate</td>
<td>Footway widening/build-outs, street trees and public realm enhancements, safety and crossing improvements.</td>
<td>£250-£1m</td>
<td>S106, CIL, TFL, Crossrail</td>
</tr>
<tr>
<td>Medium</td>
<td>Moorfields</td>
<td>Footway widening/build-outs, flexible space and improved surface materials.</td>
<td>£0-£250k</td>
<td>S106, S278, CIL, Crossrail</td>
</tr>
</tbody>
</table>
### Appendix D – Schedule of Changes to Liverpool Street Area Enhancement Strategy – June 2013

<table>
<thead>
<tr>
<th>Page (New Version)</th>
<th>Section</th>
<th>Proposed Change</th>
<th>Reason for change</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>Wider Area Survey</td>
<td>Devonshire Square opening times changed.</td>
<td>Response to Blackstone comments</td>
</tr>
</tbody>
</table>
|                    |         | • Strategy revised as following:  
|                    |         | “Devonshire Square has recently extended its opening hours, and is now accessible to the public in the evenings and at weekends.” | |
| 102                | Middlesex Street Area: Survey | Sandy’s Row Synagogue historical presence to be mentioned. | Response to Sandy’s Row Synagogue representatives comments |
|                    |         | • Strategy revised as following:  
<p>|                    |         | The borough boundary runs along Sandy’s Row. This street is the setting for the Sandy’s Row Synagogue, the oldest surviving synagogue building in London. The Artillery Passage Conservation Area contains a number of notable sites of particular significance to Jewish communal heritage. | |
|                    |         | • Picture of the Synagogue added. | |
| 114                | Middlesex Street Area - Key Opportunity Area | Rename “Artillery Passage Conservation Area” to “Middlesex Street Area”. | Response to several comments |
| 114                | Middlesex Street Area - Key Opportunity Area | Middlesex Street area map to be revised with boundaries to be extended to include the whole length of Middlesex Street. | Response to several comments |
|                    |         | • Map updated accordingly | |</p>
<table>
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<tr>
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<th>Proposed Change</th>
<th>Reason for change</th>
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</thead>
</table>
| 115               | Middlesex Street Area: Proposals | Traffic improvements needed in Sandy’s Row.  
- Strategy revised as following:  
  “Consider resurfacing and restricting vehicular access on Sandy’s Row.” | Response to Sandy’s local shop owners and Row Synagogue comments |
| 116               |         | Photomontages of Middlesex Street Area proposals added. | |
| 119               | Middlesex Street Area: Proposals | More trees to be introduced in Middlesex Street.  
- Middlesex Street Area – Principle 7 updated as following:  
  “Consider introducing street trees in any new public spaces and along sections of Middlesex Street to signal a pedestrian route and to soften the effect of the blank façades that line extensive sections of the street.” | Response to several comments received |
| 119               | Middlesex Street Area: Proposals | Artizan Street and the new Artizan Street Library and Community Centre to be included in the Strategy.  
- Middlesex Street Area – Principle 8 updated as following:  
  “Consider restricting vehicular access on Artizan Street to improve pedestrian access to the new Artizan Street Library and Community Centre. The City of London is currently considering the removal or remodelling of the parking ramps located at the end of Artizan Street.” | Response to Ward Members and local occupiers comments |
| 119               | Middlesex Street Area: Proposals | Rose Alley to be included in the Strategy.  
- Middlesex Street Area – Principle 8 updated as following:  
  “Consider upgrading or closing Rose Alley to create a better and safer environment at night.” | Response to Ward Members and local occupiers comments |
<table>
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<th>Section</th>
<th>Proposed Change</th>
<th>Reason for change</th>
</tr>
</thead>
</table>
| 121                 | Bishopsgate: Overview | Mention A10 Bishopsgate Corridor study regarding Bishopsgate traffic flow.  
- Strategy revised as following:  
  “Bishopsgate is one of the City’s key north-south routes, with the main entrance to Liverpool Street station making it the port of arrival for many of those working in and using the City. Although it is often referred to as a traffic corridor, only 4% of vehicles travel the entire length of Bishopsgate. (Source: A10 Bishopsgate Corridor Study, MP, 2008).” | Response to British Land comment           |
| 132                 | Bishopsgate: Proposals Airport Coaches: Alternative locations | National Express is looking at extending their service to Waterloo.  
- Strategy revised as following:  
  “It should also be noted that final coach stop locations will need to be agreed with both Terravision and National Express, who are currently exploring options for an extension to their service.” | Response to National Express comment       |
| 135                 | Bishopsgate: Proposals | Need for public toilet facilities in the area.  
- Bishopsgate Principle 7 updated as following:  
  “Explore opportunities for additional public toilets.” | Response to several comments               |
| 151                 | Sun Street/Eldon Street Area: Proposals | British Land is looking at improving the permeability from Exchange Square with east-west connection.  
- Proposal updated to show East West connection from Appold Street to Exchange Square, and remove the Sun Street Exchange Square connection. | Response to British Land comment           |
<table>
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<tr>
<th>Page (New Version)</th>
<th>Section</th>
<th>Proposed Change</th>
<th>Reason for change</th>
</tr>
</thead>
<tbody>
<tr>
<td>160 Liverpool Street, Moorfields &amp; Moorgate : bus routes</td>
<td>Liverpool Street bus station is to remain in its current location.</td>
<td>Response to British Land comment</td>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>• Strategy to mention : “The Liverpool Street Interchange Study undertaken by Colin Buchanan and Partners in 2009 examined various alternative options for accommodating buses in the study area. The appraisal clearly indicated that options that removed the existing bus station had negative consequences for bus passengers that outweighed the benefits to pedestrians. The study concluded that the bus station is an essential transport facility and should remain central to the interchange. The Crossrail Urban Integration Design Study Report (2011) assumes that the bus station on Sun Street Passage will remain, highlighting that the economic disbenefits of moving it would be considerable. Consequently, the bus station is expected to handle the same amount of traffic. Nevertheless, if the pedestrianised option is programmed, buses will no longer turn into Sun Street Passage from Liverpool Street, resulting in a safer pedestrian environment.”</td>
<td></td>
</tr>
<tr>
<td>160 Liverpool Street, Moorfields &amp; Moorgate : bus routes</td>
<td>London-wide bus network predicts passenger reassignment from bus to other modes following the opening of Crossrail in 2018/19.</td>
<td>Response to British Land comment</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Strategy to mention : “Preliminary modelling work undertaken by TfL indicates that there will be a reduction in demand on certain east-west bus routes in the City following the opening of Crossrail. This may free up a limited amount of capacity at Liverpool Street bus station but there will still be a need to cater for north-south routes, both those which already use the bus station and others which currently cannot be accommodated due to lack of space.”</td>
<td></td>
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<td>Reason for change</td>
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</tr>
</tbody>
</table>
| 168               | Liverpool Street: Proposals                  | Concerns expressed about the under-provision of on-street spaces for taxis.  
  - Strategy to mention:  
    "Additionally, smaller taxi ranks could be integrated in less congested streets, taking care to ensure the overall taxi capacity and provision in the area are not reduced. " | Response to British Land comment |
| 171               | Liverpool Street Key Opportunity Area        | Delivery access and drop off point needed in the eastern end of Liverpool Street.  
  - Liverpool Street Principle 2 revised as following:  
    "Consider a restriction on vehicle access, whilst exploring options to keep vehicular access for deliveries and a potential taxi drop-off for the Andaz Hotel, to be discussed with TfL." | Response to Andaz Hotel comment   |
| 171               | Liverpool Street Proposals                   | Signage around the taxi rank within the Liverpool Street station to be improved.  
  - Liverpool Street Principle 6 revised as following:  
    "Consider improved, clear signage within the station locating the taxi rank." | Response to comments              |
| 119, 135, 171, 177, 185 | Key Opportunity Proposals                | Cyclist comments on Liverpool Street.  
  - Principle 1 revised as following:  
    "The aim of the strategy is to provide more space for pedestrians and a safer environment for cyclists." | Response to comments              |
Committee: Property Investment Board
Planning and Transportation Committee

Date(s): 10 July 2013
16 July 2013

Subject: Law Commission Consultation on Rights to Light

Report of: City Surveyor and Remembrancer
(CS 250/13)

For Information

Summary

On 18th February 2013 the Law Commission issued a consultation paper relating to Rights to Light seeking responses by the end of May 2013. Officers of the City Corporation formulated a response following discussion with the Law Commission and representatives of the British Property Federation.

The Remembrancer responded to the Law Commission and a copy of the response is appended to this report.

Recommendation

- That the contents of this report are noted.

Main Report

Background

1. The consultation on rights to light forms part of the Law Commission's general statutory duty to review the law and consider reform. The Commission’s stated aim was to investigate whether the law by which rights of light are acquired, enforced and extinguished provides an appropriate balance between the important interests of landowners and the need to facilitate the effective and efficient use of land through its development. With this in mind the Consultation Paper has 3 key objectives

   a) Introduce greater certainty and transparency, making disputes simpler quicker and easier to resolve.
   b) Ensure rights of light do not act as an unnecessary constraint on development.
   c) Make sure that the important amenity value of rights to light remains protected under the law.
2. The Law Commission has sought to reduce the impact of rights to light by introducing four proposals for consideration. The four provisional proposals contained in the Consultation Paper are as follows:

a) That for the future it should no longer be possible to acquire rights to light by prescription

b) The introduction of a new statutory test to clarify the current law on when courts may order a person to pay damages instead of ordering that person to demolish or stop constructing a building that interferes with a right to light.

c) The introduction of a new statutory notice procedure which requires those with the benefits of rights to light to make clear whether they intend to apply to the court for an injunction (ordering a neighbouring landowner not to build in a way that infringes their right to light) with the aim of introducing greater certainty into rights to light disputes.

d) That the Lands Chamber of the Upper Tribunal should be able to extinguish rights to light that are obsolete or have no practical benefit with payment of compensation in appropriate cases, as it can do under the present law in respect of restrictive covenants

The Consultation response

3. In its response the City provided evidence of the impact and scale of the issue by identifying the number of schemes and the associated quantum of floorspace that is actively being delivered (or pending a pre-let) in the Square Mile where rights of light have had a significant and material impact. Of the 37 schemes identified 20 have been subject to some form of intervention by the City totalling 6.2 million square feet of office floorspace. The development of 20 Fenchurch Street demonstrates the City’s approach in acquiring an interest in the site so as to trigger its powers under s237 in an effort to resolve a difficult right to light issue.

4. The Commission invited submissions regarding the test to be applied in relation to the award of damages in lieu of an injunction. The Commission’s activity in this area has been broadly welcomed by the property industry. Experience in the City has shown that significant delays arise from dominant owners seeking an element of profit share relating to any uplift in floorspace achieved across the site. This is less than satisfactory and difficult to apportion, particularly where there are multiple interests that are impacted. The City’s response supported an assessment based on diminution in value with a multiplier linked to varying levels of light reduction which would be a more appropriate measure as this would better reflect the specific circumstances of each case.

5. Presently many dominant owners use a combination of delay and a threat of injunction as a mechanism to frustrate development and extract greater compensation. Seeking to address this issue, the Commission proposed a new mechanism to notify neighbouring properties of possible interference with rights to light. A Notice of Proposed Obstruction would be served by, for instance, a developer on potentially affected neighbour and would require that
neighbour to declare their objection within 4 months from the service of the notice. This proposal is broadly to be welcomed as it seems likely to encourage any rights to light disputes to be raised at an earlier stage in the development cycle.

6. The City Corporation has requested clarification of the Commission’s proposals in relation to the jurisdiction of the Lands Chamber of the Upper Tribunal

Conclusion

7. The Consultation Proposal has been welcomed by the development industry. While some elements require further consideration by the Law Commission, it seems likely that the proposals will encourage a fairer and more expeditious settlement of rights to light disputes. This, in turn, should help promote economic growth. The City has a good working relationship with the Law Commission and will continue to maintain a dialogue on this matter. Your Committee will receive further Reports as appropriate.

Appendices

- Appendix 1 – City of London Corporation Response to the Law Commission

Simon McGinn
City Property Advisory Team Manager

T: 020 7332 1226
E: simon.mcginn@cityoflondon.gov.uk
Rights to Light Consultation – City of London Response

1 Introduction

1. The comments in this response to the Law Commission's consultation paper on rights to light are intended to provide a guide to the City’s current thinking.

2 Impact of rights to light on development

2. In order to evaluate the impact of rights to light issues on development in its area, the City has reviewed those schemes that are actively being delivered and those schemes pending subject to pre-letting.

3. Rights to light have a significant and material impact on the delivery of schemes in the City market. There are 37 schemes that are either currently being delivered or are awaiting a pre-let to commence construction, totalling circa 10.3 million sq ft. Of these schemes, 20 have been subject to intervention by the City (both formal and informal) in terms of promoting resolution of rights to light issues. The ability to deliver these schemes has been frustrated, prior to City engagement, because of rights to light issues. The vast majority of the floorspace being created in the square mile was within the scope of these 20 schemes, amounting to 6.2 million sq ft of office floorspace. A 20 Fenchurch Street demonstrates the City’s approach in acquiring an interest in the site so as to trigger its powers under s237 in an effort to resolve difficult right to light issues.

3 Damages

4. On this issue, the City is able to draw on its experience in its capacities as a land owner, developer and planning authority.

5. Damages based on share of profit are not invariably the most apt method of calculating compensation for the loss of a right to light. Such an approach is awkward, for example, where there are overlapping right to light interests. In addition, where, for instance, a building is developed without a direct profit motive it would be inappropriate for a measure of damages to be based on share of profit. Such situations may arise, for instance, where a local authority develops a site for housing social enterprises. It is also possible, as part of the growing moves towards regenerating high streets, that corporate landlords as well as local governmental ones will develop sites on a not for profit – or not mainly for profit – basis. The City suggests that, in its assessment and recommendations, it would be helpful for the Law
Commission to recognise the diversity of reasons for development and support a measure of damages based on loss in value. Assessment on this basis would have the important merit of being in keeping with familiar compulsory purchase valuation principles.

6. The City supports the Commission’s apparent inclination towards a diminution in value basis for assessing damages. It may be that the Commission is willing to go further and consider the merits of setting multipliers so that varying multipliers of the capitalised rent loss are linked to specific levels of light reduction. This would enable the level of a loss of light in individual cases to be reflected in the value of damages awarded. The City would welcome an investigation by the Commission into this aspect of damages.

7. From time to time decided cases take the exact nature of the dominant tenement into account in assessing damages – a loss of natural light to commercial office developments, for example. The Law Commission may wish to consider reinforcing the principle that similar losses of light have different effects on different dominant owners, those effects being determined by the nature of the dominant owner. There is a considerable difference, for instance, between the loss of light to a homeowner or small business, perhaps a textile designer, and the loss of an equal amount of light to a commercial business development where electric lighting operates regardless of the number or size of apertures. Such considerations are currently taken into account by courts when determining whether to grant an injunction.

4 Proposed Notices

8. The City agrees with the Law Commission’s observation that dominant owners often take a long time to declare their position and any intention to seek an injunction. Dominant owners may have a variety of reasons for not declaring their position – from a long-distance owner knowing nothing of the development until a development proposal is well advanced through to an owner seeking to obtain pecuniary advantage by deliberately declaring his hand at a late stage.

9. The City supports the Law Commission’s proposals to introduce a ‘notice of proposed obstruction’ (NPO). The City agrees with the Commission’s broad proposals as to the form and content of the NPO (at 6.14 et seq). The City supports the Commission’s proposal (at 6.16) that only freeholders and leaseholders would be permitted to serve NPOs. The Law Commission’s broad proposal regarding the requirement to register an NPO as a local land charge is an important feature of ensuring the successors in title of both dominant and servient tenements are easily able to determine the nature of the land and the rights appertaining to it.

10. Whether or not, as the Commission suggests (at 6.9), NPOs are used to “flush out” potential claimants is of little practical significance. The City would observe that, in respect of the intention behind the notice, the use of
NPOs should not be limited and believes that the Law Commission should not make any recommendation in this regard.

5 Section 237

11. The City supports the Commission’s conclusion that s237 fulfils a valuable role and is a useful mechanism to manage some rights to light issues in certain circumstances. The City considers the opportunity for local authority intervention by s.237 arrangements will remain of value in particular cases, and therefore would not wish to see the use of such arrangements prejudiced. The City reaffirms its position as described in 7.56.

12. While the Commission recognises that s.237 is outside the scope of the consultation, it is important to consider how the interface between s.237 and NPO procedures and the expanded Lands Chamber jurisdiction would operate in practice. The Commission is invited to consider whether, if use of s237 is regarded as a tactic of last resort, it would be necessary to complete the NPO process prior to exercising s237 powers. Alternatively might an NPO foreshorten the period within which the powers under s237 might be deployed?

13. If it is the Commission’s proposal to expand the jurisdiction of the Lands Chamber to encompass all right to light claims, that approach may run the risk of thwarting the use of s237. By way of example, in 7.117 the Commission notes the likely importance of a ‘public interest’ test in any new Lands Chamber jurisdiction. The Commission should consider whether this proposed expanded jurisdiction will cut across the public interest considerations that must be taken into account in the use of s237 powers: for example, would it ever be ‘necessary’ to use s237 powers if there is a recourse to the Lands Chamber under its expanded jurisdiction? Planning authorities’ planning powers – which reflect their position as being best placed to balance local interests in a consistent manner - would be diminished if the use of s237 was to be limited or extinguished.

14. Subject to this consideration and in seeking to preserve the efficacy of s237, the Commission might consider the merits of a two-step framework to permit planning authorities to engage s237 prior to any recourse to the expanded Lands Chamber. If the planning authority wishes to engage s237 then the process will mirror the current arrangements and the rights and responsibilities of all parties will remain the same. If, however, an authority does not wish to utilise s237 then the Commission’s proposed expanded Lands Chamber jurisdiction would be available.

6 Which Tribunal?

15. It will be important to consider how the proposed expanded jurisdiction of the Lands Chamber might interact with the issue of conventional proceedings seeking to injunct an interference with light. The Commission’s proposals to expand the Chamber’s jurisdiction, with the resulting liberalisation of a developer’s ability to apply for the Chamber to use its
power to discharge or modify a restrictive covenant under s84 Law of Property Act 1925, may encourage developers to pursue a free-standing Lands Chamber application to discharge a right to light. It is plausible to imagine that, at the same time, the dominant owner will seek a remedy through conventional county or High court proceedings. In the section dealing with this aspect, 7.112 et seq, the Commission does not appear to consider the possibility that in the future a dominant owner might issue proceedings (or, indeed, a NPO counter notice) to protect his position and separately the developer might commence proceedings in the Lands Chamber to extinguish the same right to light. It seems open to a developer to pursue this course because, as the Commission notes in 7.111, a developer may approach the Lands Chamber under its expanded jurisdiction not only where there is consent or no injury but also based on an argument that his use of the land is reasonable.

16. The Commission should consider whether parallel proceedings (court and Chamber) would impose delay and additional expense when proceedings in, for instance, the Lands Chamber have to be stayed in order for a court application to be heard and the matter rehearsed afresh.

17. Does the Commission propose that a reference to the Lands Chamber would allow a development to proceed – as with compulsory purchase – or would such a reference stay development as in the case of injunction proceedings?

18. Finally, in coming to its judgement on whether to recommend re-aligning the tribunal in which the bulk of rights to light issues are considered, we believe that the Commission should take into account that the Land Chamber sits only in London and that it is well established that no legal aid is available (while legal aid applications are unlikely to be granted in the county court, an application is more likely to be positively considered). While the Commission does not tackle the point directly, does it foresee, as part of a general move towards expanding the Land Chamber’s jurisdiction, the introduction of an injunctive power into the Chamber’s suite of powers?

7 Prescription

19. The arguments for and against abolition of rights of light being acquired by prescription are finely balanced. However, it is considered that great caution should be exercised in relying, as a justification for abolition, on the ability of planning policy to protect the light and amenity of residential owners. While loss of amenity (including sunlight/daylight) is an acknowledged planning consideration, were owners to lose alternative property law routes to pursue concerns about light, it is likely that those concerns would lead to increased focus on planning amenity and sunlight/daylight issues with implications for evaluation of planning applications and the time involved in determination (and possible appeal).
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Subject: Revenue Outturn 2012/13

Report of:
The Chamberlain
Director of the Built Environment
Director of Culture, Heritage and Libraries
The City Surveyor

Summary

This report compares the revenue outturn for the services overseen by your Committee in 2012/13 with the final agreed budget for the year. Overall total net expenditure during the year was £16.9m, whereas the total agreed budget was £17.4m, representing an underspending of £0.5m as set out below:

| Summary Comparison of 2012/13 Revenue Outturn with Final Agreed Budget |
|---------------------------------|-----------------|-----------------|-----------------|
|                                 | Final Approved Budget £000 | Revenue Outturn £000 | Variations Increase/ (Reduction) £000 |
| Direct Net Expenditure          |                               |                  |                  |
| Director of the Built Environment | 5,565                        | 5,434            | (131)            |
| Director of Culture, Heritage and Libraries | 1,507                        | 1,538            | 31               |
| The City Surveyor - Local Risk Additional Works Programme | 428                         | 430              | 2                |
|                                 | 499                          | 167              | (332)            |
| Total Direct Net Expenditure    | 7,999                        | 7,569            | (430)            |
| Capital and Support Services    | 9,364                        | 9,327            | (37)             |
| Overall Totals                 | 17,363                      | 16,896           | (467)            |

Chief Officers have submitted requests to carry forward underspendings, and these requests will be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

Recommendation

It is recommended that this revenue outturn report for 2012/13 and the proposed carry forward of underspendings to 2013/14 are noted.
**Revenue Outturn for 2012/13**

1. Actual net expenditure for your Committee's services during 2012/13 totalled £16.9m, an underspend of £0.5m compared to the final approved budget of £17.4m. A summary comparison with the final agreed budget for the year is tabulated below. In this and subsequent tables, figures in brackets indicate income or in hand balances, increases in income or decreases in expenditure.

<table>
<thead>
<tr>
<th></th>
<th>Final Approved Budget £000</th>
<th>Revenue Outturn £000</th>
<th>Variations Increase/(Reduction) £000</th>
<th>Variation Increase/(Reduction) %</th>
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<tr>
<td><strong>Local Risk</strong></td>
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<td></td>
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<tr>
<td>Director of the Built Environment</td>
<td>10,841</td>
<td>10,750</td>
<td>(91)</td>
<td>(0.8)</td>
</tr>
<tr>
<td>Director of Culture, Heritage and Libraries</td>
<td>1,507</td>
<td>1,538</td>
<td>31</td>
<td>2.1</td>
</tr>
<tr>
<td>The City Surveyor</td>
<td>428</td>
<td>430</td>
<td>2</td>
<td>0.4</td>
</tr>
<tr>
<td>Additional Works Programme</td>
<td>499</td>
<td>167</td>
<td>(332)</td>
<td>(66.5)</td>
</tr>
<tr>
<td><strong>Total Local Risk</strong></td>
<td>13,275</td>
<td>12,885</td>
<td>(390)</td>
<td>(2.9)</td>
</tr>
<tr>
<td><strong>Central Risk</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Director of the Built Environment</td>
<td>(5,276)</td>
<td>(5,316)</td>
<td>(40)</td>
<td>0.8</td>
</tr>
<tr>
<td><strong>Total Central Risk</strong></td>
<td>(5,276)</td>
<td>(5,316)</td>
<td>(40)</td>
<td>0.8</td>
</tr>
<tr>
<td>Capital and Support Services</td>
<td>9,364</td>
<td>9,327</td>
<td>(37)</td>
<td>(0.4)</td>
</tr>
<tr>
<td><strong>Overall Totals</strong></td>
<td>17,363</td>
<td>16,896</td>
<td>(467)</td>
<td>(2.7)</td>
</tr>
</tbody>
</table>

2. The main local risk variation comprises of:

- **Director of Built Environment** - underspend is mainly due to additional income from hoardings and scaffolding licences and other underspends across various running budgets in the Traffic Management Service (£105,000), savings on employee costs due to vacancies and other general underspends in Town Planning (£145,000) and underspends in the Drains and Sewers service relating to reduced repairs & maintenance works and increase in administration fee charges for sewer connections works (£145,000). This is partly offset by a shortfall in Building Control Regulation fees of £254,000 and other overspends across various other running budgets.
• **City Surveyor** – due to the rephasing of the Additional Works Programme as reported to the Corporate Asset Sub Committee.

3. Annex A provides a more detailed comparison of the local risk outturn against the final agreed budget, including explanation of significant variations.

**Local Risk Carry Forward to 2013/14**

4. The Director of the Built Environment had a local risk underspending of £91,000 on the activities overseen by your Committee, of which £76,000 is eligible to carry forward to 2013/14. The Director also had local risk underspending totalling £275,000 on activities overseen by other Committees. The Director is proposing that his total eligible underspend of £341,000 is carried forward, of which £249,000 relates directly to activities overseen by your Committee for the following purposes:

- £185,000 is intended to allow planned use of the Landfill Allowance Trading Scheme (LATS) reserve to be deferred to 2014/15 to offset some of the estimated shortfall of £600,000 in that year.
- £34,000 for essential updates to idox (document management system for planning applications) and associated training.
- £20,000 for the Highways Team to review high up-stands at dropped kerbs within the City as identified by the Access Team.
- £10,000 for National Underground Assets Group (NUAG) London wide project, to set up and maintain a web based system to identify objects underground that impact on street works.

5. These requests will be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

6. The Director of Culture, Heritage & Libraries had a local risk overspend of £31,000 on the activities overseen by your Committee. The overspend mainly related to additional energy costs at Tower Bridge, due to constant use of temporary blow fan heaters while boiler issues were being investigated and higher than anticipated carbon reduction credit costs. The Director also had a local risk underspend totalling £769,000 on activities overseen by other Committees and is proposing that the maximum available balance of £500,000 of his underspend be carried forward to 2013/14.

7. The City Surveyor’s underspend of £330,000 relating to the Additional Works Programme will be rolled over to 2013/14. The Additional Works Programme has been approved by the Policy and Resources Committee to enable the highest priority schemes and precautionary surveys from the City Surveyor’s 20 year plan to proceed as soon as possible. The
progress of schemes is monitored quarterly by the Corporate Asset Sub Committee. Budget transfers are permitted between schemes.

**Thames Bridges’ Repairs, Maintenance and Major Works Fund**

8. The Bridges Repairs, Maintenance and Major Works Fund is operated to provide sufficient resources to meet the maintenance costs of the five bridges over a period of 50 years. The fifty year programme of works undertaken by the City Surveyor and the Director of the Built Environment to be met by the fund, was agreed by your Committee on 27th November 2012. The breakdown is shown below in Table 2.

9. The actual expenditure for 2012/13 was £1.471m against a budget of £1.796m, an underspend of £0.325m.

| Table 2: Thames Bridges’ Repairs, Maintenance and Major Works Fund Analysis of Outturn for 2012/13 |
|-------------------------------------------------|-----------------|------------------|-----------------|-----------------|-----------------|
| Final Agreed Budget £’000 | Outturn £’000 | Variance increase/ (decrease) £’000 | Variation Increase/ (Reduction) % |
| Blackfriars Bridge | 157 | (26) | (184) | (116.8) |
| Southwark Bridge | 287 | 266 | (21) | (7.3) |
| London Bridge | 185 | 112 | (73) | (39.5) |
| Millennium Bridge | 416 | 339 | (77) | (18.5) |
| Tower Bridge | 751 | 780 | 29 | 3.9 |
| **Total** | **1,796** | **1,471** | **(325)** | **(18.1)** |
10. The balance on the fund at 31st March 2013 was £119.883m (£106.356m 31st March 2012), an increase of £13.527m from a year earlier, as set out in Table 3 below.

<table>
<thead>
<tr>
<th>Table 3: Thames Bridges’ Repairs, Maintenance and Major Works Fund Movement in Fund 2012/13</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Balance brought forward 1st April 2012</strong></td>
</tr>
<tr>
<td><strong>Expenditure:</strong></td>
</tr>
<tr>
<td><strong>Income:</strong></td>
</tr>
<tr>
<td>Planned contributions to fund on 1st April</td>
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<tr>
<td>Interest accruing</td>
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<tr>
<td>Rental income</td>
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<tr>
<td><strong>Capital Movements</strong></td>
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<tr>
<td>Gains on disposal</td>
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<tr>
<td>Gain on the revaluation</td>
</tr>
<tr>
<td><strong>Balance carried forward at 31st March 2013</strong></td>
</tr>
</tbody>
</table>

11. The principal reasons for the £0.325m underspending are set out below:

- **Blackfriars Bridge** - underspend of £184,000 was mainly due to:
  
  a) Savings of (£86,000) due to a competitive price that was achieved in combination with a third party which enabled significant savings on the final account value for joint replacement work.

  b) Savings of (£48,000) on inspections and mooring chain repairs achieved by tendering for all the river bridges as one tender, which allowed savings from efficiencies of scale.

  c) Savings of (£50,000) on electrical work as the contractor was not able to have access due to the station development.

- **London Bridge** - the underspend of (£73,000) was a result of delays in gaining lift access and necessary permissions; therefore, the project has slipped to 2013/14.

- **Millennium Bridge** - underspend of (£77,000) was mainly due to:

  a) Savings of (£57,000) on scour inspections, due to the PLA special launch not being available during the period of inspection. The survey will be carried out at a later date.

  b) Savings of (£20,000) on floodlighting as only minimal works were required.
12. The balance on the fund at the 31st March 2013 of £119.883m will be carried forward to meet the cost of works in 2013/14 and later years. An updated 50 year programme will be presented to your committee, for approval, as part of the annual estimate cycle which will be presented later on in the year.

Contact Officers:

Simon Owen - simon.owen@cityoflondon.gov.uk  ext 1358  
Dipti Patel - dipti.patel@cityoflondon.gov.uk  ext 3628

Appendices

Annex A – Planning & Transportation Committee – Comparison of 2012/13 Revenue Outturn with Final agreed Budget
## Annex A

### Planning & Transportation Committee – Comparison of 2012/13 Revenue Outturn with Final Agreed Budget

<table>
<thead>
<tr>
<th>Reasons</th>
<th>Final Agreed Budget £000</th>
<th>Revenue Outturn £000</th>
<th>Variation Increase/ (Decrease) £000</th>
<th>Variation Increase/ (Reduction) %</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCAL RISK</td>
<td></td>
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<tr>
<td>Director of the Built Environment</td>
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<tr>
<td>City Fund</td>
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<tr>
<td>Town Planning</td>
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<td>(145)</td>
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<td>(670)</td>
<td>(105)</td>
<td>(18.6)</td>
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<td>Drains &amp; Sewers</td>
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<td>160</td>
<td>(145)</td>
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<td>Bridge House Estates</td>
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<tr>
<td>Director of the Built Environment</td>
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<tr>
<td>Thames Bridges</td>
<td>230</td>
<td>234</td>
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<td>Director of Culture, Heritage &amp; Libraries</td>
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<td>Tower Bridge</td>
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<td>The City Surveyor</td>
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<td>Town Planning</td>
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<td>255</td>
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<td>Off-Street Parking</td>
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<td>Total City Surveyor</td>
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<td>597</td>
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<td>TOTAL LOCAL RISK</td>
<td>13,275</td>
<td>12,885</td>
<td>(390)</td>
<td>(2.9)</td>
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</table>
Reasons for Significant Local Risk Variations

1. **Town Planning** – underspend is mainly due to savings on employee expenses of (£58,000) due to staff vacancies, savings on communication and computing of (£27,000) largely due to slippage in delivery of upgrade to PC’s, reduction in advertising costs of (£22,000) for public notices relating to General Development Orders and other general underspends of (£23,000) in supplies and services.

2. **Transportation Planning** - overspend is mainly due to income shortfall of £31,000 as a result of slippage in the recovery of staff costs for capital projects and a greater number of non-recoverable projects being delivered than previously anticipated and additional expenditure of £22,000 due to extra traffic survey costs.

3. **Building Control** - overspend is principally due to a shortfall in Building Regulations fee income as a result of a downturn in the economy and continued competition from approved inspectors.

4. **Traffic Management** – underspend is principally due to increased income from additional activity levels for hoardings and scaffolding licences (£46,000) and expenditure savings relating to employee costs (£16,000), delays in highway condition surveys as part of the Highway Management System project (£15,000) and reduced costs for advertising road closure notices (£15,000).

5. **Off Street Parking** – overspend is mainly due to shortfall in car park income £105,000, which was partly offset by savings across various expenditure budgets (£62,000).

6. **On Street Parking** - underspend is mainly due to contract payment savings of (£45,000) due to CCTV enforcement vehicle lease costs not commencing until 2013/14 and employee cost savings of (£17,000) due to vacancies.

7. **Drains & Sewers** - saving is mainly due to reduced spend on general repairs and maintenance (£74,000) due to a drop in work demand and increased administration fee charges (£85,000) due to higher than anticipated sewer connection work.

8. **City Surveyor** - the net underspending is principally due to slippage and rephasing of works relating to the City Surveyor’s Additional Works Programme over its three year cycle. It is anticipated that this will be spent over the life of the programme.
### Annex A

Planning & Transportation Committee – Comparison of 2012/13 Revenue Outturn with Final Agreed Budget

<table>
<thead>
<tr>
<th>Reasons</th>
<th>Final Agreed Budget £000</th>
<th>Revenue Outturn £000</th>
<th>Variation Increase/Decrease £000</th>
<th>Variation Increase/Reduction %</th>
<th>Reasons</th>
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<td>CENTRAL RISK</td>
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<td>Environment</td>
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<tr>
<td>Town Planning</td>
<td>(364)</td>
<td>(607)</td>
<td>(243)</td>
<td>(66.8)</td>
<td>9</td>
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<td>Highways</td>
<td>(1,199)</td>
<td>(1,195)</td>
<td>(4)</td>
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<td>Off-Street Parking</td>
<td>(764)</td>
<td>(574)</td>
<td>190</td>
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<td>Contingency</td>
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<td>-</td>
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<tr>
<td>Thames Bridges</td>
<td>1,043</td>
<td>1,042</td>
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<td>TOTAL CENTRAL RISK</td>
<td>(5,276)</td>
<td>(5,316)</td>
<td>(40)</td>
<td>0.8</td>
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</tbody>
</table>

Reasons for Significant Central Risk Variations

9. **Town Planning** - the favourable variance is principally due to an increase in planning application fee income of 15% which came into effect in November 2012 and from a greater number of larger planning applications which yield a higher fee.

10. **Off-Street Parking** - the overall net operating cost of the City’s Off-Street car parks was lower than anticipated due to local risk underspends by the City Surveyor on the Additional Work Programme, which were partly offset by shortfalls in car park income. Therefore, a lower than budgeted transfer from the On-Street Parking Reserve was required.
BARBICAN RESIDENTIAL COMMITTEE - UPDATE REPORT

Members once again expressed disappointed about the performance of the Wood Street and Moorgate lifts and escalators and the Housing Services Director agreed to feed back to the City Surveyor. Members were assured that any lifts installed in future contracts would be to the City of London’s specification and this would include 24 hour access in plant rooms.

RESOLVED - That the unsatisfactory performance of the lifts and escalators on the Barbican Estate, and the on-going concerns of the Barbican Residential Committee, be referred to the Planning and Transportation Committee. The Barbican Residential Committee would like to be updated on any future developments.
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