

Committee:	Date:
Planning and Transportation	19 February 2019
Subject: 8, 9 & 13 Well Court London EC4M 9DN Extension of the existing building to provide a proposed fourth, fifth and sixth floor of office (Class B1) floorspace plus removal of existing plant at fourth floor level, installation of plant and plant enclosures at sixth floor and roof level, a terrace at roof level and cycle parking at ground floor level. (436sq.m GIA).	Public
Ward: Cordwainer	For Decision
Registered No: 18/00033/FULL	Registered on: 12 January 2018
Conservation Area: Bow Lane	Listed Building: No

Summary

Planning permission is sought for the extension of the existing building to provide a proposed fourth, fifth and sixth floor of office (Class B1) floorspace plus removal of existing plant at fourth floor level, installation of plant and plant enclosures at sixth floor and roof level, a terrace at roof level and cycle parking at ground floor level. (436sq.m GIA).

20 objections have been received from 7 residents and / or their representatives regarding the proposed development over five separate consultations. 3 letters of support have been received. The objections include the impact of the development on the character of the existing building and residential amenity, including loss of daylight and sunlight, loss of privacy from increased overlooking and disruption from construction works.

The proposed extension is considered to be acceptable in terms of its massing and design and would not detract from the character of the building or the character and appearance of the Bow Lane Conservation Area.

The daylight and sunlight study submitted with the application demonstrates that the majority of neighbouring residential properties would not experience noticeable reductions in daylight and sunlight as a result of the proposed development. Whilst there would be a very small number of impacts on daylight and sunlight, the overall impact is considered to be acceptable given the densely developed urban nature of the site.

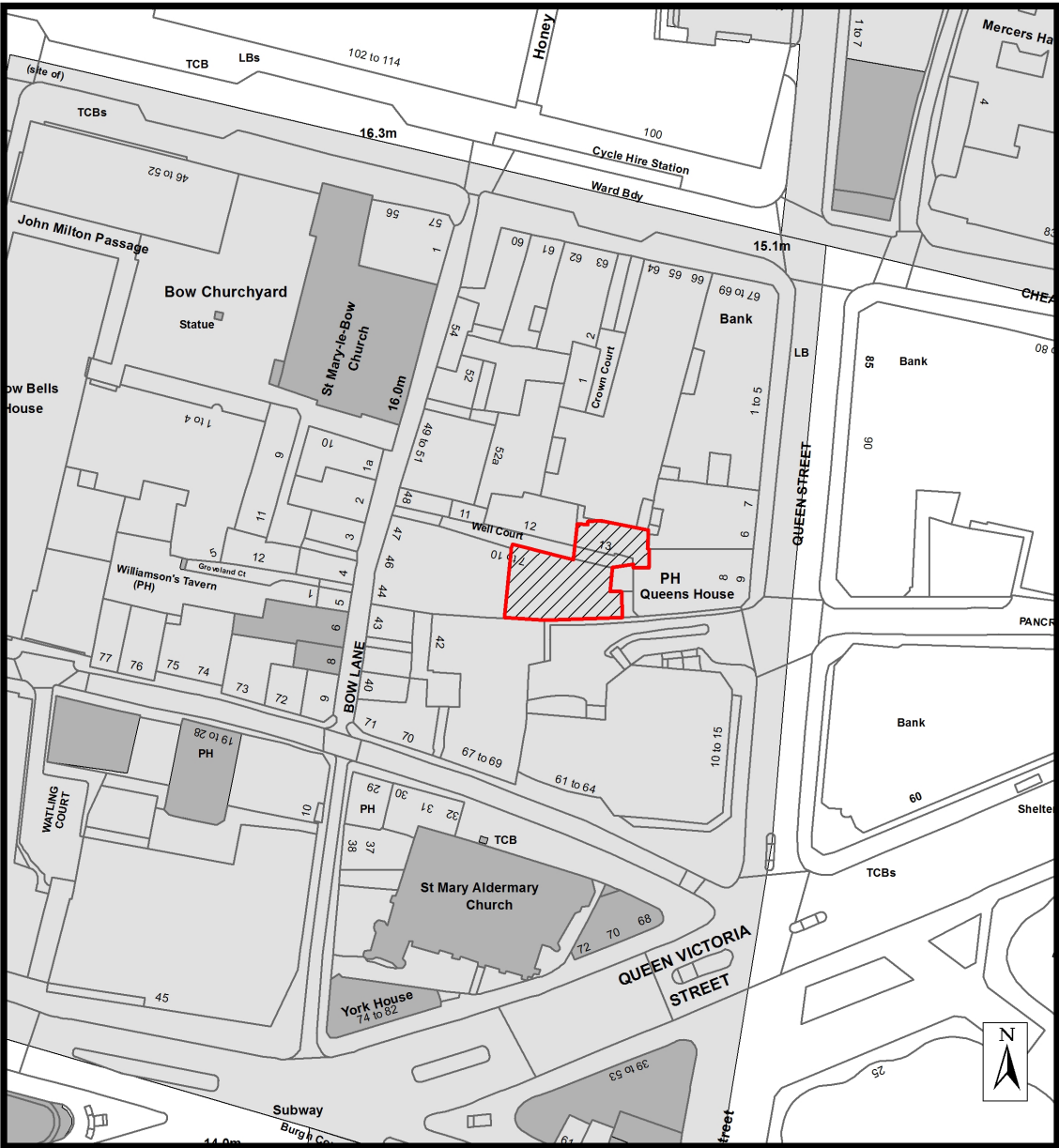
The proposed development would not adversely impact on privacy or increase the level of overlooking of the adjacent residential building.

The proposal is considered to be acceptable and to be in compliance with the guidance in the NPPF and the policies of Local Plan.

Recommendation

That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule.

Site Location Plan



© Crown copyright and database rights 2018 OS 100023243

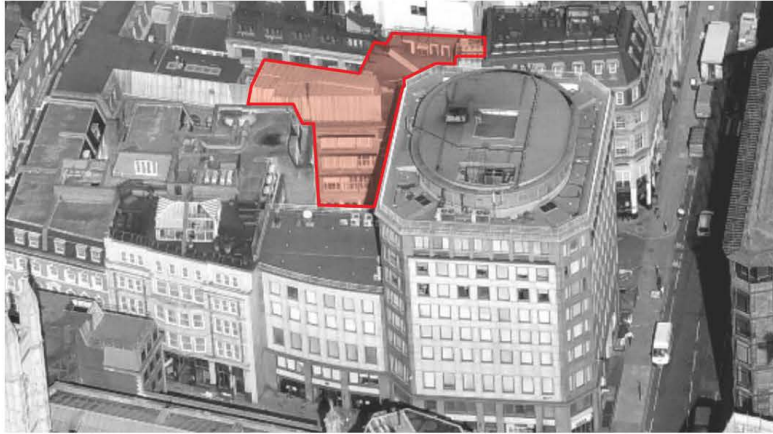
ADDRESS:
8, 9 & 13 Well Court

CASE No.
18/00033/FULL

- CITY BOUNDARY
- SITE LOCATION
- LISTED BUILDINGS
- CONSERVATION AREA BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT



View from south



South Façade



Panoramic views of existing roof & plant enclosures



East along Well Court



West along Well Court



Existing rooftop and means of escape



Existing stepped Façade, Existing plant enclosures and neighbouring properties

Main Report

Site

1. Well Court is accessed from Queen Street and Bow Lane and is within the Bow Lane Conservation Area.
2. The site comprises 8 & 9 and 13 Well Court, a five-storey property arranged over lower ground to third floor level. It bridges over the short north-south section that divides the narrow western section of Well Court leading from Bow Lane and the wider eastern section of Well Court off Queen Street, with vehicular access.
3. Immediately to the north and west of the site is 12 Well Court, a seven storey residential building comprising 8 apartments.

Relevant Planning History

4. Planning permission was granted on 27 October 2011 for the “(i) Change of use of part basement, part ground and 3 upper floors from office (Class B1) use to residential (Class C3) use (ii) removal and reinstatement of 4th floor and extension at 5th and 6th floor levels (203sq.m) and stair case access to roof level (creating 8 residential units)”(11/00512/FULL) at 12 Well Court.

Proposal

5. Planning permission is sought for the extension of the building to provide a proposed fourth, fifth and sixth floor of office (Class B1) floorspace, plus removal of existing plant at fourth floor level, installation of plant and plant enclosures at sixth floor and roof level, a terrace at roof level and cycle parking at ground floor level. (436sq.m GIA).
6. It is proposed to retain and extensively refurbish the lower floors of the building. The existing structures above third floor level that accommodate plant would be demolished and new set back fourth, fifth and sixth floors, with a plant enclosure above 8-9 Well Court at sixth floor level.

Consultations

7. The application has been advertised on site and the residential premises at 12 Well Court have been individually consulted.
8. The views of other City of London departments have been taken into account in the consideration of this scheme.
9. The City of London Conservation Area Advisory Committee raised no objections.
10. There have been five separate consultations in respect of the application due to amendments made to the proposal. The application was first consulted on in January 2018. A second consultation was undertaken in July 2018 following amendments made as a result of comments raised by residents at 12 Well Court including a revision to the north elevation to add obscured glazing and comments from the Access Officer. A revised daylight and sunlight report was submitted following amendments to the

north elevation, undertaken by a RICS accredited daylight and sunlight consultant. The revised daylight and sunlight assessment was reviewed by Paul Littlefair of the Building Research Establishment (BRE) who advised that the development would have a moderate adverse impact on daylight and sunlight to six living rooms within 12 Well Court falling below the levels of daylight and sunlight recommended in BRE guidance. The development would reduce noticeably the daylight and sunlight available to 12 Well Court to an unacceptable level, contrary to requirements of Local Plan policy DM10.7.

11. The scheme was revised to reduce the daylight and sunlight impact. A third consultation was undertaken in September 2018 including setting back the proposed fourth floor from Well Court by a further 2.1m and the proposed fifth floor by a further 1.5m reducing the overall building envelope, reducing the size of the fifth floor roof terrace and the submission of a new daylight and sunlight study. The revised daylight and sunlight assessment was reviewed by Paul Littlefair of the Building Research Establishment (BRE) who concluded that the revised scheme would have minor adverse impact on the residential building at 12 Well Court. This is considered to be acceptable in terms of daylight and sunlight under Local Plan policy DM10.7.
12. A fourth consultation was undertaken in November 2018. Following amendments to the scheme including removing the fourth and fifth floor terraces on the north elevation and replacing them with inaccessible sedum roofs and changing all the new windows facing Well Court to be tilt operated to remove any overlooking to 12 Well Court.
13. A fifth consultation was undertaken in November 2018. The amendment proposed was to fix all the new windows shut to remove overlooking to 12 Well Court.
14. A total of 20 objections and 3 letters of support have been received across the five consultation periods (5 objections and 3 support to the January scheme; 4 objections to the July scheme and 6 objections to the September 2018 scheme) from 7 residents and 5 objections to the November 2018 schemes. The objections and support are summarised in the tables below:

Topic	Objection
Residential Amenity	<p>The proposed development would adversely impact the daylight and sunlight received by neighbouring residential properties.</p> <p>The accuracy of the daylight and sunlight study submitted with the application is questionable.</p> <p>The development would result in greater overlooking and lead to a loss of privacy for neighbouring residential occupiers.</p> <p>The implementation of the development would result in</p>

	<p>construction noise, disturbance and disruption to the detriment of occupiers of 12 Well Court.</p> <p>Light pollution from the proposed extension due to cleaners and late workers.</p> <p>A reduction of safety through the changing of a fire escape route.</p> <p>Severe impact on the existing roof terrace.</p>
Design	The proposed extension represents overdevelopment and it would be of an overbearing nature being between 5.5m and 7m away from 12 Well Court.
Policy	The proposals conflict with the NPPF and development plan.
Other Non-Planning Considerations	<p>There was no communication with residents before the application was submitted.</p> <p>The applicant ignores the residents' objections.</p>

Topic	Support
Design	<p>Improvements within Well Court and to the outside appearance of 8 & 9 Well Court.</p> <p>Good quality well thought out scheme that will provide a selection of high-quality office floors within a size bracket that is needed by SME's.</p>
Other Non-Planning Considerations	<p>Additional potential customers to retail units.</p> <p>Speed in which buildings in the area were taken by businesses following refurbishment.</p> <p>Only short-term disruption during construction of 12 Well Court but it substantially improved the overall appearance and ambiance within Well Court.</p>

15. The objections relating to the latest proposals are attached to the report. The previous objections and supporting comments are available on the City of London website.

Policy Context

16. The development plan consists of the London Plan, the Draft London Plan and the Local Plan. The London Plan, and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report. Relatively little weight should be afforded to the Draft London Plan.
17. Government Guidance is contained in the National Planning Policy Framework (NPPF).

Considerations

18. 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 and to any other material considerations. (Section 70 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);
- For development within or adjoining a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area and its setting (S72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990);
- For development which affects a listed building or its setting, to 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. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).

19. 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...' It further states at Paragraph 2 that:

“Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise’.

20. In considering the planning application before you, account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

21. The principal issues in considering this application are:

- The design and appearance of the proposed extension and its impact on the Bow Lane Conservation Area; and
- The impact of the extension on residential amenity, including daylight and sunlight, privacy and overlooking.

Design and Heritage

External Alterations

22. The existing elevations to Well Court are mainly contextual brick faced frontages in a loose warehouse vernacular style dating from the late 1980s with an 1880s era commercial frontage incorporated into the south elevation. These facades would be retained with substantial new extensions built above. The existing roofs are generally flat bitumen

covered with a proliferation of substantial plant enclosures on the roof finished in either brick, lead or louvred metal.

23. The massing of the new upper floors would follow the planform of the building below. On the southern section of roof, the extension would rise two floors high. The accommodation would be set-back from the parapet with the floors stepped back on the southern side to better reflect and coordinate with the mansard roof forms of neighbouring buildings. On the rear elevations to Well Court, the set-back from the parapet would be greater to reduce the visibility of the extensions in upward views from within the alleyway. Here, the extension would rise two sheer storeys with a further rise up to a sixth-floor level in the north east corner of the site, the extra height being justified by being set significantly deeper into the street block.
24. Two distinct architectural approaches would assist in reducing the visual mass of the new areas of construction. Excepting the north-eastern corner, the extension would be given a lightweight extensively glazed appearance with full storey-height windows divided by black aluminium horizontal spandrel panels with a strong vertical rhythm established by projecting vertical fins. More pronounced vertical divisions would be employed to respond to the visual divisions between the facade elements of the retained floors below. The three-storey element on the north-east corner of the site would have a different but complementary appearance. This part of the building would be faced in brick, with large windows set within deep chamfered reveals. Windows on the north side would be kept to a minimum to address privacy issues. Stone string courses would provide horizontal divisions between floors and the southern elevation would be additionally embellished with decorative brickwork.
25. Sedum planted roofs and two bat boxes would be provided at 4th, 5th and 6th floor levels. A condition has been attached to the schedule to establish whether a semi-intensive level of planting could be achieved on these areas of roof.

Listed Buildings, Views and Conservation Areas

26. Although there are a number of listed buildings located close to the site, none of these are direct neighbours. The Grade I listed churches of St Mary-le-Bow and St Mary Aldermary are located nearby. The proposals have been assessed to ensure that the scheme would not have an adverse impact on views of their towers. Due to the narrow nature of the streets within the Bow Lane conservation area, local views of the proposals from neighbouring streets are highly constrained and the scheme would not be seen in conjunction with the church towers. In more distant views, including the Mayor of London's London View Management Framework (Views 13A.1 and 13A.2 from Millennium Bridge and Thames side at Tate Modern) no harmful impacts are identified. Within the Bow Lane conservation area, the upper floors of the proposals would be evident from the area around the western end of Well Court where it adjoins Queen Street and from within Well Court itself. From these locations the new upper floors of the proposals would be clearly seen, but not unduly dominant. The character of the Bow Lane conservation area is one of a

tight urban grain based upon historic building plots and a medieval street pattern. Although the proposals would be visible in some locations within and outside of the conservation area boundary, it is not considered that they are harmful to its visual appearance or have a detrimental impact on its character.

The detailed design and materials are considered to complement the character of the existing building and would not detract from the character and appearance of the Bow Lane Conservation Area.

Daylight and Sunlight

27. Local Plan Policy DM10.7 'Daylight and Sunlight' resists development which would reduce noticeably the daylight and sunlight available to nearby dwellings to unacceptable levels, taking account of the Building Research Establishment's (BRE) guidelines. Paragraph 3.10.41 of the Local Plan states that the BRE guidelines will be applied consistent with BRE advice that ideal daylight and sunlight conditions may not be practicable in densely developed city centre locations.
28. The BRE guidelines consider a number of factors in measuring the impact of development on daylight and sunlight on existing dwellings:
- Daylight to windows: Vertical Sky Component (VSC): a measure of the amount of sky visible from a centre point of a window. The VSC test is the main test used to assess the impact of a development on neighbouring properties. A window that achieves 27% or more is considered to provide good levels of light, but if with the proposed development in place the VSC figure is both less than 27% and reduced by 20% or more from the existing level (0.8 times the existing value), the loss would be noticeable.
 - Daylight Distribution: No Sky Line (NSL): The distribution of daylight within a room is measured by the no sky line, which separates the areas of the room (usually measured in sq. ft) at a working height (usually 0.85m) that do and do not have a direct view of the sky. The BRE guidelines states that if with the proposed development in place the level of daylight distribution in a room is reduced by 20% or more from the existing level (0.8 times the existing value), the loss would be noticeable. The BRE advises that this measurement should be used to assess daylight within living rooms, dining rooms and kitchens; bedrooms should also be analysed although they are considered less important.
 - Sunlight to windows: sunlight levels are calculated for all main living rooms in dwellings if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are considered less important although care should be taken not to block too much sun. The BRE explains that sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours (APSH), or less than 5% APSH between 21 September and 21 March; and receives less than 0.8 times its former sunlight hours as result of a proposed development; and has

a reduction in sunlight hours received over the whole year greater than 4% of annual probable sunlight hours.

Daylight and Sunlight Assessment

29. The application is supported by a daylight and sunlight report, which has assessed the impact of the proposed development on the daylight and sunlight received by the neighbouring residential properties within 12 Well Court. The assessment has been undertaken with reference to the room layouts and uses detailed within the drawings approved as part of the planning permission for the change of use and extension of 12 Well Court (planning reference: 11/00512/FULL). As recommended by the BRE guidance, the report provides vertical sky component (VSC) and daylight distribution analysis (NSL) data, and assessment data for annual probable sunlight hours (APSH).
30. An initial daylight and sunlight report was submitted with the application in 2018. The report was reviewed by Paul Littlefair of BRE, who advised that the development, as originally proposed, would have a moderate adverse impact on the daylight and sunlight received by six living rooms within 12 Well Court, with daylight and sunlight levels falling below that which is recommended by the BRE guidance.
31. Consequently, the proposals have been revised by setting the proposed fourth floor back from Well Court by 2.1m and setting the proposed fifth floor back from Well Court by a further 1.5m. A revised daylight and sunlight report has been submitted to reflect the reduced bulk and massing of the proposals. This has been reviewed by Paul Littlefair, who concluded that the revised scheme would have a minor adverse impact on the residential building at 12 Well Court.
32. The comments below relate to these latest proposals and not earlier iterations of the proposed development.

Daylight Assessment Results

33. The daylight assessment indicates that nine out of the 31 windows assessed for vertical sky component (VSC) in 12 Well Court would not achieve BRE compliance as a result of the proposed development at 8, 9 and 13 Well Court. These nine windows would experience daylight reductions of between 21% and 36%, compared to the guideline reduction of 20% that is not considered to be noticeable, but the windows with the greatest reductions in VSC serve rooms that have other windows that would be less affected.
34. The daylight assessment indicates that two out of the 20 rooms assessed for daylight distribution would not achieve BRE compliance as a result of the proposed development. The two rooms, both bedrooms, would experience daylight distribution reductions of 23% and 30% respectively, compared to the guideline reduction of 20% that is not considered to be noticeable. The BRE guidance states that daylight distribution to bedrooms is considered less important than living rooms, kitchens and dining rooms.
35. 12 Well Court is a seven-storey building with windows looking directly onto a narrow mews court. The building was extended at fifth and sixth floors

when it was converted to residential use (planning reference: 11/00512/FULL). The BRE guidance includes the concept of a 'bad neighbour' where 'an existing building has windows that are unusually close to the site boundary and take more than their fair share of light'. 12 Well Court could be classified in this category, as it is a seven-storey building, built and extended directly onto the narrow court. Having a similar development opposite (a 'mirror image' development) would cause a substantial loss of light compared to the existing situation, and significantly greater loss than the proposed development.

36. In this context, the overall daylight impact of the proposed development is considered to be minor adverse.

Sunlight Assessment Results

37. The sunlight assessment indicates that 13 out of the 31 windows assessed for sunlight in 12 Well Court would not achieve BRE compliance as a result of the proposed development: Seven out of the 13 windows would serve bedrooms; six would serve living rooms. The BRE guidelines focus on loss of sunlight to living rooms. Direct sunlight to kitchens and bedrooms is considered less important, although care should be taken not to block too much sun.
38. The sunlight impact to the first floor living room would be minimal and would comply with the BRE guidelines. The two windows to the second floor living room would experience annual sunlight reductions of 28% and 32% respectively. The third floor living room would retain enough annual sun to two of its three windows, and therefore the room as a whole would meet the BRE guidelines. The fourth floor living room would experience noticeable reductions in winter sunlight but would retain substantial amounts of summer sun. In this context, the overall sunlight impact of the proposed development is considered to be minor adverse.

Daylight and Sunlight Conclusion

39. The Daylight and sunlight report submitted with the application indicates the majority of the windows and rooms in 12 Well Court would not experience noticeable impacts to the daylight and sunlight received. In the instances where the daylight impacts would be noticeable, the reductions in daylight would be mostly minor in nature. In the instances where the sunlight impacts would be noticeable, the reductions in sunlight would be mostly minor in nature, with the majority of living rooms retaining acceptable levels of annual sunlight.
40. Overall, the daylight and sunlight impact of the proposed development on the neighbouring property at 12 Well Court is considered to be minor adverse. This is considered to be acceptable given the densely developed urban nature of the site and to be in accordance with the requirements of Local Plan Policy DM10.7.

Noise, Disturbance, Light Pollution and Fire Escape Route

41. Development proposals which could result in noise and disturbance to nearby noise sensitive receptors must be carefully considered and mitigated where necessary, as required by policies DM 15.7 and DM 21.3 of the Local Plan.
42. The applicant proposes an acoustic enclosure around plant equipment proposed at sixth floor and roof levels, and Noise levels from plant would be secured by condition.
43. A condition is recommended restricting the hours for servicing and delivery. Further conditions have been included relating to managing noise, dust, disturbance throughout construction and demolition and restricting the use of the terrace. These conditions would mitigate the potential noise and disturbance from the proposed development.
44. There is an existing fire escape ladder located within the boundary of 8 & 9 and 13 Well Court. This fire escape is for the benefit of 12 Well Court and allows residents to escape down onto the roof and through 8 & 9 and 13 Well Court in the event of a fire. The original submission sought to modify the position of the fire escape ladder onto the roof of 12 Well Court. Following objections from residents this has been revised. The current proposal maintains a fire escape and the ladder is located within the boundary of 8 & 9 and 13 Well Court. Residents would be able to escape up the ladder onto the roof and through 8 & 9 and 13 Well Court in the event of a fire.
45. All the lighting within the building would be managed by a PIR system (passive infrared sensor) which would ensure lights switch off if no movement is detected, thus ensuring lights would not be left on accidentally overnight.

Privacy and Overlooking

46. The site is not within a Residential Area as defined in the Local Plan. Local Plan Policy DM21.3 'Residential Environment' requires developments to be designed to avoid overlooking and to seek to protect the privacy of neighbouring occupiers. The proximity of neighbouring office accommodation to the proposed development is within the accepted norms that prevail in the City. The applicants have amended the scheme in relation to privacy and overlooking issues that could occur with respect to the existing residential accommodation at 12 Well Court. The windows on the north elevation from which overlooking could occur are obscured and fixed shut; the design of the building has been revised to set back the extension; the accessible terrace areas at 4th and 5th floor level have been replaced with inaccessible sedum roofs to ensure that these issues have been addressed adequately.

Air Quality

47. Local Plan Policy DM15.6 requires developers to consider the impact of their proposal on air quality. A condition has been added to the schedule requiring a full air quality assessment prior to any plant equipment being installed on the building.

Transport, Servicing and Parking

- 48. The site is in a highly sustainable location and has excellent public transport accessibility. The site is designated as falling within PTAL 6(b).
- 49. Refuse storage is provided within the building at ground floor level and has been agreed by the City of London Community Facilities Manager.
- 50. 7 cycle spaces are proposed at ground floor level, parking is in two separate storage areas inside the building. There are restrictions within the existing building that make cycle parking allocation challenging and due to these restrictions, the cycle parking proposals are considered acceptable.
- 51. The servicing strategy for the building would remain the same as existing, which is acceptable for the building's location and size (currently the servicing takes place on Well Court for medium and small vehicles and Queen Street for larger vehicles).
- 52. Standard conditions are proposed in relation to demolition and construction.

Access

- 53. The Access Officer is satisfied with the proposal. There would be step-free access into the building and lift access would be provided to all floors.

Planning Obligations and Community Infrastructure Levy

- 54. Mayoral and City CIL applies to developments which create an uplift in Gross Internal Area (GIA) of at least 100sq.m or create one or more dwellings. Social housing, education related development, health related development and development for charities for charitable purposes is excluded. In the case of Mayoral CIL a charge of J50 per sqm is applied to eligible developments. The City CIL charge varies between J150 per sqm for Riverside residential to J95 per sqm for 'Rest of City' residential and J75 for offices and all other uses.
- 55. The Mayoral CIL liability has been calculated to be J21,800 and the City CIL liability to be J32,700 based on a GIA of 436sq.m.
- 56. Under the CIL regulations the City Corporation is able to retain 4% of the Mayoral CIL income and 5% of the City CIL income as an administration fee.
- 57. The proposed development would not trigger the Mayoral planning obligation Crossrail contribution or the City planning contributions as the proposed uplift would be less than 500sq.m GIA.

Archaeology

- 58. This is in an area of archaeological potential. The applicants state that no new foundations are to be installed however further site investigation is proposed, which may result in new groundworks being proposed.

Conclusion

- 59. The proposed extension is considered to be acceptable in terms of its massing and design and would not detract from the character of the

building or the character and appearance of the Bow Lane Conservation Area.

60. The daylight and sunlight study submitted with the application demonstrates that the neighbouring residential property would not experience noticeable reductions in daylight and sunlight as a result of the proposed development. Whilst there would be a very small number of impacts on daylight and sunlight as a result of the development, the overall impact is considered to be acceptable given the densely developed urban nature of the site.
61. The proposed development would not adversely impact on privacy or increase the level of overlooking of the adjacent residential building.
62. The proposal is considered to be acceptable and to be in compliance with the guidance in the NPPF and the policies of Local Plan.

Background Papers

Internal

Memo - Air Quality Officer 11/7/2018

Email - Air Quality Officer 26/9/2008

Memo - Department of Markets and Consumer Protection 23/2/2018 & 4/12/2018

External

Background Papers:

Design and Access Statement Rev B September 2018

Planning and Heritage Statement January 2018

Daylight and Sunlight Report Rev F dated 12/9/2018

Framework Construction Traffic Management Plan

Structural Engineers Feasibility Study Rev B: November 2017

Noise Assessment Report 1013369-RPT-AS0001 Rev B

Letter CAAC 25/2/2018

BRE Client Report P112768-1000 Issue:1 & P112768-1002 & P112768-1003

Email - Montagu Evans 28/6/2018 & 14/11/2018 & 31/1/2019

Letter - Montagu Evans 4/10/2018

Letter - Mr Grant Winton 15/2/2018 & 18/7/2018 & 7/10/2018 & 3/12/2018

Letter - Mr Mark Winton 14/2/2018 & 17/7/2018 & 5/10/2018 & 3/12/2018

Letter - Mr Mark Braithwaite 18/2/2018 & 8/10/2018 & 7/12/2018

Letter - Mr Raymond Chan 22/2/2018 & 19/7/2018

Letter - Mr Edward Clark 15/2/2018 & rec'd 20/7/2018 & rec'd 9/10/2018

Email - Mr Nick Kerrison 26/2/2018

Email - Mr Russell Howarth 26/2/2018

Email - Mr Jason Collier 28/2/2018

Letter - Miss Martha Powley on behalf of Puay Koon 5/10/2018 & 4/12/2018

Letter - Ms. Sheung-ting TSE 8/10/2018

Letter - Miss Martha Powley on behalf of Ms. Sheung-ting TSE 4/12/2018

Appendix A

London Plan Policies

The London Plan policies which are most relevant to this application are set out below:

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

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:

- a be of the highest architectural quality
- b be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c comprise details and materials that complement, not necessarily replicate, the local architectural character
- d 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
- e incorporate best practice in resource management and climate change mitigation and adaptation
- f provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g be adaptable to different activities and land uses, particularly at ground level
- h meet the principles of inclusive design
- i 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 7.14 Implement Air Quality and Transport strategies to achieve

reductions in pollutant emissions and minimise public exposure to pollution.

Policy 7.15 Minimise existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals and separate new noise sensitive development from major noise sources.

Relevant Local Plan 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.

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.

DM10.1 New development

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;

- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

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.

DM12.2 Development in conservation areas

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

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.

DM15.6 Air quality

1. Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.
2. Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.
3. Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for Sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NOx).
4. Developers will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies,

such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.

5. Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.

6. Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest building in the development in order to ensure maximum dispersion of pollutants.

DM15.7 Noise and light pollution

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.

2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.

3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.

4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.

5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

CS17 Minimising and managing waste

To support City businesses, residents and visitors in making sustainable choices regarding the minimisation, transport and management of their waste, capitalising on the City's riverside location for sustainable waste transfer and eliminating reliance on landfill for municipal solid waste (MSW).

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.
2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

CS16 Improving transport and travel

To build on the City's strategic central London position and good transport infrastructure to further improve the sustainability and efficiency of travel in, to, from and through the City.

DM16.3 Cycle parking

1. On-site cycle parking must be provided in accordance with the local standards set out in Table 16.2 or, for other land uses, with the standards of the London Plan. Applicants will be encouraged to exceed the standards set out in Table 16.2.
2. On-street cycle parking in suitable locations will be encouraged to meet the needs of cyclists.

DM12.4 Archaeology

1. To require planning applications which involve excavation or ground works on sites of archaeological potential to be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development.
2. To preserve, protect, safeguard and enhance archaeological monuments, remains and their settings in development, and to seek a public display and interpretation, where appropriate.
3. To require proper investigation and recording of archaeological remains as an integral part of a development programme, and publication and archiving of results to advance understanding.

DM19.2 Biodiversity and urban greening

Developments should promote biodiversity and contribute to urban greening by incorporating:

- a) green roofs and walls, soft landscaping and trees;
- b) features for wildlife, such as nesting boxes and beehives;
- c) a planting mix which encourages biodiversity;
- d) planting which will be resilient to a range of climate conditions;

- e) maintenance of habitats within Sites of Importance for Nature Conservation.

CS18 Minimise flood risk

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

DM18.2 Sustainable drainage systems

1. The design of the surface water drainage system should be integrated into the design of proposed buildings or landscaping, where feasible and practical, and should follow the SuDS management train (Fig T) and London Plan drainage hierarchy.
2. SuDS designs must take account of the City's archaeological heritage, complex underground utilities, transport infrastructure and other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.
3. SuDS should be designed, where possible, to maximise contributions to water resource efficiency, biodiversity enhancement and the provision of multifunctional open spaces.

CS19 Improve open space and biodiversity

To encourage healthy lifestyles for all the City's communities through improved access to open space and facilities, increasing the amount and quality of open spaces and green infrastructure, while enhancing biodiversity.

SCHEDULE

APPLICATION: 18/00033/FULL

8, 9 & 13 Well Court London EC4M 9DN

Extension of the existing building to provide a proposed fourth, fifth and sixth floor of office (Class B1) floorspace plus removal of existing plant at fourth floor level, installation of plant and plant enclosures at sixth floor and roof level, a terrace at roof level and cycle parking at ground floor level. (436sq.m GIA).

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three 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 Archaeological evaluation and Site Investigation work shall be carried out in order to compile archaeological records in accordance with a timetable and scheme of such archaeological work submitted to and approved in writing by the Local Planning Authority before any commencement of archaeological evaluation work.
REASON: To ensure that an opportunity is provided for the archaeology of the site to be considered and recorded in accordance with the following policy of the Local Plan: DM12.4.
- 3 There shall be no demolition on the site until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. 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 and monitoring (including any agreed monitoring contribution) 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 other than in accordance with the approved scheme (including payment of any agreed monitoring contribution)
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 policies of the Local Plan: DM15.6, DM15.7, DM21.3. These details are required prior to demolition in order that the impact on amenities is minimised from the time that development starts.

- 4 There shall be no demolition on the site until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during construction has been submitted to and approved in writing by the Local Planning Authority. 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 and monitoring (including any agreed monitoring contribution) set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the construction 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 development shall not be carried out other than in accordance with the approved scheme (including payment of any agreed monitoring contribution)

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 policies of the Local Plan: DM15.6, DM15.7, DM21.3. These details are required prior to demolition in order that the impact on amenities is minimised from the time that the construction starts.

- 5 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The Construction Logistics Plan shall include relevant measures from Section 3 of the Mayor of London's Construction Logistics Plan Guidance for Developers issued in April 2013, and specifically address [driver training for] the safety of vulnerable road users through compliance with the Construction Logistics and Cyclist Safety (CLOCS) Standard for Construction Logistics, Managing Work Related Road Risk. 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.

REASON: To ensure that construction works do not have an adverse impact on public safety and the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to construction work commencing in order that the impact on the transport network is minimised from the time that construction starts.

- 6 (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 window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.

(b) 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.

(c) 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 Local Plan: DM15.7, DM21.3.

- 7 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 Local Plan: DM15.7.
- 8 Prior to any plant being commissioned and installed in or on the building an Air Quality Report shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail how the finished development will minimise emissions and exposure to air pollution during its operational phase and will comply with the City of London Air Quality Supplementary Planning Document and any submitted and approved Air Quality Assessment. The measures detailed in the report shall thereafter be maintained in accordance with the approved report(s) for the life of the installation on the building.
REASONS: In order to ensure the proposed development does not have a detrimental impact on air quality, reduces exposure to poor air quality and in accordance with the following policies: Local Plan policy DM15.6 and London Plan policy 7.14B.
- 9 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 Local Plan: DM15.7, DM16.2, DM21.3.
- 10 No part of green roofs at 4th and 5th floor levels on the drawings hereby approved shall be used or accessed by occupiers of the building, other than in the case of emergency or for maintenance purposes.

REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

- 11 The terrace at roof level hereby permitted shall not be used or accessed between the hours of 23.00 on one day and 08.00 on the following day and not at any time on Sundays or Bank Holidays, other than in the case of emergency.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 12 No amplified or other music shall be played on the roof terraces.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 13 The windows on the north elevation must fixed and be obscured to a height of 1.8m for the life of the building.
REASON: To safeguard the amenity of the adjoining premises in accordance with the following policy of the Local Plan: DM21.3.
- 14 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 7 pedal cycles. 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 Local Plan: DM16.3.
- 15 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 Local Plan: DM16.4.
- 16 Details of the type of planting irrigation and maintenance regime for the proposed green terraces 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 Local Plan: DM18.2, DM19.2.

- 17 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;
 - (b) details of windows;
 - (c) details of hand rails and balustrades;
 - (d) details of junctions with adjoining premises.

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 Local Plan: DM10.1, DM12.2.

- 18 The refuse collection and storage facilities shown on the drawings hereby approved shall be provided and maintained throughout the life of the building for the use of all the occupiers.

REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1.

- 19 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: P_01; P_02; D_10; D_11; D_12; D_13; D_14; D_15; D_16; D_20; D_21; P_10 Rev R1; P_11 Rev B; P_12 Rev C; P_13 Rev C; P_14 Rev C; P_15 Rev E; P_16 Rev E; P_17 Rev C; P_18 Rev B; P_18 Rev R1; P_20; P_20 Rev D; P_21 Rev R1; P_24 Rev D; P_25 Rev A; P_26 Rev A; P_27 Rev D; P_28 Rev C.

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 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 Local 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.

- 2 The Mayoral Community Infrastructure Levy is set at a rate of J50 per sq.m on "chargeable development" and applies to all development over 100sq.m (GIA) or which creates a new dwelling.

The City of London Community Infrastructure Levy is set at a rate of J75 per sq.m for offices, J150 per sq.m for Riverside Residential, J95 per sq.m for Rest of City Residential and J75 on all other uses on "chargeable development".

The Mayoral and City CIL charges will be recorded in the Register of Local Land Charges as a legal charge upon "chargeable development" when development commences. The Mayoral CIL payment will be passed to Transport for London to support Crossrail. The City CIL will be used to meet the infrastructure needs of the City.

Relevant persons, persons liable to pay and owners of the land will be sent a "Liability Notice" that will provide full details of the charges and to whom they have been charged or apportioned. Please submit to the City's Planning Obligations Officer an "Assumption of Liability" Notice (available from the Planning Portal website: www.planningportal.gov.uk/cil).

Prior to commencement of a "chargeable development" the developer is required to submit a "Notice of Commencement" to the City's Section106 Planning Obligations Officer. This Notice is available on the Planning Portal website. Failure to provide such information on the due date may incur both surcharges and penalty interest.

- 3 Where groundworks not shown on the approved drawings are to take place below the level of the existing structure (including works for underpinning, new lift pits, foundations, lowering of floor levels, new or replacement drainage, provision of services or similar) prior notification should be given in writing to the Department of the Built Environment in order to determine whether further consents are required and if the proposed works have archaeological implications.