
From: [Thomas See](#)

Sent: 06 July 2020 08:38

To: Rob.Chipperfield@cityoflondon.gov.uk; PLNComments@cityoflondon.gov.uk

Subject: 20/00214/FULMAJ

Dear Mr Chipperfield,

Application 20/00214/FULMAJ is incomplete and is missing a statutory consultee's report from City of London Highways; the Applicant has misled on access issues to the Roadway adjoining Trig Lane

1. There should be a statutory consultee's report from City of London Highways. This is missing from Planning Application 20/00214/FULMAJ. This regards the new roadway adjoining Trig Lane that the Applicant proposes to replace the current Roadway with, for which the Applicant has provided no design. A roadway layout compliant with regulations set by City of London Highways is not possible based on the building design proposed by the Applicant. We ask that a planning decision on 20/00214/FULMAJ is deferred until a roadway design has been proposed by the Applicant, a report issued by City of London Highways and sufficient time allocated for residents of Norfolk House to consider.
2. Section 12.4 of the Standard Highway and Servicing Requirements for Developments in the City of London states that, "All vehicles must enter and leave the site in a forward gear. Service or car parking bays requiring vehicles to reverse in from or out onto the street are unacceptable on road safety grounds." This rule applies because vehicles will enter and leave from Trig Lane which is a public highway.
3. The restricted space between Norfolk House and Millennium Bridge House post-development makes this Section 12.4 requirement impossible to fulfil i.e. for vehicles to leave Trig Lane and then to re-join Trig Lane in forward gear. Adequate space must be provided to fulfil this requirement.
4. It is untrue that vehicles cannot enter the existing Roadway from Trig Lane and then leave it for Trig Lane in forward gear. This Roadway is in constant use and residents who live in Norfolk House have been joining and exiting in forward gear daily for over 20 years.
5. Access to the existing Roadway by residents of Norfolk House is not part of an informal arrangement. It is a right-of-way established under the Norfolk House lease, in which the Roadway is identified and marked. Norfolk House residents will enforce their rights to equally convenient rights-of-way.
6. The Applicant's suggestion that the underground parking spaces for Norfolk House can be used for disabled access is both callous and offensive to disabled residents. The Applicant relies on its claim of step-free access via the lift, but this is absurd: there is a steep set of 5 steps from the lift to the Lobby (see photo). The only potential alternative would be the ramp leading up from the basement - but this is designed to bring cars up one level over a short distance and is too steep for wheelchairs (and 28m long, with no safe pedestrian pathway suitable for a wheelchair, and the total distance from Lobby to car park is over 100m).

Design Matters

7. No claims are made by NHRL that the architectural quality of MBH is such that beneficial change cannot be made. However, there is no recognition in the applicant's approach that the two buildings

were designed as an integrated pair with a carefully wrought physical relationship creating precious existing levels of residential amenity which deserve protection.

8. Overall and cumulative impacts upon the residential amenity of Norfolk House have not been addressed, modelled or given any serious consideration by the Applicant.
9. With regard to the noise generation of the new restaurant adopted policy requires that 'adequate noise mitigation measures must be provided' - a generic Operational Management Plan is not adequate and needs to be supplemented by physical measures.

Alterations to Building Line of Millennium Bridge House

10. Whilst the 'rationalising' of the building line in Trig Lane might maximise the use of land it does not make best or optimal use of that land because it ignores the substantial, negative, impacts on residential amenity. Best use of land implies that a properly struck balance has been achieved - no such balance is proposed.
11. The Applicant's agent is correct that this is a constrained site but this is not just a function of St Paul's Heights but also of the close, intimate, proximity to the residential uses of Norfolk House.
12. These constraints are not taken into account in the Applicant's submissions.
13. The scheme fails 'to demonstrate adequate mitigation measures to address detrimental impact' as required by adopted policy (DM 21.3)
14. A properly balanced scheme would take full account of the constraints imposed by the immediately adjacent Norfolk House. The scheme is flawed in this respect as there is no modelling of the impacts on sense of enclosure, overlooking and loss of privacy and therefore the Applicant cannot demonstrate what mitigation is required or has been achieved.

Sunlight / Daylight

15. It is common ground that there will be a further loss of light to rooms that are already sub-standard. There will be a noticeable loss of light in already dark rooms - City policy requires existing levels to be protected as a minimum. Whether this further loss of light is acceptable or not is indeed a judgement to be taken by the decision maker. However even if this further loss of light might be deemed acceptable in its own right it is still necessary for the decision maker to take into account the cumulative impact on the amenity of existing residents - loss of light along with increased sense of enclosure, diminished outlook, overlooking and loss of privacy all arise in this case and would be severely detrimental. A proper judgment must take all these issues into account and it is not at all clear that the decision maker has sufficient information on the cumulative impacts to form a sound judgement.
16. It is recommended that the City Corporation requests supporting statements from the Applicant to fully model all these impacts; until this is done the reasonable concerns expressed will not have been properly addressed.

Light Pollution, Privacy and Overlooking

17. City policy requires that 'All development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential

accommodation'. This scheme clearly does not do this. The effects of reducing the distance between the two buildings must be to exacerbate existing deficiencies and to create new ones. The scheme is flawed and should either be modified or refused.

18. It is not sufficient for the Applicant to say that 'the proximity of Norfolk House to the new uses within the proposed development can be overcome through detailed design and controlled by planning condition'. Measures of mitigation should be an integral part of the base design, not an afterthought.

19. The most appropriate response to the scale of the unknown impacts is to modify the most obviously harmful element of the proposed building - its deep projection into the Roadway/Trig Lane towards Norfolk House. This new elevation should be set back to the substantive line of the existing building.

Engagement with NHRL; improper consultation

20. The applicant has done little to address NHRL's reasonable concerns and has failed to make a single change to the scheme. It remains the case that the Board of NHRL mandated no representations to be made to the Applicant in the short period between the first meeting on 14 January 2020 and the submission of NHRL's first responses on 1 April and 5 April 2020, a period spent obtaining professional advice, much of it under the challenges of lockdown and with some residents ill with Covid-19. The Applicant chose to notify NHRL of its plans at the last possible moment on 14 January 2020, despite repeated official pre-Application discussions over a prolonged period, and then to undermine and misrepresent the nature of its consultation with NHRL.

21. The Applicant has chosen not to comment on the role of its financial backer and the purpose of his call to one of our residents. In the Applicant's letter dated 12 June the Applicant claimed to have had 4 extra consultation meetings. In its subsequent letter dated 18 June the Applicant gave details of only 2 of the 4 meetings it says took place. We can only assume that the two meetings it failed to mention involved attendees and matters the Applicant does not wish to disclose.

Yours faithfully,
T See

For and on behalf of Norfolk House Residents Limited and named Norfolk House residents below:

W J J Warmoes, Flat 1;

R Ellison, Flat 2;

C M See and T See, Flat 3;

D M Kearns and R A Hawkins, Flat 4;

A M Crowley and K B Mulhern, Flat 5;

A J P Gilchrist and R A M Gilchrist, Flat 6;

P Atkinson and N Farrow, Flat 7;

A Roste, Flat 8;

J M Read and P G Read, Flat 9;

V Smith and P Brewer, Flat 10;

S M G Braddell, Flat 11;

S N Tanoto, Flat 12.

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