

Committee:		Date:	
Planning and Transportation		25 February 2014	
Subject:			
Site Bounded By 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings London EC3			
Partial demolition and works of refurbishment and reinstatement to 19-21 Billiter Street; demolition of all other buildings on the site; redevelopment to provide a new building comprising two basement levels and ground plus part 10, 14 and 34 storeys plus plant (total height 170m AOD) containing offices (B1) and flexible retail/financial and professional services/cafe and restaurant uses (A1/A2/A3) at ground floor level; food and drink (A3/A4) uses at levels 13 and 14; change of use at ground and first floor of 19-21 Billiter Street to retail/cafe and restaurant/bar use (A1/A3/A4); the provision of hard and soft landscaping; alterations to Fenchurch Buildings and other incidental works. (125,699sq.m GIA).			
Ward: Aldgate		Public	For Decision
Registered No: 13/01004/FULEIA		Registered on: 14 October 2013	
Conservation Area: No		Listed Building: Grade II	
<u>Summary</u>			
<p>It is proposed to demolish five existing buildings on this island site and construct one building incorporating a listed building that would be retained and refurbished at 19-21 Billiter Street. The new development would contain offices of 122,015sq.m and retail floorspace of 3,684sq.m.</p> <p>On Leadenhall Street the new building would be ground plus 36 storeys high; 170.4m AOD (155.9m above ground level). The middle section of the building would be ground plus 10 storeys high. The southern end of the building, on Fenchurch Street, would be ground plus 16 storeys high.</p> <p>The scheme includes improvements to the public realm through increasing the width of footways and particularly Fenchurch Buildings.</p> <p>An Environmental Statement accompanies the scheme.</p> <p>The proposal is in substantial compliance with the development plan policies that relate to it and in particular it supports the objective of promoting the City as the leading international financial and business centre.</p> <p>The scheme would provide an employment led mixed use development which would support the economic policies of the London Plan, LDF Core Strategy and UDP.</p> <p>Objections have been raised to the impact on the loss of daylight and sunlight to residential premises, to the effect on the listed building at 19-21 Billiter Street to the potential impact on two nearby churches and to the impact on the trade and future of a public house on Fenchurch Street.</p>			

There would be reductions in sunlight and daylight to some residential premises but the majority of changes would be within the standards in the BRE guidance and many of the actual changes would be small. There would be a noticeable reduction in sunlight to two open spaces.

The applicant and church authorities are in the process of reaching an accord to ensure protection of the churches.

It is considered that if the concerns of the freehold owners of the East India Arms about the impact on their trade do not justify refusal of planning permission and that these can be addressed through the City's normal controls over construction.

The proposals are considered not to have a detrimental impact on the listed building on the site or the setting of listed buildings and Conservation Areas in the vicinity. It is concluded that the proposal overall is acceptable subject to conditions and to a Section 106 agreement being entered into to cover the matters set out in the report.

This report considers applications for planning permission (13/01004/FULEIA) and listed building consent (13/01005/LBC). The following recommendation relates to the planning application and there is a separate recommendation before your Committee relating to an application for listed building consent.

Recommendation

(a) Planning permission be granted for the above proposal in accordance with the details set out in the attached scheduled, subject to:

(i) Planning Obligations and other agreements being entered into as set out in the body of this report, the decision notice not to be issued until such obligations have been executed; and

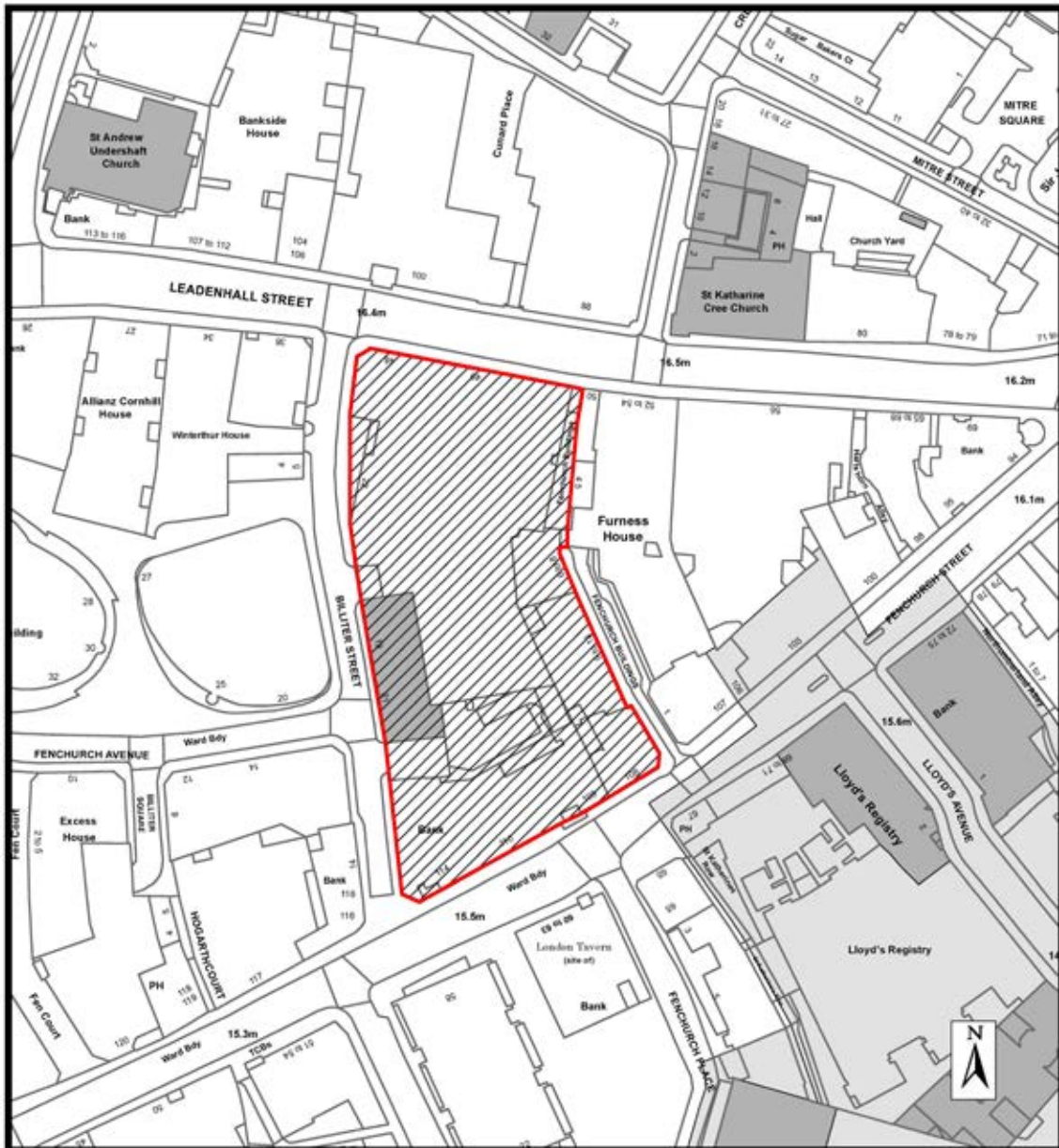
(ii) The Mayor of London be given 14 days to decide whether or not to direct the Council to refuse planning permission (under Article 5(1)(a) of the Town & Country Planning (Mayor of London) Order 2008).

(b) That your Officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.

(c) That you agree in principle that the area of public highway described in the report 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 making of a Stopping-up order for that area, under the delegation arrangements approved by the Court of Common Council;

(d) That you agree to accept the area of land proposed to be dedicated as public highway as described in the report.

Site Location Plan



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ADDRESS:

19-21 & 22 Billiter St., 49 Leadenhall St., 108 & 109-114 Fenchurch St., 6-8 & 9-13 Fenchurch Buildings

CASE No.

13/01004/FULEIA



SITE LOCATION

LISTED BUILDINGS

CONSERVATION AREA BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT





Site

1. The site occupies the land bounded by Leadenhall Street, Billiter Street, Fenchurch Street and Fenchurch Buildings. It is occupied by six buildings varying between five and eight storeys in height.
2. 19-21 Billiter Street is listed, grade 2, dates from 1865 and is by the architect Edward Ellis. The building is a classical style office building largely faced in Portland stone with rich detailing of cornices, entablature, pedimented entrances, keystones, columns and decorative carved panels. Despite alterations in the 1930's, the interior is of high quality with substantial surviving original features.
3. The other buildings on the site are as follows. 6-8 Fenchurch Buildings is an early 20th century white glazed brick building. 9-13 Fenchurch Buildings is a building with a high quality white faience facade with modelling and detailing of lion head masks, pilasters, string courses and cornice (Richardson and Gill 1924-27). 108 Fenchurch Street is a red brick and decorative stucco office building dating from 1886. 22 Billiter Street/49 Leadenhall Street is predominantly glazed building constructed in 1972-8. 109-114 Fenchurch Street is a glass and concrete office building constructed in 1972-5.
4. The existing buildings contain offices (B1) of 33,572sq.m (GIA), two shops (A1), a bank (A2) and a restaurant (A3) with a combined area of 1,247sq.m (GIA) and a sports club (D2) of 2,093sq.m.
5. There are listed buildings in the vicinity at St Kathryn Cree and St Andrew Undershaft churches (grade 1), the former tea warehouses in Creechurch Lane (grade 2), Lloyds of London (Grade 1) and Lloyds Registry (grade 2*) and 72-75 Fenchurch Street (grade 2). There are undesignated heritage assets on the site and in the area at 108 Fenchurch Street, 9-13 Fenchurch Buildings, the Fenchurch Buildings frontage to Furness House and 67 Fenchurch Street.
6. Lloyds Avenue Conservation Area is immediately to the south and east of the site; Fenchurch Street Station Conservation Area is to the south of that.
7. The area is predominately in commercial office use, with retail uses on some street frontages. There is residential accommodation in the vicinity at 2-20 Creechurch Lane, 27-31 Mitre Street and above the East India Arms at 67 Fenchurch Street.
8. There are a variety of building heights and styles in the area, including the Willis tower at 51 Lime Street (29 storeys), 56-59 Fenchurch Street, (6 floors on the street frontage with setbacks to 16 floors overall), 60 Fenchurch Street (12 storeys), Plantation Place (6 storeys on the street frontage with setbacks rising to 16 storeys overall).
9. Planning permission was granted in 2012 for a new building on the neighbouring site at 116-120 Fenchurch Street. This permits a 15 storey building comprising an 11 storey base clad with ceramic/vitreous enamelled columns and clear glazing, supporting 4 floors of folded glazing, with a landscaped roof garden. The proposed uses and

floorspace are offices of 38,150sq.m and retail space of 4,857sq.m with 19,636sq.m of plant and ancillary areas. The landscaped roof would be a public garden with dedicated lift access. There would be a cafe kiosk in the garden. A significantly improved public highway fronted by retail units is included through the site at ground level.

10. Planning permissions have been granted for redevelopment with tall buildings at International House, Mitre Square (37,498sq.m, 19 storey, 96.31m AOD) (10/00371/FULMAJ) and at 52-54 Lime Street (59,268sq.m, 38 storey, 206m AOD) (12/00870/FULEIA). Demolition has taken place in preparation for construction of this building.
11. Fenchurch Street and Leadenhall Street are busy local distributor roads. Billiter Street is a restricted access service road with motor cycle parking occupying the full carriageway width at its southern end. The southern part of Fenchurch Buildings is a quiet cul-de-sac which provides vehicle access to a service area at the rear of 54-54 Leadenhall Street. Fenchurch Buildings continues north as a pedestrian alleyway with a narrow entrance under 50 Leadenhall Street.

Proposal

12. Planning permission is sought for the demolition of all the buildings on the site except the listed building at 19-21 Billiter Street and the construction of a single building incorporating this listed building.
13. At the northern end on Leadenhall Street the building would comprise ground plus 36 floors including plant; 170.4m AOD (155.9m above ground level). The central section adjacent to 19-21 Billiter Street would be ground plus 10 storeys high. The southern part of the building on Fenchurch Street would have ground plus 16 storeys including plant. Two full basements are proposed.
14. A double height ground floor would include office entrances on the Leadenhall and Fenchurch Street frontages, linked to an internal space known as the business lounge which is intended to provide security controlled access to the lifts and an amenity for office tenants and visitors. The listed building would provide another entrance to the business lounge via the ground floor retail units.
15. Retail uses (A1-A3) would be provided on the Fenchurch Street frontage and northern part of Fenchurch Buildings. A Food and Drink (A3/A4) use is proposed on the 13 and 14 floors of the southern part of the building where external roof terraces are proposed.
16. There would be retail uses (A1-A4) on the ground floor and mezzanine of the listed building with offices on the two upper floors linked to the main building by bridges.
17. The scheme includes improvements to the public realm primarily through increasing the footway width on Fenchurch Street and Fenchurch Buildings. Additional areas on these and the other frontages would remain private but be publicly accessible spaces.

18. Listed Building Consent is sought for the demolition of existing roof structures and the rear elevation of 19-21 Billiter Street and the construction of a new rear elevation and works of repair, refurbishment and reinstatement of original features.
19. This report deals with the application for planning permission (13/01004/FULEIA) and the application for Listed Building Consent (13/01005/LBC).

Consultations

20. The views of other City of London departments have been taken into account in the preparation of this redevelopment scheme and some detailed matters remain to be dealt with under conditions and the Section 106 agreement.
21. The Mayor of London considers that the application broadly complies with the London Plan but requires further information on various sustainability and transport issues before the application is referred back to him. The applicants have been addressing these points. The Mayor's formal reply encompasses the detailed informal comments in the letters from Transport for London attached to this report.
22. English Heritage has authorised the City to determine the application for listed building consent as it thinks fit.

English Heritage believes that the proposed new development has potential to enhance the significance of the listed building and that the new building's location in the Eastern Cluster and its height relative to other nearby towers means that it would not have a detrimental impact on the strategic views in the LVMF. They are content with the design approach and welcome the improvements to the urban design around the building and to Fenchurch Buildings.

English Heritage states that the proposed tower will add to the impact of the existing and consented Eastern Cluster towers visible above the roof of St Peter ad Vincula in the Tower of London and urges the City to consider the visual harm to the setting of the Tower of London as part of the overall assessment of the proposal.

23. Historic Royal Palaces considers that the proposed building would group appropriately with the rest of the Eastern Cluster in terms of height. HRP regrets that the building would *"eat more (into what is) currently open sky-space in views from the Inner Ward of the Tower over the roof of St Peter ad Vincula"* but they consider that the other already consented schemes visible over the church roof will change this skyline and the additional visual impact would not be great. They do have concerns about, what they see as a "consciously irregular and somewhat harsh architectural style" for the building.
24. The Victorian Society strongly objects on the grounds of harm to the listed building through the impact of the new building on its setting and the demolition of an undesignated heritage asset (108 Fenchurch Street) and the loss of City character caused by widening the northern end of Fenchurch Buildings. They also commented on possible harm to

the listed building through detailed changes to the building but withdrew this element of their objection after assurances about the restoration work. (See letters attached)

25. The London & Middlesex Archaeological Society (LAMAS) has objected strongly on behalf of the Council for British Archaeology. They were concerned about the impact on the fabric and setting of the listed building; the lack of open space being provided on the site; poor spatial planning with little or no thought for the public realm suggesting a different form of development; and that a fuller archaeological investigation was needed than the applicants suggested (See email/letter attached).
26. Tower Hamlets has no comment.
27. London City Airport has no safeguarding objection. An informative is included at their request.
28. The Environment Agency recommends the management of surface water runoff and flood risk. An informative to avoid piling methods posing a pollution risk to controlled waters is included on the schedule.
29. Natural England advises that the proposal is unlikely to affect any statutorily protected sites and refers to its standing advice, which has been considered in the processing of this application.
30. Thames Water has given advice on water supply and waste water issues. They recommend conditions and informatives which are included on the schedule.
31. Agents acting for the churches of St Andrew Undershaft and St Katharine Cree have lodged formal holding objections pending the outcome of discussions between each church and the applicants. The agents consider the development would have a serious impact on each of these Grade 1 listed buildings. Their concerns are set out in the letters attached to this report and referred to under considerations. The agent advises, *"We are now in discussions with the Developer and that we are working to agree a set of Heads of Terms which would be the precursor to a legal agreement between the parties. I am pleased to confirm that we are working together in a spirit of positive collaboration and partnership in this regard and see no reason why the Church's interest will not be properly addressed."*
32. Four residents in flats at 4-8 Creechurch Lane have objected, primarily to the loss of daylight and sunlight, and they all suggest a reduction in the height of the proposal.
33. The tenant of East India Arms at 67 Fenchurch Street raised concerns about the development but has withdrawn the objection following discussions and assurances from the applicant.
34. The brewery freeholder of the East India Arms at 67 Fenchurch Street considers that the application is overdevelopment and that permission *"should be refused until such time as the developer has taken adequate steps to mitigate the impact of the proposal on surrounding business uses and residential tenants"*. They have objected on the

following grounds: noise and vibration during construction; noise disturbance from construction vehicle movements to the site entrance directly opposite the public house; loss of sunlight and daylight, particularly at ground level where outdoor trade is needed to boost trading; potential solar glare; the detrimental impact on the setting of the building as a non-designated heritage asset and the Lloyd's Avenue Conservation Area. They consider "*that the development phase will result in a significant loss of trade which heavily relies on its outdoor trade during summer months to make the business viable ... this could result in the demise of this historic public house as a viable local business and community use.*"

35. Copies of representations are attached to this report.

Policies

36. The development plan consists of the London Plan, the saved policies of the Unitary Development Plan and the Core Strategy. The London Plan, UDP and Core Strategy policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
37. The draft Local Plan was published in December 2013 and is expected to be adopted in late 2014 or early 2015. The draft Local Plan has been subject to public consultation on changes to Core Strategy Policy CS1 and new Development Management policies, including DM1.1. These policies seek to protect existing office accommodation and resist the loss of buildings or sites which are suitable for long-term viable office use. Comments received on this consultation have been considered and amendments to policy made and approved by the Court of Common Council.
38. Although the draft Local Plan does not carry the full weight of an adopted plan, it is considered that the plan should carry significant weight as it is at the final stage of pre-submission consultation, prior to formal consideration at public examination. In accordance with the NPPF and Local Plan Regulations, the draft Plan has been considered by the Court of Common Council as sound planning policy for submission to the Secretary of State.
39. There is relevant City of London and GLA supplementary planning guidance in respect of Planning Obligations, Sustainable Design and Construction, and London Views Management Framework.
40. Government Guidance is contained in the National Planning Policy Framework (NPPF).

Environmental Impact Assessment

41. This application is accompanied by an Environmental Statement (ES). The ES is a means of drawing together, in a systematic way, an 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.

42. The Local Planning Authority must take the Environmental Statement into consideration in reaching its decision as well as comments made by the consultation bodies and any representations from member of the public about environmental issues.

Considerations

43. 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);
 - 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 setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990);
 - to pay special attention to the desirability of preserving or enhancing the character or appearance of any Conservation Area [S 72(1) Planning (Listed Buildings and Conservation Areas) Act 1990].
44. The Environmental Statement is available in the Members' Room, along with the application, drawings and the representations received in respect of the application.
45. There are policies in the Development Plan which support the proposal and others which do not. It is necessary to assess all the policies and proposals in the 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.
46. The principal issues in considering this application are:
- The extent to which the proposals comply with Government policy advice (NPPF).
 - The extent to which the proposals comply with the relevant policies of the London Plan, Core Strategy and the saved policies of the Unitary Development Plan.
 - The impact of the proposal on designated and non-designated heritage assets.
 - The impact on the nearby buildings and spaces, including daylight/sunlight and amenity.

Economic Development Issues

47. London's status as a world city is founded to a substantial degree on its concentration of international service activities and, most noticeably, by the clustering of financial and business services in the City of London.
48. The importance that is attached to the maintenance and enhancement of the City's role as one of the world's leading financial and business centres is reflected in the policies of the London Plan and Core Strategy, particularly policies 4.2 and CS1.
49. The building would provide high quality flexible office accommodation to meet the demands of the City's major commercial occupiers. The proposed building would provide high quality office accommodation and a 350% increase in office space (net internal area) over that which currently exists on the site. Using the London Plan's assumed density of 1 person per 16sq.m (NIA) the number of office workers in the new building could be 5,100.
50. The proposed office space would offer a range of floor sizes, with large floor plates on the lower levels and a variety of floor sizes on the mid and upper levels which would cater for different office user requirements.
51. This development would support London's business function in accordance with the development plan policies.

Other Uses

52. The site is not within a principal shopping centre but Fenchurch Street is identified as a Retail Link in the Core Strategy 2011 and draft Local Plan.
53. Policy CS20 encourages various retail uses in the Retail Links to meet the 2026 target for increased retail space. Policy Shop 2 of the Unitary Development Plan 2002 seeks the replacement of retail uses in development schemes. Policy Shop 3 seeks, where appropriate, the provision of new retail facilities where existing retail facilities are being replaced on redevelopment.
54. Three retail units (A1-A3) are proposed on each of the Fenchurch Street and Fenchurch Buildings frontages, retail (A1/A3/A4) uses are proposed in the ground and mezzanine floors of 19-22 Billiter Street and a Food and Drink (A3/A4) use is proposed on the 13 and 14 floors with a dedicated entrance on Billiter Street. There would be an overall increase in retail floorspace of 1,437sq.m.
55. The three units on Fenchurch Street would replace an existing A2 unit on Fenchurch Street and be part of the Retail Link. The units Fenchurch Buildings would provide an opportunity to add vibrancy and vitality to this pedestrian route. One of these units would have a frontage on Leadenhall Street and help to draw people into the widened Fenchurch Buildings, where there is sufficient space for external seating if desired.

56. The change of use from offices (B1) to flexible retail (A1/A3/A4) units at 19-21 Billiter Street would provide a public use and access to this listed building.
57. The Food and Drink (A3/A4) use on the 13 and 14 floors would be at the top of the southern part of the building where external roof terraces are provided. This use would be an attractive feature and public benefit, and have an affinity with the public garden and catering use on the roof of the building approved on the neighbouring site at 120 Fenchurch Street.
58. The retail units on Fenchurch Buildings, Billiter Street and the upper floors would be outside of the retail hierarchy but the uses would contribute to the retail targets set out in Core Strategy CS20, would provide additional valuable services to workers, residents and visitors.
59. Core Strategy policy CS19 seeks to protect existing affordable sports facilities and encourages further facilities in major development. DM19.3 of the draft Local Plan states that there are numerous private sports clubs in the City which mostly serve the working population and it will not always be necessary to prevent their change of use due to the fluid nature of the private market. It is not proposed to replace the existing sports club and the loss this use would not be contrary to the Core Strategy policy.

Demolition

60. It is proposed to demolish all of the buildings on site with the exception of the Grade 2 listed 19 – 21 Billiter Street. The various buildings on site date from the 1860's, 1880's, 1920's and the 1970's.
61. The most significant building in terms of architectural value is the listed building at 19-21 Billiter Street which dates from 1865 and is by the architect Edward Ellis. The building is a classical style office building largely faced in Portland stone with rich detailing of cornices, entablature, pedimented entrances, keystones, columns and decorative carved panels. Despite alterations in the 1930's, the interior is of high quality with substantial surviving original features. The scheme involves a comprehensive programme of restoration of the retained elements and the provision of a new rear elevation which is discussed in the relevant section of this report.
62. Of the other buildings on the site, two are considered of architectural and townscape value and to be non-designated heritage assets. Paragraph 135 of the National Planning Policy Framework says that a balanced judgement will be required having regard to scale of any harm or loss and the significance of the heritage asset. It continues by saying that all reasonable steps should be taken to ensure that the new development will proceed after the loss has occurred.
63. 9-13 Fenchurch Buildings is a high quality white faience building by Richardson and Gill (1924-27) with good modelling and detailing of lion head masks, pilasters, string courses and cornice. 108 Fenchurch Street is a red brick and decorative stucco faced building dating from 1886 (W.M Yetts). The building is architecturally interesting with

interplay between red brick pilasters, decorative stuccowork and the bands of windows, and is effective in turning the corner from Fenchurch Street to Fenchurch Buildings.

64. The significance of these two buildings lies in the accomplished architecture and decoration of each building, which contributes interest to the townscape. The loss of these buildings would be regrettable in view of their individual and collective contribution to the townscape but their contribution is not considered sufficient to justify retention when considered against the strategic benefits of a new large office development and the improvement to the width of Fenchurch Buildings which their demolition would permit. Conditions are included requiring contracts to be entered into to construct the new building before any demolition of the designated or non-designated heritage assets is commenced.
65. The other two buildings on the site are 22 Billiter Street/49 Leadenhall Street and 109-114 Fenchurch Street. Both date from the 1970s and are undistinguished with a strong horizontal emphasis and they do not contribute positively to the townscape.

Bulk and Height

66. The proposed scheme comprises a tower on the northern part of the site and lower elements in the central and southern parts of the site. The tower element comprises a double height ground plus 36 storey (including plant) tower rising to a height of 170m AOD. The lower parts step upwards from 53m AOD (ground and 7 storeys) to 89.08m AOD (ground and 16 storeys).
67. The site is located within the Eastern Cluster Policy Area of the Core Strategy and would be on the south east edge of the cluster of existing and consented tall buildings.
68. The Core Strategy identifies the Eastern Cluster as generally an appropriate location for tall buildings. In particular Policy CS7 (3) (Eastern Cluster) seeks:

“To ensure that the Eastern Cluster can accommodate a significant growth in office floorspace and employment, while balancing the accommodation of tall buildings, transport, public realm and security and spread the benefits to the surrounding areas in the City, by :

Delivering tall buildings on appropriate sites that enhance the overall appearance of the cluster on the skyline and the relationship with the space around them at ground level, while adhering to the principles of sustainable design, conservation of heritage assets and their settings and protected views.”

Policy CS14 (Tall Buildings) of the Core Strategy seeks:

“ To allow tall buildings of world class architecture and sustainable design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level, by :

Permitting tall buildings on suitable sites within the City's Eastern Cluster”

69. Verified montages have been submitted which shows the tower in the context of existing and consented tall buildings. From this assessment, the tower would appear as an integral part of the cluster, relating comfortably to existing and consented nearby towers and would enhance the sense of visual compactness of the cluster.
70. The building would be lower than the 30 St Mary Axe tower and the consented 52-54 Lime Street tower and these are lower than 122 Leadenhall Street and the consented Pinnacle tower. The proposed height will consolidate the Eastern Cluster's distinctive profile with buildings gradually increasing upwards in height from the periphery towards the consented Pinnacle scheme.
71. One of the defining factors in the height and massing of the building is the potential impact on views of St Paul's Cathedral from Fleet Street and Ludgate Hill. In order that the tower would not breach the silhouette of the dome, upper drum or peristyle of the Cathedral the north wall of the tower is stepped back at the 26th storey level (127m AOD) so that it is entirely concealed behind the Cathedral. The impact of the proposal on the Ludgate view has been robustly tested through verified modelling and at no point will the tower be visible in the view along Fleet Street and Ludgate Hill. Similar criteria were applied to the consented 52-54 Lime Street tower to the west.
72. The bulk and height of the proposal has also been assessed in terms of its immediate setting. The scale of the tower is substantial and it will be very prominent, particularly in views along Leadenhall Street and westwards from Aldgate. However, it is located adjacent to the Willis Building and the consented tower at 52-54 Lime Street, which collectively define the townscape character of this edge of the Eastern Cluster.
73. The height of the lower Fenchurch Street block is informed by the consented scheme for the adjacent site at 120 Fenchurch Street and the need to step down in scale towards the buildings to the east on Fenchurch Street. The scale of this building is considered acceptable to the townscape context of Fenchurch Street.

London Views Management Framework

74. Policy CS13(1) of the City's Core Strategy seeks to implement the GLA London View Management Framework SPG to manage designated views of strategically important landmarks (St Paul's Cathedral and the Tower of London), river prospects, townscape views and linear views. The site falls outside any of the Protected Vistas but will have an effect on a number of the views identified in the London Views Management Framework. Verified montages accompanied the application to ensure a thorough assessment of the proposal's wider impact.
75. In the views from Waterloo Bridge and Hungerford footbridge, the tower would be within the Eastern Cluster of tall buildings and would assist in consolidating the distinctive silhouette of the Cluster. The proposal

would appear on the southern edge of the Cluster and would not harm the setting of St Paul's Cathedral.

76. In the three City Hall/Queen's Walk views and the Tower Bridge view the proposal would define the eastern edge of the Eastern Cluster appear as an integral part of the cluster and complement the gradual increase in height from east to west. The proposed tower would appear sufficiently detached from the Tower of London so as not to harm its setting and the Outstanding Universal Value of the World Heritage Site.

Setting of the Tower of London World Heritage Site

77. The proposal would have an impact on views and setting of the Tower of London World Heritage Site. The Core Strategy Policy CS12 seeks to Preserve and, where appropriate, seek to enhance the Outstanding Universal Value, architectural and historical significance, authenticity and integrity of the Tower of London World Heritage Site and its local setting.
78. The Tower of London World Heritage Site Management Plan was published by Historic Royal Palaces in June 2007 and the Tower of London Local Setting Study was completed in August 2010 on behalf of the Tower of London World Heritage Site Consultative Committee of which the City is a member. The document identifies key views to and from the Tower, and important approaches to the World Heritage Site.
79. Three of the views identified in the Study are also London Views Management Framework views and are assessed above. Three other relevant views have been assessed and in all of these views the proposed tower would be seen as an integral part of the Eastern Cluster of tall buildings which is a distinctive and accepted townscape feature in the wider setting of the World Heritage Site. The proposed tower would not appear as an incongruous or isolated feature on the skyline.
80. The proposal is therefore not considered to harm the Outstanding Universal Value, special architectural and historic significance, authenticity, integrity and setting of the Tower of London World Heritage Site.

Architectural approach

81. The scheme is designed as a series of rectilinear "slices" with a strong vertical emphasis and "shadow gaps" between each "slice". The use of vertical rectilinear "slices" assists in breaking down the scale of the development and results in pronounced modelling and articulation of the facades. This produces an appropriate contrast with the distinctive appearance of the Lloyds Building, the curved cylindrical form of 30 St Mary Axe, the triangular wedge shaped 122 Leadenhall Street, the concave sculptural qualities of 51 Lime Street and the sharp crystalline form of the consented 52-54 Lime Street scheme. The architectural form would complement and contribute positively to the dynamic and varied qualities of the cluster of tall buildings.

82. A key element of the scheme is the contrast between the tower element and the lower block on Fenchurch Street. The Fenchurch Street block would sit comfortably within the scale of the existing and approved buildings along Fenchurch Street. The Fenchurch Street elevation is broken in to vertical “slices” of varying heights which introduce a sense of rhythm, vertical emphasis and a compact urban grain to Fenchurch Street.
83. The Fenchurch Street block would be of a dark grey metal finish which will give it a separate identity from the lighter stainless steel tower. This approach is welcomed and has the following townscape benefits:
- the darker colour of the Fenchurch Street building would assist in reducing the sense of scale and mass of the development;
 - the development would appear as two related buildings as opposed to a single mass, giving the appearance of a street height building which relates to the scale and grain of Fenchurch Street and a tower with its own separate identity which relates to the Cluster.
 - the darker colour will ensure that the Fenchurch Street building provides a better setting to the listed Billiter Street building than the original proposal where the single design wrapped around the listed building.
84. The design of the ground floor relates satisfactorily with the surrounding streets. Much of the ground floor street frontage will consist of retail units (many are double height) and importantly these are located on corners, enlivening these key parts of the building and townscape. In addition, a significant part of the Fenchurch Buildings passageway will have a retail frontage, which will assist the creation of a vibrant and active public realm.
85. The majority of the ground floor facades would be glazed, affording views into and out of the retail units and office lobbies. The proposed office foyers are generous in scale with double height glazing under projecting bays of the building.
86. The upper storeys of the tower accommodate the plant which is entirely concealed from view and louvres are integrated in to the design of the elevation and roof.
87. Given, the presence of a combination of louvres on the south elevation and vertical metal panels on both the east and west elevations solar glare is highly unlikely to be an issue. Details of the metal cladding will be conditioned to ensure a non-reflective finish.
88. The new entrance to Fenchurch Buildings on Leadenhall Street necessitates the re-facing of the flank wall of No 50 Leadenhall Street to ensure a satisfactory contribution to the character of the area. A brick facade with stone corner quoins is proposed, which relates satisfactorily to the appearance of the Leadenhall Street elevation of the building.

Listed Building - 19-21 Billiter Street

89. Policy CS12 of the City's Core Strategy seeks to safeguard "the City's listed buildings and their settings".
90. The listed building is proposed to be restored in part and altered so that it can be connected to and used in connection with the new building.
91. The works to the exterior of the listed building involve removing later additions to form a roof terrace, retaining an original mansard where it exists on part of the roof, reinstating an original entrance and cleaning and restoring the facade.
92. The building is attached to its neighbours and rear elevation is a series of light wells and a patchwork of brick and rendered areas of unexceptional appearance. It is proposed to give the building a new rear elevation that would face the central atrium of the new building and produce an attractive facade.
93. The proposed rear elevation would be a modern brick facade with punched window openings. The windows are aligned to relate to the existing internal spaces of the listed building and to create a frame for the internal rooms and their decorative elements. The openings diminish in size on upper storeys to reflect the diminishing heights of the upper storeys of the listed building. The simplicity of the brick facade strikes an appropriate balance, giving it restrained appearance befitting a rear elevation and an attractive face onto the new atrium.
94. The applicants have confirmed that original timber doors would be retained or reinstated on the elevations and the original ornamental capping to each chimney would be reconstructed as requested by the Victorian Society and LAMAS.
95. Internally, the scheme involves the restoration of existing decorative elements and the re-instatement of lost features. Some areas of partitioning will be removed, but these elements are not of significant value and the integrity and clarity of the original internal plan form will be retained. A glazed screen is proposed around the central staircase to give fire protection. Although the staircase is high quality, it is a 1930's addition and consequently the glazed screen is acceptable and reinforces the staircase as a later addition. Conditions have been included to control and retain original internal features such as skirtings, cornices and plasterwork as suggested by the Victorian Society.
96. The scale of the proposed new building will have a substantial impact on the setting of the listed building. The tower in particular will be a dominant presence in the background to the listed building. Such a relationship would be an uneasy and contentious one in many places. However the dynamic relationship of imposing tall buildings immediately adjacent to and in the immediate backdrop of older historic buildings is characteristic of the Eastern Cluster. In the current case the contrast of scale between the listed building and the proposed tower is considered not to reduce the architectural or historic interest of the listed building.

97. The darker colour of the lower Fenchurch Street block will ensure that this part of the scheme will have its own separate identity as a street block avoiding the appearance of a single building mass enveloping the listed building, which was a particular concern of the Victorian Society. Within the distinct urban quality of the Eastern Cluster, the proposal is not considered to harm the setting of the listed building.

Setting of other Heritage Assets

98. The proposal will affect the setting of a number of listed buildings and non-designated heritage assets. Those listed buildings nearby and most likely to be affected have been assessed and include the churches of St Katherine Cree and St Andrew Undershaft, The Lloyds Building, 140-144 Leadenhall Street, 147-148 Leadenhall Street, Lloyd's Registry, 72-75 Fenchurch Street and the former tea warehouses in Creechurch Lane and the Sir John Cass Junior School. The non-designated heritage assets immediately adjacent to the site consist of the East India Arms at 67 Fenchurch Street and Furness House frontage to Fenchurch Buildings. The significance of these two buildings lies in their accomplished architecture and townscape contribution.
99. In this part of the City modest and small scaled listed buildings are seen in relation to the City's prominent office buildings. To a greater or lesser degree, all of these buildings will be seen in association with the proposed building and against a backdrop of similar scaled existing and consented schemes.
100. St Katherine Cree is on the northern side of Leadenhall Street and the new tower would be a dominant neighbour but, because of their relative positions, the church would not be seen in a direct relationship with the proposed building and would not cause substantial harm its setting.
101. The new tower could be a striking and dominant element as a backdrop to the church of St Andrew Undershaft in views from Commercial Union Plaza on St Mary Axe and have a considerable impact on the setting of the church. However, the approved 52-54 Lime Street tower would be closer to the church and have a greater effect, and this relationship already exists between the church and 30 St Mary Axe, 122 Leadenhall Street, the St Helen's / Aviva Tower. The building now proposed would not cause substantial harm to this church setting.
102. The Lloyds Building is prominent in the area because of its dynamic design and its height. In views westwards from Aldgate, the Lloyds Building would be concealed by the new building but there are already tall buildings closer to Lloyds at 51 Lime Street, 122 Leadenhall Street and the consented 52-54 Lime Street Tower. The current proposal would not cause further harm to the setting of the Lloyd's Building.
103. There are other listed buildings near to the site, particularly in Fenchurch Street. These are all seen against a backdrop of larger buildings similar scaled existing and consented schemes and the proposed building will not cause substantial harm to the setting of these listed buildings.

104. The non-designated heritage assets impacted are of the East India Arms at 67 Fenchurch Street and the Furness House frontage to Fenchurch Buildings. The East India Arms has ground and three upper floors and is an attractive early-mid 19th century building with brick facades, painted bands and cornice and a curved corner. Furness House ground and five upper floors and is an attractive faience facade with projecting bays and decoration. Both buildings contribute to the townscape of the area. These buildings would be viewed in relation to the 16 storey Fenchurch Street part of the new building and would have a relationship which would be similar to many other situations where new buildings are higher than their existing neighbours. The contribution they make to the townscape of the area would not be reduced by the new building and, consequently, these non-designated heritage assets would not be substantially harmed.

Setting of Conservation Areas

105. Although not in a Conservation Area, the proposal will affect views into and out of a number of Conservation Areas. The impacts of the proposal on these views have been assessed and the settings of the Conservation Areas and designated and undesignated heritage assets within these Conservation Areas are not considered to be harmed.
106. The nearest and most significant of these is the Lloyd's Avenue Conservation Area. From Lloyd's Avenue the upper half of the tower will be visible as a prominent backdrop to the classical stone facades on the west side of the street. However, this view already includes the 122 Leadenhall Street tower and will include the approved towers at 52-54 Lime Street and the Pinnacle. The current proposal would conceal these towers in the view from Lloyd's Avenue.

Public Realm

107. It is proposed that the frontage to Fenchurch Buildings would be set back to create a more generous public realm and attractive through route. Elsewhere, pockets of public realm space are created by setbacks from the building's lines.
108. The existing route along Fenchurch Buildings is somewhat convoluted with buildings cantilevered over the alley and the view is obstructed, which makes it difficult for people unfamiliar with the area to appreciate that this is a continuous route between Fenchurch Street and Leadenhall Street. This is not untypical of the City's alleyways and in itself not a negative character. However the re-modelling offers advantages to justify the alterations. A significant part of the new frontage would be retail, greatly enlivening the route and the alleyway would have a more generous width, allowing external seating. This would be beneficial as a large increase in pedestrians is anticipated in this part of the City as a result of new buildings in the vicinity and the proximity to Fenchurch Street Station.
109. The Victorian Society considers that the new building should be built up to the wall of the five storey building at 50 Leadenhall Street to maintain the street frontage and function of the passageway. There is a large

disparity of scale between the proposal and its neighbour and the existing passage is too narrow for the number of pedestrians likely to use it in future. The proposal provides a good solution, leaving a substantial attractive new route, giving the small building “breathing space” and providing a facade treatment to the exposed flank wall.

Daylight, Sunlight, Overshadowing and Solar Glare

110. The Environmental Statement contains an assessment of the potential impacts on daylight and sunlight to the Sir John Cass Primary School and to six buildings containing residential premises using the Building Research Establishment (BRE) guidelines. The assessment includes the cumulative impact with construction of other permitted schemes, particularly the tower at 52-54 Lime Street.
111. The BRE guidelines have three methods for assessing daylight changes: Vertical Sky Component (VSC) which measures daylight received on the external plane of windows (27% VSC is the ideal target figure); No Sky Line which seeks to ensure that 80% of a room from would have a view of the sky; and Average Daylight Factor (ADF) which considers the daylight within the room and its use (BRE minimum standard = Kitchen - 2%, Living Room - 1.5%, Bedroom - 1%). Where the daylight falls below the relevant standard the guidelines say that if the window or room retains at least 80% of its former value the difference would not be noticeable.
112. Daylight and sunlight to the Sir John Cass Primary School and two of the buildings containing residential premises would comply with at least one of the BRE standards and the development would not have a significant effect on those premises.
113. Daylight to 2 and 10-16 Creechurch Lane, 18-20 Creechurch Lane and 27 Mitre Street would achieve BRE compliance by not exceeding a 20% reduction in the No Sky Line. Sunlight changes to these properties would be insignificant.
114. The residential accommodation over the East India Arms at 67 Fenchurch Street would be most significantly affected by the development. In seven out of nine rooms there would be noticeable reduction in daylight and these rooms would not satisfy any of the BRE daylight criteria. This accommodation would meet the BRE standards with regard to sunlight. The occupier of these premises is aware of the changes to daylight and does not object. The freeholder has mentioned this change in relation to the loss of outdoor trade.
115. All but one window at 29-31 Mitre Street would meet one or more of the BRE daylight standards. The remaining window would have a 20.80% reduction, which is just above the 20% which the BRE say would make this change noticeable. There would be reductions to the hours of sunlight received at this building but the hours would remain greater than the BRE minimum to all but four windows to habitable rooms. Two of these would involve a noticeable loss (i.e. greater than 20%) but this is to bedrooms. The BRE guidance says that sunlight to bedrooms and

kitchens is less important than to living rooms. There has been no objection to these changes.

116. At 4-8 Creechurch Lane there are windows serving 16 habitable rooms. All the rooms would have some reduction in daylight. In ten rooms the reduction would not cause the daylight to fall below the ADF minimum, in five other rooms the reduction in ADF would be less than 20% and in the one other room the reduction would be 20.58%, 20% being the point at which a reduction becomes noticeable.
117. Sunlight at 4-8 Creechurch Lane would be reduced to below the BRE standard at ten windows serving seven rooms. However, in three of these rooms there are other unaffected windows which leave the rooms with sunlight above the minimum. The other seven rooms would have a noticeable reduction in sunlight hours set out in the BRE guidance.
118. Objections to loss of daylight and sunlight have been received from the occupiers of four of the flats at 4-8 Creechurch Lane. The daylight to all four of these flats would remain above the minimum ADF value or the reduction would be below the level that would make it noticeable. Sunlight would be reduced to below the minimum number of hours and by a noticeable amount in one of these flats; the other three flats would retain sunlight hours above the minimum.
119. The BRE guidelines were not designed for use in a dense urban setting and the document states that the guidelines should be interpreted flexibly. It goes on to say, *"In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings."* In this case there would be reductions in sunlight and daylight but the majority of changes would be within the standards in the BRE guidance and many of the actual changes would be small.
120. The applicants have provided the residents with additional information to illustrate visually that the effect of this development would not cause a material change to daylight and sunlight levels received within 4-8 Creechurch Lane with the previously approved schemes in place. This does not change the technical data already submitted.
121. Nine amenity spaces have been assessed for overshadowing. Seven of the nine would achieve the BRE guideline criteria by receiving at least two hours of direct sunlight over 50% of the area on 21st March or experiencing less than a 20% change in light. Two spaces would not meet the BRE guideline; the Aviva tower plaza and the Old Tea Warehouse courtyard at 4 - 16 Creechurch Lane.
122. Sunlight to the Aviva tower plaza currently meets the guideline of least two hours of direct sunlight over 50% of the area on 21st March. The tower approved at 53-54 Leadenhall Street will reduce of the area receiving two hours of direct sunlight on 21 March from 66.4% to 5.4%.
123. The current proposal would cause a further reduction such that no part of the plaza would receive two hours of direct sunlight on that date.

However, the applicants' specialist consultants advise that approximately one third of the Aviva tower plaza would continue to receive approximately 1.5 hours direct sunlight on 21st March with the 52-54 Lime Street tower in place. At other times of year there would be different amounts of sunlight to this space and, given the urban context, this is considered to be an acceptable impact.

124. The Old Tea Warehouse courtyard can only receive two hours of direct sunlight to 5.4% of its area at present and this would be reduced to 3.6% by the development, a 33% change. This change is disproportionately reflected in percentage terms given the low existing level of direct sunlight and the real impact is considered to be minor.
125. The potential for solar glare to affect drivers in surrounding streets has been assessed as being of minor significance and that use of a sun visor by the driver would mitigate any short term inconvenience on the occasions where there is glare.

Sustainability & Energy

126. The building design incorporates energy efficiency measures such as an insulated and air tight facade with solar shading and energy efficient services. A site wide combined heat and power system to meet the building's base load heating and hot water demand would be included.
127. The overall carbon dioxide emissions savings are stated as 42% and would achieve the current London Plan target of 40%. Further details of the energy strategy are requested by condition to ensure that the London Plan target is achieved.
128. Measures to improve sustainability and climate change adaptation of the development include using recycled materials, responsible sourcing of materials and the incorporation of water saving fittings and grey water use. A sustainable drainage strategy is proposed with rainwater drainage from the roofs and terraces into storage tanks at basement level, and permeable paving to external spaces.
129. The opportunities for biodiversity and urban greening are limited and a condition is included requesting an assessment and details for soft landscaping, green roofs and other measures to improve biodiversity such as bird boxes.
130. A BREEAM pre-assessment demonstrates that the development would achieve an "excellent" rating and additional credits have been identified to improve the overall score.

Wind

131. The likely significant impacts on wind conditions have been assessed in relation to the comfort and safety of pedestrians within and around the development. Current conditions were found to be relatively calm and acceptable for the uses of the area.
132. Wind tunnel tests have demonstrated that some small scale mitigation is needed on the northwest corner of the site. The mitigation measures take the form of a porous screen and two trees on open land within the

site boundary. With this mitigation in place the wind conditions were shown to be acceptable for the intended uses on the site. Wind conditions on the streets around the site would, in places, be slightly worse than exist at present but overall, the development was not found to have a significant effect off-site, and wind conditions would continue to be suitable for the uses in the area.

133. The cumulative impact of other approved development has been assessed. Construction of the tower at 52-54 Leadenhall Street would improve conditions at this site because, with other high buildings to the east, a cluster would be formed providing mutual shelter and breaking up wind patterns.

Transport, Servicing & Parking

134. The site is very well located for public transport links with Fenchurch Street Station approximately 40m to the south and London Bridge, Cannon Street, Liverpool Street, Bank, Monument and Aldgate stations all within walking distance and bus routes on Leadenhall Street and Fenchurch Street.
135. The Transport Assessment with the application considers the current proposal and compares this with the existing situation. Trip generation assessment estimates that 2,643 net additional person trips would occur during the AM peak period. The distribution of these trips over pedestrian, cycle and public transport networks indicates that the proposed development would have a minor impact on the operation of the local transport network.
136. Bank station is congested at peak times but the impact of the additional demands created by this development would be a small element in the overall usage of the station and the effects are likely to be minimal. London Underground has proposals for congestion relief at Bank station.
137. High peak time pedestrian flows are experienced on the periphery of the site. In particular, the flows along Fenchurch Street are significant, creating very congested footways. The City has identified Fenchurch Street as in need of improvement to deal with this situation.
138. On Fenchurch Street the foremost part of the ground floor would be set back. This would result in an increase in the clear footway width of between 3.8m and 5.2m, compared with the existing width of between 2.8m and 4.0m. The shape of the development would result in irregular setbacks on the Fenchurch Street, Billiter Street and Leadenhall Street frontages. These areas would be available for public use but the clear width on Billiter Street and Leadenhall Street would be restricted to its existing width at the points where the building steps forward.
139. Fenchurch Buildings would be widened to improve this pedestrian route at its northern end where it is particularly narrow. This widening and the inclusion of retail uses would encourage this alleyway to be used by greater numbers of pedestrians.

140. The southern end of Fenchurch Buildings is proposed to be widened to provide space for vehicles to access the building and this would be dedicated as public highway. It is recommended that you agree in principle to this area of land to be dedicated as public highway. The applicant does not intend to dedicate the remainder of the sets backs as public highway but proposes that they are all included as publically accessible space under the terms of the Section 106 agreement.
141. There is a small triangle of land towards the northern end of Billiter Street which provides access to one of the existing buildings. This has become public highway, having been open for unrestricted public use for more than 20 years. This area would need to be stopped up as it would be occupied by parts of the new building and by the wind mitigation features. The loss of this area would not affect pedestrian access to the new building or the use of Billiter Street. It is recommended that you agree in principle that this area of public highway may be stopped-up to enable the development to proceed.
142. Servicing provision is made at basement level with three lifts capable of taking lorries to provide access. It is estimated that the development would generate 251 service vehicle trips on a typical day, with the peak or 29 vehicles between 9.00 and 10.00. The entrance to the lifts would be on Fenchurch Buildings, where the road would be increased in width to accommodate manoeuvring and waiting. This would be adequate for the purpose and would provide additional space for pedestrian movement.
143. The development is proposed to be car free, except for two disabled users bays located in the basement servicing area. This is in accordance with policies to encourage car free development. As no general car parking is provided there is no policy requirement for motor cycle parking but 18 spaces are included at basement level.
144. 1,069 bicycle parking spaces are proposed for office users. These are located in the basement and would be accessed by dedicated lifts and stairs access from the Billiter Street frontage and Leadenhall Street entrance. Changing, shower and locker facilities are included. The number of spaces exceeds the new standard (1/125) proposed in the draft Local Plan. 12 spaces are provided at street level in Fenchurch Buildings for visitors to the building, including the retail units.
145. Hours of servicing are proposed to be restricted to avoid night time disturbance, particularly to the residents at 67 Fenchurch Street.
146. A Servicing Management Plan will be required in order to rationalise servicing and security checking and a Travel Plan will be required to improve the sustainability of the development.
147. The proposed development would incorporate counter terrorism measures within the building facades and consequently would not require the provision of any security measures in the public realm or highway.
148. The development would achieve a good level of inclusive design with step free circulation routes and level entrances. As there is a significant

difference between street levels on the north and south ends of the site the ground floor would include sloped foyers to take up the difference.

149. The listed building has a number of steps at its main entrance which would need to remain. Wheelchair access would be provided from the central atrium and via a platform lift in a new foyer on the south side of the building.

Archaeology

150. The site is in an area of important archaeological potential, located within the Roman and medieval city walls, close to the gate at Aldgate. There is potential for remains of all periods from Roman to post-medieval to survive on the site. There has been archaeological recording on parts of the site prior to previous development and in the immediate area. Recorded remains from the Roman period include burials, domestic occupation, a road linking Aldgate to the Forum and structural remains. Medieval and post medieval remains recorded include structural walls and occupation, and evidence for bell making.
151. The potential for archaeological survival would vary depending on the extent of single and double basements on the site and areas where archaeological excavation has previously been carried out. Archaeological potential is highest in areas where there is an existing single basement level. The proposed development would have an impact on archaeological remains in the area of the proposed double basement, new piled foundations and any temporary enabling works.
152. Conditions are recommended to cover archaeological evaluation to provide additional information on the character, nature and date of surviving archaeological remains. The level of investigation required will deal with the archaeological concerns expressed by LAMAS. The results of the evaluation would be used to design an appropriate mitigation strategy in order to fully record and excavate remains that would be affected by the proposals.

Mayor of London and Transport for London

153. The applicants have been in consultation with the GLA and TfL to address the points raised in the Mayor's letter. These matters will be clarified before the application is referred to the Mayor again. Amongst the matters under review is the scope and funding for Cycle Hire docking stations at or near the site and the need for funding for bus infrastructure and the Bank Station upgrade as a consequence of this development.

Neighbour Representations

154. The concerns of residents at 4-8 Creechurch Lane are covered previously in this report. Although there would be reductions in sunlight and daylight the majority of changes would be within the standards in the BRE guidance and many of the actual changes would be small.
155. Agents acting for the churches of St Andrew Undershaft and St Katharine Cree lodged formal holding objections pending the outcome of discussions between each church and the applicants. The agents

have confirmed that they are working together in a spirit of positive collaboration and partnership in this regard and see no reason why the Church's interest will not be properly addressed.

156. The representations made by agents for the brewery which owns the freehold of the East India Arms relate primarily to the potential impact of the development on the business, particularly in the summer months when customers take their drinks outside. Their concerns may be summarised as the effect on trade caused noise and vibration from construction work over a protracted period of time; noise during construction from vehicles using a construction site access opposite the public house; a possible reduction in daylight and sunlight to the outdoor area where customers gather; and possible solar glare and light pollution impacts. They also remark on the impact on the setting of the East India Arms and Lloyds Avenue Conservation Area, which is considered earlier in this report.
157. The East India Arms is a small public house with no external area but customers use a wide area of public highway on the corner of St Katherine's Row. The pub has a highways license for chairs and two tables in this location.
158. It is not uncommon for neighbouring business premises to be affected during construction works. This relationship between this small public house and the potential development site is not unique; the Bloomberg site has a similar small neighbouring pub where customers are continuing to use the public highway in Queen Street during construction work.
159. Noise and vibration from construction sites is controlled by the Director of Markets and Consumer Protection and conditions will be included on any planning permission requiring compliance with schemes to protect nearby residents and commercial occupiers from noise, dust and other environmental effects during demolition and construction. Similarly, a construction logistics plan will be required to mitigate the impact of construction traffic. The effect on the business at the East India Arms would be considered in monitoring and enforcing these operational plans but they would not prevent all disturbance.
160. The sunlight study submitted in support of the application demonstrates that even without the development taking place no part of the public highway used by customers of the East India Arms would receive two hours sunlight on 21 March (the BRE Guidance minimum standard). This is because it is a small area with buildings to its East, South and West. However, there will be sunlight to this area for various periods and at other times of year but the BRE Guidance would not be breached by the proposed development.
161. The public house lies to the east of the southern end of the proposed building and any sunlight from the East, South and Southwest would be unimpeded by the proposed development. It is possible that some sunlight may at present be received late in the day from the West and this could be affected by the development but the study does not cover

this. However, the period of any such loss would be relatively limited as sunlight from other directions would be unaffected.

162. The residential accommodation at the East India Arms would be affected by a significant and noticeable reduction in daylight and by the noise and vibration impacts referred to above. The applicants have agreed to provide secondary glazing to reduce noise and would monitor vibration. As a consequence, the tenant of the pub who occupies the residential accommodation has withdrawn his objection.
163. It is considered that if the concerns of the brewery can be addressed through the City's normal controls over construction and the objection would not justify the refusal of planning permission.

Planning Obligations

164. Under Section 106 of the Town & Country Planning Act 1990 an agreement or planning obligation can be made between parties, usually the developer and the local authority, or a unilateral undertaking can be submitted by a prospective developer:
- 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.
165. 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.
166. 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
167. 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).

Mayoral Community Infrastructure Levy (CIL)

168. On 1st April 2012 the Mayor of London introduced a 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

169. 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 (April 2013): offices (£140 per sq.m net gain in GIA floorspace), retail (£90) and hotels (£61) provided there is a net gain of 500sq.m.
170. 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.
171. At the time of preparing this report the Mayoral CIL has been calculated to be £4,439,350. The full Mayoral planning obligation has been calculated to be £12,601,350 but this would be reduced to £8,162,000 after deduction of the Mayoral CIL. The full Mayoral planning obligation is also subject to a 10% discount if the development is commenced before 31st March 2013. 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.
172. 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.

Liability in accordance with the Mayor of London's policies

Liability in accordance with the Mayor of London's policies	Contribution £	Forwarded to the Mayor	Retained by City Corporation
Mayoral Community Infrastructure Levy payable	4,439,350	4,261,776	177,574
Mayoral planning obligation net liability*	8,162,000	8,162,000	Nil
Mayoral planning obligation administration and monitoring charge	3,500	Nil	3,500
Total liability in accordance with the Mayor of London's policies	12,604,850		181,074

*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

173. 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.
174. In this case the proposed net increase would be 94,342sq.m. On the basis of the figure indicated in the Supplementary Planning Guidance, the planning obligation figure would be £6,603,940. 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.
175. The applicant has agreed a breakdown which accords with the Supplementary Planning Guidance as follows:

Category	Contribution £	Percentage share %
Total Contribution under City's SPG	6,603,940	
Allowance for Monitoring of Agreement by City (1%)	66,039	
Balance available for allocation	6,537,901	100
Proposed allocations:		
Local Community and Environment	3,268,951	50
Affordable Housing	1,961,370	30
Transportation	980,685	15
Local Training and Skills	326,895	5
Total allocation under City's SPG	6,537,901	100

176. I have set out below the details that I am recommending concerning the planning obligations. All of the proposals 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

177. 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.
178. 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. However, other matters requiring mitigation for the benefit of the local community are still yet to be fully scoped and it is proposed that the Local Community Facilities and Environment Contribution will be used to help mitigate such impacts also.
179. It has been proposed that the contribution be put towards the delivery of the Fenchurch & Monument Area Enhancement Strategy, adopted in April 2013.

180. The Strategy identifies that the footways, carriageways and open spaces in the Strategy area, particularly Fenchurch/Leadenhall Streets, are already under-capacity and with the significant increases in people expected within and moving through the area over the coming years due to new developments, these issues are expected to be further exacerbated. The Transport Assessment for the 40 Leadenhall Street development refers to the Area Enhancement Strategy and confirms the existing public realm capacity issues.
181. The Strategy identifies the Fenchurch Street project as the highest priority public realm and transportation project within the area and therefore it is proposed to direct the majority of funding to this project. The Fenchurch Street project was initiated by the City in February 2013 and aims to address the public realm and transportation issues along Fenchurch Street, which the development fronts, aiming to rationalise the carriageway, increase pedestrian capacity and improve road safety. The project is expected to cost between £3m - £5m which will be met from local S106/CIL.
182. Medium priority projects within the Strategy that would also offset the impacts of the new development include the Leadenhall Street project, which will adopt a similar approach to the Fenchurch Street project along Leadenhall Street.
183. The Local Community Facilities and Environmental Improvement Works contribution would be limited to the Fenchurch & Monument Area Enhancement Strategy with first consideration be given to the Fenchurch Street project.
184. Other matters requiring mitigation for the benefit of the local community are still yet to be fully scoped and it is proposed that the Local Community Facilities and Environment Contribution will be used to help mitigate such impacts also. Agents for the churches of St. Katharine Cree and St. Andrew Undershaft have requested sums for improvements. These matters are being discussed with the churches.
185. The applicant will be required to pay ten per cent 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

186. 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

187. 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.

188. It is therefore proposed that the Transport Contribution should go towards 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).
189. As the development lies close to the borders of three of the City's strategy areas (Aldgate & Tower, Fenchurch & Monument and the Eastern City Cluster), it is considered that preference would be given to transport projects that lie within the areas bounded by these Strategies.
190. TfL are seeking pooled contributions from development in the locality towards the upgrade of Bank Station. A contribution of £1,263,638 is sought in this instance. A further contribution of £374,000 is sought for the provision of an additional 50-60 Cycle Hire docking points in the area. TfL propose that some initial feasibility is undertaken between TfL and the developer to determine if private land can be made available. The applicants have asked TfL to provide information to justify these sums and this will be resolved before the application is referred back to the Mayor.
191. The developer would be required to submit 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

192. 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.

Public Realm Access

193. The proposal includes publically accessible space on the site. The balance of public and private access rights will be secured through the 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

194. The cost of any reparation works required as a result of the development will be the responsibility of the Developer.
195. 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

196. 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.
197. 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.

Delivery and Servicing Management Plan

198. 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.

Local Training, Skills and Job Brokerage Strategy (Construction)

199. 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.
200. 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.

Television Reception Surveys

201. The Developer has provided the First Interference Survey for the City Corporation. As soon as reasonably practicable following completion

the Company shall undertake the Second Interference Survey and shall submit the results to the City. If significant deterioration in TV and radio reception is identified, the Developer will be required to undertake appropriate mitigation measures.

Local Procurement

202. The developer has agreed to submit for approval a Local Procurement Strategy prior to commencement of demolition. 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.
203. 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.
204. 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

205. The London Plan sets a target for major developments to achieve an overall carbon dioxide emission reduction of 40% in 2013-2016, through the use of on-site renewable energy generation. The development is expected to achieve an overall reduction of 1080 tonnes of carbon per year in regulated emissions compared to a 2010 building regulations compliant building equivalent to an overall saving of 40%. This would comply with London Plan policy 5.2.
206. A detailed assessment will be required by condition to confirm that this can be achieved. If this target is not met on site the applicant will be required to meet the shortfall through cash in lieu contribution. The contribution will be secured through the section 106 agreement.

Monitoring and Administrative Costs

207. 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.
208. 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.

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

Conclusion

210. The proposal supports the strategic objective of the Corporation to promote the City as the leading international financial and business centre. It would provide an employment led mixed use development which supports the economic policies of the London Plan and LDF Core Strategy and would provide an increase in high quality floor space.
211. The proposal is in substantial compliance with the development plan policies that relate to it and in particular it supports the objective of promoting the City as the leading international financial and business centre.
212. Objections have been raised to the impact on the loss of daylight and sunlight to some residential premises, to the effect on the listed building at 19-21 Billiter Street and to potential impacts on two nearby churches.
213. There would be reductions in sunlight and daylight to some residential premises but the majority of changes would be within the standards in the BRE guidance and many of the actual changes would be small. There would be a noticeable reduction in sunlight to two open spaces.
214. The applicant and church authorities are in the process of reaching an accord to ensure protection of the churches.
215. It is considered that if the concerns of the freehold owners of the East India Arms about the impact on their trade do not justify refusal of planning permission and that these can be addressed through the City's normal controls over construction.
216. The proposals are considered not to have a detrimental impact on the listed building on the site or the setting of other listed buildings, Conservation Areas and non-designated heritage assets in the vicinity.
217. It is concluded that the proposal overall is acceptable subject to conditions and to a Section 106 agreement being entered into to cover the matters set out in the report.

Background Papers

Internal

Memo 14/11/13 Environmental Health Officer
Letters 13/01/13 & 04/02/14 Access Adviser to DP9
Memo 17/01/14 Waste & Amenity Planning Manager

External

Letters 29/10/13 (x2), 07/18/13, 03/02/14 English Heritage
Letter 03/12/13 GLA
Letters 04/12/13 & 22/01/14 TfL
Letter 15/11/13 Tower Hamlets
Email 25/10/13 Environment Agency
Letter 11/11/13 Natural England
Email 08/11/13 Thames Water
Emails 07/11/13 & 04/02/14 Yarema Ronish
Email 07/11/13 Jonathan Whitby
Letter 11/11/13 Yvonne Courtney
Email 11/11/13 David Rees
Letter 05/12/13 Wilson Stephen for St Andrew Undershaft Church
Letter 05/12/13 Wilson Stephen for St Katharine Cree Church
Email 11/02/14 Wilson Stephen
Letter 28/10/13 and email 03/12/13 Robert Benson
Letter 31/01/14 Milliken & Company
Email 08/01/14 London City Airport
Letter 20/11/13, Email 07/02/14 The Victorian Society
Email 08/01/14 Anna McPherson/HRP
Emails 04/12/13 and 08/01/14 and attachment LAMAS
Letters 18/12/13, 15/01/14, 05/02/14, 11/02/14 DP9
Letter 22/11/13 and Appendix GIA TO DP9
Letter 09/12/14 and Appendix GIA TO DP9
Email 16/01/14 GIA
Planning Statement September 2013 DP9
Design & Access Statement September 2013 Make & David Bonnett
Statement of Community Involvement September 2013 Your Shout

Statement of Community Involvement Addendum December 2013 Your
Shout

Environmental Statement September 2013 comprising Non-Technical
Summary and Volumes , Volume 2, Volume 3 Appendices Parts One and Two

Significance of the Designated Asset report September 2013 Make
Architects & Francis Golding

Sustainability Statement and BREEAM Strategy September 2013 WSP
Group

Energy Statement September 2013 WSP Group

Transport Assessment September 2013 Arup

Drawings 226326-00-SU-03 Rev A; 226326-00-007 Rev C, 008 Rev H, 009
Rev H, 010 Rev H Arup

Sesame Access Systems Ltd brochure

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 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 4.8 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 5.6 Development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate also examine opportunities to extend the system beyond the site boundary to adjacent sites.

Policy 5.7 Major development proposals should provide a reduction in carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.

Policy 5.9 Reduce the impact of the urban heat island effect in London and encourage the design of places and spaces to avoid overheating and excessive heat generation, and to reduce overheating due to the impacts of climate change and the urban heat island effect on an area wide basis.

Policy 5.10 Promote and support urban greening, such as new planting in the public realm (including streets, squares and plazas) and multifunctional green infrastructure, to contribute to the adaptation to, and reduction of, the effects of climate change.

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

Policy 5.12 Development proposals must comply with the flood risk assessment and management requirements set out in PPS25 and address flood resilient design and emergency planning; development adjacent to flood defences will be required to protect the integrity of existing flood defences and wherever possible be set back from those defences to allow their management, maintenance and upgrading to be undertaken in a sustainable and cost effective way.

Policy 5.13 Development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so.

Policy 6.1 The Mayor will work with all relevant partners to encourage the closer integration of transport and development.

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

Policy 6.5 Contributions will be sought from developments likely to add to, or create, congestion on London's rail network that Crossrail is intended to mitigate.

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 7.5 London's public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.

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 7.7 Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria set out in this policy.

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 7.10 Development in World Heritage Sites and their settings, including any buffer zones, should conserve, promote, make sustainable use of and enhance their authenticity, integrity and significance and Outstanding Universal Value.

Policy 7.12 New development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements identified in the London View Management Framework. It should also, where possible, preserve viewers' ability to recognise and to appreciate Strategically Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated Viewing Places.

Policy 7.13 Development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire, flood and related hazards.

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.

Policy 7.19 Development proposals should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

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.

CS2 Facilitate utilities infrastructure

To co-ordinate and facilitate infrastructure planning and delivery to ensure that the functioning and growth of the City's business, resident, student and visitor communities is not limited by provision of utilities and telecommunications infrastructure.

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.

CS7 Meet challenges of Eastern Cluster

To ensure that the Eastern Cluster can accommodate a significant growth in office floorspace and employment, while balancing the accommodation of tall buildings, transport, public realm and security and spread the benefits to the surrounding areas of the City.

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.

CS14 Tall buildings in suitable places

To allow tall buildings of world class architecture and sustainable design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level.

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.

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.

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).

CS18 Minimise flood risk

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

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.

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.

CS21 Protect and provide housing

To protect existing housing and amenity and provide additional housing in the City, concentrated in or near existing residential communities, to meet the City's needs, securing suitable, accessible and affordable housing and supported housing.

ARC1 Archaeology - evaluation and impact

To require planning applications which involve excavation or groundworks on sites of archaeological potential to be accompanied by an archaeological assessment and evaluation of the site including the impact of the proposed development.

ARC2 To preserve archaeological remains

To require development proposals to preserve in situ, protect and safeguard important ancient monuments and important archaeological remains and their settings, and where appropriate, to require the permanent public display and/or interpretation of the monument or remains.

ARC3 Recording of archaeological remains

To ensure the proper investigation, recording of sites, and publication of the results, by an approved organisation as an integral part of a development programme where a development incorporates archaeological remains or where it is considered that preservation in situ is not appropriate.

HOUS10 Respect residential privacy, etc

To require where practicable that the privacy, outlook and daylighting levels of residential accommodation is respected by the form of adjacent development.

ENV10 Protect and encourage public art

To protect existing works of art and to seek the provision of additional works of art which enhance the City townscape.

ENV35 To protect daylight and sunlight

To resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to levels which would be contrary to the Building Research Establishment's guidelines.

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.

ENV28 Design of building services

To ensure that building services are satisfactorily integrated into the architectural design of the building (with particular reference to its roof profile) and to resist installations which would adversely affect the character, appearance or amenities of the buildings or area concerned.

SHOP2 Seek replacement of retail uses

To seek the replacement of retail uses in development schemes and to ensure that such replacements are primarily at the pedestrian level.

SHOP3 Seek increased retail facilities

To seek, where appropriate, the provision of new or increased retail facilities, particularly where:

- i. existing retail shop facilities are being replaced on redevelopment in accordance with policy SHOP 2;
- ii. the site is in or close to a shopping centre;
- iii. the site is close to a public transport interchange;
- iv. there is a riverside frontage.

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.

TRANS15 Seek off-street servicing

To seek, where appropriate, the provision of off-street servicing facilities in such a way as:

- i. to ensure that the location and design of vehicular access and servicing arrangements minimise the adverse effects on the adjoining highway and pay due regard to the environment and the convenience and safety of pedestrians;

- ii. to ensure that vehicular servicing and servicing access is avoided on or onto Tier 1-3 roads, except where a practical alternative cannot be provided; and

- iii. to enable vehicles to enter and leave premises in a forward direction.

TRANS18 Resist non-residential parking

To resist the provision of private non-residential parking in excess of the current planning standards.

TRANS21 Seek parking for disabled people

To seek the provision and improvement of parking arrangements for disabled people.

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.

TRANS23 Require parking for motorcycles

To provide parking facilities for motorcycles by:

- i. requiring the provision of private parking spaces for motorcycles in development schemes;
- ii. maintaining an adequate overall number of spaces for motorcycles in public off-street car parks and;
- iii. seeking to maintain on-street motorcycle parking at current levels, pending the approval of the Local Implementation Plan.

SCHEDULE

APPLICATION: 13/01004/FULEIA

Site Bounded By 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings

Partial demolition and works of refurbishment and reinstatement to 19-21 Billiter Street; demolition of all other buildings on the site; redevelopment to provide a new building comprising two basement levels and ground plus part 10, 14 and 34 storeys plus plant (total height 170m AOD) containing offices (B1) and flexible retail/financial and professional services/cafe and restaurant uses (A1/A2/A3) at ground floor level; food and drink (A3/A4) uses at levels 13 and 14; change of use at ground and first floor of 19-21 Billiter Street to retail/cafe and restaurant/bar use (A1/A3/A4); the provision of hard and soft landscaping; alterations to Fenchurch Buildings and other incidental works. (125,699sq.m GIA).

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 Before any works including demolition are begun a survey of the perimeter of the existing site shall be carried out and submitted to the LPA showing the existing Ordnance Datum levels of the adjoining streets and open spaces.
REASON: To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Unitary Development Plan 2002: ENV8, CS10, CS16.
- 3 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.

- 4 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 other 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.
- 5 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.
- 6 Construction works shall not begin 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 set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the development 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.
REASON: To protect the amenities of nearby residents and commercial occupiers in accordance with the following policy of the Core Strategy: CS15.
- 7 No part of the buildings at 108 Fenchurch Street and 9-13 Fenchurch Buildings shall be demolished (unless otherwise permitted by the Local Planning Authority in the circumstances identified in this condition)

before a contract or series of contracts for the carrying out of substantial works of redevelopment have been made 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. Works of demolition may be permitted prior to the completion of the contract(s) if the Local Planning Authority is satisfied that the site is required for archaeological investigation and the developer has submitted evidence to show that development will proceed upon completion of the investigation.

REASON: To ensure these non-designated heritage assets are not demolished unless necessary for the purposes of an approved development scheme in accordance with the requirements of paragraph 136 of the National Planning and Policy Framework.

- 8 No development shall take place until the detailed design of all wind mitigation measures has been submitted to and approved in writing by the Local Planning Authority. These details shall include the size and appearance of any features, the size and appearance of any planting containers, trees species, planting medium and irrigation systems. No part of the building shall be occupied until the approved wind mitigation measures have been implemented unless the Local Planning Authority agrees otherwise in writing. The said wind mitigation measures shall be retained in place for the life of the building unless otherwise agreed by the Local Planning Authority.

REASON: In order to ensure that the proposed development does not have a detrimental impact on the amenities of the area in accordance with the following policies of the Core Strategy: CS10, CS14.

- 9 Before any construction works are begun details must be submitted to and approved in writing by the local planning authority indicating the proposed finished floor levels at basement and ground floor levels in relation to the existing highway levels. The development shall be carried out in accordance with the approved site survey unless otherwise agreed in writing by the local planning authority.

REASON: To ensure compliance with building lines and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Unitary Development Plan 2002: ENV8, CS10, CS16.

- 10 Archaeological evaluation 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 Unitary Development Plan 2002: ARC 1.

- 11 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

- 12 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.

- 13 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 construction 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.

- 14 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.

- 15 No impact piling shall take place until a piling method statement (detailing the depth and 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 for the 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 and piling has the potential to impact on local underground water utility infrastructure.

(The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.)

- 16 Construction works 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 shall 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/this additional demand.

- 17 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 provide further details of the energy efficiency design and efficient energy supply including carbon emissions savings calculations. 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.

- 18 Before any construction works hereby permitted are begun a detailed assessment of the potential for urban greening on ground and upper levels and vertical planes and for improvements to biodiversity on site shall be submitted to and approved in writing by the local planning authority. This assessment should include details of type, position and size of any proposed measures which shall be implemented and maintained as approved for the life of the development.

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.

- 19 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

- 20 A post construction BREEAM assessment demonstrating that a target rating of 'Excellent' has been achieved (or such other target rating as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an 'Excellent' rating) shall be submitted as soon as practicable after practical completion.
REASON: To demonstrate that carbon emissions have been minimised and that the development is sustainable in accordance with the following policy of the Core Strategy CS15.
- 21 Before any works thereby affected are begun details of the Billiter Street and Fenchurch Buildings elevations showing a clear demarcation between the lower street block and the tower 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.
REASON: To ensure that the new building provides an appropriate setting for and relationship with the listed building at 19-21 Billiter Street in accordance with the following policies of the Core Strategy: CS10, 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 and entrances;
 - (c) details of ground floor elevations and office entrances;
 - (d) details of a typical bay of the development;
 - (e) details of all alterations to the facade of the retained building;
 - (f) details of soffits, hand rails and balustrades;
 - (g) details of the vehicle entrance and gates thereto;
 - (h) details of the size and design of the platform lift providing wheelchair access to 19-21 Billiter Street;
 - (j) details of junctions with adjoining premises and the retained building;
 - (k) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level
 - (l) details of ventilation and air-conditioning for the retail and food and drink uses;
 - (m) details of the purpose, location and design of all external louvers;
 - (n) details of external surfaces within the site boundary including hard and soft landscaping;
 - (p) details of suitable provision for bird nesting boxes.
- 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: CS10, CS12, CS13, CS14 ENV28, ENV29.

- 23 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.
- 24 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.
- 25 The threshold of all vehicular access points shall be at the same level as the rear of the adjoining footway.
REASON: To maintain a level passage for pedestrians in accordance with the following policies of the Unitary Development Plan and Core Strategy: TRANS 15, ENV 8, CS10, CS16.
- 26 Prior to the occupation of any part of the building, the land between the existing building lines and the face of the proposed new building shall be brought up to street level, paved and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall not be fenced or otherwise enclosed or obstructed.
REASON: To ensure compliance with building lines and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Unitary Development Plan and Core Strategy: ENV 8, CS10, CS16.
- 27 No doors or gates shall open over the public highway.
REASON: In the interests of public safety
- 28 Provision shall be made for disabled people to obtain access to the offices and, except in the case of 19-21 Billiter Street, to each retail unit via their respective principal entrances without the need to negotiate steps and shall be maintained for the life of the building.
REASON: To ensure that disabled people are able to use the building in accordance with the following policy of the Core Strategy: CS10.
- 29 Unless otherwise approved in writing by the local planning authority the generator exhaust pipework must terminate no lower than one metre above the highest roof level of the development.

REASON: To improve or maintain local air quality, particularly nitrogen dioxide and particulates PM10 in accordance with the City of London Air Quality Strategy 2011 and the following policy of the Core Strategy: CS15.

- 30 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.

- 31 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.

- 32 Before any works thereby affected are begun, a scheme in the form of an acoustic report compiled by a qualified specialist shall be submitted to and approved in writing by the Local Planning Authority specifying the materials and constructional methods to be used demonstrating that there is adequate sound proofing to both airborne and structure borne noise transmission between the Class A use and the surrounding offices in the building. The development pursuant to this permission shall be carried out in accordance with the approved scheme and so maintained thereafter.

REASON: To protect the amenities of commercial occupiers in the building in accordance with the following policy of the Core Strategy: CS15.

- 33 (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.

- 34 There must be no building, roof structures or plant above the top storey of each part of the development 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.

- 35 No part of the site or building shall be used for the parking of motor vehicles unless specifically approved for that purpose in writing by the Local Planning Authority.

REASON: To protect the visual amenities of the area and reduce commuting by car in accordance with the following policies of the Unitary Development Plan and Core Strategy: ENV 8, TRANS 17, TRANS 18, TRANS 20, CS16.

- 36 A clear unobstructed minimum headroom of 5m must be maintained for the life of the building in the refuse skip loading area as shown on the approved drawings.

REASON: To ensure satisfactory servicing facilities in accordance with the following policies of the Unitary Development Plan: TRANS15, UTIL6.

- 37 Except as may be approved in writing by the Local Planning Authority the loading and unloading areas must remain ancillary to the use of the building and shall be available at all times for that purpose for the occupiers thereof and visitors thereto.

REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Unitary Development Plan: TRANS15.

- 38 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 150sq.m of floorspace. 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 standard set out in the London Plan.

- 39 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.
- 40 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.
- 41 Details of a Servicing Management Plan demonstrating the arrangements for control of the arrival and departure of vehicles servicing the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The building facilities shall thereafter be operated in accordance with the approved Servicing Management Plan (or any amended Servicing Management Plan that may be approved from time to time by the Local Planning Authority) for the life of the building.
REASON: To ensure that the development does not have an adverse impact on the free flow of traffic in surrounding streets in accordance with the following policies of the Unitary Development Plan and Core Strategy: TRANS15, CS16.
- 42 The two car parking spaces shown on the approved drawings for disabled users shall be wide enough to enable them to be used by people with disabilities and the spaces shall be marked out accordingly. These spaces shall be provided and maintained throughout the life of the building for use solely by people who are disabled.
REASON: To ensure provision of suitable parking for people with disabilities in accordance with policy TRANS 21 of the Unitary Development Plan 2002 and that private car parking is not provided without motorcycle parking also being provided in accordance with policies TRANS 18 and TRANS 23.
- 43 Electric vehicle recharging facilities shall be provided for vehicles using the servicing area and the disabled parking bays.
REASON: To facilitate the use of electrically powered vehicles and address carbon reduction and air pollution issues in accordance with the following policy of the Core Strategy: CS15.

- 44 The A1/A3/A4 uses hereby permitted shall not be open to customers between the hours of 23:30 on one day and 07:00 on the following day.
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.
- 45 No live or recorded music that can be heard outside the 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.
- 46 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 enclosure(s) shown on the approved drawings.
REASON: To ensure a satisfactory external appearance in accordance with the following policies of the Core Strategy: CS10, CS12, CS13, CS14.
- 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: drawings numbered PA1000, 1198, 1199, 1200, 1210, 1300, 1301, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1410, 1420, 1421, 1500, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1997/01, 1998/03, 1999/02, 2000/01, 2000M/01, 2001/01, 2002/01, 2002/01, 2003/01, 2004/01, 2005/01, 2006/01, 2007/01, 2008/02, 2009/02, 2010/02, 2011/01, 2012/01, 2013/01, 2014/01, 2015/01, 2016, 2017, 2018, 2019, 2020, 2012, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2200, 2201, 2300, 2301/02, 2302/01, 2303/01, 2400/01, 2401/01, 2402/01, 2403/01, 2499, 2500/01, 2502/01, 2502/01, 2503/01, 2504/01, 2505/01, 2510/01, 2520/01, 2521/01, 2600, 2601, 2602, 2603, 2604, 2610, 2611, 2612, 2613/02, 2614, 2615.
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 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.

- 2 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.
- 3 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.
- 4 London City Airport advises that for air safety reasons, in the event that cranes or other construction equipment are required at a higher elevation than the top of the proposed building their use must be the subject of a separate consultation with the airport authority.
- 5 Improvement or other works to the public highway shown on the submitted drawings require separate approval from the local highway authority and the planning permission hereby granted does not authorise these works.
- 6 The Department of the Built Environment (Highways and Streetworks Team) must be consulted on the following matters which require specific approval:
 - (a) Hoardings, scaffolding and their respective licences, temporary road closures and any other activity on the public highway in connection with the proposed building works. In this regard the City of London Corporation operates the Considerate Contractors Scheme.
 - (b) The incorporation of street lighting and/or walkway lighting into the new development. Section 53 of the City of London (Various Powers) Act 1900 allows the City to affix to the exterior of any building fronting any street within the City brackets, wires, pipes and apparatus as may be necessary or convenient for the public lighting of streets within the City.
 - (c) Connections to the local sewerage and surface water system.
 - (d) Carriageway crossovers.
 - (e) Means of escape and constructional details under the Building Regulations and London Building Acts (District Surveyor).
 - (f) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window cill, rainwater pipe, oil fuel inlet pipe or

box, carriageway entrance, or any other projection beneath, over or into any public way (including any cleaning equipment overhanging any public footway or carriageway). You are advised that highway projection licenses do not authorise the licensee to trespass on someone else's land. In the case of projections extending above, into or below land not owned by the developer permission will also be required from the land owner. The City Surveyor must be consulted if the City of London Corporation is the land owner. In such cases please also contact the Corporate Property Officer, City Surveyor's Department.

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

Air Quality

(a)

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

(b)

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

(c)

All gas Combined Heat and Power plant should be low NO_x 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.

(d)

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.

(e)

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

(f)

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

Standby Generators

(g)

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 which state:

1. Routine testing should normally be carried out at a time when minimum inconvenience is caused to others. Generally this should be between 09.00 and 14.00 hours on a Saturday.
2. The generator should be located on suitable anti-vibration mountings to prevent the transmission of noise or vibration through the structure to other parts of the building.

Food and Catering

(h)

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.

(i)

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.

(j)

Any building proposal that will include catering facilities will be required to be constructed with adequate grease traps to the satisfaction of the Sewerage Undertaker, Thames Water Utilities Ltd, or their contractors.

8 Thames Water advice

Thames Water requests that the developer should incorporate protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Surface Water Drainage - It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

A Trade Effluent Consent will be required for any effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

Water Comments

There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

Supplementary Comments

Our preferred option would be for all surface water to be disposed of on-site using SUDs as per policy 5.13 of the London plan.

The developer will need to contact Thames Water to discuss the connection point to supply this property. There are a number of mains around this site which may or may not affect the water capacity requirements for this development. Please contact Developer Services on 0845 850 2777 to discuss this further.

9 The Environment Agency advice:

Developers should ensure that any proposed piling methods do not pose a pollution risk to controlled waters. Piling to facilitate building foundations or the installation of ground source heat pumps has the potential to create a pathway between contaminated shallow soils and deeper geological formations and aquifers. Deep piling can also result in physical disturbance of aquifers.

If piling is proposed, a Piling Risk Assessment will be required to demonstrate that the chosen piling method does not increase the risk of near-surface pollutants migrating into deeper geological formations and aquifers. A Hydrogeological Risk Assessment of physical disturbance to the aquifer should also be undertaken and if unacceptable risks are identified, appropriate mitigation measures must be provided.

We recommend that developers follow the risk management framework provided in our guidance for 'Piling into Contaminated Sites' and also refer to the document: "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention".

Stothard, David

Subject: 40 Leadenhall Street

From: Julie Limage **On Behalf Of** Bob Wilson

Sent: 11 February 2014 09:46

To: Stothard, David

Subject: J5451 - 40 Leadenhall Street

Dear David

Further to our telephone conversation earlier this morning, I confirm that we are now in discussions with the Developer and that we are working to agree a set of Heads of Terms which would be the precursor to a legal agreement between the parties. I am pleased to confirm that we are working together in a spirit of positive collaboration and partnership in this regard and see no reason why the Church's interest will not be properly addressed. It is hoped that the legal agreement will be in place quite quickly: if your committee meeting date is 25 February 2014 it is unlikely to be before then, although we may have agreed heads of terms at that point. I will keep you informed.

Kind regards

Bob

M: Wilson Stephen Associates

2-3 Hind Court, London EC4A 3DL

e: info@ws-a.co.uk w: www.ws-a.co.uk f: 020 7583 9197 t: 020 7583 7799

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Hassall, Pam

From: Kathy Clark (The Victorian Society) <kathy@victoriansociety.org.uk>
Sent: 07 February 2014 15:45
To: PLN - Comments
Subject: (Replacement for last email) RE: FAO D Stothard, RE 13/01005/LBC & 13/01004/FULEIA
Attachments: Feb 2013 resend, 2013-11-003 London, 19-21 and 22 Billiter Street.pdf

Dear Mr Stothard

[REDACTED]

Your ref: 13/01005/LBC and 13/01004/FULEIA
Our ref: 2013/11/003

RE: 19-21 and 22 Billiter Street, London (former: grade II, 1865); conversion, partial rebuilding, and redevelopment of remainder of block.

Thank you for consulting the Victorian Society on alterations to the development proposal above. As the principle of the scheme, the extent of demolition and the overall new design is unchanged, our objection, as in the Society's letter of 20 November 2013, still stands. We do welcome the changes to the treatment of the listed building itself that have been made in response to our original comments. I have attached our original letter for reference. The remainder of the comments, which do not relate to the chimneys, doors and interior of the listed building, are unchanged.

Yours sincerely,

Kathy Clark

[REDACTED]

ACKNOWLEDGED

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GREATER LONDON AUTHORITY
Development, Enterprise and Environment



Mr. David Stothard
City of London Corporation
PO Box 270
Guildhall
LONDON EC2P 2EJ

Our ref: D&P/3175/01
Your ref: 13/01004/FULEIA
Date: 3 December 2013



Dear Sir,

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

Site bounded by 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings, London, EC3

I refer to the copy of the above planning application, which was received from you on 28 October 2013. On 3 December 2013 Sir Edward Lister, Deputy Mayor and Chief of Staff, acting under delegated authority, considered a report on this proposal, reference D&P/3175/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Deputy Mayor considers that the application broadly complies with the London Plan, but that the issues set out in paragraph 47 of the report should be addressed before the scheme is referred back to the Mayor at Stage 2. 63

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is James Forrest, e-mail JamesForrest@tfl.gov.uk, telephone 020 3054 7090.

Yours sincerely,


Colin Wilson
Senior Manager – Development & Projects

Conclusion *of report*

63 London Plan policies on the **principle of development (offices, mix of uses), urban design, heritage, tall building and views, inclusive access, sustainable development and transport** are relevant to this application. The application complies with the majority of these policies and is strongly supported but further information is needed in order to fully comply with the London Plan. The potential remedies to issues of non-compliance are set out below:

- **Principle of development:** The principle of an uplift in office and retail floorspace on the site, and the mix of uses is strongly supported in this location within the City and the Central Activities Zone.
- **Urban design, heritage, tall buildings, views:** Officers support the design, massing and height of the building, including the ground floor interactions, public realm improvements and the manner in which the listed building has been retained and incorporated into the development. Officers are satisfied that a tall building is acceptable in this location of the City adding to the existing eastern cluster, and are satisfied that the development will have an acceptable impact on views.
- **Inclusive access:** Overall the scheme responds well to the principles of inclusive design. Whilst there are a number of access challenges associated with refurbishment of 19-21 Billiter Street, it is acknowledged that the need to conserve the listed building provides a constraint to doing so. The applicant has demonstrated that all reasonable steps have been taken to ensure inclusive access across the development.
- **Sustainable development:** The applicant has broadly followed the energy hierarchy to reduce carbon dioxide (CO₂) emissions. An overall reduction of 1080 tonnes of CO₂ per year in regulated emissions compared to a 2010 Building Regulations compliant development is expected, equivalent to an overall saving of 40%. This complies with Policy 5.2 of the London Plan. However, further evidence/information is required in order to verify this including; BRUKL sheets showing efficiency features only; the sizing of the CHP system; further detail on the operation of the site heat network, energy centre and connection routes; and future proofing evidence for connection to a district heating system.
- **Transport:** TfL require further clarification and confirmation from the applicant as follows; demonstration that the blue badge provision is sufficient to meet demand and that each bay will have access to EVCP's; clarification on whether the TA includes new retail trips; comparison required between the presented mode share of DLR trips and local Census ward data; mitigate the likely additional stress on the cycle hire network; assessment of local buses and bus stops on Leadenhall Street; revisions to travel plan; DSP and CLP to be secured by condition. Financial contributions are sought towards; improved pedestrian and cycling facilities; works to mitigate overcrowding and improve accessibility at Bank;



ENGLISH HERITAGE
LONDON OFFICE

03

119953

Mr David Stothard
Corporation of London
Department of Planning & Transportation
PO Box 270
Guildhall
LONDON
EC2P 2EJ

Direct Dial: 020 7973 3774
Direct Fax: 020 7973 3792

Our ref: L00289250

29 October 2013

Dear Mr Stothard

**Notifications under Circular 01/2001, Circular 08/2009 &
T&CP (Development Management Procedure) Order 2010**

**Authorisation to Determine an Application for Listed Building Consent as Seen
Fit**

**19 - 21 AND 22 BILLITER STREET, LONDON, EC3
Application No 13/01005/LBC**

<i>Applicant:</i>	Vanquish Properties (UK) Limited Partnership
<i>Grade of building(s):</i>	II
<i>Proposed works:</i>	Demolition of the rear elevation and rooftop structures; works of repair, refurbishment and reinstatement throughout the building in conjunction with the change of use of the ground and first floor to retail/cafe and restaurant/bar use and the building's integration into the redevelopment of the surrounding site.
<i>Drawing numbers:</i>	As approved.

<i>Date of application:</i>	11 October 2013
<i>Date of referral by Council:</i>	22 October 2013
<i>Date received by English Heritage:</i>	28 October 2013
<i>Date referred to CLG:</i>	29 October 2013



You are hereby authorised to determine the application for listed building consent referred to above as you think fit. In so doing English Heritage would stress that it is not expressing any views on the merits of the proposals which are the subject of the application.



1 WATERHOUSE SQUARE 138-142 HOLBORN LONDON EC1N 2ST

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www.english-heritage.org.uk

English Heritage is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.

LONDON OFFICE

Yours sincerely

Michael Dunn

Principal Inspector of Historic Buildings and Areas

E-mail: michael.dunn@english-heritage.org.uk

NB: This authorisation is not valid unless it has been appropriately endorsed by the Secretary of State.

The Secretary of State has considered
the information given above and
does not intend to require the
application concerned to be referred
to him.

Signed

Date 31/10/13

National Planning Casework Unit



1 WATERHOUSE SQUARE 138-142 HOLBORN LONDON EC1N 2ST

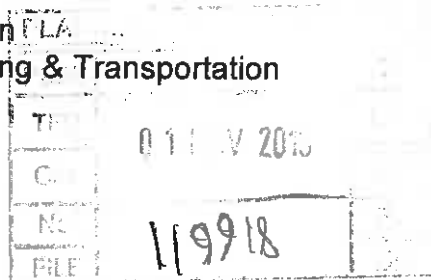
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ENGLISH HERITAGE
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Mr David Stothard
Corporation of London
Department of Planning & Transportation
PO Box 270
Guildhall
LONDON
EC2P 2EJ



Direct Dial: 020 7973 3774
Direct Fax: 020 7973 3792

Our ref: P00289190

29 October 2013

Dear Mr Stothard

**SITE BOUNDED BY 19-21 & 22 BILLITER BUILDINGS, 49 LEADENHALL STREET,
108 & 109-114 FENCHURCH STREET, 6-8 & 9-13 FENCHURCH BUILDINGS
LONDON EC3**

Thank you for formally consulting us the submitted proposals for development at the above site. We previously met with the applicants and their design team, and provided detailed comments about the scheme in a letter dated 7 August 2013. I enclose a copy of that letter for your reference.

As the submitted proposals do not differ substantially from those that we provided pre-application advice on, our position as set out in the 7 August letter remains valid.

Please do not hesitate to contact me should you have any further queries.

Yours sincerely

Michael Dunn

Principal Inspector of Historic Buildings and Areas
E-mail: michael.dunn@english-heritage.org.uk



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ENGLISH HERITAGE
LONDON OFFICE

Mr Jonathan Smith
DP9
100 Pall Mall
London
SW1Y 5NQ

Direct Dial: 020 7973 3774
Direct Fax: 020 7973 3792

Our ref: PA00172874

7 August 2013

Dear Mr Smith

Request for Pre-application Advice

LEADENHALL TRIANGLE, 60 LEADENHALL STREET, LONDON

Thank you for consulting English Heritage on pre-application proposals for the Leadenhall Triangle site in the City of London. We have considered the proposals and can set out our position as follows.

The proposals are for a new building to replace most of the existing buildings on the site between Billiter Street, Leadenhall Street, Fenchurch Street and Fenchurch Buildings. The grade II listed building at Nos. 20-21 Billiter Street will be retained and incorporated into the proposed scheme. The site is not within a conservation area, and is currently occupied by buildings that are, for the most part, of no architectural interest (apart from the aforementioned listed building). In this regard, we support the principle of re-developing the site.

English Heritage believes that tall buildings can make a positive contribution to London when they are situated in the right place and are excellent works of architecture. A key component of ensuring successful tall buildings that enhance the overall townscape is the plan-led approach, where local authorities identify appropriate locations for tall buildings in the local development frameworks (EH/CABE Guidance on Tall Buildings 2007).

The City of London has identified the Eastern Cluster as a part of the City that can, in principle, accommodate tall buildings, and has set that out as policy guidance in their current Development Framework. English Heritage acknowledges that the Eastern Cluster is, in principle, an appropriate area for tall buildings in the City, and that therefore the proposed location for the current scheme within the cluster accords with policy. Its location within the Eastern Cluster and its height relative to existing and consented nearby towers means that, in our view, it does not have a detrimental impact on the Mayor's strategic views set out in the London View Management



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English Heritage will use the information provided by you to evaluate any applications you make for statutory or quasi-statutory consent, or for grant or other funding. Information provided by you and any information obtained from other sources will be retained in all cases in hard copy form and/or on computer for administration purposes and future consideration where applicable.

LONDON OFFICE

Framework. We are also content with the design approach, and welcome the improvements to the urban design around the new building and the improvements to the narrow passage at Fenchurch Buildings.

However, by virtue of their size and prominence, tall buildings have a wide reaching impact on the environment, and even an appropriate location and design cannot mitigate every impact. In this case, the proposed tower will add to the impact of the existing and consented Eastern Cluster towers visible above the roofline of the Chapel Royal of St Peter ad Vincula within the Tower of London. We would urge the City of London to consider this visual harm to the setting of the Tower of London as part of their overall assessment of the proposals.

In terms of those aspects of the proposals that affect the grade II listed building at Nos. 20-21 Billiter Street (Edward Ellis, 1865), English Heritage is supportive of the design approach, and we believe that the proposals have great potential enhance the significance of the listed building. This is a heritage benefit that would weigh in favour of the overall proposals.

We look forward to the submission of the proposals, but if you have any queries in the meantime, please do not hesitate to contact me.

Yours sincerely

Michael Dunn

Principal Inspector of Historic Buildings and Areas

E-mail: michael.dunn@english-heritage.org.uk

cc: Gwyn Richards, City of London Corporation



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English Heritage will use the information provided by you to evaluate any applications you make for statutory or quasi-statutory consent, or for grant or other funding. Information provided by you and any information obtained from other sources will be retained in all cases in hard copy form and/or on computer for administration purposes and future consideration where applicable.

Transport for London



Our ref: 13/2767
Your ref: 13/01004/FULEIA

David Stothard
-By email only-

Transport for London
Group Planning

Windsor House
42 – 50 Victoria Street
London SW1H 0TL

Phone 020 7222 5600
Fax 020 7126 4275
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22nd January 2014

Dear David

40, Leadenhall Street - TfL's follow up comments

The following comments represent the views of Transport for London officers and are made on a "without prejudice" basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to a planning application based on the proposed scheme. These comments also do not necessarily represent the views of the Greater London Authority.

I am writing in response to ARUP's correspondence dated 18th December 2013 which was prepared to address the comments raised within my initial comments sent to the City of London dated 4th December 2013.

Car parking

It is accepted that the provision of additional on site Blue Badge provision is restricted by the size constraints of the proposed servicing area. Furthermore the applicant has considered that there is sufficient provision within the local area to cater for any potential Blue Badge parking demand. It is requested that the provision of an electric vehicle charging point is secured either through a revised drawing or by condition.

Impact assessment

It is accepted that the retail element of the scheme will not generate any new trips on the local transport or highway network. The applicant has clarified that DLR trips have been classified as London Underground trips for the purpose of the impact assessment.

Cycle Hire

The applicant has requested further assessment to support TfL's request for additional Cycle Hire provision at this location. The applicant has highlighted

MAYOR OF LONDON



VAT number 756 2770 08

that the site already benefits from access to the Cycle Hire scheme and this is recognised. However notwithstanding this, the following provides a context of how Cycle Hire operates within the local vicinity.

There are 6 docking stations within approximately 600m of the proposed development. Wormwood Street to the north and Crosswall Street to the south east are already within the top 5% most used stations in the whole of the scheme, ranking 10th and 19th respectively, out of circa 700 stations. These stations are shortly followed by Great Tower Street and the Bank of England Museum which are within the top 10% most used. The other 2 stations are within the top 40% most used.

Due to the relatively small size of these docking stations they suffer from the impact of the high flows of cyclists to and from the area at morning and evening peaks and some can be found empty well above the scheme average at more than 20% unavailability of bikes. Furthermore the stations mentioned above are more likely than others in the scheme to be full, with Jewry Street being the most likely to be full in The City of London.

TfL try to counter the impacts of tidal flows by redistributing the bikes around the scheme during inter-peak period of the day and over night, however this means that many of the stations close to Leadenhall Street require many more intervention visits than the scheme average. The Bank of England Museum manages a mere 52 hires per redistribution visit, well below the scheme average of 168.

The above information demonstrates that capacity for Cycle Hire in this area is at it's peak and any changes to the land usage will have a direct impact on Cycle Hire, especially redistribution efforts. Cycle Hire is immensely popular within the City of London, accounting for many journeys to and from major network rail and TfL transport hubs including Waterloo, King's Cross and Liverpool Street.

In accordance with London Plan policy 6.9 'Cycling' and based on the uplift of floorspace and lack of current Cycle Hire capacity in the area it is deemed appropriate to request an additional 50-60 docking points in the area. It is suggested that some initial feasibility is undertaken between TfL and the developer to determine if private land can be made available.

Buses

It is understood that additional information will be provided to establish the forecast demand on the local bus network. Once this has been provided TfL can confirm whether additional capacity upgrades would be required. It is accepted that due to space constraints additional bus stop infrastructure would be difficult to implement at this location. Notwithstanding this, it is requested that applicant reviews the kerb heights of the two nearest bus stops to ensure that they are of sufficient height (125mm) to accommodate bus ramps.

Bank station

London Plan policy 6.1 'Strategic Approach' aims to encourage the closer integration of transport and development by seeking to improve the capacity and accessibility of public transport, improve interchanging facilities and by securing step free access where this is appropriate and practical. Furthermore, London Plan policy 6.4 '*Enhancing London's Transport Connectivity*' states that the Mayor aims to increase public transport capacity by completing upgrades to the London Underground network to support future development. The cumulative impact of the growth of development within the City of London means Bank station suffers from significant congestion. Although works are being progressed to mitigate overcrowding and implement step free access, these remain partially funded are therefore TfL are seeking pooled contributions from development in the locality towards these works and to date, a total of £3.25 million of section 106 funds has been secured.

Crossrail

The applicant has calculated the Crossrail liability however it is requested that the existing and proposed GIA floorspace is provided to TfL to ensure that the Crossrail contribution has been calculated correctly. The figures that have been provided to date are GEA.

Freight, servicing and construction

It is welcomed that the applicant intends for the DSP and CLP to be secured by condition and it is requested that with consideration to the nearby strategic road network these are discharged in consultation with TfL.

Travel Plan

Once a revised travel plan has been provided TfL will re-assess the plan using ATTrBuTE and confirm its acceptability.

I trust that the above provides you with a better understanding of TfL's current position on the document. Additional correspondence will be provided by TfL once in receipt of additional impact assessment work and a revised travel plan. Please do not hesitate to contact me if you have any questions or need clarification on any of the points raised.

Yours sincerely

James Forrest
Planner – TfL Borough Planning
Email JamesForrest@tfl.gov.uk
Direct Line: 020 3054 7090

Copy to:

Transport for London



Our ref: 13/2767
Your ref: 13/01004/FULEIA

David Stothard
-By email only-

Transport for London
Group Planning

Windsor House
42 – 50 Victoria Street
London SW1H 0TL

Phone 020 7222 5600
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4th December 2013

Dear David

40, Leadenhall Street - TfL's initial comments

The following comments represent the views of Transport for London officers and are made on a "without prejudice" basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to a planning application based on the proposed scheme. These comments also do not necessarily represent the views of the Greater London Authority.

Site context

The site is bounded by Leadenhall Street to the north, Fenchurch Street to the south and Billiter Street to the west. Fenchurch Buildings, a north-south cul-de-sac at the eastern edge of the site, is a pedestrian only route between Leadenhall Street and 6-8 Fenchurch Buildings. A cluster of other predominately office buildings surrounds the site.

The nearest section of the Transport for London Road Network (TLRN) is Gracechurch, 350m to the west of the site. Leadenhall Street, forms part of the Strategic Road Network (SRN).

The site is well served by buses with a total of 20 bus routes available within 400m of the site. The nearest bus stops are located on Fenchurch Street, 6m from the site.

There are eight London Underground lines accessible within 960m walking distance of the site (Central, Northern, Circle, Hammersmith & City, Metropolitan, District and the Waterloo & City). The nearest station is Aldgate (Metropolitan, Circle and Hammersmith & City), located approximately 260m away to the east.

MAYOR OF LONDON



VAT number 756 2770 08

Bank Station

Bank station suffers from significant congestion and works seek to mitigate overcrowding on the Northern and Waterloo & City lines are being progressed including increasing station capacity and providing step free access. Subsequently congestion, queuing and the risk of station closures will be reduced, step-free access will benefit mobility-impaired passengers, new signage and information will be provided and fire and evacuation protection will be provided. These works are not fully funded and with account to the significant uplift of London Underground trips and the assumed uplift in DLR trips TfL is seeking a contribution towards these works in accordance with London Plan policy 6.1 'Strategic Approach' and 6.4 'Enhancing London's Transport Connectivity'.

CIL

In accordance with London Plan policy 8.3, *Community Infrastructure Levy*, the Mayor agreed to commence CIL charging for developments permitted on or after 1 April 2012. It is noted that the proposed development is within the City of London, where the Mayoral charge is £50 per square metre Gross Internal Area (GIA). The levy will raise £300 million towards the delivery of Crossrail. Further details can be found at: <http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>.

Crossrail

The mechanism for contributions to be made payable towards Crossrail has been set out in the Mayor's Supplementary Planning Guidance (SPG) '*Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy*' (April 2013) and London Plan policies 6.5 and 8.3. The SPG states that contributions should be sought in respect of uplift in floorspace for B1 office, hotel and retail uses (with an uplift of at least 500sqm). To calculate the net increase in chargeable floorspace, account will only be taken of any building in lawful use for a continuous period of six months within the twelve months before planning permission is granted. The applicant has calculated the Crossrail liability however it is requested that the existing and proposed GIA floorspace is provided to TfL to ensure that the Crossrail contribution has been calculated correctly.

The Mayor's CIL charge will be treated as a credit towards the Section 106 liability and therefore the CIL will be payable plus a 'top up' so that in combination the two payments make up the amount payable under the obligations policy. As the CIL charge will not be confirmed until development is about to commence, the Section 106 agreement will need to be worded so that if the Section 106 contribution based on the assumed CIL proves incorrect the contribution is adjusted accordingly (assuming it is still more than the CIL).

Freight, servicing and construction

peak flow from the Waterloo area which requires redistribution to move cycles away from the area during and after the AM peak and bring cycles during the PM peak. This is at significant cost to TfL. This development would place even greater stress on the network as it is likely to add to the existing tidal flow of cyclists from nearby transport hubs. Subsequently and in accordance with London Plan policy 6.9, TfL requests that additional capacity is provided and further discussion on this matter is welcomed.

Buses

The site is served directly by two main bus routes, route 25 and route 40 that run along Leadenhall and Fenchurch Street. The net increase in trips generated in the AM peak hour is 246 in total inbound, which equates to 3.5 full buses of passengers.

In order to assess the impact of these trips on the bus network, forecast demand should be predicted by using census data/comparable sites, providing the number of trips for the entire day and the peak hour by direction. This should include origin and destination projections for new travellers to and from the development. The applicant should use this to allocate trips to specific corridors as appropriate. Upon receipt of this data, TfL will consider the impact on network capacity and may request a contribution to mitigate the impact of additional demand where necessary in line with London Plan policy 6.7 *'Better streets and surface transport'*.

To promote inclusive access for all users of the proposed development, the applicant should undertake an assessment of the pair of bus stops located on Leadenhall Street and identify a schedule of works required to improve them in line with TfL's *'Accessible Bus Stop Design Guidance'*: http://www.tfl.gov.uk/assets/downloads/businessandpartners/accessible_bus_stop_design_guidance.pdf. Upon TfL's receipt of the audit, a capped contribution of up to £10,000 per bus stop maybe requested to ensure full compliance with accessibility guidelines.

Walking and cycling

TfL have undertaken a review of the cycling and pedestrian facilities on the A10 Bishopsgate junction with Leadenhall Street and Cornhill and consequently a schedule of works has been identified to improve pedestrian and cyclist safety, priority and accessibility. With considerations to the significant uplift of walking and cycling trips expected from the proposed development, a contribution towards the delivery of these improvements is requested in line with London Plan policy 6.9 *'Cycling'* and 6.10 *'Walking'*. Furthermore, a Pedestrian Environment Review System (PERS) audit has been submitted which is welcomed. It is recommended a contribution is sought towards implemented the included recommendations.

The Docklands Light Railway (DLR) is available from both Tower Gateway (400m away) and Bank (850m away) and provides services onwards towards Lewisham, Woolwich Arsenal and Beckton.

In addition, there are three Network Rail stations providing suburban and national rail services accessible from the site (Cannon Street, Liverpool Street and Fenchurch street). From 2018, Crossrail services will also be available from Liverpool Street station. The site has been estimated to have an excellent Public Transport Accessibility Level (PTAL) of 6b, on a scale of 1-6 where 6 is most accessible.

This location is also served by the Mayor's Cycle Hire Scheme. A total of five docking stations are located within 300m of the site. The closest is located on Jewry Street.

Car parking

The development is proposed to be car free, except for two Blue Badge bays located within the servicing area. Before TfL can consider this appropriate the applicant should provide expected levels of demand. Furthermore, the design should be amended to allow for a 1.2m wide buffer zone between the spaces and an Electrical Vehicle Charging Point.

Cycle parking

In terms of cycle parking, 920 spaces are proposed for the office uses located within the basement. Furthermore, showering and changing facilities are available to staff. For retail uses and visitors to the proposed development, it is proposed to provide 12 cycle parking spaces within the new area of public realm at the south-east corner of the Site. For retail employees, one space will be provided within the vicinity of each retail unit of the proposed development. TfL considers this provision to be in conformity with both London Plan standards and policy 6.9.

Impact assessment

A multi-modal impact assessment has been provided which is welcomed. Notwithstanding this, there were no retail trips included in the assessment. The applicant should therefore confirm whether an assumption has been made that no new trips would be generated by this use. To ensure a robust assessment it is requested that a sensitivity test is undertaken comparing the mode share to local Census data. This particularly relevant as no DLR trips have been included within the impact assessment.

Cycle Hire

This area of the City of London between Fenchurch Street, Liverpool Street and Bank is extremely highly stressed from an operational perspective and Cycle Hire provision is low compared to demand. TfL experience significant

It is proposed that servicing for all land uses within the proposed development be undertaken from a dedicated service yard located in the basement, which will allow access to the loading bays. TfL has reviewed the provided swept path analysis and it is considered these arrangements are satisfactory subject to a delivery and servicing plan (DSP) secured by condition and submitted to City of London Council for approval in consultation with TfL, prior to occupation.

To ensure full compliance with London Plan policy 6.14 a construction and logistics plan (CLP) will also be required. The CLP should be a standalone document that enables construction impacts to be managed, minimising impact on the highway network and transport system. This will need to be secured by condition and approved by City of London Council for approval in consultation with TfL prior to the commencement of any construction.

Travel Planning

TfL welcomes the submission of a Travel Plan, which aims to promote sustainable travel to and from the site. The plan has failed the ATTrBuTE assessment used by TfL to assess the content and requires further work to comply with London Plan policy 6.3. This should include a baseline modal split. For TfL's guidance on travel planning for new developments, please visit: http://www.lscop.org.uk/newwaytoplan/travelplan_guidance.html. The Travel Plan and all agreed measures therein should be secured, enforced, monitored and reviewed as part of the S106 agreement.

Summary

Additional impact information is required before a definitive decision on the scope of mitigation can be finalised however TfL have identified several strategic transport priorities in the local area. Further discussion on this matter is therefore required. Finally, a DSP and CLP will both need to be secured by condition with the Travel Plan included in the Section 106 agreement.

I trust that the above provides you with a better understanding of TfL's current position on the document. Please do not hesitate to contact me if you have any questions or need clarification on any of the points raised.

Yours sincerely

James Forrest
Planner – TfL Borough Planning
Email JamesForrest@tfl.gov.uk
Direct Line: 020 3054 7090

Copy to:

Natalie Gentry – GLA

Begum, Shupi

From: DBE - PLN Support
Subject: FW: 60 Leadenhall Street/19-1 Billiter Street, EC3
Importance: High

From: Anna McPherson [<mailto:amcpherson@dmpartnership.com>]
Sent: 08 January 2014 12:06
To: Stothard, David
Cc: 'Tracy Simmons'; 'Paul Drury'; 'Jonathan Smith'
Subject: RE: 60 Leadenhall Street/19-1 Billiter Street, EC3
Importance: High

Dear David

My apologies. I'm afraid the formal notification of this application somehow slipped through the net!

Since the proposal remains as I saw it at the end of August 2013, I think HRP can add little to the comment below. Whilst accepting that the location and height of the development complies with the City's adopted policy for the Eastern Cluster, we do have concerns about its, in our view, "consciously irregular and somewhat harsh architectural style", which results in a perhaps unnecessarily angular silhouette.

I am copying this to Jonathan Smith, DP9, for information.

Kind regards

Anna McPherson
for Historic Royal Palaces

Anna McPherson DipArch RIBA IHBC FRSA
Partner
Drury McPherson Partnership
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From: Anna McPherson [<mailto:amcpherson@dmpartnership.com>]
Sent: 11 September 2013 11:42
To: 'Jonathan Smith'
Cc: Stothard, David; Richards, Gwyn; 'John Barnes'; 'Tracy Simmons'; pdrury@dmpartnership.com; paulscott@makearchitects.com

Subject: RE: 60 Leadenhall Street/19-1 Billiter Street (Leadenhall triangle), EC3

Dear Jonathan

Thank you for consulting Historic Royal Palaces about this proposed development and for arranging the presentation by Make at your offices on 23 August 2013. Thank you also for this set of helpful views, which show the existing situation



and as proposed views of the proposals (both without and with other consented, but not yet built, schemes). Make have since provided a copy of Paul's presentation, as you are aware.

We note that the Leadenhall Triangle site lies within the Eastern Cluster area of tall buildings as identified in the City's adopted Core Strategy 2011 (Figure 7, Policy CS7). Policy CS7 states that the City will seek to ensure that the Eastern Cluster can accommodate a significant growth in office floor-space by, amongst other things, "*Delivering tall buildings on appropriate sites that enhance the overall appearance of the cluster on the skyline and the relationship with the space around them at ground level...*". The proposed development has been designed with its taller part towards the consented "Pinnacle" scheme (intended to be the tallest building in the Cluster), and a lower block on the south-eastern portion of the site, the two blocks 'book-ending' the existing listed building. The development conforms with the City's adopted planning policy framework, while presenting its lower flank to the Tower of London World Heritage Site.

Given existing and already consented schemes in the Eastern Cluster (although it must be a matter of debate whether the Pinnacle will be built in its consented form), we agree that the proposed Leadenhall Triangle development would group appropriately with the rest of the Eastern Cluster in terms of its height, despite (in our view) its consciously irregular and somewhat harsh architectural style. Inevitably, it will 'eat' more currently open sky-space in views from the Inner Ward of the Tower, particularly in the Millerhale views 2179_5015 version 130730 (over the roof of St Peter ad Vincula) and 2179_3015 version 130730 (looking north-west from in front of the White Tower), which is regrettable. But the other already consented schemes will change the skyline in any case, so the additional visual impact of the Leadenhall Triangle development would not be great. The same is true in the view of the Tower from Tower Bridge.

I am copying this to the City of London Corporation, for information.

Kind regards

Anna McPherson
For Historic Royal Palaces

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ACKNOWLEDGED

Kathy Clark
Conservation Adviser
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THE VICTORIAN SOCIETY
The champion for Victorian and Edwardian architecture

David Stothard
Department of the Built Environment
City of London
PO Box 270
Guildhall
London
EC2P 2EJ

21 NOV 2013

Your reference: 13/01005/LBC and
13/01004/FULEIA

Our reference: 2013/11/003

20 November 2013

PLNComments@cityoflondon.gov.uk

Dear Mr Stothard

RE: 19-21 and 22 Billiter Street, London (former: grade II, 1865); conversion, partial rebuilding, and redevelopment of remainder of block.

Thank you for consulting the Victorian Society on this application. The application was considered by the Society's Southern Building Committee at their last meeting, and I write now to convey their views. We **strongly object** to this application, on the grounds of harm to a listed building through destruction of its setting, and demolition of an undesignated heritage asset.

19-21 Billiter Street is a handsome four storey, mid-Victorian commercial building in Portland stone, with some well-executed 1930s alterations to the central entrance and interior. It has lively carved Baroque details between striking, polychromatic end bays, with a strongly pedimented entrance (one now blocked up) at the bottom of each. It retains some good interior features, including ornamental plasterwork.

The immediate context of the listed building at present is mid-height, six to nine storey buildings, with individual horizontal massing on a moderate scale. The new development proposed for the site is a cluster of adjoined towers, with the bulk of the site footprint to be built up to between 25 and 38 storeys. The entire complex would be on an excessive scale; in many views, the listed building would be backed closely by a glass structure more than five times its height. At ground level, this would comprise elevations of expanses of glass, with staggered elements doing little to dispel the sense of a rather monolithic structure. This is not necessarily objectionable in itself, but in the context of the City of London, and as what will essentially be an enclosure as well as a backdrop for a listed building, this would be extremely harmful. The setting of the Billiter Street warehouse would essentially be destroyed by this development.

108 Fenchurch Street is proposed for demolition as part of this development. This building is a well-articulated red-brick commercial building of the late nineteenth century, which although altered at ground floor level is in good condition at the upper levels. It contributes very positively both to the streetscape and to the setting of the

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conservation area immediately to the south east, and should be considered a non-designated heritage asset. It should be retained and incorporated into any development of the site.

The urban grain of the area in general would be irrevocably and negatively altered by this development. The corner of the Lloyds Avenue conservation area is immediately adjacent to the site, and is characterised by "buildings of consistently high architectural quality, mainly Edwardian in origin, with a high level of conformity in terms of scale, design and street plan" (Lloyds Avenue conservation area appraisal, p.9) including, extremely close to the site, T E Colcutt's grade II* Lloyds Registry. The new development would have a negative impact on the setting of the conservation area, through its excessive scale and massing.

Of lesser concern, but still at risk of causing harm, is the proposed treatment of the listed building itself. We support the reopening of the south door to the street façade. However, the use of glazed doors rather than timber for both the north and south entrances is inappropriate and weakens the façade. The treatment of the interior risks sanitising the listed building to too great an extent; although an intention is stated to reinstate concealed internal features "wherever possible", the visualisations of the scheme suggest rather a stripped back, clean interior is the intention. The quality of a lot of these internal features, as shown on the accompanying photographs, is really quite high. As well as the ornamental plasterwork, cornices and skirting mentioned, photograph number 5 in section 5.5 of the design and access statement appears to show some marble wall lining, which is not mentioned. These internal features should be investigated in more detail, and where original or early alterations, they should be retained and restored in full.

The plan for the north east corner of the site would leave a larger gap beside the current passage through the adjacent building on Leadenhall Street, currently the only northern entry point to Fenchurch Buildings. This narrow passage is an example of something distinctive to the City of London. The City is characterised by its contrast of narrow, sometimes almost concealed walkways with wider thoroughfares; this adds to the sense of density and reflects the medieval street patterns and development of the area. Adding a wider pedestrian access next to this passage would make it nonsensical, and remove a characteristic way for pedestrians to move about and experience the City.

We would advise that the application is **refused**. However, if your authority is minded to approve the application, alterations should be made and/or conditions applied which would reduce the harm caused by the development. First, the timber doors should be retained or reinstated in the north and south elevations of the listed building on Billiter Street. As originally built (as shown in original drawings) the building had ornamental capping to each chimney, which would be particularly visible on an opened up roof terrace and with overlooking structures; these should be reconstructed. Although it is stated that the remaining skirting, cornices, and other plasterwork will be retained *where possible*, this should be controlled strictly by conditions, to ensure all original features are retained and repaired. Finally, the northern Leadenhall Street elevation should be built up to meet the adjacent building to the east, to preserve the continuous line of buildings and the function of the northern passageway to Fenchurch Buildings.

Yours sincerely

Kathy Clark
Conservation Adviser



For the attention of David Stodhard

This application had been considered at the last meeting but, because of the complexity and scale of the development, it had been agreed to consider it again in more detail - after the Chairman had visited the site. Photographs from that visit had been circulated and were tabled.

The Chairman reported that he had contacted the LAMAS Archaeology Committee and that Rob Whytehead had confirmed that the concerns raised about the level of investigations proposed by the Applicants were well founded. A fuller archaeological investigation was therefore required (see previous comments).

It was further noted that the Victorian Society had now objected to the Application on the grounds of loss of fabric and destruction of the setting of the Listed Building. The Committee agreed that this objection reflected the views previously expressed (and further detailed below) and should be supported.

The Committee was also concerned about the lack of good spatial planning in the City. What was termed "greedy developer syndrome" led to building proposals right up to the St Paul's safeguarding heights and more or less up to the back of pavement around the site, with little or no thought for public realm.

The Committee felt that a possible solution for this site would be a north tower block (on Leadenhall Street), a lower south tower (on Fenchurch Street), and the Listed Building and a new building of the same sort of scale facing each other across a tree lined and landscaped public open space in the centre of the site.

The one block solution engulfing and enveloping the Listed Building is simply not good enough. Comparisons were made with the Aviva (formerly CU) tower which with the P+O block had formed a carefully considered group around a public plaza, eroded first by the spaces around the "Gherkin" and now by the "Cheesegrater".

In conclusion the Committee had strong objections in both Conservation and Urban Design terms, and felt there was a need for greater scrutiny of high buildings in the City - with its network of mediaeval streets, alleys and historic buildings. This is a much more complex problem than that faced by most World Cities which had gridiron plans.

Vicki Fox (Hon. Secretary)
LAMAS - Historic Buildings & Conservation Committee

Ball, Matthew

From: PLN - Comments
Subject: FW: 13/01005/LBC - 19=21 & 22 Billiter Street
Attachments: LAMAS e-mail heading.png

09 DEC 2013

From: Vicki Fox [REDACTED]
Sent: 04 December 2013 17:22
To: PlanningQueue
Cc: [REDACTED]
Subject: Ref: 13/01005/LBC - 19=21 & 22 Billiter Street, London EC3 2RY

For the attention of David Stothard

This Committee acts on behalf of the Council for British Archaeology in respect of Listed Buildings & Applications within the Greater London area. The Committee discussed the above case at its meeting on Tuesday, 26 November 2013 and made the following observations:

The Committee viewed this scheme as gross over-development with a complete loss of scale and objected for the following reasons:

- (a) The decision to build "one building" over the whole plot rather than the options of a north and south building with space/piazza between resulted in a monolithic block with no access or public space.
- (b) Due to the slab-like architecture that - despite the Rockefeller Center comparisons - lacks public generosity and scale which would also be detrimental at street level. There would be serious harm to the character and appearance of the Fenchurch Station Conservation Area.
- (c) The impact on the fabric of the listed Building - the rear wall of which would be demolished - and the impact on the setting of the listed building would also be highly detrimental
- (d) An EIA archaeological assessment had been undertaken which appeared to minimise the need for excavation. This was questioned given the scale of the redevelopment and it was felt that a more onerous Archaeological condition should be imposed.

It was agreed that the Chair, Jon Finney, would consult the LAMAS Archaeology Committee on point (d).

Because of the complexities of the impact of the building at micro and macro scale it was agreed the Committee would consider this in further detail at its December meeting (Tuesday, 17 December 2013), following a site visit.

Vicki Fox (Hon. Secretary)
LAMAS - Historic Buildings & Conservation Committee

Mr D Stothard
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Development & Renewal
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Enquiries to: Sophie Hall-Thompson
Tel: 020 7364 0885
Fax: 020 7364 5415
My ref: PA/13/02574
Your ref: 13/01004/FULEIA
Date: 15th November 2013

221
120133
Dear Mr Stothard,

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Location: Site bounded by 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings, London, EC3.

Proposal: Partial demolition and works or refurbishment and reinstatement of 19-21 Billiter Street; demolition of all other buildings on the site; redevelopment to provide a new building comprising two basement levels and ground plus part 10, 14 and 34 storeys plus plant (total height 170m AOD), containing offices (B1) and flexible retail/financial and professional services/café and restaurant uses (A1/A2/A3 at ground floor level; change of use at ground and first floor of 19-21 Billiter Street to retail/café and restaurant/bar use (A1/A3/A4); the provision of hard and soft landscaping; alterations to Fenchurch Buildings and other incidental works. (125,977sq.m GIA)

Received: 28/10/2013

Observations:

The London Borough of Tower Hamlets have no comment.

Should you have any further queries in relation to this matter, please contact the officer named at the top of this letter.

Yours sincerely,

Jerry Bell

Applications Team Leader

Ball, Matthew

From: DBE - PLN Support
Subject: FW: 40 Leadenhall Street

From: Emma Worby [<mailto:Emma.Worby@londoncityairport.com>]
Sent: 08 January 2014 11:18
To: Stothard, David
Subject: RE: 40 Leadenhall Street

ACKNOWLEDGED

Thanks David.

After reviewing the documents, we have **no safeguarding objection** to the proposed development 13/01004/FULEIA. However I would like to make the following comments from a safety perspective:

- In the event that crange or construction equipment is required at a higher elevation than that of the proposed development, then their use must be subject to separate consultation with the airport.

Many thanks

Emma

Emma Worby
CSR Executive

Phone: 0203 203 2523

Mobile: 0784 186 5334

Email: Emma.Worby@londoncityairport.com

Website: www.londoncityairport.com


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09 NOV 2013

Ball, Matthew

From: Pln - CC - Development Dc
Subject: FW: 3rd Party Planning Application - 13/01004/FULEIA COL:01716544

-----Original Message-----

From: BCTAdmin@thameswater.co.uk [mailto:BCTAdmin@thameswater.co.uk]
Sent: 08 November 2013 16:30
To: PlanningQueue
Subject: 3rd Party Planning Application - 13/01004/FULEIA

Corporation of London
Our DTS Ref: 36601
Department of Planning & Transportation
Your Ref: 13/01004/FULEIA
PO Box 270
Guildhall
London
EC2P 2EJ

ACKNOWLEDGED

8 November 2013

Dear Sir/Madam

Re: SITE BOUNDED BY 19-21 & 22 BILLITER STREET, 49 LEADENHALL STREET,
108 & 109-114 FENCHURCH ST, LONDON, , EC3M 5HT

Waste Comments

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

S

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Water Comments

The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be imposed: Development should 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/this additional demand.

No impact piling shall take place until a piling method statement (detailing the depth and 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 for the 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. Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

Thames Water recommend the following informative be attached to any planning permission: There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

Supplementary Comments

Our preferred option would be for all surface water to be disposed of on site using SUDs as per policy 5.13 of the London plan.

The developer will need to contact Thames Water to discuss the connection point to supply this property. There are a number of mains around this site which may or may not affect the water capacity requirements for this development. Please contact Developer Services on 0845 850 2777 to discuss this further.

Yours faithfully
Development Planning Department

ACKNOWLEDGED

25 OCT 2013

Ball, Matthew

From: PLN - Comments
Subject: FW: Environment Agency Consultation

0102 100 5 8

From: planning, North London [mailto:northlondonplanning@environment-agency.gov.uk]
Sent: 25 October 2013 11:26
To: PLN - Comments
Subject: RE: Environment Agency Consultation

Dear David,

Planning Application Reference: 13/01004/FULEIA

Thank you for your below email.

We have assessed this application and identified flood risk as the only constraint at this site. This site is in Flood Zone 1 and is under a hectare and therefore falls under cell F5 of our Flood Risk Standing Advice (FRSA) Flood Risk Standing Advice.

The main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere.

We recommend the surface water management good practice advice in cell F5 is used to ensure sustainable surface water management is achieved as part of the development.

Surface water runoff rates and volumes from the site must be managed in accordance with the London Plan (July 2011) - which sets higher standards than the NPPF for the control of surface water run-off. Policy 5.13 - Sustainable drainage (page 155) of the London Plan states that "development should utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible" in line with the drainage hierarchy.

If you have identified drainage problems at this site through your Strategic Flood Risk Assessment or Surface Water Management Plan, you may want to request a formal Flood Risk Assessment from the applicant in line with Flood Risk Assessment Guidance Note 1.

In addition, due to the height of the proposed development, we offer the following informative:

Developers should ensure that any proposed piling methods do not pose a pollution risk to controlled waters. Piling to facilitate building foundations or the installation of ground source heat pumps has the potential to create a pathway between contaminated shallow soils and deeper geological formations and aquifers. Deep piling can also result in physical disturbance of aquifers.

If piling is proposed, a Piling Risk Assessment will be required to demonstrate that the chosen piling method does not increase the risk of near-surface pollutants migrating into deeper geological formations and aquifers. A Hydrogeological Risk Assessment of physical disturbance to the aquifer should also be undertaken and if unacceptable risks are identified, appropriate mitigation measures must be provided.

We recommend that developers follow the risk management framework provided in our guidance for 'Piling into Contaminated Sites' and also refer to the document: 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention'

If you have any questions please contact me on 0203 263 8105 or email me at northlondonplanning@environment-agency.gov.uk

Kind regards

Michael Devanny

Date: 11 November 2013
Our ref: 103244
Your ref: 13/01004/FULEIA



David Stothard
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Customer Services
Hornbeam House
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CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Mr Stothard

Planning consultation: Partial demolition and works of refurbishment and reinstatement to 19-21 Billiter Street, demolition of all other buildings on the site, redevelopment to provide a new building comprising two basement levels and ground plus part 10, 13 and 34 storeys plus plant (total height 170m AOD), containing offices (B1) and flexible retail/financial and professional services/cafe and restaurant used (A1/A2/A3) at ground floor level, change of use at ground and first floor of 19-21 Billiter Street to retail/cafe and restaurant/bar use (A1/A3/A4), the provision of hard and soft landscaping, alterations to Fenchurch Buildings and other incidental works (125,977sq.m GIA)
Location: Site bounded by 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings, London EC3

Thank you for your consultation on the above dated 22 October 2013 and received by Natural England on 31 October 2013.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Wildlife and Countryside Act 1981 (as amended)
The Conservation of Habitats and Species Regulations 2010 (as amended)

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the

determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with details at consultations@naturalengland.org.uk.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Dawn Presutti
Customer Service Consultation Team

WILSON STEPHEN

ARCHITECTS

D Stothard Esq
Assistant Director (Development Management East)
City of London
P O Box 270
Guildhall
London
EC2P 2EJ

5 December 2013
J5463

By email & post

Dear Mr Stothard

St. Andrew Undershaft and 40 Leadenhall Street, Planning Ref 13/01004/FULEIA

I confirm that we have been appointed to assist the Church in relation to neighbourly matters and other concerns pursuant to the application by Henderson Global Investors concerning the redevelopment of 40 Leadenhall Street.

To date, the Church has not had any formal consultation with the applicant although is broadly aware of the scheme via the general public consultation events. We are hoping that the applicant will consult with us further but until such time, and depending on the nature of such consultations, we are authorised to lodge our formal holding objection to the scheme which may have a serious impact on the Grade I Listed church building.

The initial concerns relate to:

- The proposals result in significant harm to the setting of this Heritage asset.
- There are significant implications for loss of light and for reflected light nuisance.
- There are material concerns in relation to wind speeds in vicinity of the church.
- There are no provisions in place to safeguard the Heritage building from vibration associated with demolition, rebuilding and construction traffic. There are also numerous sensitive monuments to be protected.
- There are no provisions to ensure that the Church activities can be protected. Unlike other neighbourly properties, the Heritage asset does not have the benefit of double glazing or other modern features which help control noise nuisance and as such the community function may be significantly impaired.

Cont'd/.....

PROJECT MANAGERS & CHARTERED SURVEYORS

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Robert Wilson Associates Limited trading as Wilson Stephen Associates

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Director: A R Wilson MSc DipBldgCons DipProjMan FRICS FRSA - Director and Company Secretary: R M Wilson BSc

/....2

D Stothard Esq
5 December 2013

- There are no provisions to ensure the church building and fittings are not harmed by dust relating to the development. The pipe organ is particularly sensitive in this regard.
- The proposed development will place additional stress on the public realm space which might also in turn impact the church building and its use.

We have requested a formal briefing in relation to the proposed development and would wish to reserve the ability to amplify any of the above concerns or indeed to raise new issues which might arise from a better understanding of the proposals.

Yours sincerely,



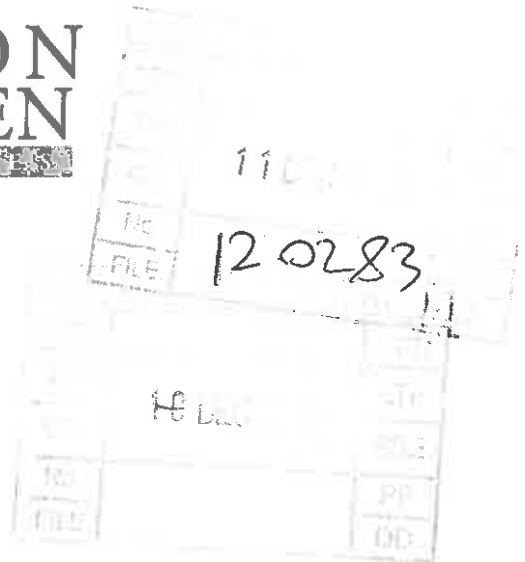
Bob Wilson

cc. Tom Swatman, St. Andrew Undershaft
Martin Sargeant, Archdeaconry of London
Tim Fogarty, RPC

WILSON STEPHEN

PLANNING & SURVEYING

D Stothard Esq
Assistant Director (Development Management East)
City of London
P O Box 270
Guildhall
London
EC2P 2EJ



5 December 2013
J5451

By email & post

Dear Mr Stothard

St. Katharine Cree Church and 40 Leadenhall Street, Planning Ref 13/01004/FULEIA

I confirm that we have been appointed to assist the Church in relation to neighbourly matters and other concerns pursuant to the application by Henderson Global Investors concerning the redevelopment of 40 Leadenhall Street.

To date, the Church has not had any formal consultation with the applicant although is broadly aware of the scheme via the general public consultation events. We are hoping that the applicant will consult with us further but until such time, and depending on the nature of such consultations, we are authorised to lodge our formal holding objection to the scheme which may have a serious impact on the Grade I Listed church building.

The initial concerns relate to:

- The proposals result in significant harm to the setting of this Heritage asset.
- There are significant implications for loss of light and for reflected light nuisance.
- There are material concerns in relation to wind speeds in vicinity of the church.
- There are no provisions in place to safeguard the Heritage building from vibration associated with demolition, rebuilding and construction traffic. There are also numerous sensitive monuments to be protected.
- There are no provisions to ensure that the Church activities can be protected. Unlike other neighbourly properties, the Heritage asset does not have the benefit of double glazing or other modern features which help control noise nuisance and as such the community function may be significantly impaired.
- There are no provisions to ensure the church building and fittings are not harmed by dust relating to the development. The pipe organ is particularly sensitive in this regard.

PROJECT MANAGERS & CHARTERED SURVEYORS
2 - 3 Hind Court, London, EC4A 3DL

e: info@ws-a.co.uk w: www.ws-a.co.uk f: 020 7583 9197 t: 020 7583 7799

Robert Wilson Associates Limited trading as Wilson Stephen Associates

Registration England and Wales No. 5628242. Registered Office: 73/75 Mortimer Street, London, W1W 7SQ.

Director: A R Wilson MSc DipBldgCons DipProjMan FRICS FRSA - Director and Company Secretary: R M Wilson BSc



- The proposed development will place additional stress on the public realm space which might also in turn impact the church building and its use.

We have requested a formal briefing in relation to the proposed development and would wish to reserve the ability to amplify any of the above concerns or indeed to raise new issues which might arise from a better understanding of the proposals.

Yours sincerely

A rectangular grey box used to redact the signature of Bob Wilson.

~~Bob Wilson~~

cc. Phil Manning, St. Katharine Cree
Martin Sargeant, Archdeaconry of London
Tim Fogarty, RPC

YVONNE COURTNEY
FLAT 8, 4-8 CREECHURCH LANE
LONDON EC3A 5AY

David Stothard
PO Box 270
Guildhall
London EC2P 2EJ

11 November 2013



ACKNOWLEDGED

Dear Mr Stothard,

Planning Application 13/01004/FULLER: Site Bounded by 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings

As an owner-occupier of an apartment in Creechurch Lane, I feel very privileged to live amongst such a rich tapestry of fine buildings, spanning several centuries... the care that the City of London Corporation puts into the area, and in particular the public realm makes living here a total joy.

Not to be one of those 'NIMBY' residents that wishes to halt 'progress', I did view with some dismay and therefore object to this particular planning application, for these key reasons:

- 1) The proposed building would significantly impair daylight and sunlight to most of the habitable rooms in our building. When I attended the exhibition by Henderson Global Investors/Make Architects at St Katherine Cree church - I brought up the '4 remaining rooms to be discussed further' (which according to their report "fail to satisfy any BRE daylighting criteria") and when I explained that our living rooms face the development their faces visibly fell.
- 2) I'm no expert (which you would surely need to be to wade through the mountains of documents in such a short consultation period) - however the couched language implies to me that the applicant has deliberately understated the significance of the impacts.
- 3) I am constantly bowled over by the assistance I receive from the City of London Corporation for aspects such as noise pollution, health services, parking issues, etc. However regarding daylight/sunlight issues - the consultation process does not seem to have met the objectives of the City of London Statement of Community Involvement. Not only is the information of a

highly technical nature and buried in a lengthy report (chapter 13)... a plan showing windows/room numbers was not included, making it impossible for residents to link the tables data to specific flats. In a nutshell, the Community Consultation made absolutely no attempt to engage with residents on daylight and sunlight issues.

Our building, at 4-8 Creechurch Lane, is an L shaped building featuring eight one-bedroom flats over four floors. The applicant has identified 16 habitable rooms facing the development site which will be affected by the proposals - namely our living rooms, which will suffer a decrease in illuminated area by 15-25%.

In the even numbered flats (which includes my apartment, no 8l) - the applicant acknowledges that all the main rooms (living room, kitchen and bedroom) face the development site. In my neighbours odd numbered flats, the living room, which also face the development site, is the only room which receives sunlight.

While I support of the 'Gotham City' scheme replacing what is currently occupying the site - given that our properties in 4-8 Creechurch Lane will be directly and adversely affected by the proposals - I am simply requesting some consideration to the height of the proposed development. Expanding from the current eight floors to 36 is perhaps excessive and unnecessary, and with a sensible reduction, would address our rights to light by bringing the levels of daylight/sunlight within the accepted criteria.

As I write this on a particularly dark November afternoon... I do hope you can take these valid concerns on board... and will nevertheless be grateful for your considered action at a later date.

Yours sincerely,

Yvonne Courtney

Jonathan Whitby
Flat 1
4-8 Creechurch Lane
London EC3A 5AY

7 November 2013

David Stothard
PO Box 270
Guildhall
London EC2P 2EJ



ACKNOWLEDGED

Dear Mr Stothard,

Planning Application 13/01004/FULLEIA: Site Bounded by 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings

I am an owner-occupier of a flat in 4-8 Creechurch Lane. I along with other residents of the building object on the following basis

1. Based on the applicant's calculations, the proposed building would significantly impair daylight and sunlight to most of the habitable rooms in our building. Most of the rooms would suffer breaches to multiple BRE criteria.
2. The applicant has understated the significance of the impacts by attaching only "minimal significance" to threshold breaches of BRE criteria. This subverts the purpose of the BRE thresholds which are intended to identify unacceptable diminution in amenity.
3. It is very difficult for residents to appreciate the extent of the impact on their amenity within the 21 day consultation period. In relation to daylight and sunlight issues, the consultation process has not met the objectives of the City of London Statement of Community Involvement:
 - a. The information is of a highly technical nature and is buried in Chapter 13 of a lengthy report.
 - b. The applicant has not included a key plan or elevation showing windows and room numbers, thus is impossible for residents to relate the data in the tables to specific flats.
 - c. The applicant's Community Consultation made no attempt to engage with residents on daylight and sunlight issues.

Criteria

The applicant sets out the Daylight and Sunlight BRE Criteria in Table 13.1 of the EIA, reproduced below:

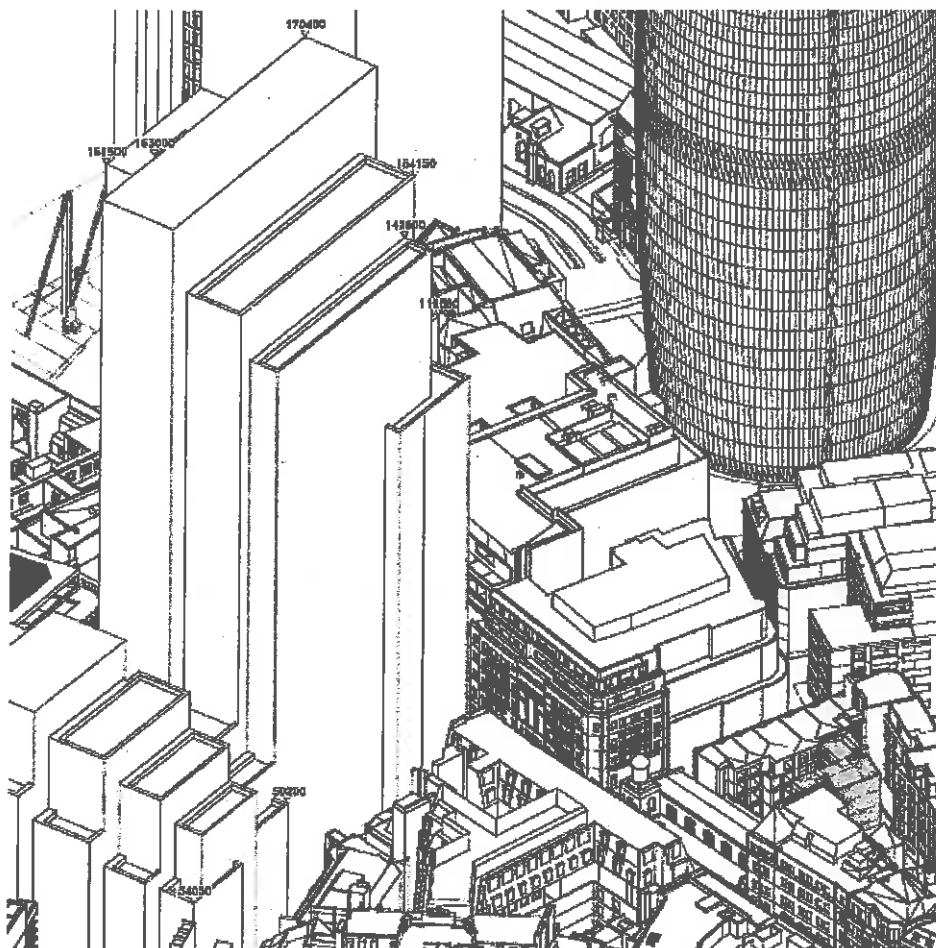
Issue	BRE Criteria
VSC	A window may be adversely affected if its VSC measured is less than 27% and is less than 0.8 times its former value.
NSL	A room may be adversely affected if the daylight distribution (NSL) is reduced beyond 0.8 times its existing area.
ADF	A room may be adversely affected if the ADF is less than 1% for a bedroom, 1.5% for a living room or 2% for a kitchen.

APSH	A window may be adversely affected if a point at the centre of the window received for the whole year, less than 25% of the APSH including at least 5% of the APSH during the winter months (21 September - 21 March) and less than 0.8 times its former sunlight hours during either period, and (for existing neighbouring buildings), if there is a reduction in total APSH which is greater than 4%.
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The applicant sets out a scale of significance for BRE criteria in Tables 13.2 to 13.4, however these do not originate in the BRE document and are simply proposed by the applicant. The applicant's scale of attaches only "minimal significance" to threshold breaches of BRE criteria. However the BRE documents expressly identify these thresholds as corresponding to significant diminution of amenity.

Impacts

4-8 Creechurch Lane is an L shaped building containing eight one bedroom flats over four upper storeys. The applicant has identified 16 habitable rooms which face the development site and will be affected by the proposals.



Except from applicant's drawing 6287/153 in EIA Appendix 13.1 (4-8 Creechurch Lane highlighted)

In the even numbered flats (which the applicant identifies as 4 & 6 Creechurch Lane), all the main rooms (living room, kitchen and bedroom) face the development site. In the odd numbered flats only the living room faces the development site, being the only room which receives sunlight, as the other rooms face north into a narrow lightwell.

Of the 16 rooms identified by the applicant (4 x living room, kitchen and bedroom to odd numbered flats + 4 x living room to even numbered flats), each will be adversely affected by the proposed development. According to the EIA, Table 13.7:

- None of these rooms will be able to satisfy the VSC criteria
- Only 11 of these rooms will satisfy NSL criteria
- Of the 5 remaining rooms, only one will satisfying ADF criteria.
- Four of these rooms fail to satisfy any BRE daylighting criteria.

In addition, according to the applicant's calculations:

In the even numbered flats:

- Each of the rooms will suffer a diminution of ADF of 10-20%
- In two of the flats the living rooms and kitchens daylight will be diminished below ADF thresholds
- The living rooms will suffer a decrease in illuminated area of 15-25%. The kitchens will suffer a decrease in illuminated area of 31-36%.
- The applicant has not presented sunlighting calculations for the bedrooms to these flats, probably because these rooms receive less than 2 hours of sunlight on March 21.

In the odd numbered flats:

- The living rooms will suffer an ADF diminution of 6-12%, and only two of these rooms will satisfy ADF criteria.
- None of the living rooms will satisfy sunlighting criteria. These are the only rooms in the flats which currently receive sunlight.

Conclusion

As can be seen from the points made above, each of the flats in 4-8 Creechurch Lane will be directly and adversely affected by the proposals. It is therefore incorrect for the applicant to conclude at para 13.136 of the EIA:

"Of the 16 rooms, 12 will meet or exceed one or more of the daylight assessments (VSC, NSL and ADF) and thus the impacts to these rooms are considered to be insignificant."

Thus the height of the proposed development should be reduced to bring the retained levels of daylight and sunlight to 4-8 Creechurch Lane within the BRE criteria. The same applies to 67 Fenchurch Street where daylight and sunlight is also adversely affected by the proposals.

Yours sincerely,

Jonathan Whitby

Yarema Ronish
Flat 5
4-8 Creechurch Lane
London EC3A 5AY

7 November 2013

David Stothard
PO Box 270
Guildhall
London EC2P 2EJ

Dear Mr Stothard,

Planning Application 13/01004/FULLEIA: Site Bounded by 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings

I am an owner-occupier of a flat in 4-8 Creechurch Lane. I object to this planning application for the following reasons:

1. Based on the applicant's calculations, the proposed building would significantly impair daylight and sunlight to most of the habitable rooms in our building. Most of the rooms would suffer breaches to multiple BRE criteria.
2. The applicant has understated the significance of the impacts by attaching only "minimal significance" to threshold breaches of BRE criteria. This subverts the purpose of the BRE thresholds which are intended to identify unacceptable diminution in amenity.
3. It is very difficult for residents to appreciate the extent of the impact on their amenity within the 21 day consultation period. In relation to daylight and sunlight issues, the consultation process has not met the objectives of the City of London Statement of Community Involvement:
 - a. The information is of a highly technical nature and is buried in Chapter 13 of a lengthy report.
 - b. The applicant has not included a key plan or elevation showing windows and room numbers, thus is impossible for residents to relate the data in the tables to specific flats.
 - c. The applicant's Community Consultation made no attempt to engage with residents on daylight and sunlight issues.

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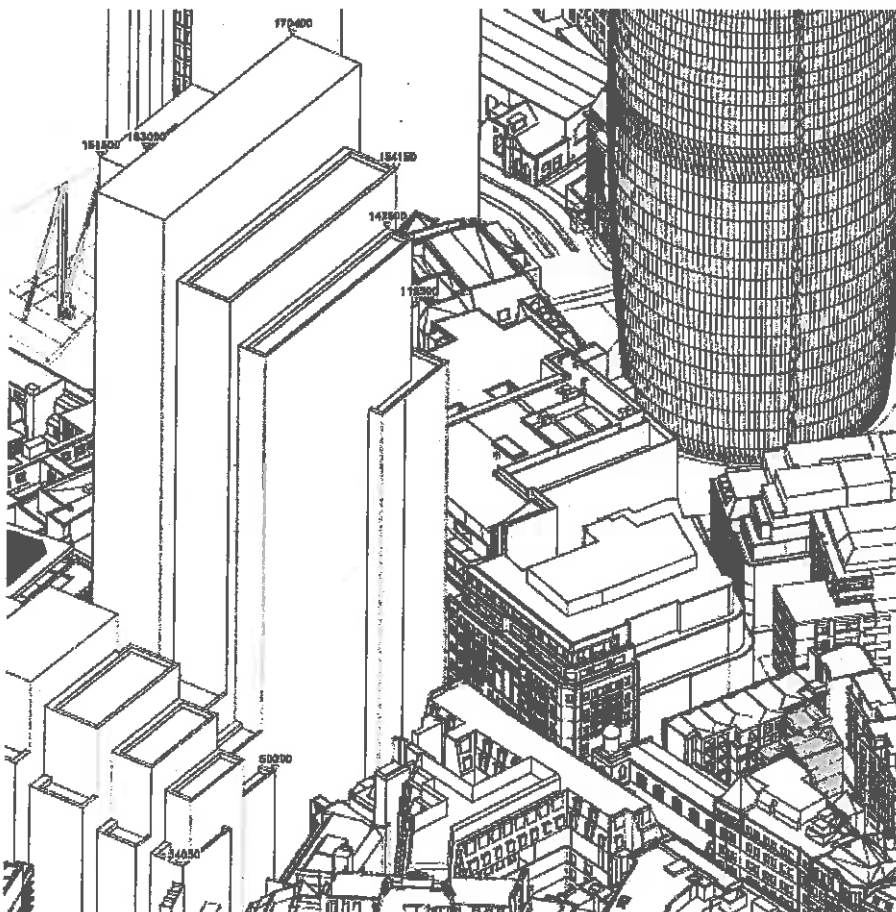
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APSH	A window may be adversely affected if a point at the centre of the window received for the whole year, less than 25% of the APSH including at least 5% of the APSH during the winter months (21 September - 21 March) and less than 0.8 times its former sunlight hours during either period, and (for existing neighbouring buildings), if there is a reduction in total APSH which is greater than 4%.
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The applicant sets out a scale of significance for BRE criteria in Tables 13.2 to 13.4, however these do not originate in the BRE document and are simply proposed by the applicant. The applicant's scale of attaches only "minimal significance" to threshold breaches of BRE criteria. However the BRE documents expressly identify these thresholds as corresponding to significant diminution of amenity.

Impacts

4-8 Creechurch Lane is an L shaped building containing eight one bedroom flats over four upper storeys. The applicant has identified 16 habitable rooms which face the development site and will be affected by the proposals.



Except from applicant's drawing 6287/153 in EIA Appendix 13.1 (4-8 Creechurch Lane highlighted)

In the even numbered flats (which the applicant identifies as 4 & 6 Creechurch Lane), all the main rooms (living room, kitchen and bedroom) face the development site. In the odd numbered flats only the living room faces the development site, being the only room which receives sunlight, as the other rooms face north into a narrow lightwell.

Of the 16 rooms identified by the applicant (4 x living room, kitchen and bedroom to odd numbered flats + 4 x living room to even numbered flats), each will be adversely affected by the proposed development. According to the EIA, Table 13.7:

- None of these rooms will be able to satisfy the VSC criteria
- Only 11 of these rooms will satisfy NSL criteria
- Of the 5 remaining rooms, only one will satisfying ADF criteria.
- Four of these rooms fail to satisfy any BRE daylighting criteria.

In addition, according to the applicant's calculations:

In the even numbered flats:

- Each of the rooms will suffer a diminution of ADF of 10-20%
- In two of the flats the living rooms and kitchens daylight will be diminished below ADF thresholds
- The living rooms will suffer a decrease in illuminated area of 15-25%. The kitchens will suffer a decrease in illuminated area of 31-36%.
- The applicant has not presented sunlighting calculations for the bedrooms to these flats, probably because these rooms receive less than 2 hours of sunlight on March 21.

In the odd numbered flats:

- The living rooms will suffer an ADF diminution of 6-12%, and only two of these rooms will satisfy ADF criteria.
- None of the living rooms will satisfy sunlighting criteria. These are the only rooms in the flats which currently receive sunlight.

Conclusion

As can be seen from the points made above, each of the flats in 4-8 Creechurch Lane will be directly and adversely affected by the proposals. It is therefore incorrect for the applicant to conclude at para 13.136 of the EIA:

"Of the 16 rooms, 12 will meet or exceed one or more of the daylight assessments (VSC, NSL and ADF) and thus the impacts to these rooms are considered to be insignificant."

Thus the height of the proposed development should be reduced to bring the retained levels of daylight and sunlight to 4-8 Creechurch Lane within the BRE criteria. The same applies to 67 Fenchurch Street where daylight and sunlight is also adversely affected by the proposals.

Yours sincerely,

Yarema Ronish

ACKNOWLEDGED

Ball, Matthew

From: PLN - Comments
Subject: FW: Planning Application 13/01004/FULLEIA: Site Bounded by 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings

From: David Rees

Sent: 11 November 2013 12:59

To: PLN - Comments

Subject: Planning Application 13/01004/FULLEIA: Site Bounded by 19-21 & 22 Billiter Street, 49 Leadenhall Street, 108 & 109-114 Fenchurch Street, 6-8 & 9-13 Fenchurch Buildings

11 NOV 2013

David Rees

Flat 7,

4-8 Creechurch Lane,

London. EC3A 5AY

11th November, 2013

Dear Sir/Madam,

I am an owner-occupier of a flat in 4-8 Creechurch Lane. I object to this planning application for the following reasons:

1. Based on the applicant's calculations, the proposed building would significantly impair daylight and sunlight to most of the habitable rooms in our building. Most of the rooms would suffer breaches to multiple BRE criteria.
2. The applicant has understated the significance of the impacts by attaching only "minimal significance" to threshold breaches of BRE criteria. This subverts the purpose of the BRE thresholds which are intended to identify unacceptable diminution in amenity.
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The applicant sets out a scale of significance for BRE criteria in Tables 13.2 to 13.4, however these do not originate in the BRE document and are simply proposed by the applicant. The applicant's scale of attaches only "minimal significance" to threshold breaches of BRE criteria. However the BRE documents expressly identify these thresholds as corresponding to significant diminution of amenity.

Impacts

4-8 Creechurch Lane is an L shaped building containing eight one bedroom flats over four upper storeys. The applicant has identified 16 habitable rooms which face the development site and will be affected by the proposals.

In the even numbered flats (which the applicant identifies as 4 & 6 Creechurch Lane), all the main rooms (living room, kitchen and bedroom) face the development site. In the odd numbered flats only the living room faces the development site, being the only room which receives sunlight, as the other rooms face north into a narrow lightwell.

Of the 16 rooms identified by the applicant (4 x living room, kitchen and bedroom to odd numbered flats + 4 x living room to even numbered flats), each will be adversely affected by the proposed development. According to the EIA, Table 13.7:

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- The applicant has not presented sunlighting calculations for the bedrooms to these flats, probably because these rooms receive less than 2 hours of sunlight on March 21.

In the odd numbered flats:

- The living rooms will suffer an ADF diminution of 6-12%, and only two of these rooms will satisfy ADF criteria.
- None of the living rooms will satisfy sunlighting criteria. These are the only rooms in the flats which currently receive sunlight.

Conclusion

As can be seen from the points made above, each of the flats in 4-8 Creechurch Lane will be directly and adversely affected by the proposals. It is therefore incorrect for the applicant to conclude at para 13.136 of the EIA:

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Thus the height of the proposed development should be reduced to bring the retained levels of daylight and sunlight to 4-8 Creechurch Lane within the BRE criteria. The same applies to 67 Fenchurch Street where daylight and sunlight is also adversely affected by the proposals.

Yours faithfully,

David Rees

13/01004

MILLIKEN & COMPANY

CHARTERED SURVEYORS & CHARTERED TOWN PLANNERS

(Email copy/ Top copy in post)

31st January, 2014

Planning Department
City of London Corporation
Guildhall
PO Box 270
London EC2P 2EJ

ACKNOWLEDGED

F.A.O: Ms S Williams – Planning Case Officer

Dear Sirs / Madam,

RE: 13/01004/FULEIA – Proposed Redevelopment at 40 Leadenhall Street, London EC3

OBJECTION on behalf of Shepherd Neame Ltd (Freeholders of the East India Arms PH, 67 Fenchurch Street, EC3)

We are formally instructed by Shepherd Neame Ltd to submit a planning objection in respect of proposals to develop a 10, 14 & 34 storey B1 office building / ground floor commercial use on land bounded by Billiter Street; Leadenhall Street; Fenchurch Street; and Fenchurch Buildings. We can confirm that Shepherd Neame's Public House (including residential tenant above) is located directly opposite the site (a distance of 10 meters) on the south side of Fenchurch Street (opposite the proposed main site works access point).

We can confirm that the developers did approach Shepherd Neame's tenant as part of a preparing a Statement of Community Involvement in which an offer was made by the developers (Henderson's) to double glaze the manager's accommodation in order to mitigate against future 'noise and nuisance' issues arising from the redevelopment of the site over a period of 265 weeks (circa 5 years). A subsequent meeting took place between Shepherd Neame's Head of Property Services (Mr M Godden) and Mr G Harrison (Henderson's) and other parties to review this proposal and also for Shepherd Neame to gain a better understanding of the likely impact of the development on the continued operation of the Public House during the development phase. This meeting was followed up by an email to Mr G Harrison to which no reply has been received. It is Shepherd Neame's strong contention that the development phase will result in a significant loss of trade to its business which heavily relies on its outdoor trade during the summer months to make the business viable. Once customers are lost, experience has shown that it is very difficult to recapture this trade. There is a real danger therefore that a protracted development phase over many years could result in the demise of this existing historic Public House as a viable local business and community use.



In support of Shepherd Neame's objection to the proposals, it would like to bring to the Planning Officers attention the following material considerations associated with the Planning Application / Environmental Impact Assessment.

(i) EIA – Socio-Economic Impact

It is evident that Shepherd Neame's property is specifically identified in the EIA as a 'Potentially Sensitive Receptor' (SR); namely, an 'Existing business surrounding the site' and 'Existing residents within the area surrounding the site' (Para 3.17; Table 3.3). Importantly, however, it is also evident from the Socio-Economic section of the EIA (Section 7.0) that whilst the socio-economic impact of the proposals is considered in terms of existing site uses and the wider area, no specific consideration is given as to the impact of the proposals on Sensitive Receptors surrounding the site (as identified in Table 3.3). Given the protracted nature of the development phase over 5 years, it is considered that this is a 'fundamental' weakness of the EIA and one which needs to be addressed in order to assess to the impact of the proposals during the construction phase on the local business community. A failure to take into local business interests during the construction phase of a large project as part of an EIA's socio-economic impact assessment is a matter of concern cited by a number of professionals in recent learned papers on this issue (*'Glasson' – Socio-Economic Impacts: The Poor Relation in British Environmental Impact Assessments, 2007*)

(ii) Noise & Vibration Issues

It is noted from the EIA (Section 8) dealing with Noise and Vibration issues that the East India Arms PH is 1 of 2 properties specifically identified by the developers as potentially subject to 'Significant Noise Impacts During the Works'. It is also noted from Table 8.11 'Summary of Predicted Noise Levels During the Works' and 'Table 8.12: Significance of Noise Impacts During the Works' that the Public House would be subject to:

'Substantial, adverse' impact during the construction phase (35 weeks @ 91dB(A);
'Substantial, adverse' impact during the earth moving phase (4 weeks @ 81dB(A);
'Substantial, adverse' impact during the piling phase (85 weeks @ 83dB(A);
'Substantial, adverse' impact during the concreting phase (82dB(A); and
'Substantial, adverse' impact during the external paving phase (80dB(A).

(NB: The developers state at Para 8.70 that sometimes a greater noise level or degree of perceptible vibration maybe acceptable if the overall construction time, and therefore, length of disruption is reduced).

In addition, it is noted that the East India Arms PH is 1 of 2 properties cited by the developers as potentially subject to 'adverse (vibration) impacts' of 'moderate significance' during the construction phase in relation to 'human perception' and possible 'building damage'.

Whilst noting the proposed preparation of a 'Site-specific Environmental Management Plan' (EMP) for the site (Para 8.69) and the various mitigation measures put forward by the developers to control the impact of noise and vibration on properties surrounding the site, none of these measures would adequately compensate

Shepherd Neame for the potential impact of the proposals during the construction phase on its business trade (particularly during the Summer Months) and on the living conditions of its tenant over a period of 5 years.

(iii) Construction Traffic

It is noted that the East India Arms PH is 1 of 2 properties specifically identified in the EIA (Para 8.57) which would experience additional noise disturbance from construction vehicle movements (An average of 35 vehicles per day / 90 vehicles per day during extraction and concrete pouring periods). The EIA states that these impacts would be 'short term adverse'. In view of the fact that the proposed site entrance would be directly opposite the Public House (a distance of 10 meters), it is considered that the forecast levels of construction traffic would have a significant detrimental impact on Shepherd Neame's outdoor trade during the Summer Months. It is not considered that controlled hours of operation would mitigate this potential adverse impact.

(iv) Loss of Daylight & Sunlight / Solar Glare

It is evident that the existing site 7 storey office building fronting Fenchurch Street is set back from the main road pavement frontage at its upper 2 floors to enable increased day and sunlight to reach properties on the south side of Fenchurch Street, including the East India Arms. It is evident that from the EIA that the proposals for a replacement 10 & 14 storey development on the Fenchurch Street frontage (with a taller 34 storey building to the rear) would have a significant impact on existing poor levels of sun and daylight to existing properties on the south side of Fenchurch Street, particularly at ground level where Shepherd Neame is dependant on its outdoor trade during the summer months to boost trade levels.

The EIA does not provide any specific information on the extent to which sun and daylight levels would be reduced in respect of day and sunlight conditions on the south side of Fenchurch Street, but does state that 11% of surrounding residential properties would be subject to a 'significant loss of sun and daylight as a result of the completed development'. Shepherd Neame is seeking verification from the developers whether its property falls into this category and, as such, its existing residential tenant and commercial operation would be adversely affected.

It is evident that the East India Arms would be within 10 meters of a new tall glass and steel fronted structure. The EIA states that the proposals would not give rise to any 'significant effects in terms of solar glare and light pollution'. Given the proximity of the proposed development to the Public House, Shepherd Neame is seeking verification from the developers that the proposals will not result in a significant impact in respect of these factors which could be damaging to both the living conditions of its tenant and trade.

(v) Conservation / Heritage issues

The East India Arms is a 'non-designated heritage asset' (NPPF Para 135) of architectural and historic merit. It is located within the Lloyds Area Conservation Area. As such, Shepherd Neame is concerned that the scale, height, massing and

design of the proposals would have a significant detrimental impact on the setting of its property and the Conservation Area. Shepherd Neame is seeking verification from the developers on the extent to which the proposals have taken into account these important issues as part of a 'historic building / conservation area assessment'.

In the above context, Shepherd Neame considers that the proposals constitute overdevelopment which is contrary to The London Plan (July 2011) Policy 7.7: Location and Design of Tall and Large Buildings and Policy 7.8: Heritage Assets & Archaeology and the heritage and design policies set out in the City of London Core Strategy (DPD), Adopted September 2011.

For the above reasons, Shepherd Neame considers that planning permission for the proposed development at 40 Leadenhall Street should be REFUSED until such a time that the developer has taken adequate steps to mitigate the impact of the proposed development on surrounding local business uses and residential tenants.

Please direct all enquires on this matter to Mr S Milliken on [REDACTED] or email on [REDACTED]

Yours faithfully,

MILLIKEN & COMPANY