

City of London

**Supplementary Planning Documents**  
Finsbury Circus Conservation Area  
Foster Lane Conservation Area

**Appendix B - Consultation Statement**

**June 2015**



The Finsbury Circus and Foster Lane Conservation Area Supplementary Planning Documents (SPD) were published in draft for public consultation during a six-week period from 19<sup>th</sup> March to 29<sup>th</sup> April 2015. Prior to the public consultation the drafts were prepared in consultation with colleagues and other departments within the City of London Corporation.

Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 require the City Corporation to prepare a consultation statement setting out the persons consulted when preparing a supplementary planning document, a summary of the main issues raised by those persons and how these have been addressed in the SPD.

Consultation on the two Conservation Area SPDs was carried out concurrently with one other SPD (Thames Strategy SPD). The following measures were taken to consult the public on the SPDs during the consultation period:

**Website.** The draft SPDs and supporting documents were made available on the City Corporation's website. Information and a link were provided on the home page of the City's website and on the landing page of the Planning section of the website to ensure maximum exposure. The Corporate Twitter account was used to 'tweet' the details of the consultation at the start of the consultation period. Information was provided in the City of London e-shot.

**Inspection copies.** A copy of the SPDs, the SPD documents and a statement of the SPD matters was made available at the Planning Information desk at the Guildhall and the Guildhall, Barbican, Artizan Street and Shoe Lane public libraries.

**Notifications.** Letters and emails containing information about the draft SPDs and inviting comments were sent to relevant specific and general consultation bodies. The City Corporation maintains a database of all those who have expressed an interest in planning policy, and letters or emails were also sent to all those on the list.

**Posters and leaflets** advertising the Conservation Area SPDs consultation and inviting comments were placed in the Guildhall, Barbican, Artizan Street and Shoe Lane public libraries.

**Meetings.** Presentations on the SPDs were given to the following consultative groups: Conservation Area Advisory Committee; Built Environment Users' Panel.

Comments were received from Historic England, The Conservation Area Advisory Committee, City of London Archaeological Trust, Natural England, Heathrow Airport Limited, Gerald Eve on behalf of Mitsubishi Estate and another client, and DP9 on behalf of Bluebutton Properties Limited. The table that follows summarises the comments and explains how they were addressed in finalising the SPDs.

The planned preparation of the draft SPDs was posted in the Local Plan Bulletin and on the Consultations page of the City of London website. Members of the public were invited to make comments to contribute to the preparation of the draft SPDs. No such comments were received.

**Summary of comments and responses** – small amendments to deal with typos/errors in the comments will be made in the final documents

CA SPD	Comment	Response
<b>Gerald Eve on behalf of a client</b>		
Finsbury Circus	<p>Our client secured planning permission and conservation area consent (refs. 10/00571/FULMAJ and 10/00572/CAC) in February 2011 for the redevelopment of Finsbury Circus House, 12-15 Finsbury Circus, which falls within the Finsbury Circus Conservation Area. As such, they have an active interest in the area and any relevant emerging planning policy guidance.</p> <p>At Section 6, 'Character Analysis' (page 15), the draft SPD includes commentary on Finsbury Circus House. We consider that this commentary should include further detail on the abovementioned planning permission and conservation area consent which allowed for the substantial alteration and extension of the original building. We consider the text should be amended as follows:</p> <p><b><i>'Finsbury Circus House is the centrepiece of the north side, visible from London Wall across the garden. This stone-faced building originally designed by GMW Partnership for the Bank of Tokyo, 1987-92 it was substantially refurbished by Fletcher Priest Architects in 2012. The original post-modern stone facade with its classical references has been retained with the addition of a double mansard roof, and contemporary windows and doors that reflect the extensive upgrading of the interior.'</i></b></p> <p>Further reference to Finsbury Circus House is included within Section 6, within the commentary on South Place (page 19). We consider that the text should be amended as follows: <b><i>'The substantial renovation of Finsbury Circus House in 2012 is most evident along South Place. The original post-modern facade was replaced by a smooth Portland stone elevation with large projecting oriel windows that respond to the scale of the adjacent commercial buildings from the Edwardian period. This scale is also evident in the large dormer windows at roof level.'</i></b></p>	<p>No.12-15 Finsbury Circus is a contextual townscape building within the set-piece of Finsbury Circus.</p> <p>The text will be amended as follows (new text in italics);</p> <p>Page 15: Finsbury Circus House is the centrepiece of the north side, visible from London Wall across the garden. This stone-faced building was <i>originally</i> designed by GMW Partnership for the Bank of Tokyo, 1987-92. <i>It was extensively refurbished in 2012, including alterations to the entrance, fenestration and the addition of a new double mansard roof.</i></p> <p>Page 19: Further west, the 1980's north elevation of Finsbury Circus House was <i>replaced in 2012 with a Portland stone facade articulated by large, projecting window bays. The contemporary appearance of the South Place elevation more closely reflects its modern counterpart on the north side of the street, than its listed neighbour to the east.</i></p>

CA SPD	Comment	Response
<b>DP9 on behalf of Bluebutton Properties Limited</b>		
Finsbury Circus	<p>We are writing in response to this draft document on behalf of our client Bluebutton Properties Limited in relation to section 5 of the document, 'Spatial Analysis', which we suggest would benefit from further clarification. The sub-section on 'Views and vistas' states (p. 13, para 2) that:  <i>"From within the gardens to the east and the south, along Circus Place, there are glimpses of the City beyond this area, but its impact is reduced by the sense of enclosure. However, from a variety of points in the gardens and around the edge of the circus, there are important views of the city beyond."</i></p> <p>We understand this to mean that any impact from the City's buildings on the gardens in views to the south and east (including presumably existing tall buildings, which are clearly visible in SE views across the Circus – and a number of major consented/emerging tall buildings) <i>"is reduced by the sense of enclosure"</i>. Further clarification is requested on this point.</p> <p>Moreover, by the statement, <i>"there are important views of the city beyond"</i>, it is deduced that views of buildings visible above the enclosing ring of buildings of the Circus heighten its character as a separate spatial enclave. However, this notion that the sense of enclosure – the six storey buildings surrounding the central gardens and ring of tall mature trees – reduces the impact of tall buildings beyond the Circus appears to be contradicted by the sentences that immediately follow:</p> <p><i>"Tall buildings outside the conservation area may be visible and these views could have a detrimental effect on the character of the area, if they are not carefully considered at the planning stage. Areas adjacent to, but outside the conservation area have seen the emergence of tall buildings in recent years, in particular to the west and to the east. Such tall developments should not be permitted to encroach on the conservation area and effect the appreciation of the buildings and garden that form the intrinsic character of the area. For example, the demolition of Drapers Gardens and its replacement with a lower building has enhanced the setting of Finsbury Circus and views to the south."</i></p>	<p>To address the comments made, the text will be amended as below (New text in italics):</p> <p>Page 13;  From within the gardens to the east and the south, along Circus Place, there are glimpses of the City beyond this area, but the <i>impact of these tall structures</i> is reduced by the sense of enclosure <i>provided by the unified townscape of the circus buildings</i>. However, from a variety of points in the gardens and around the edge of the circus, there are important views of the city beyond <i>that contribute to the character and appearance of the conservation area</i>. Tall buildings outside the conservation area may become visible and, <i>due to their particular location and design</i>, these views could have a detrimental effect on the character of the area, if they are not carefully considered at the planning stage. Areas adjacent to, but outside the conservation area have seen the emergence of tall buildings in recent years, in particular to the west and to the east.  Cont...</p>

CA SPD	Comment	Response
	<p>Tall buildings should not be regarded as automatically ‘harmful’ when seen in the visual context of lower set heritage assets, as the Heron Tower and 20 Fenchurch Street public inquiry decisions have established – even when located in close vicinity to the City’s ancient and relatively diminutive churches.</p> <p>Indeed, tall buildings have long been regarded as an acceptable building type within the City of London, and are arranged in the so-called Eastern Cluster to the E/SE of Finsbury Circus (that centres on the Leadenhall Building, Heron Tower, Tower42 and 30 St Mary Axe, with the consented Pinnacle as the tallest), and the more recently emerging Northern Cluster to the NE (which includes 201 Bishopsgate and the consented Principal Place in LB Hackney).</p> <p>The “<i>intrinsic character</i>” of Finsbury Circus within the context of the City of London as a major commercial centre is the contrast or juxtaposition of the tight sense of enclosure provided by the six storey curve of traditional masonry walls and dense planting, with partial views of the upper storeys of modern tall buildings lightly clad beyond this enclave. Such a contrast is characteristic of the majority – if not all – the City’s conservation areas.</p> <p>It is unclear therefore what is meant by the term “<i>encroach</i>” in the sentence: “<i>Such tall developments should not be permitted to encroach on the conservation area and effect the appreciation of the buildings and garden that form the intrinsic character of the area.</i>” If the character of a conservation area is defined by buildings six storeys high – as it is for Finsbury Circus – then it is unlikely that a building substantially taller than six storeys will be permitted to be built with the conservation area. A taller building visible in relation to but located outside the conservation area would need to be assessed on its appropriateness and design quality, in line with the NPPF and PPG and the established principle that development outside of a Conservation Area should preserve and enhance its setting.</p> <p>Presumably, what is meant by the given example of Drapers Gardens – “<i>the demolition of Drapers Gardens and its replacement with a lower building has enhanced the setting of Finsbury Circus and views to the south</i>” – is that Drapers Gardens was regarded as a poorly designed tall building, which benefitted from replacement by a well-designed building; rather than the fact that it was more visible than its replacement. Much taller buildings than Drapers Gardens have since been consented to the SE of the conservation area.</p>	<p>...Cont</p> <p>Such tall developments should <i>be designed to clearly appear as part of the background and unobtrusive in views from and within the conservation area so as to not encroach on the conservation area and affect the appreciation of the buildings and garden that form the intrinsic character of the area.</i> For example, the demolition of Drapers Gardens <i>which was prominent in views to the south and its replacement with a lower building has enhanced the setting of Finsbury Circus and views within the conservation area.</i></p> <p>Draper’s Gardens was not viewed as a poorly designed tall building, however it was too dominant in this particular view and the lower replacement (which is less visible), is considered an enhancement to the setting of the Conservation Area as a result.</p>

CA SPD	Comment	Response
<b>Gerald Eve – on Behalf of Mitsubishi Estate</b>		
	<p>On behalf of our client Mitsubishi Estate we make the following suggested amendments to the paragraphs describing their building:</p> <p>Page 15, regarding River Plate House</p> <p>“The new building designed by Wilkinson Eyre Architects, includes a retained façade of 1927-9 on the South Place Elevation”.</p> <p>Page 19, regarding River Plate House</p> <p>“River Plate House has been demolished to make way for a new development designed by Wilkinson Eyre Architects, but part of the façade from the 1920s building on the site has been retained and incorporated into the new design. As part of the redevelopment scheme, 3 historic cast iron roundel crests that related to the Buenos Aires Great Southern Railway were removed from the railings and retained. 2 of the roundels will be mounded internally and a third will be fixed to the return of the new entrance with an explanatory plaque.</p>	The suggested amendments will be made.
<b>City of London Archaeological Trust (CoLAT)</b>		
Both	<p>On the Finsbury Circus document, we have no comments</p> <p>On the Foster Lane, we have no comments, except please correct your use of apostrophes when naming the livery company halls. They are Goldsmiths' and Wax Chandlers', in the plural. Correct throughout</p>	Corrections will be made
<b>Conservation Area Advisory Committee</b>		
Both	<p>I have read the Foster Lane Conservation Area Strategy and Management Plan and Finsbury Circus Conservation Area Strategy and Management Plan Draft SPDs.</p> <p>I think that both documents are well written, well-structured and very informative. I can suggest no alterations nor improvements and on behalf of the CAAC wish to support the adoption of these drafts.</p>	No response required.

CA SPD	Comment	Response
<b>Historic England</b>		
Both	<p>Thank you very much for consulting Historic England on the Draft Character Summary and Management Strategy SPD's for the above conservation areas.</p> <p>As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Accordingly, Historic England welcomes the opportunity to comment upon the City of London's Foster Lane Conservation Area and Finsbury Circus Conservation area SPDs.</p> <p>We have reviewed these documents against the National Planning Policy Framework (NPPF) and its core principle that heritage assets be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.</p> <p>Historic England welcomes these documents which we consider thorough and accurate, and in accordance with the requirement for local planning authorities to review conservation areas (Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF requirement to ensure Plans are kept up to date.</p> <p>On the 1st April 2015 English Heritage split into two organisations with Historic England undertaking statutory activities relating to heritage (i.e. Listed Buildings, consultations on Neighbourhood Plans), as such and to avoid confusion we would recommend that all references within the document to English Heritage are changed to Historic England.</p> <p>It must be noted that this advice is based on the information provided by the City and for the avoidance of doubt does not reflect our obligation to advise the City on, and potentially object to, any specific development proposals which may have adverse effects on the historic environment.</p> <p>I hope these comments are helpful. If there are further issues you wish to discuss please do not hesitate to contact me at the above address.</p>	<p>All references within the 2 documents to English Heritage will be changed to Historic England</p>

CA SPD	Comment	Response
<b>Natural England</b>		
Both	<p>Natural England does not consider that the Foster Lane Conservation Area Strategy and Management Plan or the Finsbury Circus Conservation Area Strategy and Management Plan poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.</p>	
<b>Heathrow Airport Limited</b>		
Both	<p>The [three] draft Supplementary Planning Documents for the City of London have been examined from an aerodrome safeguarding perspective and although we have no safeguarding concerns we would like to add the following comments.</p> <p><b>Aerodrome Safeguarding</b>  Aerodromes important to the national air transport system are officially safeguarded by the Civil Aviation Authority and the process of ensuring that their operation and development is not inhibited is an integral part of the town planning system. A safeguarding map is derived from a series of protected three-dimensional surfaces above and around the aerodrome. The extent of the zone around Heathrow Airport shown on the official safeguarding map published to each council. Within this area the Planning Authority must consult the Airport Operator on development where the height of any building, structure, erection or works would affect the operation of the airport or the safe movement of aircraft i.e. potentially penetrate the protected surface. The aerodrome uses a variety of navigational aids, radio aids and telecommunications systems to facilitate air traffic control and aircraft movements.</p>	



CA SPD	Comment	Response
Both	<p>Heathrow Airport Ltd cont...</p> <p>A new building, structure or extension because of its size, shape, location or construction materials can affect this equipment so the aerodrome must also be consulted to enable an assessment to be made of the potential impact on navigational aids. In addition, at night and in low visibility conditions pilots rely on approach and runway lights to align their plane with the runway and touch down at the correct point. Lighting elements of a development also have the potential to distract or confuse pilots, particularly in the immediate vicinity of the aerodrome and the aircraft approach paths. Safeguarding assessments therefore also consider the impact of lighting proposals for developments.</p> <p>Bird strikes can cause damage and sometimes catastrophic accidents to aircraft. Over 80% of bird strikes occur on or close to aerodromes as birds cross the airfield and its approaches as they move between sites. Aircraft are particularly vulnerable to collisions with large or flocking birds such as swans and flocks of geese, starlings, pigeons and gulls. Birds can be attracted to the vicinity of an aerodrome or to cross flight paths by the types and location of development, the design of buildings, landscaping and the creation of open standing water. The objective of the safeguarding process is to prevent any increase, and where possible reduce risk to the lowest practicable level, by designing out bird hazards, controlling development and ensuring proper maintenance and management. The developments likely to cause most concern are: facilities for the handling, compaction, and treatment of putrescible waste; the creation of areas of standing water in quarries, sewage works, nature reserves, lakes, ponds, wetlands and sustainable urban drainage systems.</p> <p>The types, form and height of planting in landscaping schemes may also create a bird hazard e.g. a starling roost. Whether or not a development is likely to attract birds will depend not only on the nature of the development itself but also its location in relation to other land uses. Buildings may be attractive to birds depending on the design and use of the building and the availability of food nearby. Pigeons and Starlings are the most common birds to be found roosting in and around buildings whilst gulls may rest on flat and shallow roofs. Wherever possible, the design of buildings in close proximity to an aerodrome should incorporate all possible measures to minimise their attractiveness to birds.</p>	<p>No changes necessary following these comments.</p>

CA SPD	Comment	Response
Both	<p>Heathrow Airport Ltd cont...</p> <p>In order to protect aerodromes and aircraft in flight against the hazards of bird strike, safeguarding maps also draw a circle with a 13 kilometres radius from the aerodrome reference point within which the Planning Authority must consult the Aerodrome Operator on any development likely to attract birds. The extent of this zone around Heathrow Airport shown on the official safeguarding map published to each council. [alternatively the Proposal Map may show the safeguarded aerodrome reference point from which this distance should be measured if the airport is within the authority's area.</p> <p>Government advise that applicants should initiate discussions with the Planning Authority and the Airport Operator at an early stage before submitting an application to ensure that they understand the constraints and provide the information which will be needed for a detailed assessment to be made of the proposal e.g. a construction methodology, navigational impact assessment, bird hazard risk assessment and bird hazard management plan. If the Planning Authority propose to grant permission or impose conditions contrary to the safeguarding advice of the Airport Operator, they must notify the Civil Aviation Authority and demonstrate they have assessed the application in the light of Government guidance and provide a statement of reasons. Ultimately, the application could be referred to the Secretary of State who has the power to issue a Direction.</p> <p>Safeguarding issues should only prevent development taking place were absolutely necessary to maintain the safe operation of the airport and the movement of aircraft. The safeguarding process rather seeks to mitigate the adverse impacts of development through; alternative design, appropriate landscaping and planting schemes, by conditions restricting how a development operates and may be extended. Legal agreements will be used to deal with aspects of a development, such as implementation of a Bird Hazard Management Plan, which cannot be satisfactorily covered by planning conditions.</p>	

CA SPD	Comment	Response
Both	<p>Heathrow Airport Ltd cont...</p> <p>Within the Safeguarding Zone(s) around Heathrow Airport shown on the official safeguarding map published to each council. developments will be permitted which demonstrate that:</p> <p>a) the height of construction equipment, the height of the completed development and associated landscaping will not penetrate the protected surface of the safeguarding zone; development may have to follow an agreed construction methodology, restrictions may be imposed on future extensions and the height of landscaping to maintain the integrity of the protected surface</p> <p>b) the position and height of construction equipment, buildings, telecommunications equipment, landscaping and external lighting arrangements will not interfere with the visual and electronic navigational aids of the airport; restrictions may be imposed to enable further assessment of any proposed changes</p> <p>c) the design and construction of buildings, mining, engineering and other operations (including landscaping, water features and sustainable urban drainage schemes) and material changes of use of land will not increase the bird hazard risk to the safe operation of the airport or the movement of aircraft; the implementation of a bird hazard management plan will be made the subject of a legal agreement.</p> <p>Wind Turbine Developments</p> <p>The safeguarding requirements for Heathrow Airport includes a circle with a 30 kilometres radius drawn from the aerodrome reference point to indicate the area within which the Planning Authority must consult the Airport Operator on proposed wind turbine development. This recognises the fact that the introduction of wind-powered generator turbines as an alternative energy policy can create problems for aviation. In addition to their potential for presenting a physical obstacle to air navigation, wind turbines can affect radar and other electronic aids to air navigation from radio frequency interference (the rotating blades create electromagnetic disturbance which can degrade the performance of these systems and cause incorrect information to be received).</p>	

CA SPD	Comment	Response
	<p>The amount of interference depends on a number of factors; the number of turbines, their size, construction materials, location and shape of blades. A wind turbine development is also likely to be the subject of consultation with the Civil Aviation Authority (CAA), NATS En Route Ltd. (NERL) and the Ministry of Defence (MOD).</p> <p>Government advise applicants to initiate discussions with the Planning Authority and the Airport Operator at an early stage in the process and before submitting an application to ensure that they understand the constraints and provide the information to enable a detailed assessment to be made of the proposed development i.e. a navigational impact assessment study. Where it is determined that a planning application for a proposed development may have an effect on navigational or other aeronautical systems, simulation or other types of interference modelling of the effects of the development may need to be conducted before a decision can be made on the application. It is usual for the developer to bear the cost of the modelling.</p> <p>Within the safeguarding zone around Heathrow Airport shown on the official safeguarding map published to each council. Wind turbine development will be permitted that demonstrates for the duration of the construction period and during operation it will not adversely affect the operation of Heathrow Airport or the navigational aids, communication or surveillance equipment used for air navigation at Heathrow Airport.</p>	