

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	15 December 2015
<b>Subject:</b> 120 Moorgate London EC2M 6UR Erection of a building to comprise office (Use Class B1 use) and retail (Classes A1 - A3 use) floorspace with associated parking, servicing and plant and retained bank (Class A2) at basement, ground floor and first floor (total GEA 18,457sq.m, height 56.28m AOD). This is a revision (received on 21st September 2015) to the 2011 scheme (11/00231/FULMAJ) proposing a reduction in building volume by stepping back the rear facade onto South Place Mews at 7th to 10th floor levels.	<b>Public</b>
<b>Ward:</b> Coleman Street	<b>For Decision</b>
<b>Registered No:</b> 11/00231/FULMAJ	<b>Registered on:</b> 5 April 2011
<b>Conservation Area:</b> Finsbury Circus	<b>Listed Building:</b> No

### Summary

The proposals seek to amend a previously submitted scheme where your Committee resolved to grant planning permission but details relating to the S106 agreement were yet to be determined. The revision to the previous scheme relates to setting back the upper four storeys to respond to neighbour issues relating to rights to light matters.

Planning permission is sought for the redevelopment of the building on the corner of Moorgate and South Place. The proposed building provides offices (Class B1) and three new retail units (Class A1 and/or A3) and comprises 3 basements, ground, part seven floors and part ten floors above in the form of two interlocking blocks. The existing Barclays Bank (Class A2) at ground, upper basement and first floor would be retained in situ within new facades.

An objection has been received from the Twentieth Century Society on the grounds that 120 Moorgate, built by Richard Seifert and Partners in 1971-72 is a notable example of Brutalist architecture and that the principle of demolishing this building of architectural and historical significance should now be reconsidered and the building retained.

The scale, bulk and design of the proposed development would preserve and enhance the character and appearance of the Finsbury Circus Conservation

Area. The existing 1970's building is not considered to make a positive contribution to the character and appearance of the Finsbury Circus Conservation Area. It is considered that the design and form of the proposed development would not adversely affect the setting of the adjoining listed building at Britannic House and setting other nearby listed buildings.

The proposed revised scheme does not alter my considerations of the previous 2011 scheme in that the proposed development complies with the policy for the provision of office use in a prime location close to a Crossrail Station.

It is concluded that the proposal accords with the development plan as a whole, that it would preserve the setting of listed buildings and preserve or enhance the character or appearance of the Finsbury Circus Conservation Area, and that it is acceptable subject to the imposition of conditions and to a Section 106 agreement and any necessary agreements under Section 278 of the Highways Act 1980 being entered into to cover the matters set out in the report.

### **Recommendation**

(1) That you authorise the Chief Planning Officer to determine the above application for the above proposal in accordance with the details set out in the attached schedule subject to:

(a) planning obligations and other agreements being entered into under Section 106 of the Town & Country Planning Act 1990 and Section 278 of the Highway Act 1980 in respect of those matters set out in the report, the decision notice not to be issued until the Section 106 obligations have been executed;

(2) 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.

# Site Location Application Plan



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ADDRESS:  
120 Moorgate

CASE NO.  
11/00231/FULMAJ

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



DEPARTMENT OF PLANNING & TRANSPORTATION



11/00231/FULMAJ

120 Moorgate

## **Main Report**

### **Site**

1. The proposed development site consists of a single building on the corner of Moorgate and South Place situated close to the City of London boundary with the London Borough of Islington. The building is prominent in views when entering the City from the north along Finsbury Pavement and when viewed west to east along Ropemaker Street.
2. The existing 1970's building was designed by Richard Seifert and Partners and comprises 3 basements, ground and eight upper floors totalling 13,563 square metres. The building has five retail units at ground and first floor level comprising of 1,938 square metres in A1/A2 use. The existing building rises to a height of 47.40 metres AOD. The site and all its retail frontages form part of the Moorgate Principal Shopping Centre as defined in the Local Plan 2015.
3. There is vehicular access from South Place Mews at the rear of the building to the parking areas on all three basement levels and a service bay is currently provided at ground floor level.
4. The building lies within the Finsbury Circus Conservation Area. To the south and adjoining the building on Moorgate is Britannic House which is a grade II\* listed building by Sir Edwin Lutyens. In addition, there are a number of listed grade II buildings at the rear of the property in Finsbury Circus.

### **Proposal**

5. The proposals seek to amend a previously submitted scheme where your Committee resolved to grant planning permission for partial redevelopment of the building to provide offices (Class B1) use on the upper floors, and new retail units (Class A1-A3) at ground and basement levels and retained bank (Class A2) use on the 19<sup>th</sup> July 2011 but details relating to the S106 agreement remain to be determined. The revision to the previous scheme relates to setting back the upper four storeys at the rear of the site to respond to issues relating to rights to light matters.
6. Planning permission is sought for partial redevelopment of the building to provide offices (Class B1) use on the upper floors, and new retail units (Class A1-A3) at ground and basement levels and retained bank (Class A2) use at part middle and upper basement, ground and first floor levels. The proposed building would be in the form of two interlocking blocks. The development would comprise 3 basements, ground and seven upper floors in the front block on Moorgate and 3 basements, ground and ten floors in the rear block. The tenth floor would accommodate an area of enclosed plant and there would be two extensive green roofs, lift overrun, photovoltaic panels and cleaning equipment on the roof.
7. The proposed development would provide a total of 13,450 square metres of office space with three retail units at first floor, ground and on two basement levels totalling 3,515 square metres of which 1,481 square metres is Barclays Bank. The plant area, parking and servicing

incorporate a further 2,134 square metres. The total floorspace of the development is 19,110 square metres (GEA), creating an uplift of 5,547 square metres of floor space.

8. Barclays Bank currently occupies the corner of the building on Moorgate and South Place. It would be retained within its existing structure at middle basement, upper basement, ground and first floor level and would be incorporated in the new building with new frontages to Moorgate and South Place. The retained bank has a floorspace of 1481 square metres, of which 312 square metres is at ground floor level. Barclays Bank occupies the premises under a tenancy expiring in 2035.

### **History**

9. Planning permission and conservation area consent were granted on 26th June 2007 for the demolition of the existing building and construction of a building comprising 3 basements, ground and eight upper storeys, with a 9th floor screened plant room, lift over run and window cleaning cradle. The development provided a total of 14,541 square metres of floorspace. Four retail units were proposed at ground, and basement with frontages to Moorgate and South Place providing 2,974 square metres of retail A1 and A2 floorspace. The proposal allowed for the potential to create retail space at mezzanine level (916sqm). (App No's 06/01065/FULMAJ and 06/01066/CAC).
10. Applications were submitted to extend the time limit for implementation of this planning permission and conservation area consent and these have been reported for approval subject to the applicant entering into a Section 106 agreement. (10/00347/FULL and 10/00348/CAC). The Section 106 has not been engrossed and these applications remain undetermined.
11. Applications for planning permission and conservation area consent were submitted for a redevelopment scheme to accommodate the retention of Barclays Bank who occupies part of the site. The applications were reported to the Planning and Transportation Committee on the 19<sup>th</sup> July 2011 and received a resolution to grant subject to the applicants entering into to a Section 106 agreed. These applications remain undetermined (11/00231/FULMAJ and 11/00232/CAC).

### **Consultations**

12. The current scheme submitted in September 2015 has been advertised on site and in the local press. All previous consultees, objectors and the neighbouring owners at 1 Finsbury Circus have been reconsulted.
13. The views of other City of London departments have been taken into account in the preparation of this scheme. Some detailed matters remain to be dealt with under conditions, a Section 106 agreement and a Section 278 agreement.

14. Transport for London (TfL) requested a financial Crossrail contribution via a Section 106 agreement in order to satisfy London Plan policy 6.5 the associated Supplementary Planning Guidance (SPG) 'Use of planning obligations in the funding of Crossrail (April 2013). TfL has advised that Moorgate, which forms part of the Strategic Road Network, should not be blocked during the construction of the proposed development and temporary obstructions should be kept to a minimum. A Delivery and Servicing Plan (DSP), Construction Logistic Plan (CLP) and Travel Plan, in line with Transport for London guidance, have been requested by TfL to be secured by condition or Section 106 agreement.
15. The Lutyens Trust has been reconsulted and no response has been received. They previously raised objections to the 2011 scheme" *The Trust considers that two of the major heritage issues concern the impact of the proposed demolition of the existing building on the Finsbury Circus Conservation Area, and the setting of the Grade II\* listed Britannic House adjoining the application site. If demolition is acceptable, then the replacement building must be appropriate development in terms of its impact on the two designated heritage assets itemised above. The Trust recognises that there are other listed buildings in the vicinity, and that the impact on their settings is a material consideration. However, the Trust's remit does not include them.*

*The existing building has a rigid horizontality that is alien to the subtle rhythms generated by the Moorgate facade of Britannic House. While there has been recent reappraisal of the work of Seifert, I agree that No. 120 Moorgate is an element in the conservation area that cannot be considered as a heritage asset. The provisions of PPS 5 HE9.5 for those elements which do not make a positive contribution are the appropriate policy context within which to assess justification of proposed demolition. Planning authorities should take into account the desirability of enhancing or better revealing the significance of the conservation area through development of that element.*

*However, the setting of Britannic House (and of other listed buildings) brings consideration of the proposals under PPS HE10. As a Grade II\* listed building BH is a designated heritage asset of the highest significance (HE9.1). Moreover that policy refers to harm to significance through 'development within its setting'. Such loss would 'require clear and convincing justification' and 'substantial harm to ... designated heritage assets of the highest significance ... should be wholly exceptional'*

*The Trust has no problems with the demolition of the existing building, but considers that the proposed redevelopment would bring substantial harm to the character and appearance of the Finsbury Circus Conservation Area under HE10, and to the setting of Britannic House under HE9.2.*

*While I recognise that the lower part of the proposed replacement building has recognised the scale of the facade of Britannic House, and has provided a neutral and consistent rhythms to its fenestration, which would bring continuity, the upper storeys are set back a token distance*

*so that the upper part of the redevelopment would loom in front and above the mansard on Britannic House, and would be obtrusive in the townscape context and setting. The visualisations are ample demonstration of the unacceptability of the impact of the upper part of the proposed redevelopment.*

*Overall, the Trust considers that the proposed redevelopment fails to provide an appropriate replacement for its context and due to its harmful impact on designated heritage assets, one of which is 'of the highest significance' – the adjacent Britannic House. Consequently we have concluded that conservation area consent for demolition of the existing building should be refused, as well as planning permission for its replacement."*

16. The Twentieth Century Society were reconsulted and objected on the following grounds: *"No 120 Moorgate was built by Richard Seifert and Partners in 1971-72 and is a notable example of Brutalist architecture. It was designed to accommodate shops on the ground floor with seven floors of offices above. The building is clad in horizontal concrete slabs that alternate with bands of glazing. The contrast between the two materials is most pronounced and the fenestration lets the concrete appear to float.//At street level ....There has also been a resurgence of interest in the work of Seifert, with several more of his office buildings recently listed, such as 1 Kemble Street and the Alpha Tower in Birmingham- both now designated grade II (in 2015 and 2014 respectively). In our view, when permission for demolition of this was first granted in 2007, relatively little was understood about the significance of the architect and quality of his designs. This situation has now changed, and the Society considers that the principle of demolishing this building of architectural and historical significance should now be reconsidered. For the above reasons we wish to register our objection to the scheme."* A copy of the letter is attached to this report.
17. City Heritage Society has been reconsulted but no response has been received.
18. Historic England did not wish to comment in detail and recommended that the application be determined in accordance with national and local guidelines.
19. The Conservation Area Advisory Committee were consulted on the 2011 submission and objected. The Committee has been reconsulted on the revised scheme and commented that *"The Committee, whilst considering the proposal to be an improvement on that submitted in 2011, objected to the design on the basis of treatment of the facade which was detrimental to the Conservation Area in this key City location."*
20. The London Borough of Islington has been reconsulted but no response has been received.
21. London Underground has been consulted and raised no objection subject to a condition being attached to the permission to ensure that the development does not impact on the existing London Underground transport infrastructure.



22. Crossrail Limited were consulted and raised no objection subject to the appropriate condition being attached requiring details of foundation design, noise, vibration and settlement to mitigate against the effects of Crossrail, of ground movement arising from the development and details regarding concurrent workings.
23. Thames Water has been consulted and raised no objection subject to appropriate conditions being attached to the permission.

### **Policies**

24. The development plan consists of the London Plan 2015 and the City of London Local Plan 2015. The London Plan sets out the Mayor's vision for London up to 2036, and includes policies aimed at delivering employment growth of 57,000 or 13.5% in the City of London in this period. The London Plan identifies the City as falling within London's Central Activities Zone (CAZ) and requires that planning policy should sustain and enhance the City as a "strategically important, globally-orientated financial and business centre", ensuring that development of office provision is not strategically constrained and that provision is made for a range of occupiers, especially financial and business services. To deliver office growth, the Plan encourages the renewal, modernisation and increase in the office stock, where there is strategic and local evidence of sustained demand for office-based activities.
25. The London Plan requires that new development should not adversely affect the safety of the transport network and should take account of cumulative impacts of development on transport requirements. New development is required to be of the highest architectural quality and not cause harm to the amenity of surrounding land and buildings, in respect of overshadowing, wind and micro climate.
26. London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
27. There are relevant City of London and GLA supplementary planning guidance in respect of Planning Obligations, Sustainable Design and Construction, Bank Conservation Area, as well as the City of London Community Infrastructure Levy Charging Schedule. There is relevant Mayoral supplementary planning guidance in respect of Sustainable Design and Construction, London View Management Framework, Accessible London, Control of Dust and Emissions during Construction and Demolition, and Use of Planning Obligations in the funding of Crossrail and the Mayoral CIL.
28. Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay.

## **Considerations**

29. The Corporation, in determining the planning application has the following main statutory duties to perform:-
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations. (Section 70 Town & Country Planning Act 1990);
  - To determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004);
  - For development 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) and;
  - For development within or adjoining a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area and its setting (S72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).
30. Paragraph 131 of the NPPF advises, "In determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness."
31. The NPPF states at paragraph 14 that "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking ..... For decision-taking this means: approving development proposals that accord with the development plan without delay..." It further states at Paragraph 2 that:
- "Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise".
32. It states at paragraph 7 that sustainable development has an economic, social and environmental role.

33. 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 and the Local Plan.
  - The impact of the proposal on heritage assets.
  - The impact on the nearby buildings and spaces, including daylight/sunlight and amenity.
34. The main design considerations in this case are whether the existing building makes a positive contribution to the character of the Conservation Area, and to assess whether the scale, bulk and appearance of the proposed development would preserve and enhance the character and appearance of the Finsbury Circus Conservation Area, its effect on the setting of the adjoining listed building, Britannic House Grade II\* and its impact as an important corner building on local views in and of the Conservation Area and on other Heritage Assets.

#### Economic Development Issues

35. 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.
36. 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 Local Plan and London Plan, particularly policies CS1 and 2.10.
37. Policy CS1 seeks to increase office floorspace, particularly 'encouraging the assembly and development of large sites, where appropriate, to meet the accommodation needs of the City's biggest occupiers'.
38. The proposed building would provide 13,000sq.m (GEA) of high quality office accommodation to meet the demands of the City's commercial occupiers; an increase of 4,930sq.m (GEA) in office floorspace. Using the London Plan's assumed density of one person per 12sq.m (NIA) the number of office workers in the new building could be 772 compared to 477 in the existing buildings.

#### Revised scheme

39. The revision to the previous 2011 scheme relates solely to setting back of the upper four storeys (level 7 to 10) at the rear of the site to respond to issues relating to rights to light matters and minor amendments to address new policy requirements (cycle spaces and energy saving measures).

40. The revised scheme complies with policies for the provision of offices. There is a continuing need for additional office space since the original application was submitted in 2011, particularly in the context of Crossrail opening in 2018/19 and the benefit of maximising opportunities to provide office accommodation within close proximity of the Crossrail station entrances at Liverpool Street and Moorfields.
41. Building stock in the immediate vicinity has to be increased and upgraded to accommodate the inevitable increase in occupier demand. This location, combined with its gateway positioning and prominence warrants a larger building and one of high quality.
42. This site is ideally located to benefit from the proximity of the Crossrail line now under construction. Office use on this site would complement the core business function of the City by taking advantage of the substantial public transport improvements created by Crossrail and realise the potential for rejuvenation of the area, in accordance with CS5, North of the City Key City Places strategy.

#### Loss of the Existing Building

43. NPPF requires an assessment to be carried out of the potentially affected heritage asset before the assessment of the impact of design proposals. Policy 7.8 to 7.10 sets out the evidence base by which the assessment of the significance of heritage assets is to be made. Paragraph 7.31 expands on Policy 7.8, stating that: "Heritage assets such as conservation areas make a significant contribution to local character and should be protected from inappropriate development that is not sympathetic in terms of scale, materials, details and form. Development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character."
44. The existing building on the application site dates from the early 1970's and was designed in the brutalist style by Richard Seifert and Partners. The building is faced in aggregate concrete and comprises horizontal concrete slabs and wide bands of glazing, all floating above a substantially glazed ground floor elevation incorporating a distinctive Y shaped pier on the corner of Moorgate and South Place. The building comprises two linked sections. The principal section addresses Moorgate and is 8 storeys high rising to 9 storeys with a roof plant enclosure on the corner of Moorgate and South Place. The lower section of the building steps back on South Place and rises to 7 storeys. The building is not visible from Finsbury Circus.
45. The Twentieth Century Society consider the existing building to be a notable example of Brutalist architecture by Richard Seifert and also they consider the significance of the architect is now better understood than when the demolition was first granted in 2007.
46. Although the building may be a worthy example of the Brutalist style and an example of Seifert's work it is not considered to be a convincing building architecturally and its contribution to this part of the Finsbury Circus Conservation Area is a poor one. For the set out below reasons.

The building rises sheer on the street frontages to a height well above the dominant parapet height of Britannic House resulting in an incongruous relationship. This is further emphasised by the heavy and simple detailing of the facades. The dark grey concrete contrasts with the surrounding Portland Stone and brick buildings within the conservation area and to the lighter glass and metal building within the London Borough of Islington, directly to the north. In addition, the strident and exaggerated horizontal appearance of the elevation appears ill-fitting alongside the vertical emphasis of the elevations along Moorgate. For these reasons the building is not considered to be an undesignated heritage asset. As such, the building is considered to harm the setting of surrounding heritage assets and make a negative contribution and therefore neither preserves or enhance the character and appearance of the Finsbury Circus Conservation Area.

47. Finsbury Circus Conservation Area comprises of an area bound by London Wall, Moorgate, South Place, Eldon Street and Blomfield Street with Finsbury Circus at its centre and focus. This formal plan was laid out in 1815 for housing and following expiry of the original leases was redeveloped in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries to provide a number of large commercial office buildings. Those buildings were principally designed in the neo-classical style with high quality stone facades and ornate classical detailing. The most notable is the Lutyen's grade II\* listed Britannic House, which lies directly to the south of the application site and has frontages onto Finsbury Circus and Moorgate.

#### Height and Bulk

48. The current proposals include stepping back the rear facades at 7<sup>th</sup> to 10<sup>th</sup> floor levels at the rear of the building to respond to neighbour rights to light matters. This would result in the loss of 537 sq.m in relation to the 2011 scheme.
49. As proposed in 2011, the scheme would involve an increase in bulk towards the northern end / South Place elevation when compared to the 2007 scheme. The height is considered appropriate given the building's location on an important street corner, and is not dissimilar to the corner building on the opposite side of the South Place junction (the Helican Building on Finsbury Pavement), resulting in a better and more comfortable balance to the blocks framing the junction of Moorgate and South Place.
50. The height and bulk of the building is diminished by the manner in which the upper / rear block is set back from the front block as a separate visual element. The front block, which is 8 storeys high (40m), shares the same building line and height with Britannic House to the south. The 11 storeys (56.28m AOD) rear block is of significant scale is set back from the Moorgate frontage by 4.5m and from the South Place frontage by some 1.5m. This is considered to be an adequate set back to ensure that the upper storeys would appear as a recessive architectural element.

## Design

51. As proposed in 2011, the current design approach of the building is of two interlocking rectangular blocks. The front block has a facing grid of faience and a rear block faced in aluminium. Although similar in elevational design the blocks would read as separate elements but appear as a single architectural composition with a strong sense of integrity.
52. The front block is designed to relate to the scale and character of the buildings to the south along Moorgate. In particular, the building's parapet would line up with the eaves line of Britannic House and Electra House and the grid framework relates to the strong vertical and horizontal detailing of Britannic House. The faience will relate satisfactorily with the Portland stone of both Britannic House and Electra House.
53. The grid of faience incorporates subtle but significant detailing to enhance the sense of modelling and hierarchy to the elevation. These include a double fin detail at second floor level, a cruciform junction between third and fourth floor level and faience spandrels above first floor level which are recessed from the projecting mullions. The horizontal frame detailing would relate satisfactorily with the strong horizontal cornice and string course detailing of Britannic House. There is a satisfactory interplay between the vertical and horizontal elements on the elevation.
54. The proposed materials of an off-white / cream faience, dark grey anodised aluminium, grey granite stallrisers and clear glazing incorporating integral stainless steel mesh are of high quality, durable and complementary. Samples of materials are reserved by condition.
55. Other than the 8.5 metre wide office reception in the centre of the Moorgate elevation all of the ground floor elevations on Moorgate and South Place would be in retail use which would enliven the street frontage. The office entrance is expressed by a double height, three bay framing of dark grey anodised aluminium which creates an appropriate focal point on the Moorgate elevation.
56. The roof would incorporate areas of roof planting and photovoltaic panels and would be free of intrusive plant housings or over-runs.
57. The vehicular servicing bay is appropriately located on the rear elevation and is integrated in the building design.

## Impact on Conservation Areas

58. The proposal is not considered to harm the character and appearance of the Finsbury Circus Conservation Area. A small horizontal sliver of the roof of the proposal would be visible above River Plate House from Finsbury Circus and this element is seen against the backdrop of the City Point and Ropemakers Towers. Similarly, in the view west along South Place the northeast elevation of the building would be seen against the backdrop of City Point tower and the proposal is considered appropriate in design, bulk and materials.

59. The small street block almost opposite the site bounded by Eldon Street, Finsbury Avenue and Wilson Street is located within the Bunhill Fields / Finsbury Square Conservation Area in the London Borough of Islington. The proposed re-development is not considered to harm the setting of this Conservation Area. The proposal would be seen against the backdrop of the City Point and Ropemaker Place towers and an eight storey hotel on the north side of South Place (currently under construction). Such a relationship of more modest scaled buildings viewed against a backdrop of higher buildings is characteristic of this part of the City.

#### Impact on Setting of nearby listed buildings

60. The development adjoins the Grade 2\* listed Britannic House designed by Edwin Lutyens and built in 1927 and is an elaborately carved Portland stone building in a free classical style.
61. The design of the redevelopment proposal has an abstract simplicity which is considered appropriate so as not to visually compete with the refined and intricate detailing of both Britannic House and Electra House further to the south.
62. The Lutyens Trust previously objected to the 2011 proposal in terms of the impact of the upper part of the building on the setting of Britannic House and in particular it argued that the upper part of the redevelopment would loom in front of and above the mansard of Britannic House and would therefore appear obtrusive to the setting of the listed building.
63. Although the proposal is significantly higher than Britannic House it would not visually compete or be harmful to it. In this respect, the upper storeys would appear as a backdrop element. The roofline of Britannic House is currently not an intact and unaltered roofline and is compromised by the existing party wall and plant rooms and in this part of the City views of listed buildings are seen against a backdrop of taller buildings.
64. The impact of the proposal on the Grade 2 listed London Guildhall University (Electra House) is limited. The most significant impact would be from the junction of Moorgate and London Wall where the lower and upper parts of the development would be visible to the north of Britannic House but against the backdrop of the similar scaled Helican House on Finsbury Pavement. This wider view encompasses the large scale developments of Moor House and the City Point tower and the dynamic contrast in scale between modest scaled historic buildings and large scale new developments is a distinctive characteristic of this townscape. The proposed scheme would not harm the setting of the Grade 2 listed modest Victorian terraced buildings of 118 and 118a London Wall and 83 and 87 Moorgate.

65. A little to the south of the site and on the opposite side of Moorgate is the Grade 2 listed 137-141 Moorgate, a red brick and Portland stone building from 1900. The scheme would have a very limited impact on this listed building and would not appear as a significant backdrop to the building from street level views.

#### The London Views Management Framework

66. The proposal falls within the Landmark Background Assessment Area of the Protected Vista of St Paul's Cathedral from Westminster Pier (View 8 within the LVMF). The proposed development is significantly lower than the view threshold and would be concealed from view.
67. The proposal would be concealed from view from Assessment Points of the River Prospects 16B.1 and 16B.2 from Gabriel's Wharf and Waterloo Bridge (15B.1 and 15B.2) and would have no impact on these views.

#### Retail Use

68. The proposed development would increase the gross retail provision on the site to 3,424 square metres from 3,003 square metres within the Moorgate Principal Shopping Centre.
69. The development would retain the existing bank A2 use in situ and increase the retail use by 511 square metres. 1005 square metres would be located at ground floor level. The majority of the Moorgate and South Place shopping frontages would be occupied by retail uses. A condition has been included to ensure that no less than 70% of the retail frontage excluding Barclays Bank is in A1 shop use. The increase in retail provision is welcome and accords with the Core Strategy and Local Plan policies.

#### Servicing

70. The servicing and refuse collection for the offices and retail uses within the development would take place from service yard at the rear of the building accessed from South Mews Place. The service yard provides sufficient space for vehicles to turn, a refuse collection point and a ramped access to the upper basement. The proposed servicing arrangements would be an improvement on the current situation. The enlarged service yard would allow vehicles to access and egress the yard in a forward gear, which is not possible currently. The proposed temporary holding area is a welcomed improvement as it avoids the likelihood of smaller vehicles waiting on the public highway.
71. The refuse would be stored in the middle basement and refuse would then be transferred via the service lift to the ground floor for collection. The refuse would be stored in the temporary refuse collection area within the service yard. Details of the refuse store and facilities are required by condition.



72. The proposed development would be car free, with the exception of one disabled parking space located at ground floor level. No motor cycle parking is proposed which accords with policy as no car parking is provided.
73. Bicycle parking is provided for 144 cycles and associated changing and showering facilities in accordance with the London Plan and Local Plan standards.
74. A Travel Plan would be required prior to occupation of the development under the terms of the Section 106 agreement.

#### Access

75. The proposals indicate revolving doors with side pass doors at the main office entrance on Moorgate. However, the applicant has agreed to provide further revised details of the entrance door to provide an automatic slide door which is welcomed as an improvement to the accessibility of the development. Level access would be provided to the office and all the retail units.

#### Energy and Sustainability

76. The applicants have submitted an Energy Statement and a Sustainability Statement including a BREEAM pre-assessment carried out against the BREEAM 2014 New Construction Scheme which indicates a predicted score of 73.30%, achieving a BREEAM "Excellent" rating with the potential to achieve additional credits above this. Areas which would be targeted to achieve further credits include water consumption and surface water run-off.
77. The Sustainability Statement and the BREEAM rating take account of sustainable design and construction measures that contribute to the adaption of the built environment to climate change and to carbon dioxide emissions savings. The proposals include brown and landscaped roofs to increase biodiversity and rain water attenuation, and to improve the outlook from neighbouring buildings.
78. The energy strategy is based on measures to reduce the overall energy demand through a combination of passive design measures and active systems. These include a facade treatment with a degree of solar control, using external shading combined with high performance glazing and a controlled amount of glazing within the elevations. The lighting design would seek to maximise the use of natural day lighting. However, due to poor local air quality and noise pollution in the area, the use of natural ventilation is not proposed.
79. The carbon emissions savings would be further increased by the installation of 200sq.m of photovoltaic panels on the available roof space. This measure would contribute a 4.31% reduction in carbon dioxide emissions. The submitted energy strategy demonstrates that the development has the potential to achieve an overall 35% carbon emission reduction over a Building Regulations compliant building. The London Plan sets a target for major developments to achieve an overall

carbon dioxide emission reduction of 40% from 2013-2016, through the use of on-site renewable energy generation. A detailed post construction assessment would be required and if the assessment demonstrates that the target is not met on site the applicant would be required to meet the shortfall through a cash in lieu contribution.

#### Sustainable Urban Drainage Systems

80. Rainwater storage and rainwater harvesting is proposed to address sustainable drainage. The proposed range of climate change adaptation and sustainable design measures is considered to be acceptable, subject to further details to be considered under the conditions.

#### Demolition and Construction

81. A Demolition and Construction Method Statement for the scheme is required by condition.

#### Archaeology

82. The existing building has three basement levels and the construction would have removed all archaeological remains on the site. The proposed building's additional piles and new lift shafts would not impact on archaeology.

#### **Planning Obligations and Community Infrastructure Levy**

83. 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.
84. Planning obligation arrangements were modified by the Community Infrastructure Levy Regulations 2010 as amended ('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.
85. 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.

86. Regulation 123 states that a planning obligation may not constitute a reason to grant planning permission to the extent that it provide funding for infrastructure included in the regulations “Regulation 123” list as the type of infrastructure on what CIL will be spent on.
87. 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. The policy repeated the tests set out above and states that where planning obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. (NPPF paragraphs 203-206).

### **Mayor of London Policies**

#### **Mayoral Community Infrastructure Levy (CIL)**

88. London Plan Policy 8.3 requires the Mayoral CIL to be paid by developers to help fund strategically important infrastructure, initially focussing on Crossrail until 2019. 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**

89. 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.
90. Where developments are liable for both Mayoral CIL and Mayoral planning obligations, the Mayor would not double charge. Mayoral CIL payments will be used as a credit towards the Mayoral planning obligation liability. Therefore, the Mayoral planning obligation liability can be reduced by the Mayoral CIL.
91. At the time of preparing this report the Mayoral CIL has been calculated to be £229,500. The full Mayoral planning obligation has been calculated to be £628,625. This would be reduced to £399,125 after deduction of the Mayoral CIL. 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.

92. Under the CIL regulations the City Corporation is able to retain 4% of the Mayoral CIL income for administration costs, the remainder will be forwarded to the Mayor of London. The whole of the Mayoral planning obligation received will be forwarded to the Mayor. An additional £3,500 Mayoral planning obligation administration and monitoring charge will be payable to the City Corporation. The total contributions due in accordance with the Mayoral CIL and Mayoral planning obligation policies are summarised below:

<b>Liability in accordance with the Mayor of London's policies</b>	<b>Contribution £</b>	<b>Forwarded to the Mayor</b>	<b>Retained by City Corporation</b>
Mayoral Community Infrastructure Levy payable	229,500	220,320	9,180
Mayoral planning obligation net liability*	399,125	399,125	Nil
Mayoral planning obligation administration and monitoring charge	3,500	Nil	3,500
<b>Total liability in accordance with the Mayor of London's policies</b>	<b>632,125</b>	<b>619,445</b>	<b>12,680</b>

\*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**

#### **City Planning Obligations**

93. The City introduced its CIL on 1<sup>st</sup> July 2014 and will be chargeable in addition to the Mayoral CIL and Mayoral planning obligations. CIL will be charged at a rate of £75 per sq.m for Offices, £150 for Residential Riverside, £95 for Residential rest of the city and £75 for all other uses. At the time of preparing this report the City CIL has been calculated to be £344,250.
94. Under the CIL regulations the City Corporation is able to retain 5% of the CIL income for administrative costs. The contributions collected will be used to fund the City's infrastructure needs to meet the requirements of the City's Development Plan.

95. On 1<sup>st</sup> July 2014 the City's Supplementary Planning Document on Planning Obligations was adopted. City Planning Obligations would be payable by developers in accordance with the Planning Obligations SPD on new commercial developments where there is a net increase of 500sq.m or more of Gross Internal Area. The policy seeks contributions towards Affordable Housing (£20 per sq.m), Local Training, Skills and Job Brokerage (£3 per sq.m) and Carbon Offsetting (£60 per tonne of carbon offset) where carbon reduction targets have not been met. The section 106 agreement would normally follow the agreement template available on the City of London website.
96. In this case the proposed net increase in floorspace would be 4590sq.m. (GIA) On the basis of the figure indicated in the Supplementary Planning Document, the planning obligation figure would be £105,570. It is the City's practice that all financial contributions should be index-linked with reference to the appropriate index from the date of adoption of the SPD, 1st July 2014 to the date of permission.
97. The contributions will be paid in accordance with the Supplementary Planning Document as follows:

<b>Liability in accordance with the City of London's policies</b>	<b>Contribution £</b>	<b>Available for Allocation £</b>	<b>Retained for Administration or monitoring Charge £</b>
City Community Infrastructure Levy	<b>344,250</b>	<b>327,038</b>	<b>17,212.50</b>
City Planning Obligation Affordable Housing	<b>91,800</b>	<b>90,882</b>	<b>918</b>
City Planning Obligation Local, Training, Skills and Job Brokerage	<b>13,770</b>	<b>13,632</b>	<b>137.70</b>
City Planning Obligation non-financial administration and monitoring charge	<b>2,000</b>	<b>Nil</b>	<b>2,000</b>
<b>Total liability in accordance with the City of London's policies</b>	<b>451,820</b>	<b>431,552</b>	<b>20,268.2</b>

98. 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.

### Affordable Housing

99. 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.

### Local Training, Skills and Job Brokerage

100. 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.

### Highway Reparation and other Highways obligations

101. The cost of any reparation works required as a result of the development will be the responsibility of the Developer.
102. 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

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

### Method Statement, Plans and Audits

#### Delivery and Servicing Management Plan (or by condition)

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

### Travel Plan

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

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

106. 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.
107. The Economic Development Office is able to introduce the Developer or its Contractor and Sub-Contractors to local training providers and brokerage agencies to discuss their site-specific skills needs and to identify suitable local people to fill opportunities on site. The Developer is encouraged to liaise with the Economic Development Office at the earliest stage in the development process in order that the strategy can be submitted prior to commencement.

### Local Procurement

108. 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.
109. 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.
110. 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 Offsetting

111. The London Plan sets a target for major developments to achieve an overall carbon dioxide emission reduction of 40% from 2013-2016, through the use of on-site renewable energy generation. A detailed post construction assessment will be required and if the assessment demonstrates that the 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, at an initial cost of £60 per tonne of carbon to be offset, calculated over a 30 year period. The financial contribution for carbon off-setting will be required on Completion or prior to occupation of the development.

### Monitoring and Administrative Costs

112. 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. Some funds may be set aside for future maintenance purposes.

113. 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.

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

### Conclusion

115. The proposed revised scheme does not alter the conclusions of the previous 2011 scheme in that the proposed development complies with the policy for the provision of office use. There is a further pressing need since the original application due to the impending completion of Crossrail in 2018/19.

116. This application supports the strategic objective of the City of London to promote the City as the leading international financial and business centre and the building would provide an increase in high quality floorspace designed to meet the requirements of office users and provide increased retail facilities in a Principal Shopping area. The proposal is considered to have a positive impact on the character and appearance of the Finsbury Circus Conservation Area and the neighbouring listed building and would respond more positively to the street scene.

117. The proposal is in compliance with relevant development plan policies when read as a whole, and it is recommended that planning permission be granted subject to conditions, a CIL payment and a Section 106 agreement being entered into to cover matters set out in the report.



## **Background Papers**

### Internal

#### 2011

Memorandum	19.04.2011	Department of Environmental Services (Cleansing)
Letter	26.04.2011	Department of Community and Children's Services
Memorandum	18.04.2011	Department of Environment Services (Contract and Drainage)
Memorandum	19.04.2011	Department of Environmental Services
Memorandum	08.06.2011	Department of Environmental Services (Cleansing)

#### 2015

Letter	07.10.2015	Access Adviser to GVA
Memo	09.10.2015	Waste and Amenity Manager

### External

#### 2011

Report	05.04.2011	Design and Access Statement Lifschutz Davidson Sandiland (drawings are superseded).
Report	05.04.2011	Planning Statement GVA Planning Consultants
Report	05.06.2011	Townscape, heritage and visual impact assessment Professor Robert Tavernor Consultancy
Report	05.04.2011	PPS 5 Statement Consultants
Report	05.04.2011	Transport Statement WSP UK
Report	05.04.2011	Energy Statement Norman Disney and Young
Report	05.04.2011	Sustainability Statement Norman Disney and Young
Report	05.04.2011	Acoustic Report Cole Jarman
Report	05.04.2011	Design and Access Statement GVA Planning Consultants
Report	30.06.2011	Design Update Lifschutz Davidson Sandilands
Report	04.07.2011	Carbon Emissions for Energy Statement Norman Disney and Young
Email	18.05.2011	Transport for London
Email	16.05.2011	Crossrail Limited
Letter	19.04.2011	English Heritage
Letter	10.05.2011	The Lutyens Trust
Letter	05.05.2011	Conservation Area Advisory Committee
Email	05.05.2011	London Borough of Islington
Email	27.06.2011	Martin Hall GVA
Email	29.06.2011	Martin Hall GVA

#### 2015

Letter	18.08.2015	MOLAS
Report	04.2015	Planning Statement GVA

Report	09.2015	Design and Access Statement Lifschutz Davidson Sandilands
Report	09.2015	Townscape and Heritage Visual Impact Miller Hare
Report	09.2015	Transport Assessment Addendum WSP
Report	11.09.2015	Acoustic Report-revised Cole Jarmam
Report	11.09.2015	Energy Strategy Norman Disney & Young
Report	11.09.2015	Sustainability Statement Rev 0.2 Norman Disney & Young
Report	11.09.2015	Security Statement WSP
Report	07.2015	SUDS/Drainage Strategy Report
Email	21.10.2015	Table of Representations rec'd and Consultant Team Response

Existing drawings numbered 0814A X051; X114; X115; X116; X117; X118; X119; X120; X121; X122; X123; X124; X125; X126; X127; X154; X155; X166; X167; X168; X169.

Letter	12.10.2015	Historic England
Email	20.10.2015	Crossrail Ltd
Email	21.10.2015	TfL Planning
Email	23.10.2015	London Underground
Letter	02.11.2015	Twentieth Century Society
Letter	19.11.2015	Conservation Area Advisory Committee

## **Appendix A**

### **London Plan Policies**

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 2.12 Identify, protect and enhance predominantly residential neighbourhoods within CAZ and develop sensitive mixed use policies to ensure that housing does not compromise CAZ strategic functions elsewhere in the zone.

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

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

Policy 6.5 Contributions would 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 7.6 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 would meet the criteria set out in this policy.

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

### Relevant Local Plan Policies

#### ***CS1 Provide additional offices***

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

#### ***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 developer contributions.

#### ***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.

#### ***CS5 Meet challenges facing North of City***

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

#### ***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.

#### ***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.

#### ***DM10.1 New development***

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

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;

- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;
- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

### ***DM10.2 Design of green roofs and walls***

- 1) To encourage the installation of green roofs on all appropriate developments. On each building the maximum practicable coverage of green roof should be achieved. Extensive green roofs are preferred and their design should aim to maximise the roof's environmental benefits, including biodiversity, run-off attenuation and building insulation.
- 2) To encourage the installation of green walls in appropriate locations, and to ensure that they are satisfactorily maintained.

### ***DM10.5 Shopfronts***

To ensure that shopfronts are of a high standard of design and appearance and to resist inappropriate designs and alterations. Proposals for shopfronts should:

- a) respect the quality and architectural contribution of any existing shopfront;
- b) respect the relationship between the shopfront, the building and its context;
- c) use high quality and sympathetic materials;
- d) include signage only in appropriate locations and in proportion to the shopfront;

- e) consider the impact of the installation of louvres, plant and access to refuse storage;
- f) incorporate awnings and canopies only in locations where they would not harm the appearance of the shopfront or obstruct architectural features;
- g) not include openable shopfronts or large serving openings where they would have a harmful impact on the appearance of the building and/or amenity;
- h) resist external shutters and consider other measures required for security;
- i) consider the internal treatment of shop windows (displays and opaque windows) and the contribution to passive surveillance;
- j) be designed to allow access by users, for example, incorporating level entrances and adequate door widths.

### ***DM10.8 Access and inclusive design***

To achieve an environment that meets the highest standards of accessibility and inclusive design in all developments (both new and refurbished), open spaces and streets, ensuring that the City of London is:

- a) inclusive and safe for of all who wish to use it, regardless of disability, age, gender, ethnicity, faith or economic circumstance;
- b) convenient and welcoming with no disabling barriers, ensuring that everyone can experience independence without undue effort, separation or special treatment;
- c) responsive to the needs of all users who visit, work or live in the City, whilst recognising that one solution might not work for all.

### ***DM12.2 Development in conservation areas***

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



### ***DM12.3 Listed buildings***

1. To resist the demolition of listed buildings.
2. To grant consent for the alteration or change of use of a listed building only where this would not detract from its special architectural or historic interest, character and significance or its setting.

### ***DM12.4 Archaeology***

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

### ***DM15.1 Sustainability requirements***

1. Sustainability Statements must be submitted with all planning applications in order to ensure that sustainability is integrated into designs for all development.
2. For major development (including new development and refurbishment) the Sustainability Statement should include as a minimum:
  - a) BREEAM or Code for Sustainable Homes pre-assessment;
  - b) an energy statement in line with London Plan requirements;
  - c) demonstration of climate change resilience measures.
3. BREEAM or Code for Sustainable Homes assessments should demonstrate sustainability in aspects which are of particular significance in the City's high density urban environment. Developers should aim to achieve the maximum possible credits to address the City's priorities.
4. Innovative sustainability solutions will be encouraged to ensure that the City's buildings remain at the forefront of sustainable building design. Details should be included in the Sustainability Statement.
5. Planning conditions will be used to ensure that Local Plan assessment targets are met.

### ***DM15.2 Energy and CO2 emissions***

1. Development design must take account of location, building orientation, internal layouts and landscaping to reduce likely energy consumption.
2. For all major development energy assessments must be submitted with the application demonstrating:
  - a) energy efficiency - showing the maximum improvement over current Building Regulations to achieve the required Fabric Energy Efficiency Standards;
  - b) carbon compliance levels required to meet national targets for zero carbon development using low and zero carbon technologies, where feasible;
  - c) where on-site carbon emission reduction is unviable, offsetting of residual CO2 emissions through "allowable solutions" for the lifetime of the building to achieve national targets for zero-carbon homes and non-domestic buildings. Achievement of zero carbon buildings in advance of national target dates will be encouraged;
  - d) anticipated residual power loads and routes for supply.

### ***DM15.3 Low and zero carbon technologies***

1. For development with a peak heat demand of 100 kilowatts or more developers should investigate the feasibility and viability of connecting to existing decentralised energy networks. This should include investigation of the potential for extensions of existing heating and cooling networks to serve the development and development of new networks where existing networks are not available. Connection routes should be designed into the development where feasible and connection infrastructure should be incorporated wherever it is viable.
2. Where connection to offsite decentralised energy networks is not feasible, installation of on-site CCHP and the potential to create new localised decentralised energy infrastructure through the export of excess heat must be considered
3. Where connection is not feasible or viable, all development with a peak heat demand of 100 kilowatts or more should be designed to enable connection to potential future decentralised energy networks.
4. Other low and zero carbon technologies must be evaluated. Non combustion based technologies should be prioritised in order to avoid adverse impacts on air quality.

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3. Where connection is not feasible or viable, all development with a peak heat demand of 100 kilowatts or more should be designed to enable connection to potential future decentralised energy networks.
4. Other low and zero carbon technologies must be evaluated. Non combustion based technologies should be prioritised in order to avoid adverse impacts on air quality.

### ***DM15.4 Offsetting carbon emissions***

1. All feasible and viable on-site or near-site options for carbon emission reduction must be applied before consideration of offsetting. Any remaining carbon emissions calculated for the lifetime of the building that cannot be mitigated on-site will need to be offset using "allowable solutions".
2. Where carbon targets cannot be met on-site the City Corporation will require carbon abatement elsewhere or a financial contribution, negotiated through a S106 planning obligation to be made to an approved carbon offsetting scheme.
3. Offsetting may also be applied to other resources including water resources and rainwater run-off to meet sustainability targets off-site where on-site compliance is not feasible.

### ***DM15.5 Climate change resilience***

1. Developers will be required to demonstrate through Sustainability Statements that all major developments are resilient to the predicted climate conditions during the building's lifetime.
2. Building designs should minimise any contribution to the urban heat island effect caused by heat retention and waste heat expulsion in the built environment.

### ***DM15.6 Air quality***

1. Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.
2. Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.
3. Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for Sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NOx).
4. Developers will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.
5. Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.
6. Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest building in the development in order to ensure maximum dispersion of pollutants.

### ***DM16.1 Transport impacts of development***

1. Development proposals that are likely to have effects on transport must be accompanied by an assessment of the transport implications during both construction and operation, in particular addressing impacts on:
  - a) road dangers;
  - b) pedestrian environment and movement;
  - c) cycling infrastructure provision;
  - d) public transport;
  - e) the street network.
2. Transport Assessments and Travel Plans should be used to demonstrate adherence to the City Corporation's transportation standards.

### ***DM16.3 Cycle parking***

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

### ***DM16.4 Encouraging active travel***

1. Ancillary facilities must be provided within new and refurbished buildings to support active transport modes such as walking, cycling and running. All commercial development should make sufficient provision for showers, changing areas and lockers/storage to cater for employees wishing to engage in active travel.
2. Where facilities are to be shared with a number of activities they should be conveniently located to serve all proposed activities.

### ***DM16.5 Parking and servicing standards***

1. Developments in the City should be car-free except for designated Blue Badge spaces. Where other car parking is exceptionally provided it must not exceed London Plan's standards.
2. Designated parking must be provided for Blue Badge holders within developments in conformity with London Plan requirements and must be marked out and reserved at all times for their use. Disabled parking spaces must be at least 2.4m wide and at least 4.8m long and with reserved areas at least 1.2m wide, marked out between the parking spaces and at the rear of the parking spaces.
3. Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.
4. On site servicing areas should be provided to allow all goods and refuse collection vehicles likely to service the development at the same time to be conveniently loaded and unloaded. Such servicing areas should provide sufficient space or facilities for all vehicles to enter

and exit the site in a forward gear. Headroom of at least 5m where skips are to be lifted and 4.75m for all other vehicle circulation areas should be provided.

5. Coach parking facilities for hotels (use class C1) will not be permitted.
6. All off-street car parking spaces and servicing areas must be equipped with the facility to conveniently recharge electric vehicles.
7. Taxi ranks are encouraged at key locations, such as stations, hotels and shopping centres. The provision of taxi ranks should be designed to occupy the minimum practicable space, using a combined entry and exit point to avoid obstruction to other transport modes.

### ***DM17.2 Designing out construction waste***

New development should be designed to minimise the impact of deconstruction and construction waste on the environment through:

- a) reuse of existing structures;
- b) building design which minimises wastage and makes use of recycled materials;
- c) recycling of deconstruction waste for reuse on site where feasible;
- d) transport of waste and construction materials by rail or river wherever practicable;
- e) application of current best practice with regard to air quality, dust, hazardous waste, waste handling and waste management

### ***DM18.2 Sustainable drainage systems***

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

### ***DM19.2 Biodiversity and urban greening***

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

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

### ***DM1.1 Protection of office accommodation***

To refuse the loss of existing (B1) office accommodation to other uses where the building or its site is considered to be suitable for long-term viable office use and there are strong economic reasons why the loss would be inappropriate. Losses would be inappropriate for any of the following reasons:

- a) prejudicing the primary business function of the City;
- b) jeopardising the future assembly and delivery of large office development sites;
- c) removing existing stock for which there is demand in the office market or long term viable need;
- d) introducing uses that adversely affect the existing beneficial mix of commercial uses.

### ***DM1.5 Mixed uses in commercial areas***

To encourage a mix of commercial uses within office developments which contribute to the City's economy and character and provide support services for its businesses, workers and residents.

### ***DM20.1 Principal shopping centres***

1. Within Principal Shopping Centres (PSCs) the loss of retail frontage and floorspace will be resisted and additional retail provision will be encouraged. Proposals for changes between retail uses within the PSC will be assessed against the following considerations:

- a) maintaining a clear predominance of A1 shopping frontage within PSCs, refusing changes of use where it would result in more than 2 in 5 consecutive premises not in A1 or A2 deposit taker use;
- b) the contribution the unit makes to the function and character of the PSC;
- c) the effect of the proposal on the area involved in terms of the size of the unit, the length of its frontage, the composition and distribution of retail uses within the frontage and the location of the unit within the frontage.

2. Proposals for the change of use from shop (A1) to financial and professional service (A2) restaurant and cafes (A3) drinking establishments (A4) or hot food takeaways (A5), use at upper floor and basement levels will normally be permitted, where they do not detract from the functioning of the centre.

### ***DM18.2 Sustainable drainage systems***

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

### ***DM3.2 Security measures***

To ensure that security measures are included in new developments, applied to existing buildings and their curtilage, by requiring:

- a) building-related security measures, including those related to the servicing of the building, to be located within the development's boundaries;
- b) measures to be integrated with those of adjacent buildings and the public realm;
- c) that security is considered at the concept design or early developed design phases of all development proposals to avoid the need to retro-fit measures that impact on the public realm;
- d) developers to seek recommendations from the City of London Police Architectural Liaison Officer at the design stage. New development should meet Secured by Design principles;
- e) the provision of service management plans for all large development, demonstrating that vehicles seeking access to the building can do so without waiting on the public highway;
- f) an assessment of the environmental impact of security measures, particularly addressing visual impact and impact on pedestrian flows.



### ***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.

## SCHEDULE

APPLICATION: 11/00231/FULMAJ

**120 Moorgate London EC2M 6UR**

**Erection of a building to comprise office (Use Class B1 use) and retail (Classes A1 - A3 use) floorspace with associated parking, servicing and plant and retained bank (Class A2) at basement, ground floor and first floor (total GEA 18,457sq.m, height 56.28m AOD). This is a revision (received on 21st September 2015) to the 2011 scheme (11/00231/FULMAJ) proposing a reduction in building volume by stepping back the rear facade onto South Place Mews at 7th to 10th floor levels.**

## CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 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 and the following policy of the Local Plan: DM15.6, DM16.1. These details are required prior to demolition in order that the impact on the transport network is minimised from the time that development starts.
- 3 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 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to construction work commencing in order that the impact on the transport network is minimised from the time that construction starts.

- 4 Details of facilities and methods to accommodate construction vehicles and deliveries during demolition and the construction of the building hereby approved are to be submitted to and approved by the Local Planning Authority in writing prior to the commencement of work and no demolition or construction shall be carried out other than in accordance with the approved details and methods.

REASON: To ensure that the obstruction of the local highway network by construction vehicles is minimised in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM16.1. These details are required prior to commencement in order that the impact on the highway network is minimised from the time that development starts.

- 5 A scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during demolition 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 policies of the Local Plan: DM15.6, DM15.7, DM21.3. These details are required prior to demolition in order that the impact on amenities is minimised from the time that development starts.

- 6 A scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during construction shall be submitted to and approved in writing by the Local Planning Authority prior to any construction work 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 construction process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be carried out other than in accordance with the approved scheme.

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3. These details are required prior to construction in order that the impact on amenities is minimised from the time that the construction starts.

- 7 None of the development hereby permitted shall be commenced until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:-

  - (iv) Mitigate the effects on Crossrail, of ground movement arising from development.

REASON: The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs C1 (iv) of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.
- 8 None of the development hereby permitted shall be commenced until a method statement has been submitted to, and approved in writing, by the Local Planning Authority to include arrangements to secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.

REASON: To ensure that the development does not prejudice construction of Crossrail and to protect the amenity of occupiers of the proposed building in accordance with the following policies of the Local Plan: CS5, DM16.1.
- 9 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

  - (i) provide details on all structures;
  - (ii) accommodate the location of the existing London Underground structures and tunnels;
  - (iii) accommodate ground movement arising from the construction thereof;

and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 10 No piling or construction of basements using penetrative methods shall take place until it has been demonstrated that there would be no unacceptable risk to below ground utilities infrastructure, details of which shall be approved in writing by the Local Planning Authority in liaison with Thames Water before such works commence and the development shall be carried out in accordance with the approved details.

REASON: To ensure that below ground utilities infrastructure is protected in accordance with the following policy of the Local Plan: DM2.1.

- 11 Before any works including demolition are begun a survey of the highways and other land at the perimeter of the site shall be carried out and submitted to the Local Planning Authority 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 Local Plan: DM10.8, DM16.2. These details are required prior to commencement in order to create a record of the conditions prior to changes caused by the development.

- 12 Before any works thereby affected are begun full details of the Sustainable Drainage Systems shall:  
(a) be submitted to and approved in writing by the Local Planning Authority. The details submitted must demonstrate compliance with the NPPF policies and practice guidance on flood risk and the Non-Statutory Technical Standards for sustainable drainage systems (DEFRA March 2015); and  
(b) thereafter be maintained as approved throughout the lifetime of the building.

REASON: To improve sustainability, reduce flood risk and water run-off rates in accordance with the following policies of the Local Plan: DM15.5 and DM18.1.

- 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 Local Plan: DM3.2. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 14 Before any construction works hereby permitted are begun the following details and information 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) details of provision within the building facades for the inclusion of street lighting.  
REASON: In the interests of public safety and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: CS3, DM10.1.
- 15 The following alterations to the scheme shall be submitted to and approved in writing by the City of London as Local Planning Authority before the relevant part of the works are commenced on site unless otherwise agreed in writing by the Local Planning Authority:  
a) Details of a horizontal louvred screen over the roof area housing the plant to be provided to conceal the plant in views from upper storey windows (comprising of 1: 50 scale roof plan and cross-section);  
(b) Details of the main office entrance doors to provide an automatic sliding doors;  
REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.
- 16 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 facade(s) including typical details of the fenestration and entrances;  
(c) details of a typical bay of the development;  
(d) details of ground floor elevations;  
(e) details of junctions with adjoining premises;  
(f) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level;

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.

- 17 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 policy of the Local Plan: DM10.1. These details are required prior to piling or construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 18 No less than 70 % of the new retail frontage on Moorgate and South Place (excluding the existing retail space hatched blue and red on drawing X104) shall be used for purposes falling with Class A1 of the Town & Country Planning (Use Classes Order) 1987 (as amended) and shall be so used for the life of the building.  
REASON: To ensure that retail facilities are provided in accordance with the following policies of the Local Plan: DM 20.1.
- 20 (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.  
(b) Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.  
(c) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.  
REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 21 Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a

scheme to be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to protect the amenities of commercial occupiers in the building in accordance following policy of the Local Plan: DM15.7.

- 22 No live or recorded music shall be played that it can be heard outside the premises or within any residential or other premises in the building.

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

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

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

- 24 Prior to the occupation of the office accommodation hereby approved the area shown for retail purposes on the deposited plans shall be constructed to shell and core.

REASON: To ensure that retail facilities are provided in accordance with the following policies of the Local Plan: DM20.1, DM20.2, DM20.3.

- 25 The proposed office development sharing a party element with non-office premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR40 is not exceeded in the proposed office premises due to noise from the neighbouring non-office premises and shall be permanently maintained thereafter.

A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results shall submitted to and approved in writing by the Local Planning Authority.

REASON: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan: DM15.7.

- 26 Designated car parking space shall be provided on the site for use by people with disabilities in accordance with the requirements of the London Plan and the space shall be marked out accordingly and maintained throughout the life of the building and be readily available for use by disabled occupiers and visitors without charge to the individual end users of the parking.

REASON: To ensure provision of suitable parking for people with disabilities in accordance with the following policy of the Local Plan: DM16.5.

- 27 No plant or telecommunications equipment shall be installed on the exterior of the building except as may be approved by the Local Planning Authority in writing.



REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.

- 28 Details of the position and size of the green roof, the type of planting and the contribution of the green roof to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.  
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.
- 29 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 Local Plan: DM10.8, DM16.2.
- 30 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 144 pedal cycles. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.  
REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.
- 31 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 Local Plan: DM10.8, DM16.2.
- 32 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 policies of the Local Plan: DM15.1, DM15.2, DM15.3, DM15.3, DM15.4.
- 33 No doors or gates shall open over the public highway.  
REASON: In the interests of public safety
- 34 Changing facilities and showers shall be provided adjacent to the bicycle parking areas and maintained throughout the life of the building

for the use of occupiers of the building in accordance with the approved plans.

REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.

- 36 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 Local Plan: DM15.1, DM15.5. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 37 Provision shall be made for disabled people to obtain access to the offices and 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 Local Plan: DM10.8.
- 38 Before any construction works hereby permitted are begun a detailed assessment of further measures to improve carbon dioxide emissions savings and the BREEAM rating shall be submitted to and approved in writing by the local planning authority.  
REASON: To minimise carbon emissions and provide a sustainable development in accordance with the following policy of the Local Plan: DM15.1, DM15.3. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 39 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 Local Plan: CS15, DM15.1, DM15.2.
- 40 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 Local Plan: DM16.5.

- 41 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 0814A P114; P115; P116; P117; P118; P119; P120; P121; P122; P123; P124; P125 Rev A; P126 Rev A; P 27; P154; P155; P156; P166; P167; P168; P169; P170; P6004; P6005; P6006 and X104; Letter 18.08.2015 from MOLAS and Email dated 21.10.2015 Table of Representations rec'd and Consultant Team Response GVA.  
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

## INFORMATIVES

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

detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.

- 2 The Mayoral Community Infrastructure Levy is set at a rate of £50 per sq.m on "chargeable development" and applies to all development over 100sq.m (GIA) or which creates a new dwelling.

The City of London Community Infrastructure Levy is set at a rate of £75 per sq.m for offices, £150 per sq.m for Riverside Residential, £95 per sq.m for Rest of City Residential and £75 on all other uses on "chargeable development".

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

Relevant persons, persons liable to pay and owners of the land will be sent a "Liability Notice" that will provide full details of the charges and to whom they have been charged or apportioned. Please submit to the

City's Planning Obligations Officer an "Assumption of Liability" Notice (available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil)).

Prior to commencement of a "chargeable development" the developer is required to submit a "Notice of Commencement" to the City's Section 106 Planning Obligations Officer. This Notice is available on the Planning Portal website. Failure to provide such information on the due date may incur both surcharges and penalty interest.

- 3 During the construction phase of the development, the City of London Corporation encourages all owners/developers to commit to the principles outlined in the City of London Corporation's Local Procurement Charter, i.e.

- to identify opportunities for local small to medium sized businesses to bid/tender for the provision of goods and services;

- aim to achieve the procurement of goods and services, relating to the development, from small to medium sized businesses based in the City and the surrounding boroughs, towards a target of 10% of the total procurement spend;

- or where the procurement of goods and services is contracted out

- ensure the above two principles are met by inserting local procurement clauses in the tender documentation issued to contractors or subcontractors (further information can be found in our 'Guidance note for developers').

For additional details please refer to the City of London's 'Local Procurement Charter' and 'Local Procurement - Guidance Note for City Developers'. These documents can be found at

[http://www.cityoflondon.gov.uk/Corporation/LGNL\\_Services/Environment\\_and\\_planning/Planning](http://www.cityoflondon.gov.uk/Corporation/LGNL_Services/Environment_and_planning/Planning)

Further guidance can be obtained by contacting the 'City Procurement Project' which provides free advice to City based businesses and City developers. They can signpost you to local supplier databases, give one to one advice and provide written guidance via the City of London Corporation's Local Purchasing Toolkit and other resources.

To access free support in procuring locally please call 020 7332 1532 or email [city.procurement@cityoflondon.gov.uk](mailto:city.procurement@cityoflondon.gov.uk)

- 4 The Department of the Built Environment (Transportation & Public Realm Division) 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. Early discussion with the Department of the Built Environment Transportation and Public Realm Division is recommended to ensure the design of the building provides for the inclusion of street lighting.

(c) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window sill, 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 licences 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. Please contact the Corporate Property Officer, City Surveyor's Department.

(d) Permanent Highway Stopping-Up Orders and dedication of land for highway purposes.

(h) Connections to the local sewerage and surface water system.

(i) Carriageway crossovers.

(j) Servicing arrangements, which must be in accordance with the City of London Corporation's guide specifying "Standard Highway and Servicing Requirements for Development in the City of London".

- 5 Thames Water advise that a Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms

should be completed on line via  
[www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

- 6 Where groundworks not shown on the approved drawings are to take place below the level of the existing structure (including works for underpinning, new lift pits, foundations, lowering of floor levels, new or replacement drainage, provision of services or similar) prior notification should be given in writing to the Department of the Built Environment in order to determine whether further consents are required and if the proposed works have archaeological implications.
- 7 The Crime Prevention Design Advisor for the City of London Police should be consulted with regard to guidance on all aspects of security, means of crime prevention in new development and on current crime trends.
- 8 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.
- 9 The Director of Markets and Consumer Protection (Environmental Health Team) advises that:

#### Noise and Dust

(a)

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

(b)

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

(c)

Failure to notify the Markets and Consumer Protection Department of the start of the works or to provide the working documents will result in

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

(d)

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

#### Air Quality

(e)

Compliance with the Clean Air Act 1993

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

#### Boilers and CHP plant

(f)

The City is an Air Quality Management Area with high levels of nitrogen dioxide. All gas boilers should therefore meet a dry NO<sub>x</sub> emission rate of <40mg/kWh in accordance with the City of London Air Quality Strategy 2011.

(g)

All gas Combined Heat and Power plant should be low NO<sub>x</sub> technology as detailed in the City of London Guidance for controlling emissions from CHP plant and in accordance with the City of London Air Quality Strategy 2011.

(h)

When considering how to achieve, or work towards the achievement of, the renewable energy targets, the Markets and Consumer Protection Department would prefer developers not to consider installing a biomass burner as the City is an Air Quality Management Area for fine particles and nitrogen dioxide. Research indicates that the widespread use of these appliances has the potential to increase particulate levels in London to an unacceptable level. Until the Markets and Consumer Protection Department is satisfied that these appliances can be

installed without causing a detriment to the local air quality they are discouraging their use. Biomass CHP may be acceptable providing sufficient abatement is fitted to the plant to reduce emissions to air.

(i)

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

#### Standby Generators

(j)

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

(k)

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

#### Cooling Towers

(l)

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

#### Food Hygiene and Safety

(m)

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

(q)

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

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

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



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

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

(r)

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

10 Transport for London has indicated its preparedness to provide guidelines in relation to the proposed location of the CrossRail structures and tunnels, ground movement arising from the construction of the running tunnels, and noise and vibration arising from the use of the running tunnels. Applicants are encouraged to discuss the guidelines with the Crossrail Engineer in the course of preparing detailed design and method statements.

11 The grant of approval under the Town and Country Planning Acts does not overcome the need to also obtain any licences and consents which may be required by other legislation. The following list is not exhaustive:

(a) Works affecting Transport for London operational land and structures:

Borough Integration and Partnerships  
Transport for London  
Windsor House  
42-50 Victoria Street  
London, SW1H 0TL

(b) Works in proximity to the line of the Crossrail project:

Cross London Rail Links Limited  
Portland House  
Bressenden Place  
London, SW1E 5BH

## City of London Conservation Area Advisory Committee

Mr. Ted Rayment,  
Department of Planning,  
Corporation of London,  
P.O. Box 270,  
Guildhall,  
London, EC2P 2EJ

5 May 2011

Dear Sir,

At its meeting on 28<sup>th</sup> April 2011 the City of London Conservation Area Advisory Committee considered the following planning application and reached the decision given below:

**C.50 11/00231/FULMAJ – 120 Moorgate, London EC2M 6UR**

**Finsbury Circus Conservation Area/Coleman Street Ward. No Ward Club rep.**

Partial demolition of existing building and erection of a building to comprise office (Use Class B1 use) and retail (Classes A1-A3 use) floor space with associated parking, servicing and plant (total GEA19, 110sq.m height 56.28m AOD), retained bank A3 use at part basement, ground floor and first floor (total of 511.5sq.m).

**11/000232/CAC - 120 Moorgate, London EC2M 6UR**

**Finsbury Circus Conservation Area/Coleman Street Ward. No Ward Club rep.**

Partial demolition of existing building retained part basement, part ground floor and part first floor.

The Committee, whilst considering the proposal to be an improvement on the previous application thought the design was rather old fashioned and unimaginative and requested that the officers discuss with the applicants the possibility of providing greater definition and developing the proposal further.

I should be glad if you would bring the views of the Committee to the attention of the Planning & Transportation Committee.

Yours faithfully,



Mrs. Julie Fox  
Secretary

# THE LUTYENS TRUST

To protect the spirit and substance of the work of Sir Edwin Lutyens

Architectural Adviser: Dr Mervyn Miller  
11, Silver Street, Ashwell, Baldock. HERTS SG7 5QJ  
Tel/Fax: 01462 742685; Email: [REDACTED]  
Registered Charity No. 326776

MKM/MKM/LUT11010  
10 May 2011

Beverley Bush  
Case Officer  
City of London  
Department of Planning & Transportation  
PO Box 270  
Guildhall  
LONDON EC2D 2EJ

Dear Ms Bush

**120 MOORGATE EC2M 6UR: Ref: 11/00231/FULMAJ**

Thank you for consulting The Lutyens Trust about this application. I must apologise for delay in replying, some of which was caused by your authority addressing the covering letter to Goddards. Please ensure that any further consultations are sent to the Ashwell address, printed on this heading, until further notice.

The Trust considers that two of the major heritage issues concern the impact of the proposed demolition of the existing building on the Finsbury Circus Conservation Area, and the setting of the Grade II\* listed Britannic House adjoining the application site. If demolition is acceptable, then the replacement building must be appropriate development in terms of its impact on the two designated heritage assets itemised above. The Trust recognises that there are other listed buildings in the vicinity, and that the impact on their settings is a material consideration. However, the Trust's remit does not include them.

The existing building has a rigid horizontality that is alien to the subtle rhythms generated by the Moorgate façade of Britannic House. While there has been recent reappraisal of the work of Seifert, I agree that No. 120 Moorgate is an element in the conservation area that cannot be considered as a heritage asset. The provisions of PPS 5 HE9.5 for those elements which do not make a positive contribution are the appropriate policy context within which to assess justification of proposed demolition. Planning authorities should take into account the desirability of enhancing or better revealing the significance of the conservation area through development of that element.

However, the setting of Britannic House (and of other listed buildings) brings consideration of the proposals under PPS HE10. As a Grade II\* listed building BH is a designated heritage asset of the highest significance (HE9.1). Moreover that policy refers to harm to significance through 'development within its setting'. Such loss will 'require clear and convincing

justification' and 'substantial harm to ... designated heritage assets of the highest significance ... should be wholly exceptional'.

The Trust has no problems with the demolition of the existing building, but considers that the proposed redevelopment will bring substantial harm to the character and appearance of the Finsbury Circus Conservation Area under HE10, and to the setting of Britannic House under HE9.2.

While I recognise that the lower part of the proposed replacement building has recognised the scale of the façade of Britannic House, and has provided a neutral and consistent rhythms to its fenestration, which will bring continuity, the upper storeys are set back a token distance so that the upper part of the redevelopment will loom in front and above the mansard on Britannic House, and will be obtrusive in the townscape context and setting. The visualisations are ample demonstration of the unacceptability of the impact of the upper part of the proposed redevelopment.

Overall, the Trust considers that the proposed redevelopment fails to provide an appropriate replacement for its context and due to its harmful impact on designated heritage assets, one of which is 'of the highest significance' – the adjacent Britannic House. Consequently we have concluded that conservation area consent for demolition of the existing building should be refused, as well as planning permission for its replacement.

Yours sincerely

Dr Mervyn Miller, Chartered Architect and Town Planner  
Architectural Adviser

c.c. Martin Lutyens, Chairman, The Lutyens Trust  
Margaret Richardson, Trustee, The Lutyens Trust  
Claire Hill, Hon. Secretary, The Lutyens Trust



Ms Beverley Bush  
Department of the Built Environment  
City of London  
PO Box 270  
Guildhall  
London EC2P 2EJ

Sent by email: [PLNComments@cityoflondon.gov.uk](mailto:PLNComments@cityoflondon.gov.uk)

2 November 2015

Our ref: 07 01 06

Dear Ms Bush,

**Application ref: 11/00231/FULMAJ**  
**120 Moorgate London EC2M 6UR**

Thank you for consulting the Twentieth Century Society on the above planning application for the redevelopment of 120 Moorgate. We wish to object to the proposals for the reasons set out below.

No 120 Moorgate was built by Richard Seifert and Partners in 1971-72 and is a notable example of Brutalist architecture. It was designed to accommodate shops on the ground floor with seven floors of offices above. The building is clad in horizontal concrete slabs that alternate with wide bands of glazing. The contrast between the two materials is most pronounced and the fenestration lets the concrete appear to float.

At street level at the corner of the building Seifert uses a Y-shaped pier that is characteristic for his work of this period becoming more and more pronounced as an abstraction of the modernist piloti – 120 Moorgate exemplifies the most extreme illustration of this development with the asymmetrical form of this support displaying a sculptural flamboyance.

The Y-shaped piloti motif had become primarily a decorative device for Seifert at his Grade II listed Centre Point built 1961-66 where the precast external mullions for the partially load bearing external façade are essentially stacked-up piloti. They are faceted and inverted and repeated hundreds of times. Erno Goldfinger described Centrepoint as 'London's first Pop-Art skyscraper' because of this abstraction of the piloti. At 120 Moorgate the Y-shaped piloti returns as a structural component. Demonstratively positioned at the corner of the building, it is curiously crippled in its appearance.

There are other good details such as the concrete corner blocks that lend a perceived sense of stability to the glazed bands. Although at second glance they are obviously stylized elements: at the top where they adjoin the concrete slabs they are recessed and at the bottom they are separated from the intermittent concrete bands by a gap just before they touch - this emphasises the illusion of lightness. There are other nice building details: the recesses left out of the concrete slabs

above the shops for signage, and the formal double height entrance which is well articulated. At street level there is also some use of grey glass mosaic tiling, a material typical for the architecture of this era and especially so for Seifert.

There has also been a resurgence of interest in the work of Seifert, with several more of his office buildings recently listed, such as 1 Kemble Street and the Alpha Tower in Birmingham – both now designated grade II (in 2015 and 2014 respectively). In our view, when permission for demolition of this building was first granted in 2007, relatively little was understood about the significance of the architect and quality of his designs. This situation has now changed, and the Society considers that the principle of demolishing this building of architectural and historical significance should now be re-considered. For the above reasons we wish to register our objection to the scheme.

I trust these comments are useful to you. Should you have any queries, please do not hesitate to contact me at this office.

Yours sincerely

/

**Henrietta Billings**  
**Senior Conservation Adviser**  
**Twentieth Century Society**

**Remit:** The Twentieth Century Society was founded in 1979 and is the national amenity society concerned with the protection, appreciation, and study of post-1914 architecture, townscape and design. The Society is acknowledged in national planning guidance as the key organisation concerned with the modern period and is a constituent member of the Joint Committee of the National Amenity Societies. Under the procedures set out in *ODPM Circular 09/2005*, all English local planning authorities must inform the Twentieth Century Society when an application for listed building consent involving partial or total demolition is received, and they must notify us of the decisions taken on these applications.

**CITY OF LONDON CONSERVATION AREA ADVISORY COMMITTEE  
CASES 19<sup>th</sup> November 2015**

**CASES**

**C.130 11/00231/FULMAJ - 120 Moorgate, London EC2M 6UR 11/00231/FULMAJ**

**Finsbury Circus Conservation Area/Coleman Street Ward. No Ward Club rep.**

The Committee, whilst considering the proposal to be an improvement on that submitted in 2011, objected to the design on the basis of the treatment of the façade which was detrimental to the Conservation Area in this key City location.