

Committee:	Date:
Planning and Transportation	4 October 2016
Subject: 1-3, 4, 5, 7 & 8 Fredericks Place & 35 Old Jewry London EC2R 8AE Refurbishment of 1-3, 4, 5, 7 and 8 Fredericks Place and 35 Old Jewry including change of use from office (Class B1) to restaurant (Class A3) and flexible Shop (Class A1)/Office (Class B1) use at part ground and part lower ground floors at 1-3 Frederick's Place; and change of use from office (Class B1) to flexible Shop (Class A1)/Office (Class B1) use at part ground and part lower ground floors at 35 Old Jewry. Rationalisation of roof plant and other associated works.	Public
Ward: Cheap	For Decision
Registered No: 15/01308/FULL	Registered on: 16 December 2015
Conservation Area: Guildhall	Listed Building: Grade II

Summary

Planning permission is sought for the general refurbishment and part change of use of four buildings on Frederick's Place that form part of the Mercers' Livery Company's "Home Estate". The proposals include the rationalisation of roof plant, the provision of roof terraces and changes of use to provide a new restaurant (Class A3) and two areas of flexible Shop (Class A1)/Office (Class B1).

The proposals would provide 692sq.m (GEA) of new restaurant floorspace (Class A3) and 606sq.m (GEA) of flexible shop (Class A1) or office (Class B1) use at ground, basement and lower basement levels across the site. [1,298sq.m Total]

Six objections have been received. These are from City Heritage, the City of London Conservation Area Advisory Committee, neighbouring commercial and residential occupiers and freeholders. The objections are principally in relation to the potential for noise and visual impacts on the special character and appearance of the Guildhall Conservation Area and the amenity of neighbouring commercial and residential occupiers. It is my view that the

objections have been addressed both through amendments to the proposals and, where appropriate, the imposition of suitable conditions.

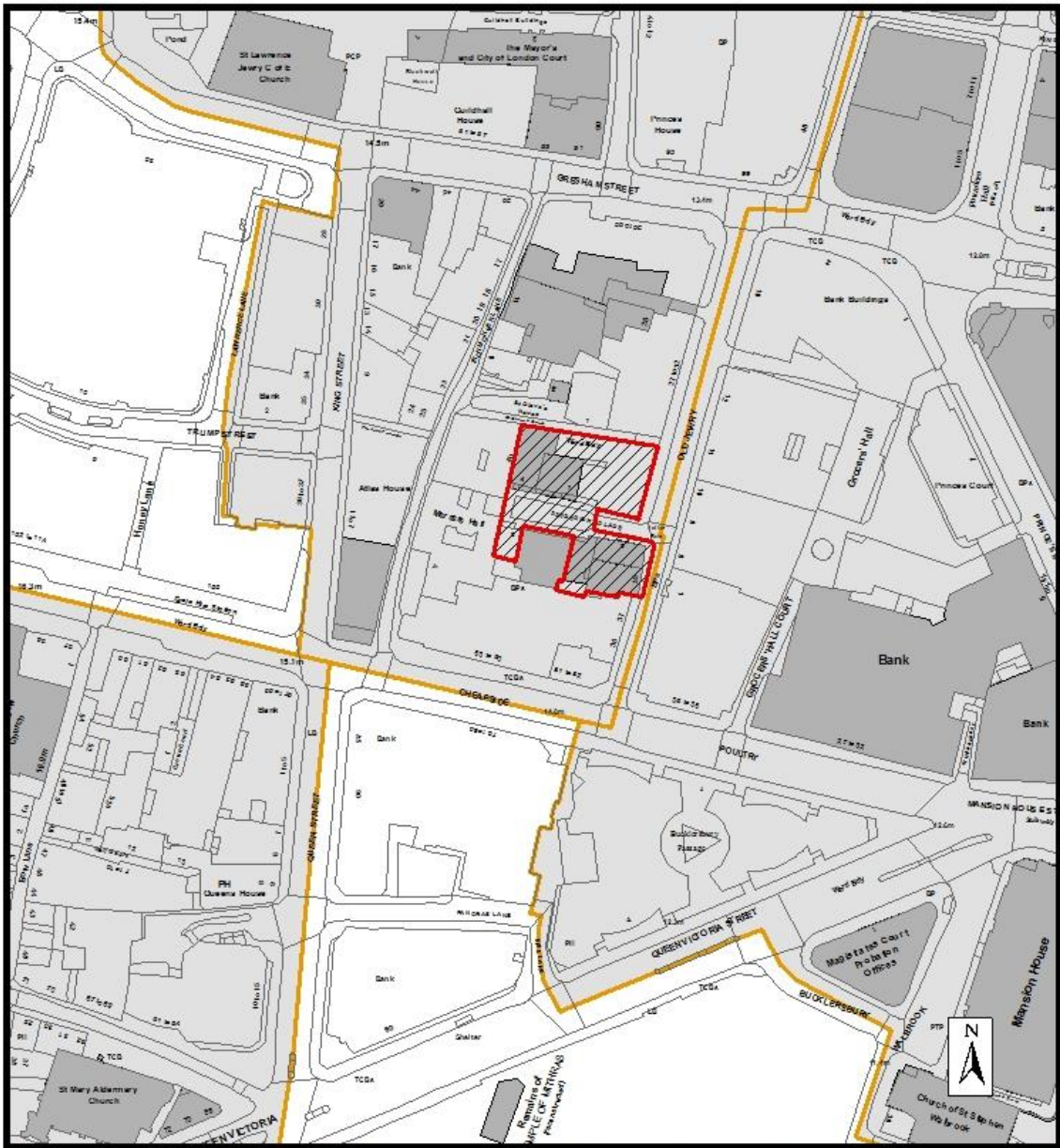
The proposals would not harm the special character and visual amenity of this part of the Guildhall Conservation Area or the appearance, character and special architectural and historic interest of the listed buildings in Frederick's Place or the setting of nearby listed buildings, including the grade I Tower of St. Olave's Church.

The proposals are substantially in compliance with the provisions of the development Plan.

Recommendation

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


Site Location Plan



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ADDRESS:
1-3, 4, 5, 7 & 8 Frederick's Place & 35 Old Jewry

CASE No.
15/01308/FULL &
15/01309/LBC

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT



1-3 Frederick's Place

Case No. 15-01308-FULL & 15-01309-LBC



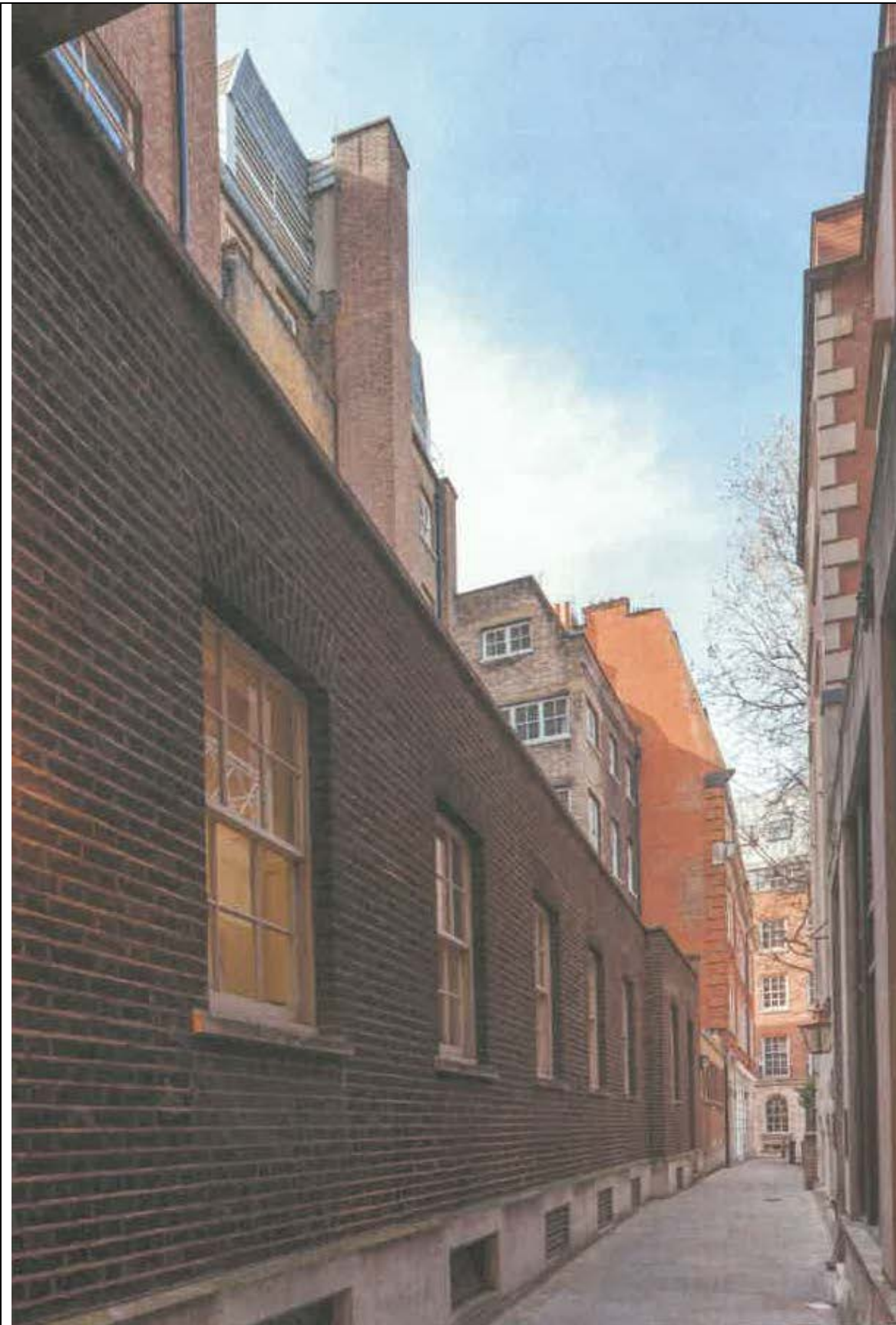
4 Frederick's Place
Case No. 15-01308-FULL & 15-01309-LBC



5 Frederick's Place
Case No. 15-01308-FULL



7-8 Frederick's Place & 35 Old Jewry
Case No. 15-01308-FULL & 15-01309-LBC



St. Olave's Court – Looking West
Case No. 15-01308-FULL & 15-01309-LBC



1 Frederick's Place, Old Jewry Elevation – Looking South
Case No. 15-01308-FULL & 15-01309-LBC

Main Report

Introduction

1. This report is prepared in respect of application numbers 15/01308/FULL and 15/01309/LBC.

Site

2. Frederick's Place was developed as a speculative residential development in the 18th century by the Adam brothers. It is characterised by late 18th century Georgian and neo-Georgian town houses arranged around a close.
3. The whole of the site lies within the Guildhall Conservation Area and is of high significance in terms of its architectural and historic interest and provides a positive contribution to the character and appearance of the conservation area.
4. The proposals affect a number of buildings in terms of their listed status and use:
 - (a) 1-3 Frederick's Place. Nos. 2 & 3 are listed grade II. Basement, ground and 4 upper floors in office (Class B1) use.
 - (b) 4 Frederick's Place. Listed grade II. Basement, ground and 5 upper floors in office (Class B1) use.
 - (c) 5 Frederick's Place. Not Listed. Basement, ground and 4 upper floors in office (Class B1) use.
 - (d) 7-8 Frederick's Place and 35 Old Jewry. Listed grade II. Basement, ground and 4 upper floors in office (Class B1) use.
5. A number of the buildings have been altered internally and/or externally due to fire, bomb damage and the changing requirements of occupiers.
6. The site is adjacent to the western boundary of the Bank Conservation Area.

Proposal

7. Planning permission and listed building consent are sought for the following principal works:
 - (a) 1-3 Fredericks Place - Refurbishment and a change of use at part ground and part lower ground floor levels to provide a restaurant (Class A3) and an area of flexible shop (Class A1)/office (Class B1); the reintroduction of an entrance at No. 2 and the creation of roof terraces at 1st, 4th and 5th floor levels to the rear on the St. Olave's Court elevation; creation of a restaurant entrance on Old Jewry and refuse store on St. Olave's Court.
 - (b) 4 Fredericks Place – Refurbishment including rebuilding of rear single storey extension and provision of ancillary sleeping accommodation at 3rd and 4th floor levels.

(c) 5 Fredericks Place - Refurbishment of building as offices, with a new reception area, relocation of plant from roof to lower ground floor level and creation of a roof terrace.

(d) 7-8 Fredericks Place and 35 Old Jewry - General refurbishment and provision of a new entrance hall at No. 8. Change of use from office (Class B1) to flexible restaurant (Class A3)/Office (Class B1) use at ground and lower ground floor levels.

Consultations

8. The views of other City of London departments have been taken into account in the preparation of this scheme and some detailed matters are addressed by conditions. These include matters relating to environmental controls such as noise, fume extraction and ventilation and, controls during building operations.
9. Historic England does not wish to comment and says that the application should be determined in accordance with national and local policy guidance and on the basis of the City's specialist conservation advice.
10. Thames Water has no objections to the proposals.

Objections

11. Objections have been received from City Heritage, the City of London Conservation Area Advisory Committee, neighbouring commercial and residential occupiers and freeholders. The objections are summarised below and are attached in full to this report. The issues raised are addressed in the appropriate sections under 'Considerations'.
12. The City Heritage Society is concerned that the proposed change of use and associated works would be detrimental to the character and appearance of the conservation area.
13. The City of London Conservation Area Advisory Committee objected to the proposed alterations to windows on Old Jewry and St. Olave's Court.
14. The commercial occupiers of St. Olave's House, Winter Scott LLP, object to the proposals due to the potential impact on heritage assets, particularly the setting of the Tower of St. Olave's Church (listed grade I) which provides the entrance to their offices. They are concerned that the use and noise generated by the use of the proposed 1st floor roof terrace could impact on their business operation. They also question the proposed location of the restaurant waste store on St. Olave's Court.
15. The residential occupier of 9 Ironmonger Lane objects to the principle of roof terraces on the rear of 1-3 Frederick's Place due to the potential for noise and overlooking. He is concerned in respect of the potential impacts from construction noise during the building works.
16. The residential occupier of 5 St. Olave's Court, which forms part of St. Olave's House, has objected to the proposals due to the proximity and

potential for noise generation and overlooking from use of the roof terraces, noise from the first floor plant enclosure, the location and potential for noise and odours from the waste collection store, the impact on heritage assets and construction noise.

17. The London Diocesan Fund (LDF) as freeholders of 9 Ironmonger Lane and St. Olave's House object to the proposals on the potential for noise generation from the proposed roof terraces, restaurant and first floor plant enclosure. They are concerned at the potential for disturbance and odour from the restaurant waste collection store.
18. The LDF also raised concern that, as a neighbouring freeholder, they were not directly consulted in respect of the applications. It should be noted that the applications were advertised both on site and in the local press (the Evening Standard) in accordance with Government guidance and the City's Statement of Community Involvement.

Policy Context

19. The development plan consists of the London Plan and the Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
20. Government Guidance is contained in the National Planning Policy Framework (NPPF).

Considerations

Introduction

21. 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).
22. 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.”
23. 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”.
24. It states at paragraph 7 that sustainable development has an economic, social and environmental role.
25. In considering the planning application before you, account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
26. 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.
 - The acceptability of the proposed changes of use.

Retail Uses

27. The proposals would provide a total of 1,298sq.m (GEA) of retail floorspace:

Class A1

- (a) 1-3 at basement (103sq.m) and ground (78sq.m) floor levels.
- (b) 7-8 Fredericks Place and 35 Old Jewry at basement (196sq.m) and ground (229sq.m) floor levels.

Class A3

- (c) 1-3 at lower basement (116sq.m), basement (295sq.m) and ground (281sq.m) floor levels. It is noted that the floorspace within the lower basement area would be for the provision of mechanical plant to serve the restaurant use above. It is anticipated that the Class A3 use would provide 140 covers for a mid-range restaurant and would be lower for a fine dining establishment.
28. Policy CS6: Cheapside and St. Paul's of the Local Plan encourages the provision of larger retail units fronting Cheapside and the development of smaller units in surrounding streets, "...particularly in the Guildhall and Bow Lane Conservation Areas."
29. Cheapside, which is within 50m of the entrance to Frederick's Place, is a Principal Shopping Centre (PSC) as identified in policy CS20: Retailing. Policy CS20.3 gives priority to shops (Class A1) within the PSCs with other retail uses directed to the peripheries of the centres.
30. It is considered that the proposed retail provision (Class A1 and A3), together with the existing and permitted retail units on Old Jewry, would further enliven the street frontages and help support the vitality and viability of the Cheapside PSC in accordance with the above policies.

Offices

31. There is a loss of 692sq.m rising to a maximum of 1,298sq.m of office floorspace across the site should the flexible areas not be used for offices. However, the proposals would result in substantial improvements to the quality of the remaining office stock within Frederick's Place (5,414sq.m to 6020sq.m). If the maximum amount of retail floorspace were implemented, 710sq.m (approximately 55%) of the floorspace would be at basement level or below.
32. The proposed retail uses would increase vitality at street level and complement office uses in the area.
33. It is considered that on balance, the proposals would not harm the City's primary business function and, therefore, would be in accordance with the aims of Local Plan Policy DM1.1.

Servicing and Parking

34. The waste storage and collection facilities have been agreed with the Community Facilities Manager.
35. Concerns have been raised in respect of the potential for noise and odour generation from the refuse point on St. Olave's Court, especially given its proximity to the residential entrance for the Rectory at St. Olave's House.
36. The Community Facilities Manager has agreed that the refuse bay would operate as a holding point. Waste would be transported from the basement store to the presentation point via an internal hoist and, at the time of collection, it would be trundled 10m along the east end of St. Olave's Court to a refuse collection vehicle on Old Jewry. There

would be two collections per day; one for standard waste and one for recyclables.

37. The refuse bay would be constructed in accordance with British Standard BS5906 and fitted with permanent, fly and vermin proof ventilators. A hose union tap would be fitted and a trapped gully would be connected to the foul sewer. The walls of the presentation area and associated routes within the building would be constructed of materials suitable for washing down. Internal and external doors would be self-closing.
38. A condition limiting the hours when collection of the waste can be carried out is recommended.
39. The location of the waste presentation point near to a residential unit is not an uncommon situation within the City and elsewhere. There are many locations where residential units are sited directly above or adjacent to shops and restaurants and associated waste storage areas. The way the waste presentation point would be operated and constructed together with a condition limiting the hours for collection, would ensure that issues related to noise and odour generation would be managed and kept to a minimum.
40. As in the existing situation, servicing would be from the street with vehicles stopping either in Frederick's Place or on Old Jewry.
41. The Transport Assessment provided with the application indicates a maximum of three additional LGV trips would arise as a result of the proposed restaurant provision which would not significantly impact on the local road network.
42. The site is identified as being located in an area with a Public Transport Accessibility Level (PTAL) of 6b, the highest level of accessibility and rated as "Excellent".
43. The proposed restaurant (Class A3) uses would generate a requirement for 20 staff and five short-term cycle spaces for visitors.
44. It is proposed to provide 63 secure, covered and lit cycle parking spaces for staff within the existing vaults located underneath Frederick's Place. Showers, lockers and changing facilities would be provided within each of the individual buildings. The restaurant staff would have access to the vault level cycle parking areas.
45. Short-term cycle spaces should be in accessible locations; normally at street level. However, the nature of the site, which is bounded by public highway on all sides, makes this impossible within the site boundary. It is therefore proposed to provide access to the vault areas when required.

Pedestrian movements

46. Concerns have been raised as to the potential impact of increased pedestrian movement along St. Olave's Court as a result of the proposed restaurant provision at Nos. 1-3 Frederick's Place.

47. The proposed Class A3 use would be accessed from Old Jewry and it is anticipated that it would provide 140 covers for a mid-range restaurant; fewer for fine dining.
48. The principal pedestrian flows in the area are along Cheapside, Gresham Street and Old Jewry and the majority of customers for the restaurant would use these routes. Therefore, given the limited number of covers it is unlikely that St. Olave's court would experience significant increases in pedestrian activity over the case for a fully occupied office space.

Design

External Alterations

Roof Level

49. The proposed external additions include slate clad roof plant enclosures to Nos. 1-3 and 8 and 35 Old Jewry. These would replace existing roof plant and structures which would be removed.
50. At No 5 (not listed) the existing mansard would be altered and a small hipped roof behind the front parapet would be removed to create a small roof terrace.
51. The proposed roof additions and alterations have been amended to minimise visual impact in views from street level and to blend with the existing slate roofs, respecting the special architectural interest of the listed buildings and their settings and the character of this part of the Guildhall Conservation Area.

Ground Level

52. Alterations to the ground level front facades are proposed at No 2 where a window would be replaced with a new entrance door in a location where the original entrance door was, as indicated by the surviving overthrow.
53. A ground floor window on the Old Jewry facade of 1 Frederick's Place would be replaced with an entrance door for the proposed restaurant unit. The proposals originally sought to alter a double window bay to create a larger opening but this has been amended to address concerns raised by the City of London Conservation Area Advisory Committee.

St. Olave's Court Facades

54. At the rear of Nos.1-3 the existing ground floor windows facing onto St. Olave's Court would be lengthened and, at the eastern end, a refuse holding/collection area and ventilation grill would be created.
55. At the rear of Nos. 2 and 3 a glazed roof lantern would be removed from the 1st floor flat roof area and a modern, six storey brick duct would be removed from the rear facade.
56. At No.4 the existing mid-20th century rear single storey extension would be demolished and rebuilt to match the adjoining single storey extension at the rear of Nos.1-3.

Terraces

57. New balustrades and decking would be installed on the flat roof areas to create accessible terraces at 1st, 4th and 5th floor levels at Nos.1-3. A new terrace area would be created at 1st floor level as part of the rebuilding of the single storey extension at No.4. A total of four windows would be altered to provide access to the terrace areas.
58. Objections have been raised in respect of the proposed roof terraces due to concerns over the potential for noise generation and overlooking.

1st Floor Terraces

59. With regard to potential disturbance of the two neighbouring residential occupiers, the applicants have agreed to the imposition of a condition limiting the hours of use of the 1st Floor terraces to between 8am and 6pm Monday to Friday with no permitted use on weekends or Bank Holidays. This would reflect the position taken in similar circumstances elsewhere in the City.
60. The applicants have stated that, the standard leases for the accommodation will prohibit the use of the terraces for smoking. This undertaking is welcomed but cannot be controlled through planning conditions.
61. In terms of overlooking, at 1st floor level the balustrade would be 1.3m above finished floor level, rather than the normally required 1.1m, and would be glazed with translucent glass. At the nearest points, the balustrade would be approximately 2.8m from the 1st floor windows at St. Olave's House (commercial) and 12m from the nearest point of 9 Ironmonger Lane (residential). The proximity of the terraces has been raised as a point of concern.
62. The close proximity of neighbouring occupiers is a common occurrence in a densely developed area such as the City where developments share lightwells or have small alleyways and passages between. The buildings to the east of St. Olave's House (27-32 Old Jewry and 11 Ironmonger Lane) have some instances of windows on their rear elevations within a similar range of proximity to the proposed 1st floor terrace.
63. There is a distance of approximately 12m (nearest points) from the roof terrace balustrade at No.4 to the residential property at 9 Ironmonger Lane. Between the two buildings lays St. Olave's Court and the churchyard of St. Olave's which provides a significant level of tree coverage. The likelihood of direct overlooking is limited. As stated above, the hours of use of the terrace would be limited to safeguard the amenity of neighbouring residential occupiers.

4th and 5th Floor Terraces

64. The residential accommodation at 5 St. Olave's Court is at 2nd and 3rd floor levels with a roof terrace above. The small terraces at 4th and 5th floor levels would be approximately 6.5m and 9m respectively from the

nearest residential window which reflects the existing situation in relation to the office windows below the existing flat roof areas.

65. It is recognised that these proposed terraces do not comply with policy DM10.3 of the Local Plan that seeks to resist roof gardens and terraces that immediately overlook residential premises. However, it is also recognised that these outside areas would provide much needed amenity space for the office occupiers during usual daytime working hours. The applicants have, therefore, agreed to the imposition of a condition limiting the hours of use of the 3rd and 4th floor terraces to between 9am and 6pm Monday to Friday with no permitted use on weekends or Bank Holidays.
66. It is considered, because of the size of the terraces, the restrictions on hours of use and the applicants' intention to further restrict the type of use, that the proposed terraces would not cause undue impact on the privacy and use of the residential unit.
67. A timber clad plant enclosure would be installed on the 1st floor terrace at the rear of No.3. Concerns have been raised in relation to the potential for noise and air pollution. The enclosure would house heat rejection units related to the use of No.4 and would not provide any extraction that might cause foul odours. Conditions are recommended to ensure that noise levels meet the City's standards in relation to plant noise.

Conclusion

68. Subject to appropriate conditions, the alterations to the external facades are considered acceptable in design and listed building terms and would not detract from the character of the listed and other buildings within the conservation area.

Internal Alterations

69. Internal alterations are proposed to refurbish the existing listed buildings in order to improve the office accommodation and provide new shop and restaurant facilities.
70. The buildings on the site have all been altered internally. Where the original historic plan form and original architectural features survive, they would be respected and preserved. Nib walls and downstands would be retained where new openings are proposed to ensure the historic plan form is legible.
71. The proposed internal alterations would not harm the special architectural and historic interest of the listed buildings on the site.

Impact on the character of the Guildhall Conservation Area

72. Objections have been raised to the proposed change of use and associated alterations to the rear onto St Olave's Court due to concerns regarding the potential impact on the quiet character of St. Olave's Court and the setting of nearby listed buildings including the Tower of St Olave's Church (listed grade I).

73. The proposals include new plant enclosures to rationalise the existing miscellaneous plant installations at roof level, new terraces and lengthening of existing ground floor level window openings on St. Olave's Court and the alteration of a window on Old Jewry Street to create a new entrance to the proposed restaurant.
74. The new roof top plant would be satisfactorily integrated into the form and architectural character of the existing buildings and would replace existing boxy and prominent plant enclosures at roof level, enhancing the appearance of the buildings in street and higher level views.
75. Although, the existing windows and openings along St. Olave's Court would be altered to a more modern design, there would be no adverse impact on the existing character of this facade.
76. The setting to the listed church tower would not be adversely affected by the proposals.
77. The roof terraces facing onto St. Olave's Court would be enclosed by balustrades and the plant would be enclosed by screens, the detailed design of which would be reserved by conditions to ensure a satisfactory appearance.
78. The proposed alterations are acceptable in design terms and would enhance the appearance of St. Olave's Court.
79. The proposals would not harm the appearance, character and special architectural and historic interest of the buildings or the setting of nearby listed buildings, including the grade I Tower of St. Olave's Church. They would not harm the special character and visual amenity of this part of the Guildhall Conservation Area.

Daylight and Sunlight

80. Loss of daylight and outlook is a material planning consideration. Policy DM10.7 of the Local Plan seeks "To resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to levels which would be contrary to the Building Research Establishment's guidelines".
81. A report has been submitted analysing the effect of the proposal on daylight and sunlight to residential units at:
 - The Rector's Flat, 3rd Floor St Olave's House, St. Olave's Court
 - 9 Ironmonger Lane
82. The analysis has been carried out in accordance with the Building Research Establishment (BRE) guidelines "Site Layout Planning for Daylight and Sunlight". The guidelines are advisory rather than mandatory and need to be interpreted flexibly, taking into account other factors which might also affect the site.
83. The analysis indicates that the neighbouring residential properties would continue to meet the BRE criteria for Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH) with no noticeable loss of daylight or sunlight.

Amenity Space

84. The amenity space of St. Olave's Churchyard has not been assessed as it is considered that the modest increases in height at the eastern end of Frederick's Place that would be generated by the revised roof level plant enclosures would not materially increase the existing level of overshadowing caused by the existing buildings that adjoin the proposal site.

Other Properties

85. There are no other residential premises where daylight or sunlight would be affected by this proposal.

Sustainability and Energy

86. The applicants have submitted an Energy Statement. The proposed energy efficiencies indicate that the refurbished buildings are expected to achieve a 32.4% improvement over the 2013 Building Regulations Target Emissions.
87. As refurbishments these properties are expected to achieve the greatest feasible and viable energy savings rather than meet the London Plan target of 35% improvement over the 2013 Building Regulations. As a refurbishment rather than new build, the conservation of embodied carbon contributes to the minimisation of carbon emissions associated with the proposals.

Building Operations

88. A scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during the works would be required by condition and would need to be approved prior to the works being carried out.

Archaeology

89. The site is in an area of important archaeological potential of all periods. It lies in the centre of the Roman town with evidence of Roman activity from the 1st to the 3rd century. A Roman east-west road passes through the north side of the site, and there is evidence of a 3rd century building with mosaic floors. The 9-11th century Church of St. Olave Jewry is to the north of St Olave's court. The associated burial ground lies over the north-eastern part of the site, and burials may still survive here. There were extensive medieval properties on the site, including the birth place of St Thomas a Becket. In 1227-28 a church and conventual buildings were established following his canonisation. In the 16th century the Mercer's Company acquired the site and built a Hall and other buildings.
90. The current building has a basement across the entire site and partial sub-basement mainly located in the east of the site, which would have truncated some, but not all archaeological deposits.
91. Across the majority of the site, the proposals would not involve any works below the existing basement and sub-basement and would, therefore, not have an impact on archaeological remains. At No.4

Frederick's Place, the development would include new foundations and underpinning to support the rebuilt rear extension. This work would impact on archaeological remains, and archaeological evaluation is needed to investigate the impact of the proposals, to provide more information on archaeological survival in this area and to inform a mitigation design.

92. Conditions are attached to cover archaeological evaluation, a programme of archaeological work and foundation design.

Planning Obligations and Community Infrastructure Levy

93. The proposals do not meet the criteria to trigger the imposition of any planning obligations or CIL charges.

Conclusion

94. Subject to the imposition of appropriate conditions, the proposals would not unduly impact on the amenity of neighbouring residential and commercial occupiers.
95. The proposals would not impact to any noticeable level on daylight and sunlight levels to neighbouring residential properties.
96. The proposals would not harm the appearance, character and special architectural and historic interest of the impacted listed buildings in Frederick's Place or on the setting of nearby listed buildings, including the grade I Tower of St. Olave's Church.
97. The proposals would not harm the special character and visual amenity of this part of the Guildhall Conservation Area.
98. The scheme provides an appropriate mix of uses.
99. The proposals are substantially in compliance with the provisions of the development Plan.
100. I recommend planning permission be granted as set out in the Recommendation and Schedule.

Background Papers

Application Documents

Design and Access Statement by John Robertson Architects rec'd 11.12.2015
Planning Statement by DP9 rec'd 11.12.2015
Daylight and Sunlight Report by Deloitte LLP rec'd 11.12.2015
Environmental Noise Report by Cundall Johnston Partners LLP rec'd 11.12.2015
Waste Management Strategy by WSP Parsons Brinckerhoff rec'd 11.12.2015
Transport Assessment by WSP Parsons Brinckerhoff rec'd 11.12.2015
Travel Plan by WSP Parsons Brinckerhoff rec'd 11.12.2015
Energy Statement by KJ Tait Engineers rec'd 11.12.2015
Heritage Appraisal by KM Heritage rec'd 11.12.2015
Historic Environment Assessment by Museum of London Archaeology rec'd 11.12.2015
Supplementary Information outlining Refuse Storage Facilities by John Robertson Architects rec'd 11.02.2016

Drawings

P00/001 Rev. P3, P00/002 Rev. P2, P00/003 Rev. P2, P00/004 Rev. P2, P00/005 Rev. P2, P00/006 Rev. P2, P00/007 Rev. P2, P00/008 Rev. P2, P00/009 Rev. P2, P00/010 Rev. P3, P00/011 Rev. P3, P00/012 Rev. P2, P00/013 Rev. P2, P00/014 Rev. P3, P00/015 Rev. P2, P00/016 Rev. P2, P00/017 Rev. P2, P00/020 Rev. P3, P00/022 Rev. P3, P00/023 Rev. P2, P00/024 Rev. P2, P00/025 Rev. P2, P00/026 Rev. P2; 1754_MP_SK03_042.

Internal

Memorandum 30.12.2015 City of London Markets and Consumer Protection, Pollution Team

Memorandum 05.01.2016 Community Facilities Manager

External

Planning Permission:

Email 04.01.2016 Thames Water
Letter 06.01.2016 Historic England
Letter 27.01.2016 City Heritage
Minute 28.01.2016 City of London Conservation Area Advisory Committee
Letter 08.02.2016 Building Design Partnership Limited (Residential

Objection)

Letter 08.02.2016 Building Design Partnership Limited (Commercial Objection)

Letter 23.03.2016 DP9

Letter 18.05.2016 Building Design Partnership Limited (Commercial Objection)

Letter 18.05.2016 Building Design Partnership Limited (Residential Objection)

Letter 19.05.2016 Building Design Partnership Limited (Residential Objection)

Email 14.06.2016 Building Design Partnership Limited

Email 03.08.2016 Building Design Partnership Limited

Letter 05.08.2016 Dominic Lawson Bespoke Planning (Commercial Objection)

Email 21.09.2016 DP9

Listed Building Consent:

Letter 06.01.2016 Historic England

Letter 14.01.2016 Historic England (Secretary of State)

Letter 08.02.2016 Building Design Partnership Limited (Residential Objection)

Letter 08.02.2016 Building Design Partnership Limited (Commercial Objection)

Letter 23.03.2016 DP9

Letter 05.08.2016 Dominic Lawson Bespoke Planning (Commercial Objection)

Appendix A

London Plan Policies

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 4.5 Support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seeking to improve the range and quality of provision.

Policy 4.8 Support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of this Plan, especially town centres.

Policy 5.2 Development proposals should make the fullest contribution to minimising carbon dioxide emissions.

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

Policy 7.4 Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.

Policy 7.6 Buildings and structures should:

- a. Be of the highest architectural quality
- b. Be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c. Comprise details and materials that complement, not necessarily replicate, the local architectural character
- d. Not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- e. Incorporate best practice in resource management and climate change mitigation and adaptation
- f. Provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g. Be adaptable to different activities and land uses, particularly at ground level
- h. Meet the principles of inclusive design
- i. Optimise the potential of sites.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

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.

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.

CS6 Meet challenges Cheapside/St Paul's

To develop Cheapside and St Paul's area as the City's 'high street' and key visitor destination, increasing the amount of high quality retailing, promoting the City's unique cultural and leisure activities and heritage, and improving the pedestrian environment.

CS10 Promote high quality environment

To promote a high standard and sustainable design of buildings, streets and spaces, having regard to their surroundings and the character of the City and creating an inclusive and attractive environment.

DM10.1 New development

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

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

DM10.3 Roof gardens and terraces

- 1) To encourage high quality roof gardens and terraces where they do not:
 - a) immediately overlook residential premises;
 - b) adversely affect rooflines or roof profiles;
 - c) result in the loss of historic or locally distinctive roof forms, features or coverings;
 - d) impact on identified views.
- 2) Public access will be sought where feasible in new development.

DM10.7 Daylight and sunlight

- 1) To resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to

unacceptable levels, taking account of the Building Research Establishment's guidelines.

- 2) The design of new developments should allow for the lighting needs of intended occupiers and provide acceptable levels of daylight and sunlight.

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.

CS12 Conserve or enhance heritage assets

To conserve or enhance the significance of the City's heritage assets and their settings, and provide an attractive environment for the City's communities and visitors.

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

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.

DM12.5 Historic parks and gardens

1. To resist development which would adversely affect gardens of special historic interest included on the English Heritage register.
2. To protect gardens and open spaces which make a positive contribution to the historic character of the City.

CS15 Creation of sustainable development

To enable City businesses and residents to make sustainable choices in their daily activities creating a more sustainable City, adapted to the changing climate.

DM15.7 Noise and light pollution

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.
2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise

attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.

3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.
4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.
5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

CS16 Improving transport and travel

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

DM16.3 Cycle parking

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

CS17 Minimising and managing waste

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

DM17.1 Provision for waste

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

CS20 Improve retail facilities

To improve the quantity and quality of retailing and the retail environment, promoting the development of the five Principal Shopping Centres and the linkages between them.

CS21 Protect and provide housing

To protect existing housing and amenity and provide additional housing in the City, concentrated in or near identified residential areas, as shown in Figure X, to meet the City's needs, securing suitable, accessible and affordable housing and supported housing.

DM21.3 Residential environment

1. The amenity of existing residents within identified residential areas will be protected by:
 - a) resisting other uses which would cause undue noise disturbance, fumes and smells and vehicle or pedestrian movements likely to cause disturbance;
 - b) requiring new development near existing dwellings to demonstrate adequate mitigation measures to address detrimental impact.
2. Noise-generating uses should be sited away from residential uses, where possible. Where residential and other uses are located within the same development or area, adequate noise mitigation measures must be provided and, where required, planning conditions will be imposed to protect residential amenity.
3. All development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential accommodation.
4. All new residential development proposals must demonstrate how potential adverse noise impacts on and between dwellings will be mitigated by housing layout, design and materials.
5. The cumulative impact of individual developments on the amenity of existing residents will be considered.

SCHEDULE

APPLICATION: 15/01308/FULL

1-3, 4, 5, 7 & 8 Fredericks Place & 35 Old Jewry London EC2R 8AE

Refurbishment of 1-3, 4, 5, 7 and 8 Fredericks Place and 35 Old Jewry including change of use from office (Class B1) to restaurant (Class A3) and flexible Shop (Class A1)/Office (Class B1) use at part ground and part lower ground floors at 1-3 Frederick's Place; and change of use from office (Class B1) to flexible Shop (Class A1)/Office (Class B1) use at part ground and part lower ground floors at 35 Old Jewry. Rationalisation of roof plant and other associated works.

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 Works shall not begin until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the development process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme.
REASON: To protect the amenities of nearby residents and commercial occupiers in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3. These details are required prior to any work commencing in order that the impact on amenities is minimised from the time that development starts.
- 3 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) Large scale (1:1 and 1:20) details of all new windows and external joinery;

(c) Large scale (1:10) details of all new hand rails and balustrades;
(d) Large scale (1:10) details of the new ground floor entrances to include sections showing the relationship between internal and external floor levels and the gradient of any ramps;

(e) Samples of materials and large scale (1:20) details of the plant enclosures to include colour and finish.

(f) Details of measures to be taken during the periods of demolition and construction for the protection of the neighbouring trees and details of any pruning of the trees;

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM10.1, DM10.3, DM10.8, DM12.1, DM12.2, DM12.3, DM19.2.

- 4 All new work and work in making good shall match the existing adjacent work with regard to the methods used and to materials, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this permission.

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

- 5 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.

- 6 Notwithstanding the details in the waste management strategy, no refuse shall be collected between the hours of 20:00 on one day and 08:00 on the following day unless otherwise agreed in writing by the Local Planning Authority.

REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM15.7, DM16.2, DM21.3.

- 7 No servicing of the premises shall be carried out between the hours of 23:00 on one day and 07:00 on the following day from Monday to Saturday and between 23:00 on Saturday and 07:00 on the following Monday and on Bank Holidays. Servicing includes the loading and unloading of goods from vehicles and putting rubbish outside the building.

REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM16.1, DM21.3.

- 8 The roof terraces facing onto St. Olave's Court hereby permitted shall not be used or accessed between the hours of 6pm on one day and 9am on the following day and not at any time on Saturdays, Sundays or Bank Holidays, other than in the case of emergency.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 9 No amplified or other music shall be played on the roof terraces.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 10 (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.
- 11 Before any works thereby affected are begun, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the Class A use. Flues must terminate at roof level or an agreed high level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. The details approved must be implemented before the Class A use takes place.
REASON: In order to protect residential/commercial amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 14 No cooking shall take place within any Class A1 or A3 unit hereby approved until fume extract arrangements and ventilation have been installed to serve that unit in accordance with a scheme approved by the Local Planning Authority. Flues must terminate at roof level or an agreed high level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. Any works that would

materially affect the external appearance of the building will require a separate planning permission.

REASON: In order to protect the amenity of the area in accordance with the following policies of the Local Plan: DM15.6, DM21.3.

- 15 Archaeological evaluation shall be carried out in order to compile archaeological records in accordance with a timetable and scheme of such archaeological work submitted to and approved in writing by the Local Planning Authority before any commencement of archaeological evaluation work.

REASON: To ensure that an opportunity is provided for the archaeology of the site to be considered and recorded in accordance with the following policy of the Local Plan: DM12.4.

- 16 No works except demolition to basement slab level shall take place until the developer has secured the implementation of a programme of archaeological work to be carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. This shall include all on site work, including details of any temporary works which may have an impact on the archaeology of the site and all off site work such as the analysis, publication and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to allow an opportunity for investigations to be made in an area where remains of archaeological interest are understood to exist in accordance with the following policy of the Local Plan: DM12.4.

- 17 No works except demolition to basement slab level shall take place before details of the foundations and piling configuration, to include a detailed design and method statement, have been submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.

REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policy of the Local Plan: DM12.4.

- 18 The ancillary overnight sleeping accommodation hereby approved shall remain ancillary to the office (Class B1) use and shall not become permanent residential or any other form of residential use as defined under Class C of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification unless otherwise approved by the Local Planning Authority.

REASON: To maintain an appropriate level of office (Class B1) provision within the site in accordance with the following policy of the Local Plan: DM1.1

- 19 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 25 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.
- 20 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:
Drawing nos.
P00/100 Rev. P2, P01/006 Rev. P2, P01/007 Rev. P2, P01/008 Rev. P4, P01/009 Rev. P5, P01/010 Rev. P3, P01/011 Rev. P3, P01/012 Rev. P2, P01/013 Rev. P4, P01/014 Rev. P3, P01/015 Rev. P3, P01/019 Rev. P3, P01/021 Rev. P4, P01/022 Rev. P2, P01/023 Rev. P3, P01/024 Rev. P2, P01/025 Rev. P4.
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 This permission must in no way be deemed to prejudice any rights of light which may be enjoyed by the adjoining owners or occupiers under Common Law.
- 3 Access for people with disabilities is a material consideration in the determination of planning applications. The City of London Corporation

has published design standards giving advice on access for people with disabilities and setting out the minimum standards it expects to see adopted in the City buildings. These can be obtained from the City's Access Adviser, Chief Planning Officer and District Surveyor. Further advice on improving access for people with disabilities can be obtained from the City's Access Adviser. Your attention is drawn to the Disability Discrimination provisions of the Equality Act 2010 to ensure that disabled people are not significantly disadvantaged.

Service providers, etc., should make "reasonable adjustments" to facilitate access to their premises and the City asks all applicants for planning permission to ensure that physical barriers to access premises are minimised in any works carried out.

- 4 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.
- 5 The enabling of archaeological work to meet the requirements of conditions 15, 16 and 17 is the responsibility of the developer and should be regarded as an integral part of the development programme in accordance with the policies of the Local Plan. This would include on site facilities, funding, fieldwork, post excavation analysis and reporting and publication of the work in accordance with recognised guidelines and codes of practice. This is to ensure adequate "preservation by record" of the archaeological resource affected by the proposed development.
- 6 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) 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".
- 7 The Markets and Consumer Protection Department (Environmental Health Team) must be consulted on the following matters:
 - (a) Installation of engine generators using fuel oil.

(b) The control of noise and other potential nuisances arising from the demolition and construction works on this site and compliance with the Construction (Design and Management) Regulations 2007; the Department of Markets and Consumer Protection should be informed of the name and address of the project manager and/or main contractor as soon as they are appointed.

(c) Alterations to the drainage and sanitary arrangements.

(d) The requirements of the Health and Safety at Work etc. Act 1974 and the other relevant statutory enactments (including the Offices, Shops and Railway Premises Act 1963); in particular:

- the identification, encapsulation and removal of asbestos in accordance with a planned programme;
- provision for window cleaning (internal and external) to be carried out safely.

(e) The use of premises for the storage, handling, preparation or sale of food.

(f) Use of the premises for public entertainment.

(g) The detailed layout of public conveniences.

(h) Limitations which may be imposed on hours of work, noise and other environmental disturbance.

(i) The control of noise from plant and equipment;

(j) Methods of odour control.

8 The Director of Markets and Consumer Protection states that any building proposal that will include catering facilities will be required to be constructed with adequate grease traps to the satisfaction of the Sewerage Undertaker, Thames Water Utilities Ltd, or their contractors.

9 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. Such as:

Public houses, wine bars, etc.

City of London Corporation
Trading Standards and Veterinary Service
PO Box 270
Guildhall
London EC2P 2EJ

- 10 The Directorate of the Built Environment (Development Division) should be consulted on:
 - (a) The display of any advertisement material on the premises. Advertisements may be subject to the City of London Corporation's Byelaws.
- 11 The Directorate of the Built Environment (District Surveyor) should be consulted on means of escape and constructional details under the Building Regulations and London Building Acts.
- 12 Protection may be needed for any tree in a public highway or open space near to the site. Such protection will need approval by the Open Spaces Department. Any pruning requirement must only be undertaken by or with the prior approval of the Open Spaces Department. The developer is advised to contact the Director of Open Spaces prior to demolition or other development works commencing regarding the protection of nearby trees during works (Contact: Open Spaces, City Gardens - 020 7374 4127 or email - parks.gardens@cityoflondon.gov.uk).

Hassall, Pam

From: COL - Contact Centre
Sent: 04 January 2016 15:36
To: Pln - CC - Development Dc
Subject: FW: PLN FW: 3rd Party Planning Application - 15/01308/FULL COL:04358748

Dear Team,

Please see email below.

Kind Regards

Will Botting
Contact Centre Agent
Town Clerks Department
City of London Corporation
T: 020 7606 3030

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

From: BCTAdmin@thameswater.co.uk [<mailto:BCTAdmin@thameswater.co.uk>]
Sent: 04 January 2016 10:53
To: PlanningQueue
Subject: 3rd Party Planning Application - 15/01308/FULL

Corporation of London
47540
Department of Planning & Transportation
15/01308/FULL
PO Box 270
Guildhall
London
EC2P 2EJ

Our DTS Ref:

Your Ref:

4 January 2016

Dear Sir/Madam

Re: 1-3,4,5,7 AND 8 FREDERICKS PLACE, AND 35 OLD JEWRY, LONDON, EC2R 8AE

Waste Comments

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

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

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Supplementary Comments

In reviewing the Councils' weekly list for planning applications, Thames Water has identified this application as one of interest to us. Whilst we recognise that there is no statutory requirement for you to consult us, we would respectfully ask to be pro-actively consulted on all similar applications in future, so that the adequate provision of water industry infrastructure can be assessed and considered as part of the decision process.

Yours faithfully
Development Planning Department

Development Planning,
Thames Water,
Maple Lodge STW,
Denham Way,
Rickmansworth,
WD3 9SQ
Tel: 020 3577 9998
Email: devcon.team@thameswater.co.uk

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devcon.team@thameswater.co.uk

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We provide the essential service that's at the heart of daily life.



Historic England

LONDON OFFICE

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

Direct Dial: 020 79733775

Our ref: **W:** P00492371

6 January 2016

Dear Mr Newman

**Arrangements for Handling Heritage Applications Direction 2015 & T&CP (Development Management Procedure) (England) Order 2015
1-3,4,5,7 AND 8 FREDERICKS PLACE AND 35 OLD JEWRY LONDON EC2R 8AE
Application No 15/01308/FULL**

Thank you for your letter of 24 December 2015 notifying Historic England of the application for planning permission relating to the above site. Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

Recommendation

This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

It is not necessary for us to be consulted again on this application. However, if you would like further advice, please contact us to explain your request. We can then let you know if we are able to help further and agree a timetable with you.

In returning the application to you without comment, Historic England stresses that it is not expressing any views on the merits of the proposals which are the subject of the application.

Please note that this response relates to historic building and historic area matters only. If there are any archaeological implications to the proposals it is recommended that you contact the Greater London Archaeological Advisory Service for further advice (Tel: 020 7973 3712).



1 WATERHOUSE SQUARE 138-142 HOLBORN LONDON EC1N 2ST

Telephone 020 7973 3700
HistoricEngland.org.uk



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Historic England

LONDON OFFICE

Yours sincerely



Thomasin Davis

Business Officer

E-mail: Thomasin.Davis@HistoricEngland.org.uk



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City Heritage Society

Please reply to:-

35 Eagle Court,
Hermon Hill,
London E11 1PD

Tel. [REDACTED]

e-mail [REDACTED]

24 01 2016

City of London, Department of Planning & Transportation
The Guildhall,
London EC2 P2EJ

Dear Sirs,

Reference 15/01308/FULL

1-3,4,5,7 and 8 FREDERICK'S PACE and 35 OLD JEWRY EC2R 8AE

PLANNING		TRANSPORTATION	
PSDF	UPO	PPD	
TPP	27 JAN 2016	LTP	
OM		SSE	
NO		PP	
FILE	126473	DD	

We, The City Heritage Society, object to the proposals as a] the changes of use proposed would alter the character of this delightful part of the Conservation Area and b] the proposed alterations to the buildings to facilitate these changes of use are undesirable and would be detrimental to the Conservation Area.

Peter Luscombe {Chairman}

FIN

City of London Conservation Area Advisory Committee

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

28th January 2016

Dear Sir,

At its meeting on 21st January 2016 the City of London Conservation Area Advisory Committee considered the following planning application and reached the decision given below:

C.14 15/01308/FULL - 1-3,4,5,7 And 8 Fredericks Place And 35 Old Jewry, London EC2R 8AE
Guildhall Conservation Area/Cheap Ward. Grade II. Ward Club rep. Julie Fox.
Refurbishment of 1-3, 4, 5, 7 and 8 Fredericks Place and 35 Old Jewry including change of use from office to restaurant at ground floor and part lower ground floor in No. 1, change of use from office to retail at ground and lower ground floor in No. 3. Rationalisation of roof plants and other associated works.

The close which forms Frederik's Place together with Old Jewry and St Olaves Court was a very notable part of the Guildhall conservation area. It was quite distinct and the Committee objected to the proposed facade alterations, in particular the removal of two window bays in Old Jewry to create a new A3 entrance and the alterations to the windows in St Olaves Court. The Committee did not object to a reinstatement of the entrance door at 2 Frederick's Place.

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

Yours faithfully,



Mrs. Julie Fox
Secretary

15/01308/FULL
15/01309/LBC

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08 February 2016

Tony Newman
City of London
PO Box 270
Guildhall
London
EC2P 2EJ

BDP.

Dear Mr. Newman

OBJECTION TO FULL MAJOR PLANNING APPLICATION (15/01308/FULL) AND LISTED BUILDING CONSENT (15/01309/LBC) FOR REFURBISHMENT OF NUMBERS 1 – 5, 7 and 8 FREDERICKS PLACE AND 35 OLD JEWRY, TO PROVIDE UPGRADED OFFICE FACILITIES WITH THE PARTIAL CHANGE OF USE AT GROUND FLOOR AND BASEMENT LEVEL FROM OFFICE (B1) TO RETAIL (A1-A4), ALTERATIONS TO ROOF PLANT AND OTHER ASSOCIATED WORKS, ON BEHALF OF RESIDENTIAL PREMISE AT 9 IRONMONGER LANE.

Introduction

We write in relation to the above planning applications, which propose the refurbishment of numbers 1 to 5, 7 and 8 Fredericks Place and 35 Old Jewry to provide upgraded office space, retail units, alterations to roof plant and associated facilities. The proposed development is located adjacent to residential dwelling 9 Ironmonger Lane, which is owned and occupied by Glenn Winter. This letter is written on behalf of Glenn Winter who supports the principle of the development but objects to a number of specific aspects of the design and nature of the proposals in their current form.

We note the applications submitted in December 2015, follow the withdrawal of two earlier applications which included the redevelopment of 4a and 4b Frederick's Place, and the refurbishment of 6 Frederick's Place (ref: 15/00734/FULMAJ and 15/00735LBC). The main differences between the current and previous applications are the removal of the proposed development to 4a, 4b and 6 Frederick's Place, alterations to internal layouts and reconfiguration of roof top plant. The majority of the proposed development to 1 to 5, 7 and 8 Frederick's Place remains as previously submitted in applications 15/00734/FULMAJ and 15/00735LBC.

9 Ironmonger Lane comprises a four storey residential property with four habitable rooms facing the proposed development site. The proposed development is located approximately 13 metres to the south of 9 Ironmonger Lane and is separated by St. Olave's Court, which is a public space. 9 Ironmonger Lane is accessed from St. Olave's Court via Ironmonger Lane. Numbers 1 – 4 Frederick's Place form the southern façade of St. Olave's Court and contribute to its distinctive character, as an intimate open space enclosed by buildings of architectural and historical interest.

The aspects of the proposed development to which this letter objects are as follows:

- The location and scale of the proposed roof terraces and the potential impacts on neighbouring amenity; and
- The omission of details in relation to construction management and effects.

ACKNOWLEDGED



ARCHITECTURE ■ DESIGN ■ ENGINEERING ■ URBANISM ■ SUSTAINABILITY ■ LIGHTING ■ ACOUSTICS

1. Neighbouring Amenity

Roof Terrace

- 1.1. The proposed development includes three roof terraces above 1 Frederick's Place; one at first floor level, one at fourth floor level and one at fifth floor level. As identified in Appendix 1: St. Olave's Court Birdseye View, the first floor roof terrace would be located approximately 13 metres to the south east of 9 Ironmonger Lane. We are concerned this roof terrace does not form a satisfactory relationship with 9 Ironmonger Lane, in terms of noise and overlooking, and therefore we object to the principle of the roof terrace.

Noise

- 1.2. The nature and frequency of use of the roof terrace is unclear from the planning application documentation. Given the design and scale of the roof terrace there is potential for the space to be used for social events, which would contribute to an unacceptable increase in noise levels for residents of 9 Ironmonger Lane. Furthermore, the potential noise impact from the roof terrace on 9 Ironmonger Lane is not considered in the Environmental Noise Report (December, 2015), contrary to Local Plan Policy 15.7 Noise and Light Pollution, which seeks to ensure proposed development does not adversely affect its neighbours especially noise sensitive uses, such as housing. As such we do not believe the CoL have adequate information to properly weigh the harm of the proposed development on neighbouring amenity and therefore cannot accurately determine the application.

Overlooking

- 1.3. The design and layout of the roof terrace does not adequately address issues of overlooking from the western end of the terrace to 9 Ironmonger Lane. Given the proximity of the roof terrace to 9 Ironmonger Lane and the lack of cover between the roof terrace and surrounding properties, the proposed design will allow uninterrupted views from the west of the terrace to four south facing residential habitable rooms contained within 9 Ironmonger Lane, as shown in Appendix 2 – 9 Ironmonger Lane Floor Plans. Therefore the proposed terrace is contrary to Local Plan Policy DM 10.3, Roof Gardens and Terraces, which resists terraces which immediately overlook residential premises. For this reason we object to the principle of the proposed roof terrace.

Plant and Retail Noise

- 1.4. In order to ensure noise breakout from the proposed plant does not result in adverse noise effects on surrounding residential properties, we support the noise mitigation measures included in the Environmental Noise Report (December, 2015) and request the measures detailed under section 5 are secured by compliance condition.

2. Construction

- 2.1. Whilst it is acknowledged the removal of the demolition and redevelopment of 4a and 4b Frederick's Place reduces the potential impacts arising from construction, the refurbishment of 1-5, 7 and 8 Frederick's Place, including the construction of three exterior terraces has the potential to result in effects on surrounding properties, specifically in terms of access and noise.
- 2.2. The application documentation does not include details of the proposed construction programme, likely environmental effects and mitigation and management measures. As such, we believe the CoL has insufficient information to undertake a full assessment of the proposed development against the policies contained within the development plan, and is therefore unable to accurately determine the application.
- 2.3. In accordance with London Plan (July, 2011) Policy 5.3 Sustainable Design and Construction, development proposals should demonstrate sustainable construction standards are integral to the proposals and ensure they are considered at the beginning of the process. In our view the CoL is not able to determine the proposed development until the details of the construction programme, environmental effects and management and mitigation measures have been identified and have undergone public scrutiny through consultation on the application. The identification of effects at an early stage in the process is vital given the

special qualities of the surrounding context, including St. Olave's Court and its designation as a public open space, the Grade I Listed St. Olave's House, the Guild Hall Conservation Area, and a mix of uses in close proximity to the proposed development, including office, retail and residential.

- 2.4. If we believe our concerns have been adequately addressed following submission of further information detailing construction practices, and appropriate management measures have been put into place we would then be willing to withdraw our objection relating to construction.

We respectfully request the above comments are taken into consideration in the determination of the planning applications and for these reasons do not believe that CoL has sufficient information to determine the applications as currently submitted. We would welcome an opportunity to discuss our concerns in person at the site or CoL's offices; if you feel this is appropriate, please can you advise of a suitable date to arrange a meeting.

Yours sincerely

Tom Rudd

Planner

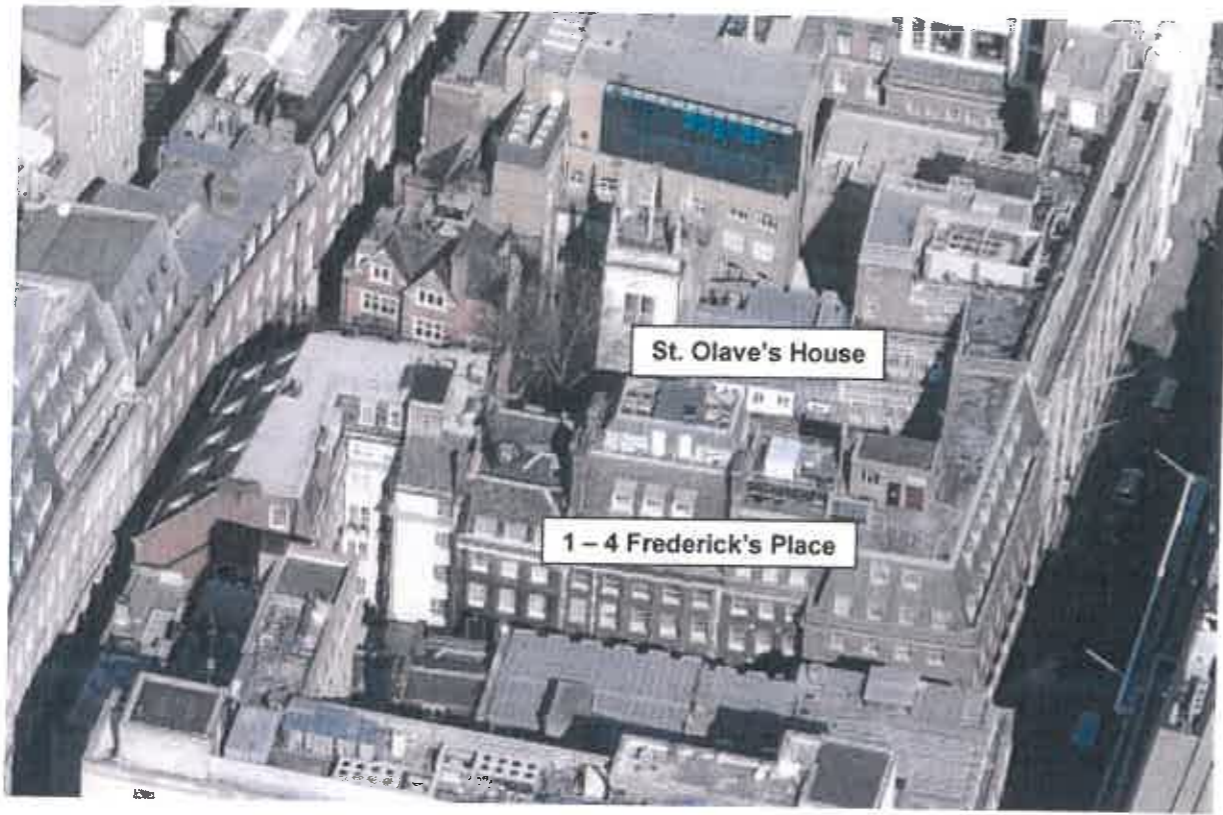
BDP

Direct Line: +44 [0]2 7812 8262

E-Mail: tom.rudd@bdp.com

cc Ken Scott (Winter Scott LLP)
Glenn Winter (Winter Scott LLP)
Sophie-Jane Hunt (Winter Scott LLP)
Tessa O'Neill (BDP)

Appendix 1 – St. Olave's Court Birdseye View



Appendix 2 – 9 Ironmonger Lane Floor Plans

NOTES		
THIS DRAWING MAY NOT BE REPRODUCED IN ANY PART OR FORM WITHOUT THE WRITTEN AUTHORITY OF THE ARCHITECT.		
REV	DESCRIPTION	DATE



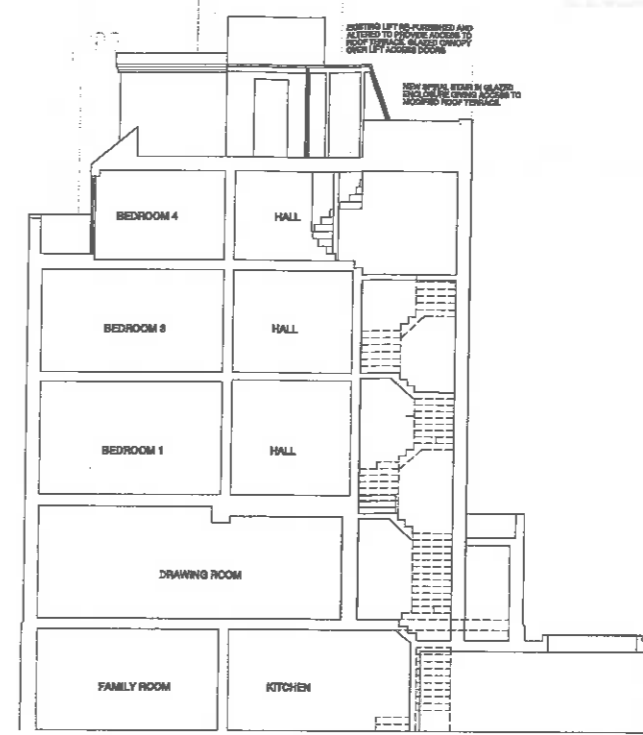
FRONT ELEVATION
FACING IRONMONGER LANE - WEST



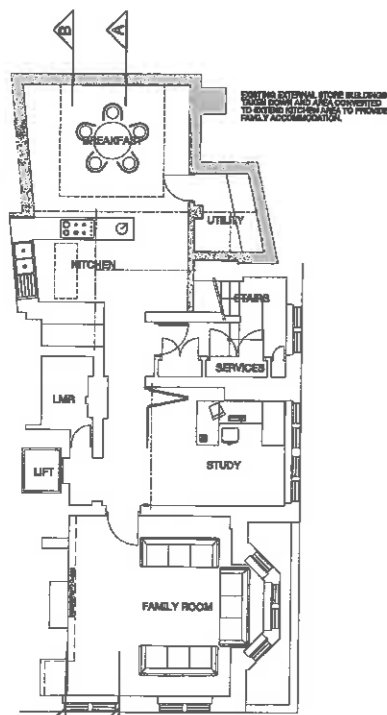
SIDE ELEVATION
FACING COURTYARD - SOUTH



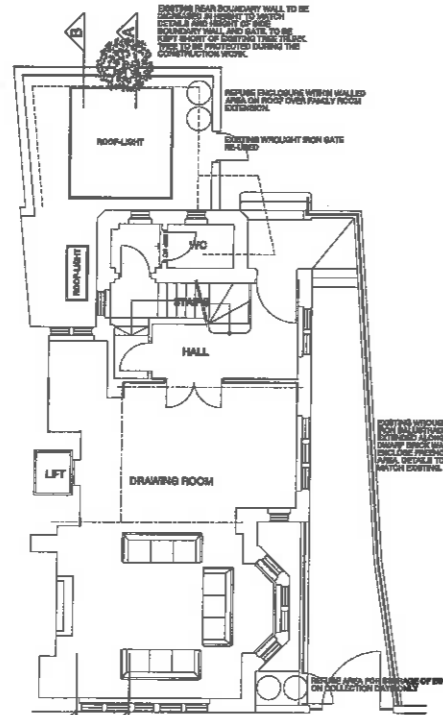
REAR ELEVATION
EAST



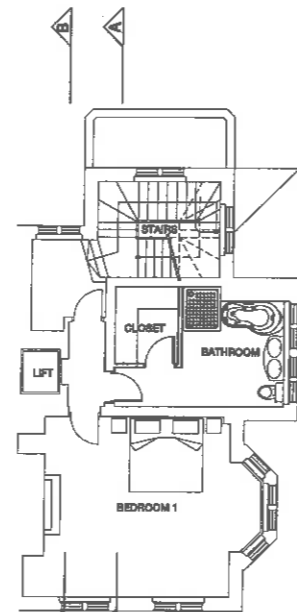
SECTION A-A



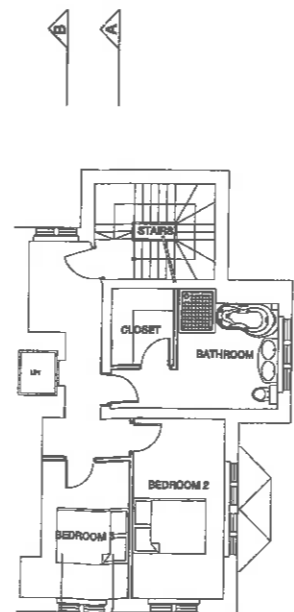
LOWER GROUND FLOOR
GROSS INTERNAL AREA = 88 sq.mtrs.
GROSS EXTERNAL AREA = 110 sq.mtrs.



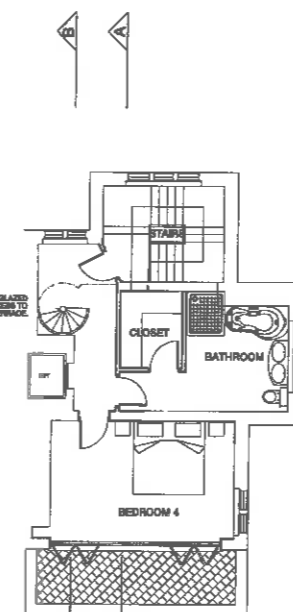
GROUND FLOOR
GROSS INTERNAL AREA = 78 sq.mtrs.
GROSS EXTERNAL AREA = 88 sq.mtrs.



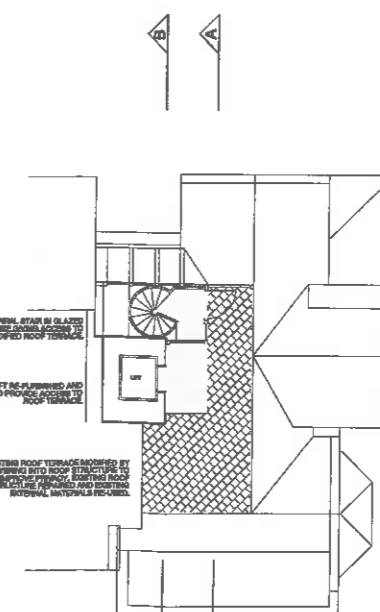
FIRST FLOOR
GROSS INTERNAL AREA = 87 sq.mtrs.
GROSS EXTERNAL AREA = 78 sq.mtrs.



SECOND FLOOR
GROSS INTERNAL AREA = 80 sq.mtrs.
GROSS EXTERNAL AREA = 78 sq.mtrs.

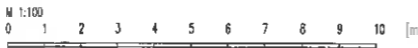


THIRD FLOOR
GROSS INTERNAL AREA = 61 sq.mtrs.
GROSS EXTERNAL AREA = 68 sq.mtrs.



ROOF PLAN

TOTAL GROSS INTERNAL AREA = 341 sq.mtrs. (3,670 sq.ft.)
TOTAL GROSS EXTERNAL AREA = 428 sq.mtrs. (4,607 sq.ft.)



TONY OKE
ARCHITECT

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Project
MR. G. WINTER
THE RECTORY
9 IRONMONGER LANE
LONDON
EC2V 8EY

Subject
AS PROPOSED DRAWING
PLANS, SECTION and
ELEVATIONS

Drawing Number: **2012 - 16 - 03** Revision: **D**

Scale: **1/100 @ A1** Date: **APRIL 2012**
Drawn By: **AGO** Copyright: **COPYRIGHT ©**

08 February 2016

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Dear Mr. Newman

OBJECTION TO FULL MAJOR PLANNING APPLICATION (15/01308/FULL) AND LISTED BUILDING CONSENT (15/01309/LBC) FOR REFURBISHMENT OF NUMBERS 1 – 5, 7 and 8 FREDERICKS PLACE AND 35 OLD JEWRY, TO PROVIDE UPGRADED OFFICE FACILITIES WITH THE PARTIAL CHANGE OF USE AT GROUND FLOOR AND BASEMENT LEVEL FROM OFFICE (B1) TO RETAIL (A1-A4), ALTERATIONS TO ROOF PLANT AND OTHER ASSOCIATED WORKS, ON BEHALF OF WINTER SCOTT LLP, ST. OLAVE'S HOUSE, 9A IRONMONGER LANE.

Introduction

We write in relation to the above planning applications, which propose the refurbishment of numbers 1 to 5, 7 and 8 Frederick's Place and 35 Old Jewry to provide upgraded office space, retail units, alterations to roof plant and associated facilities. The proposed development is located adjacent to the Grade I Listed St. Olave's House, 9a Ironmonger Lane, which is owned and occupied by Winter Scott LLP. This letter is written on behalf of Winter Scott LLP who support the principle of the development but object to a number of specific aspects of the design and nature of the proposals in their current form.

We note the applications submitted in December 2015, follow the withdrawal of two earlier applications which included the redevelopment of 4a and 4b Frederick's Place, and the refurbishment of 6 Frederick's Place (ref: 15/00734/FULMAJ and 15/00735LBC). The main differences between the current and previous applications are the removal of the proposed development to 4a, 4b and 6 Frederick's Place, alterations to internal layouts and reconfiguration of roof top plant. The majority of the proposed development to 1 to 5, 7 and 8 Frederick's Place remains as previously submitted in applications 15/00734/FULMAJ and 15/00735LBC.

Winter Scott LLP is a firm of commercial and maritime lawyers and has been based in St Olave's House for a number of years. St. Olave's House is located in close proximity to the proposed development, ranging between approximately 2.5 metres distance to 1 Frederick's place and 7.5 metres distance to 4 Frederick's Place. St. Olave's House forms the eastern part of St. Olave's Court. Numbers 1 – 4 Frederick's Place form the southern façade of St. Olave's Court and contribute to its distinctive character, as an intimate open space enclosed by buildings of architectural and historical interest. The quality and character of St. Olave's Court contributes to the setting of St. Olave's House and creates an attractive and tranquil environment which benefits the operation of Winter Scott LLP.

The aspects of the proposed development to which this letter objects are as follows, and in no particular order:

- The omission of details in relation to construction management and effects;
- The location and scale of the proposed roof terraces and plant, and the potential impacts on heritage;
- The location and scale of the proposed roof terraces and the potential noise impacts;
- Refuse collection and servicing arrangements and the potential for disturbance; and
- The omission of a full transport assessment of the proposed retail development.

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Building Design Partnership Limited, registered in England 2207416, registered office PO Box 85, 11 Duke Street, Piccadilly Basin, Manchester, M50 3JA, BDP is a registered trade mark.

1. Design and Conservation

- 1.1. The proposed development is located in the Guild Hall Conservation Area and immediately adjacent to the Grade I Listed St. Olave's House. 1 – 4 Frederick's Place contributes to the significance of St. Olave's House's setting and the appreciation of its significance in terms of enclosure and low levels of activity along its St. Olave's Court façade. Given the proposed development's location and relationship with surrounding heritage assets, considerable weight should be given to any harm caused by the proposed development on the setting of St. Olave's House and the appreciation of its significance. In accordance with the National Planning Policy Framework (NPPF) (March, 2012) any harm should be weighed against the public benefit of the proposed development and substantial harm should only be permitted in 'wholly exceptional' circumstances (NPPF, paragraph 132).

Assessment of the Heritage Significance of the Tower of the Former Church of St. Olave

- 1.2. The Planning Statement (December, 2015) and the Heritage Appraisal (December, 2015) do not include an assessment of the potential harm caused by the proposed development on the setting of the Grade I Listed St. Olave's House and the appreciation of its significance, contrary to the general duty imposed under the Planning (Listed Buildings and Conservation Areas) Act 1990 s.66, and Local Plan Policy DM 12.1 which states:

'development proposals... that have an effect on heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of the heritage assets and the degree of impact caused by development.'

- 1.3. In light of recent judgements, *East Northamptonshire DC & Barnwell Manor Wind Energy Ltd v Secretary of State* [2015] 1 W.L.R. 45, sufficient weight should be given to the strong presumption against development that would harm a listed building's setting as required by the Planning (Listed Buildings and Conservation Areas) Act 1990 s.66(1) and s.72(1). Furthermore, as highlighted by *R. (Forge Field Society) v Sevenoaks DC* [2015] J.P.L. 22, the preservation of a listed building's setting should be given "considerable importance and weight" when the decision taker is balancing any harm against public benefit. Therefore we expect a comprehensive appraisal of the significance of St. Olave's House, including its setting and an assessment of the potential harm caused by the proposed development, to support the application. Without this, we do not believe the City of London (CoL) has sufficient information to evaluate the heritage impact on St. Olave's House, and its setting, and therefore cannot accurately determine the applications.

Roof Terraces - Effect on Designated Heritage Assets

- 1.4. The introduction of the roof terraces above 1 Frederick's Place, one at first floor level, one at fourth floor level and one at fifth floor level (all approximately 2.5 metres from St. Olave's House), has the potential to result in harm to the setting of the Grade I Listed St. Olave's House. The roof terraces will create three new amenity spaces which directly overlook St. Olave's House and will increase levels of activity in the area affecting the level of enclosure and the sense of calm currently enjoyed. In addition the roof terraces will create a distraction from St. Olave's House adversely affecting the significance of its setting. The potential impact on the setting of St. Olave's House is compounded by the proposed increase in size of roof top plant, and is contrary to Local Plan Policies DM 10.1 Roof Top Plant, DM 12.2 Conservation Areas and DM 12.3 Listed Buildings.

Roof Terraces – Noise

- 1.5. The terrace proposed at the first floor of 1 Frederick's Place, is located approximately 2.5 metres to the south of St. Olave's House adjacent to windows on the first floor and second floor, as illustrated in the CGI image on page 68 of the Design and Access Statement (June, 2015) prepared in support of the withdrawn application (ref: 15/00734/FULMAJ) and subsequently has not been included in the current application (ref: 15/01308/FULL). The nature and frequency of use of this terrace is unclear from the application documentation and as such it is reasonable to assume the terrace could be used for leisure and social events throughout the day and evening, which could significantly compromise the existing noise levels in the area and have an adverse impact on the operation of Winter Scott LLP. Furthermore, the Environmental

Noise Report does not assess the likely levels of noise outbreak from the roof terrace, contrary to Local Plan Policy DM 10.3 Roof Gardens and Terraces, and therefore CoL cannot determine the full noise impact on the surrounding area and occupants.

2. Access, Refuse Collection and Servicing

A3 Retail Trip Generation

- 2.1. The Transport Assessment (November, 2015) does not include an analysis of the trips likely to be generated from the proposed retail unit. The justification for not including this assessment is that the retail unit is ancillary to the other proposed uses on the site and is unlikely to result in any additional peak hour person trips. However, we note the retail unit is a considerable size at 776m² which is capable of forming a destination in its own right that cannot be considered as ancillary and therefore should be assessed independently. Given the omission of this assessment, we do not believe the CoL is able to make a full and accurate assessment and are unable to determine the application.

Refuse Collection

- 2.2. The proposed development minimises the impact of refuse collection on Frederick's Place by locating refuse points on the perimeter of the site, including one with direct access onto St. Olave's Court. The retail unit refuse collection point fronts and is accessed from St. Olave's Court. The location of this refuse collection point requires 1,100 litre eurobins to be wheeled by foot approximately 10 metres along St. Olave's Court before being transferred to a refuse collection vehicle on Old Jewry. We are concerned this refuse point is likely to be a source of noise and odour causing disturbance to surrounding businesses. For this reason we question whether there is a more suitable location for the retail unit refuse point, which would limit the distance required to transport the bins and avoid unnecessary disturbance to surrounding properties.
- 2.3. In order to limit the environmental effects arising from the refuse collection points we request that prior to occupation of 1 Frederick's Place full details of the design of the refuse points are submitted to and agreed by CoL in consultation with neighbouring businesses likely to be effected prior to occupation of the development.
- 2.4. Furthermore the frequency of refuse collections at each refuse point is unclear from the planning application documentation, including the Waste Management Strategy (November, 2015). We understand this information may be unknown until the future occupier has appointed facilities management contractors and therefore we request that these details are also submitted to and agreed by CoL in consultation with neighbouring businesses prior to occupation of development.

Servicing

- 2.5. The proposed development includes service access from St. Olave's Court. The Transport Assessment (November, 2015) states there will be a total of 13.5 servicing trips to the development in any given day; a net increase of three servicing trips from the existing situation. In order to understand the effect of these trips on the surrounding properties and the environment, it would be helpful if the planning application clarified how the service access is intended to be used, specifically identifying the intensity of use of each access.

3. Construction

- 3.1. Whilst it is acknowledged the removal of the demolition and redevelopment of 4a and 4b Frederick's Place reduces the potential impacts arising from construction, the refurbishment of 1-5, 7 and 8 Frederick's Place, including the construction of three exterior terraces has the potential to result in effects on surrounding properties, specifically in terms of access and noise.
- 3.2. The application documentation does not include details of the proposed construction programme, likely environmental effects and mitigation and management measures. As such, we believe the CoL has insufficient information to undertake a full assessment of the proposed development against the policies contained within the development plan, and is therefore unable to accurately determine the application.

- 3.3. In accordance with London Plan (July, 2011) Policy 5.3 Sustainable Design and Construction, development proposals should demonstrate sustainable construction standards are integral to the proposals and ensure they are considered at the beginning of the process. In our view the CoL is not able to determine the proposed development until the details of the construction programme, environmental effects and management and mitigation measures have been identified and have undergone public scrutiny through consultation on the application. The identification of effects at an early stage in the process is vital given the special qualities of the surrounding context, including St. Olave's Court and its designation as a public open space, the Grade I Listed St. Olave's House, the Guild Hall Conservation Area, and a mix of uses in close proximity to the proposed development, including office, retail and residential.
- 3.4. If we believe our concerns have been adequately addressed following submission of further information detailing construction practices, and appropriate management measures have been put into place we would then be willing to withdraw our objection relating to construction.

We respectfully request the above comments are taken into consideration in the determination of the planning applications and for these reasons do not believe that CoL has sufficient information to determine the applications as currently submitted. We would welcome an opportunity to discuss our concerns in person at the site or CoL's offices; if you feel this is appropriate, please can you advise of a suitable date to arrange a meeting.

Yours sincerely



Tom Rudd
Planner

BDP

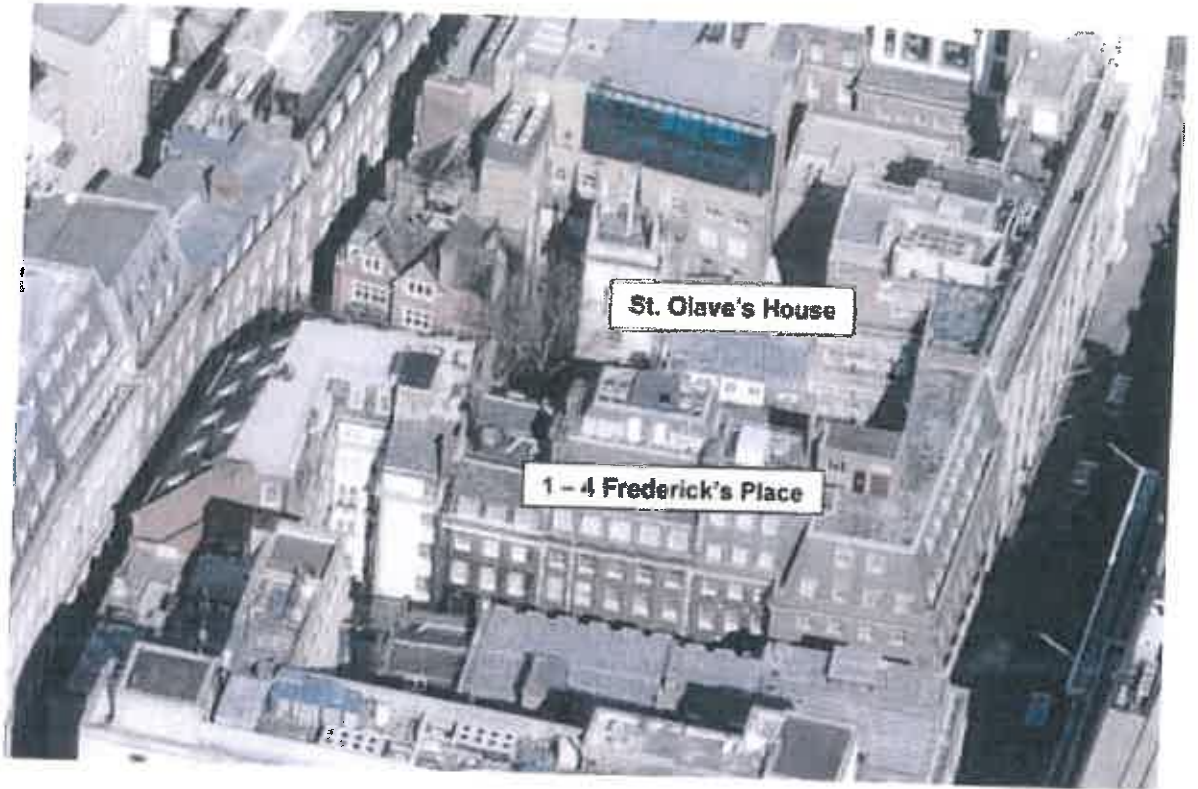


E-Mail: tom.rudd@bdp.com

cc



Appendix 1 – St. Olave's Court Birdseye View



117 N
Planning Consultants

LCRE/MCW/DP3630

18 March 2016

City Planning Officer
Department of Planning & Transport
City of London
PO Box 270
Guildhall
London EC2P 2EJ

PLANNING & TRANSPORTATION		
PSDD	CPO	PPD
PT	23 MAR 2016	LTP
DM		SSE
No	126794	PP
FILE		DD


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London SW1Y 5NQ
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www.dp9.co.uk

Dear Sirs

**PLANNING (LISTED BUILDING AND CONSERVATION AREA) ACT 1990
1-4 & 5, 7 & 8 FREDERICKS PLACE AND 35 OLD JEWRY, LONDON, EC2
APPLICATION REFERENCE: 15/01308/FULL & 15/01309/LBC**

We write in response to the representations received from BDP on behalf of the owners and occupiers of 9 and 9a Ironmonger Lane both dated 08 February 2016. The letters raise similar issues and as such we have considered the comments and issues raised therein as one and have set out our response below.

Transport, Refuse & Servicing

As you are aware, we have been in detailed discussions with Terry Chown from your Waste & Amenity Team and following the submission of some additional information, we have reached agreement on all matters in relation to the refuse and servicing of the proposed development. However, for the sake of completeness, we respond to the detailed comments from BDP as follows:

Point 2.1: A3 Retail Trip Generation: The proposed A3 retail floorspace (778sqm) is proposed to be split over buildings 1-3, and 7-8 Frederick's Place, and 35 Old Jewry. As such, the nature of the units will be that of small cafés / restaurants which are unlikely to be destinations in their own right. The methodology set out in the TA is therefore considered robust and has been agreed with Terry Chown.

Point 2.2: Refuse Collection: The small bay in St Olave's Court at ground floor level has been agreed with your waste and amenity team as being a holding point only; refuse will be presented here and collected on a daily basis. The refuse for the A3 retail unit will be stored at basement level.

Point 2.3: Supplementary information on refuse points: We have agreed with Terry Chown that the refuse point at 1-3 will be designed and constructed in accordance with BS 5906. A supplementary document has been issued to you and Terry Chown addressing this issue.

Point 2.4: Frequency of Refuse Collections: It is anticipated that there will be 1 refuse collection per day and 1 recycling collection per day (total 2 collections per day).

Point 2.5: Servicing: The proposals would result in a net increase of only 3 service trips (as set out in Chapter 9 of the November TA) over the current uses at Frederick's Place, which is not considered to be significant. The proposed servicing trips to the site will be spread over the course of a typical day, with an anticipated duration of stay of 15 minutes.

Design & Amenity

John Robertson Architects have carefully designed the proposed scheme to ensure that it responds to the character of the area and respects the amenity of adjoining neighbours. The following responds to the key comments raised in the representations:-

Point 1.1: Roof Terrace: The proposal is to remove the existing patent glazing to the rear of 4 Frederick's Place and create an attractive roof terrace and rear elevation to improve the St Olave's Court elevation. It is intended that these should be accessed for tenants onto the roof from the office building. As part of the standard leases for this accommodation, the use of the terraces for smoking would be prohibited. We do not believe that noise or overlooking will be an issue on this terrace and would welcome further discussions with officers.

Point 1.4: Plant and Retail Noise: The proposed restaurant is located at the east end of St Olave's Court, so we do not consider this is an issue for the residents of 9 Ironmonger Lane. Please note the plant for No 4 Frederick's Place is now located on the terrace at first floor level to the rear of No 3. Your Design Officer has advised that it should not be located at roof level in No 4.

St Olave's Church - We consider our proposals for the preservation and enhancement of St Olave's Court will not harm the Grade I listed St Olave's Church and we consider there will be public benefit in improving the appearance of St Olave's Court as a public thoroughfare. In the event that officers feel that it is necessary to provide some commentary on the assessment of the Church then we can provide this although we do not feel that this will add to the case as the relationship between the site and the Church will principally remain as is and in fact will be enhanced with some of the proposed works at roof level.

Point 1.4: We disagree with BDP's comments. The refurbishment of the rear elevation of 1-3 and 4 will enhance the conservation area. The roof plant will be located in new mansard enclosures and it is proposed the old chimney to the rear of No3 will be removed.

Construction

This is not an unusual proposition within the City of London where new developments are built alongside sensitive, historic neighbours. We anticipate that standard conditions requiring details of the proposed Construction Management and Environmental Protection (i.e. minimising dust, noise and vibration) will be imposed on any permission that may be forthcoming and will be required prior to any works commencing on site.



We trust that the above addresses the issues raised but we would be happy to discuss this further with officers if necessary. In the meantime, should you require any additional information, please do not hesitate to contact Luke Emmerton or Michael Worthington of this office.

Yours faithfully

A handwritten signature in black ink, consisting of the letters 'DP9' written in a stylized, cursive manner.

DP9
On Behalf of The Mercers' Company

18 May 2016

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Dear Mr. Newman

OBJECTION TO FULL MAJOR PLANNING APPLICATION (15/01308/FULL) AND LISTED BUILDING CONSENT (15/01309/LBC) FOR REFURBISHMENT OF NUMBERS 1 – 5, 7 and 8 FREDERICKS PLACE AND 35 OLD JEWRY, TO PROVIDE UPGRADED OFFICE FACILITIES WITH THE PARTIAL CHANGE OF USE AT GROUND FLOOR AND BASEMENT LEVEL FROM OFFICE (B1) TO RETAIL (A1-A4), ALTERATIONS TO ROOF PLANT AND OTHER ASSOCIATED WORKS, ON BEHALF OF WINTER SCOTT LLP, ST OLAVE'S HOUSE.

We write in response to the letter received from DP9 on behalf of the applicant dated 18th March 2016. This letter responds to the points raised by DP9, in addition to elaborating on Winter Scott LLP's previous representation in order to provide clarity on the impact of the proposals.

Despite these revisions and additional information submitted, it is our view the proposals in their current form remain contrary to adopted planning policy and would have a detrimental impact on neighbouring properties and the unique character of the City of London and are therefore unacceptable, specifically:

- Compromising the viability of St. Olave's House as a suitable premises for small and medium sized businesses, potentially leaving Winter Scott LLP no other option than to seek new premises;
- Significantly impacting neighbouring residential amenity; and
- Detracting from the character and significance of the Grade I Listed St. Olave's House and the Guild Hall Conservation Area.

Winter Scott LLP supports the development of the City of London, understanding the great value it has in supporting the London and national economies; protecting and improving the environment and peoples' quality of life; conserving and communicating London's rich heritage; and ultimately creating a great place to live, work and do business. Winter Scott believe that it is imperative development is appropriate to its context and does not detract from the City's particular role as a centre for business, including small and medium sized businesses its visually and historically rich built environment or the amenity of a growing residential population.

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Building Design Partnership Limited, registered in England 2207415, registered office PO Box 65, 11 Ducie Street, Piccadilly Basin, Manchester, M60 3JA, BDP is a registered trade mark.

1. Proposed Development

1.1. Winter Scott LLP do not object to the proposed development in principle. However, it does object strongly to the following aspects of the proposals:

- The location and scale of the proposed roof terraces;
- The proposed refuse storage and servicing arrangements; and
- The omission of details in relation to construction management and effects.

Proposed Roof Terraces and Plant

- 1.2. The scheme proposes the introduction of three roof terraces above 1 Frederick's Place; one terrace at first floor level, one at fourth floor level and one at fifth floor level. The terraces are approximately 2.5 metres from St. Olave's House and 13 metres from 9 Ironmonger Lane. The nature of use is unclear from the application documentation. However, given the scale of the first floor terrace, it is reasonable to assume that it would provide an attractive amenity space for staff during the day such as coffee, cigarette breaks and informal meetings; and for social gatherings and business events in the evenings, such as events, client hospitality and parties; with associated chatter, smoking, speeches, applause, music, drinking and merriment. We recognise that smoking on the roof terraces is proposed to be prohibited, however we suggest that this would be near impossible to enforce.
- 1.3. To demonstrate the proximity of the first floor roof terrace to St. Olave's House, we have prepared a photomontage of the proposed terrace when viewed from the Winter Scott LLP first floor office window. The proposed roof terrace would introduce an unreasonable level of activity to the St. Olave's Court façade, resulting in significant increases in noise, disturbance and overlooking.
- 1.4. We understand that the proposed hours of use of the terrace would be limited to between 8am to 9pm, this would not mitigate any effects on Winter Scott LLP, where staff commonly work long hours, and would be wholly unacceptable. For the avoidance of doubt Winter Scott LLP object to the principle of the proposed first floor roof terrace and do not consider that shorter hours would make the use acceptable.
- 1.5. Since the submission in December 2015, the design has been updated to relocate the plant for No. 4 Fredericks' Place on the first floor terrace, fronting St. Olave's Court. This would further compound adverse noise impacts associated with the use of the terrace.

Refuse Collection

- 1.6. The proposed development locates refuse and servicing points on the perimeter of the site, including one fronting and with direct access onto St. Olave's Court. The location of this refuse collection point would require 1,100 litre eurobins to be wheeled by foot approximately 10 metres along St. Olave's Court before being transferred to a refuse collection vehicle on Old Jewry. This refuse point is likely to be a source of noise and odour, exacerbated by the narrow dimensions of St. Olave's Court.
- 1.7. The location of the refuse and service points along St. Olave's Court form a poor relationship with surrounding development, with refuse and service accesses immediately fronting the Black's Office and 5 St. Olave's Court.
- 1.8. The St. Olave's Court refuse collection point will also be read in the setting of the Grade I listed St. Olave's House and Guild Hall Conservation Area

Construction

- 1.9. The construction activities associated with building the proposed three exterior terraces has the potential to result in adverse effects on surrounding properties, specifically in terms of access and noise. The application documentation does not include details of the proposed construction programme, the likely environmental effects and proposed mitigation and management measures. We acknowledge that this is not an unusual proposition in the City of London and request that a Construction and Environmental Management Plan is secured by pre-commencement condition in order to minimise adverse impacts. This should include the

construction programme, environmental effects and mitigation, including access arrangements, and undergoes public scrutiny through consultation with neighbouring properties and the relevant statutory consultees.

2. Adverse Impact of Proposed Development

- 2.1. The area surrounding the proposed development site, benefits from a distinctive character, defined by a mix of land uses, including office space suitable for small and medium businesses and residential development, and significant heritage assets. In their current form the proposals would have a direct adverse impact on the existing character and nature of the surrounding area, compromising the viability of an office unit suitable for small and medium sized businesses; detracting from the significance of neighbouring heritage assets; and significantly impacting residential amenity.

Business Amenity

- 2.2. Winter Scott LLP is a firm of commercial and maritime lawyers. They employ 30 people and have a turnover of between £6million and £7million. This income is generated almost exclusively from shipping and insurance throughout the world. Approximately £2million of their turnover is paid to third parties employed by them in London such as marine surveyors, barristers, translators and travel firms. Winter Scott are part of the marine services industry which contributes £4.4billion towards the UK economy and employs 10,000 people, the majority of them in the City of London. Those figures are taken from a report dated April 2016 commissioned by the City of London Corporation and produced by PricewaterhouseCoopers.
- 2.3. Small and medium sized enterprises, such as Winter Scott LLP, play a significant part in the City's success, providing essential local services to the city and wider business community, and a seedbed for continued innovation. This is recognised by the City of London (CoL) Local Plan (January, 2015) Policy DM 1.3, which seeks to promote the protection of suitable premises to ensure the continued use of existing small and medium sized units that meet the occupiers' needs.
- 2.4. St. Olave's House is a high quality and valuable building suitable for small and medium sized businesses. This is demonstrated by the important role it has played in Winter Scott LLP's success, providing characterful accommodation within a quiet and well connected location. The proposed development has the potential to negatively impact the viable operation of St. Olave's House as a suitable office location for small and medium businesses through adverse noise, disturbance and overlooking impacts.

Noise

- 2.5. We strongly disagree with DP9's assertion that noise will not be an issue on the proposed terrace. The close proximity to Winter Scott LLP's office, approximately 2.5 metres from the terrace to windows on the first and second floor, and the nature of use of the terrace as illustrated by Appendix A, would result in significant activity compromising the noise levels in the area, creating a disturbance throughout the day and into the evening, adversely impacting the operation of Winter Scott LLP and contrary to Local Plan Policy 15.7 (which considers business a noise sensitive use). Furthermore, the Environmental Noise Report does not assess the likely levels of noise outbreak from the roof terrace, contrary to Local Plan Policy DM 10.3 Roof Gardens and Terraces, and therefore the Corporation is still not in a position to determine the full noise impact on the surrounding area and occupants.
- 2.6. The noise disturbance resulting from the use of the proposed terrace would be further compounded by the location of the plant on the terrace and the refuse collection point on St. Olave's Court. For this reason we question whether there is a more suitable location for the refuse point and plant, which would limit the disturbance to surrounding properties.
- 2.7. In terms of mitigation, we have considered a number of approaches, and believe noise from the proposed terrace to be very difficult to address. Given the nature of St. Olave's House as a Grade I Listed Building installation of acoustic glazing and associated mechanical ventilation would require Listed Building Consent and even if consented would be challenging and costly to install due to its cumbersome nature. Furthermore, it would be wholly unreasonable to assume Winter Scott LLP would have to keep the building's windows

closed to simply experience similar to existing noise levels and continue the operation of their business at St. Olave's House. This is particularly true during the summer months, when temperatures can be high.

Overlooking and Disturbance

- 2.8. We strongly disagree with DP9's comments that overlooking will not be an issue from the proposed roof terraces. We cannot see how the applicant and the design team have sufficiently considered or appreciated adjacent neighbouring properties if they believe this to be the case. As demonstrated in Appendix A which illustrates the proposed first floor roof terrace, from inside the St. Olave's Court first floor, it is clear there are direct and uninterrupted lines of sight from the terrace into Winter Scott LLP's office at a distance of approx. 2.5 metres. If consented, activity on the terrace would be a significant distraction and a breach of privacy compromising the viability of St. Olave's House as a viable office location for Winter Scott LLP.
- 2.9. In terms of mitigation, we have considered the options and it is wholly unacceptable to assume Winter Scott LLP would have to install blinds or draw shutters to avoid negative impacts of overlooking and distraction/disturbance from people using the terraces or activities such as leisure and social events, between the hours of 8am to 9pm. This would not only be unsustainable by limiting natural light and encouraging the use of artificial lighting, it would greatly reduce the quality of the internal office environment.

Design and Heritage

- 2.10. St. Olave's Court and the Grade I Listed St. Olave's House form a notable part of the Guild Hall Conservation Area and make a valuable contribution to the City's unique character and rich historic environment. The existing Fredericks' Place façade contributes to the character of St. Olave's Court, and plays an important role in the setting of the Grade I Listed St. Olave's House. As supported by objections from the City of London Conservation Area Advisory Committee and the City Heritage Society, the proposals in their current form have the potential to significantly adversely impact neighbouring heritage assets, contrary to Local Plan Policy CS 12 Historic Environment.
- 2.11. The introduction of the roof terraces above 1 Frederick's Place, one at first floor level, one at fourth floor level and one at fifth floor level (all approximately 2.5 metres from St. Olave's House), has the potential to result in harm to the setting of the Grade I Listed St. Olave's House and the character of the Guild Hall Conservation Area. The introduction of an incommensurate design and an increase in levels of activity in the area will affect the level of enclosure and the sense of calm currently enjoyed detracting from the character of the heritage assets' setting. The potential impact is compounded by the proposed increase in size of roof top plant and location of the St. Olave's Court refuse store, and is contrary to Local Plan Policies DM 10.1 Roof Top Plant, DM 12.2 Conservation Areas and DM 12.3 Listed Buildings.

Residential Amenity

- 2.12. The City of London's thriving growing residential community adds to the City's vitality and makes it livelier and safer outside working hours. The application site is located in close proximity to two residential dwellings, namely: 5 St. Olave's Court; and 9 Ironmonger Lane.
- 2.13. Whilst it is acknowledged, the dense and mixed use nature of the city is likely to result in a degree of disturbance to amenity, the exceptionally close distances, specifically between the proposed roof terraces at the fourth and fifth floor of Fredericks' Place and 5 St. Olave's Court are unacceptable and result in a significant loss of amenity due to overlooking. In addition the amenity of 5 St. Olave's Court and 9 Ironmonger Lane would be adversely affected due to increased levels of activity and noise from the proposed first floor roof terrace.

For the reasons set out above, the proposed development would result in an unacceptable impact on neighbouring properties, which in this case cannot be satisfactorily mitigated. Given this, we believe the only acceptable course of action is to refuse the application as it stands or, as a minimum, seek revision to remove the first floor terrace and relocate the St. Olave's Court refuse point.

I do not see how the Corporation could fully consider the acceptability of the proposals without a visit to Winter Scott LLP's office. I strongly urge you to contact my colleague Tessa O'Neill or myself to arrange a visit in order to view the site of the proposed terrace from inside St. Olave's House.

We respectfully request that the above comments are taken into consideration in the determination of the applications, and look forward to hearing from you in order to arrange a visit to St. Olave's House.

Yours sincerely



Tom Rudd

Planner

BDP

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cc

John Garbutt (Alderman of Walbrook Ward)

Lucy Frew (Councillor Walbrook Ward)

Ken Scott (Winter Scott LLP)

Glenn Winter (Winter Scott LLP)

Sophie-Jane Hunt (Winter Scott LLP)

Tessa O'Neill (BDP)

18 May 2016

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Dear Mr. Newman

OBJECTION TO FULL MAJOR PLANNING APPLICATION (15/01308/FULL) AND LISTED BUILDING CONSENT (15/01309/LBC) FOR REFURBISHMENT OF NUMBERS 1 – 5, 7 and 8 FREDERICKS PLACE AND 35 OLD JEWRY, TO PROVIDE UPGRADED OFFICE FACILITIES WITH THE PARTIAL CHANGE OF USE AT GROUND FLOOR AND BASEMENT LEVEL FROM OFFICE (B1) TO RETAIL (A1-A4), ALTERATIONS TO ROOF PLANT AND OTHER ASSOCIATED WORKS, ON BEHALF OF RESIDENTIAL PREMISE AT 9 IRONMONGER LANE.

We write in response to the letter received from DP9 on behalf of the applicant dated 18th March 2016. This letter responds to the points raised by DP9, in addition to elaborating on Glenn Winter's previous representation in order to provide clarity on the impact of the proposals. This letter is written on behalf of Glenn Winter in his capacity as a resident of 9 Ironmonger Lane and a Senior Partner of Winter Scott LLP.

Despite these revisions and additional information submitted, it is our view the proposals in their current form remain contrary to adopted planning policy and would have a detrimental impact on neighbouring properties and the unique character of the City of London and are therefore unacceptable, specifically:

- Compromising the viability of St. Olave's House as a suitable premises for small and medium sized businesses, potentially leaving Winter Scott LLP no other option than to seek new premises;
- Significantly impacting neighbouring residential amenity; and
- Detracting from the character and significance of the Grade I Listed St. Olave's House and the Guild Hall Conservation Area.

Glenn Winter supports the development of the City of London, understanding the great value it has in supporting the London and national economies; protecting and improving the environment and peoples' quality of life; conserving and communicating London's rich heritage; and ultimately creating a great place to live, work and do business. Our client believes that it is imperative development is appropriate to its context and does not detract from the amenity of a growing residential population, or negatively impact the careful balance of land uses in the city.

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1. Proposed Development

1.1. We do not object to the proposed development in principle. However, we do object strongly to the following aspects of the proposals:

- The location and scale of the proposed roof terraces; and
- The omission of details in relation to construction management and effects.

Proposed Roof Terraces and Plant

- 1.2. The scheme proposes the introduction of three roof terraces above 1 Frederick's Place; one terrace at first floor level, one at fourth floor level and one at fifth floor level. The terraces are approximately 13 metres from 9 Ironmonger Lane and 2.5 metres from St. Olave's House and 5 St. Olave's Court. The nature of use is unclear from the application documentation. However, given the scale of the first floor terrace, it is reasonable to assume that it would provide an attractive amenity space for staff during the day such as coffee, cigarette breaks and informal meetings; and for social gatherings and business events in the evenings, such as events, client hospitality and parties; with associated chatter, smoking, speeches, applause, music, drinking and merriment. We recognise that smoking on the roof terraces is proposed to be prohibited, however we suggest that this would be near impossible to enforce. The proposed roof terrace would introduce an unreasonable level of activity to the St. Olave's Court façade, resulting in significant increases in noise, disturbance and overlooking.
- 1.3. We understand that the proposed hours of use of the terrace would be limited to between 8am to 9pm, while this would limit the impact on 9 Ironmonger Lane, this would not mitigate any effects on Winter Scott LLP, where staff commonly work long hours, and would be wholly unacceptable. For the avoidance of doubt we object to the principle of the proposed first floor roof terrace and do not consider that shorter hours would make the use acceptable.
- 1.4. Since the submission in December 2015, the design has been updated to relocate the plant for No. 4 Fredericks' Place on the first floor terrace, fronting St. Olave's Court. This would further compound adverse noise impacts associated with the use of the terrace.

Refuse Collection

- 1.5. The proposed development locates refuse and servicing points on the perimeter of the site, including one fronting and with direct access onto St. Olave's Court. The location of this refuse collection point would require 1,100 litre eurobins to be wheeled by foot approximately 10 metres along St. Olave's Court before being transferred to a refuse collection vehicle on Old Jewry. This refuse point is likely to be a source of noise and odour, exacerbated by the narrow dimensions of St. Olave's Court.

Construction

- 1.6. The construction activities associated with building the proposed three exterior terraces has the potential to result in adverse effects on surrounding properties, specifically in terms of access and noise. The application documentation does not include details of the proposed construction programme, the likely environmental effects and proposed mitigation and management measures. We acknowledge that this is not an unusual proposition in the City of London and request that a Construction and Environmental Management Plan is secured by pre-commencement condition in order to minimise adverse impacts. This should include the construction programme, environmental effects and mitigation, including access arrangements, and undergoes public scrutiny through consultation with neighbouring properties and the relevant statutory consultees.

2. Adverse Impact of Proposed Development

- 2.1. The area surrounding the proposed development site, benefits from a distinctive character, defined by a mix of land uses, including residential development. In their current form the proposals would have a direct adverse impact on the existing character and nature of the surrounding area, compromising the viability of an office unit suitable for small and medium sized businesses; and significantly impacting residential amenity.

Business Amenity

- 2.2. Winter Scott LLP is a firm of commercial and maritime lawyers. They employ 30 people and have a turnover of between £6million and £7million. This income is generated almost exclusively from shipping and insurance throughout the world. Approximately £2million of their turnover is paid to third parties employed by them in London such as marine surveyors, barristers, translators and travel firms. Winter Scott are part of the marine services industry which contributes £4.4billion towards the UK economy and employs 10,000 people, the majority of them in the City of London. Those figures are taken from a report dated April 2016 commissioned by the City of London Corporation and produced by PricewaterhouseCoopers.
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- 2.4. St. Olave's House is a high quality and valuable building suitable for small and medium sized businesses. This is demonstrated by the important role it has played in Winter Scott LLP's success, providing characterful accommodation within a quiet and well connected location. The proposed development has the potential to negatively impact the viable operation of St. Olave's House as a suitable office location for small and medium businesses through adverse noise, disturbance and overlooking impacts.

Noise

- 2.5. We strongly disagree with DP9's assertion that noise will not be an issue on the proposed terrace. The close proximity to Winter Scott LLP's office, approximately 2.5 metres from the terrace to windows on the first and second floor, and the nature of use of the terrace would result in significant activity compromising the noise levels in the area, creating a disturbance throughout the day and into the evening, adversely impacting the operation of Winter Scott LLP and contrary to Local Plan Policy 15.7 (which considers business a noise sensitive use). Furthermore, the Environmental Noise Report does not assess the likely levels of noise outbreak from the roof terrace, contrary to Local Plan Policy DM 10.3 Roof Gardens and Terraces, and therefore the Corporation is still not in a position to determine the full noise impact on the surrounding area and occupants.
- 2.6. The noise disturbance resulting from the use of the proposed terrace would be further compounded by the location of the plant on the terrace and the refuse collection point on St. Olave's Court. For this reason we question whether there is a more suitable location for the refuse point and plant, which would limit the disturbance to surrounding properties.
- 2.7. In terms of mitigation, we have considered a number of approaches, and believe noise from the proposed terrace to be very difficult to address. Given the nature of St. Olave's House as a Grade I Listed Building installation of acoustic glazing and associated mechanical ventilation would require Listed Building Consent and even if consented would be challenging and costly to install due to its cumbersome nature. Furthermore, it would be wholly unreasonable to assume Winter Scott LLP would have to keep the building's windows closed to simply experience similar to existing noise levels and continue the operation of their business at St. Olave's House. This is particularly true during the summer months, when temperatures can be high.

Overlooking and Disturbance

- 2.8. We strongly disagree with DP9's comments that overlooking will not be an issue from the proposed roof terraces. We cannot see how the applicant and the design team have sufficiently considered or appreciated adjacent neighbouring properties if they believe this to be the case. It is clear there would be direct and

uninterrupted lines of sight from the terrace into Winter Scott LLP's office at a distance of approx. 2.5 metres. If consented, activity on the terrace would be a significant distraction and a breach of privacy compromising the viability of St. Olave's House as a viable office location for Winter Scott LLP.

- 2.9. In terms of mitigation, we have considered the options and it is wholly unacceptable to assume Winter Scott LLP would have to install blinds or draw shutters to avoid negative impacts of overlooking and distraction/disturbance from people using the terraces or activities such as leisure and social events, between the hours of 8am to 9pm. This would not only be unsustainable by limiting natural light and encouraging the use of artificial lighting, it would greatly reduce the quality of the internal office environment.

Residential Amenity

- 2.10. The City of London's thriving growing residential community adds to the City's vitality and makes it livelier and safer outside working hours. The application site is located in close proximity to 9 Ironmonger Lane at a distance of approximately 13 metres.
- 2.11. Whilst it is acknowledged, the dense and mixed use nature of the city is likely to result in a degree of disturbance to amenity, the close distances between Fredericks' Place and 9 Ironmonger Lane are unacceptable and result in a significant loss of amenity due to overlooking and noise.

Noise

- 2.12. As stated above it is reasonable to believe the proposed first floor roof terrace would be used throughout the day and into the evening for leisure and social events. This would introduce significant levels of activity on the St. Olave's Court façade and result in an unacceptable increase in noise levels for residents of 9 Ironmonger Lane. Furthermore, the potential noise impact from the roof terrace on 9 Ironmonger Lane is not considered in the Environmental Noise Report (December, 2015), contrary to Local Plan Policy 15.7 Noise and Light Pollution, which seeks to ensure proposed development does not adversely affect its neighbours especially noise sensitive uses, such as housing.
- 2.13. In order to ensure noise breakout from the proposed plant does not result in adverse noise effects on surrounding residential properties, we support the noise mitigation measures included in the Environmental Noise Report (December, 2015) and request the measures detailed under section 5 are secured by compliance condition.

Overlooking

- 2.14. The design and layout of the roof terrace does not adequately address issues of overlooking from the western end of the terrace to 9 Ironmonger Lane. Given the proximity of the roof terrace to 9 Ironmonger Lane and the lack of cover between the roof terrace and surrounding properties, the proposed design will allow uninterrupted views from the west of the terrace to four south facing residential habitable rooms contained within 9 Ironmonger Lane, as demonstrated in our previous representation. Therefore the proposed terrace is contrary to Local Plan Policy DM 10.3, Roof Gardens and Terraces, which resists terraces which immediately overlook residential premises. For this reason we object to the principle of the proposed roof terrace.

For the reasons set out above, the proposed development would result in an unacceptable impact on neighbouring properties, which in this case cannot be satisfactorily mitigated. Given this, we believe the only acceptable course of action is to refuse the application as it stands or, as a minimum, seek revision to remove the first floor terrace and relocate the St. Olave's Court refuse point.

I do not see how the Corporation could fully consider the acceptability of the proposals without a visit to Winter Scott LLP's office. I strongly urge you to contact my colleague Tessa O'Neill or myself to arrange a visit in order to view the site of the proposed terrace from inside St. Olave's House.

We respectfully request that the above comments are taken into consideration in the determination of the applications, and look forward to hearing from you in order to arrange a visit to St. Olave's House.

Yours sincerely



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Planner

BDP

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cc

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Lucy Frew (Councillor Walbrook Ward)

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Glenn Winter (Winter Scott LLP)

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Tessa O'Neill (BDP)











19 May 2016

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Dear Mr. Newman

OBJECTION TO FULL MAJOR PLANNING APPLICATION (15/01308/FULL) AND LISTED BUILDING CONSENT (15/01309/LBC) FOR REFURBISHMENT OF NUMBERS 1 – 5, 7 and 8 FREDERICKS PLACE AND 35 OLD JEWRY, TO PROVIDE UPGRADED OFFICE FACILITIES WITH THE PARTIAL CHANGE OF USE AT GROUND FLOOR AND BASEMENT LEVEL FROM OFFICE (B1) TO RETAIL (A1-A4), ALTERATIONS TO ROOF PLANT AND OTHER ASSOCIATED WORKS, ON BEHALF OF RESIDENTIAL PREMISE AT THE RECOTRY, 5 ST OLAVE'S COURT.

We write in relation to the above planning applications, which propose the refurbishment of numbers 1 to 5, 7 and 8 Fredericks Place and 35 Old Jewry to provide upgraded office space, retail units, alterations to roof plant and associated facilities. The proposed development is located adjacent to residential dwelling 5 St. Olave's Court, which is contained in St. Olave's House and occupied by Jeremy Crossly. This letter is written on behalf of Jeremy Crossly who supports the principle of the development but objects to a number of specific aspects of the design and nature of the proposals in their current form.

5 St. Olave's Court comprises a two storey self-contained residential property located on the second and third floor of St. Olave's House. The proposed development is located approximately 2.5 metres to the south and would be visible from four habitable rooms and a roof terrace as identified in the floor plans contained in Appendix A. 5 St. Olave's Court is accessed from St. Olave's Court, with the entrance fronting the proposed development site.

Jeremy Crossly supports the development of the City of London, understanding the great value it has in supporting the London and national economies; protecting and improving the environment and peoples' quality of life; conserving and communicating London's rich heritage; and ultimately creating a great place to live, work and do business. It is imperative development is appropriate to its context and does not detract from the amenity of a growing residential population, or negatively impact the visually and historically rich built environment.

1. Proposed Development

1.1. Jeremy Crossly does not object to the proposed development in principle. However, does object strongly to the following aspects of the proposals:

- The location and scale of the proposed roof terraces;
- The proposed refuse storage and servicing arrangements; and
- The omission of details in relation to construction management and effects.

Proposed Roof Terraces and Plant

- 1.2. The scheme proposes the introduction of three roof terraces above 1 Frederick's Place; one terrace at first floor level, one at fourth floor level and one at fifth floor level. The terraces are approximately 2.5 metres from 5 St. Olave's Court. The nature of use is unclear from the application documentation. However, given the scale of the first floor terrace, it is reasonable to assume that it would provide an attractive amenity space for staff during the day such as coffee, cigarette breaks and informal meetings; and for social gatherings and business events in the evenings, such as events, client hospitality and parties; with associated chatter, smoking, speeches, applause, music, drinking and merriment. We recognise that smoking on the roof terraces is proposed to be prohibited, however we suggest that this would be near impossible to enforce. The proposed roof terrace would introduce an unreasonable level of activity to the St. Olave's Court façade, resulting in significant increases in noise, disturbance and overlooking.
- 1.3. We understand that the proposed hours of use of the terrace would be limited to between 8am to 9pm, whilst this would limit the impact, it permits activity in close proximity to surrounding residential dwellings and is wholly unacceptable. For the avoidance of doubt Jeremy Crossly object to the principle of the proposed first floor roof terrace and do not consider that shorter hours would make the use acceptable.
- 1.4. Since the submission in December 2015, the design has been updated to relocate the plant for No. 4 Fredericks' Place on the first floor terrace, fronting St. Olave's Court. This would further compound adverse noise impacts associated with the use of the terrace.

Refuse Collection

- 1.5. The proposed development locates refuse and servicing points on the perimeter of the site, including one fronting and with direct access onto St. Olave's Court. The location of this refuse collection point would require 1,100 litre eurobins to be wheeled by foot approximately 10 metres along St. Olave's Court before being transferred to a refuse collection vehicle on Old Jewry. This refuse point is likely to be a source of noise and odour, exacerbated by the narrow dimensions of St. Olave's Court.
- 1.6. The location of the refuse and service points along St. Olave's Court form a poor relationship with surrounding development, with refuse and service accesses immediately fronting the principle and single access to 5 St. Olave's Court.
- 1.7. The St. Olave's Court refuse collection point will also be read in the setting of the Grade I listed St. Olave's House and Guild Hall Conservation Area

Construction

- 1.8. The construction activities associated with building the proposed three exterior terraces has the potential to result in adverse effects on surrounding properties, specifically in terms of access and noise. The application documentation does not include details of the proposed construction programme, the likely environmental effects and proposed mitigation and management measures. We acknowledge that this is not an unusual proposition in the City of London and request that a Construction and Environmental Management Plan is secured by pre-commencement condition in order to minimise adverse impacts. This should include the construction programme, environmental effects and mitigation, including access arrangements, and undergoes public scrutiny through consultation with neighbouring properties and the relevant statutory consultees.

2. Adverse Impact of Proposed Development

- 2.1. The area surrounding the proposed development site, benefits from a distinctive character, including residential dwellings and significant heritage assets. In their current form the proposals would have a direct adverse impact on the existing character and nature of the surrounding area, significantly impacting residential amenity and detracting from the significance of neighbouring heritage assets.

Residential Amenity

- 2.2. The City of London's thriving growing residential community adds to the City's vitality and makes it livelier and safer outside working hours. The application site is located in close proximity to two residential dwellings, namely: 5 St. Olave's Court; and 9 Ironmonger Lane.
- 2.3. Whilst it is acknowledged, the dense and mixed use nature of the city is likely to result in a degree of disturbance to amenity, the exceptionally close distances, specifically between the proposed roof terraces at the fourth and fifth floor of Fredericks' Place and 5 St. Olave's Court are unacceptable and result in a significant loss of amenity due to overlooking. In addition, amenity of the 5 St. Olave's Court and 9 Ironmonger Lane would be adversely affected due to increased levels of activity and noise from the proposed first floor roof terrace.

Noise

- 2.4. We strongly disagree with DP9's assertion that noise will not be an issue on the proposed terrace. The close proximity to 5 St. Olave's Court, approximately 2.5 metres from the proposed development, specifically to the three terraces, would result in significant activity compromising the noise levels in the area, creating a disturbance throughout the day and into the evening, adversely impacting residential amenity and contrary to Local Plan Policy 15.7 (which considers business a noise sensitive use). Furthermore, the Environmental Noise Report does not assess the likely levels of noise outbreak from the roof terrace, contrary to Local Plan Policy DM 10.3 Roof Gardens and Terraces, and therefore the Corporation is not in a position to determine the full noise impact on the surrounding area and occupants.
- 2.5. The noise disturbance resulting from the use of the proposed terrace would be further compounded by the location of the plant on the terrace and the refuse collection point on St. Olave's Court. For this reason we question whether there is a more suitable location for the refuse point and plant, which would limit the disturbance to surrounding properties.
- 2.6. In terms of mitigation, we have considered a number of approaches, and believe noise from the proposed terrace to be very difficult to address. Given the nature of St. Olave's House as a Grade I Listed Building installation of acoustic glazing and associated mechanical ventilation would require Listed Building Consent and even if consented would be challenging and costly to install due to its cumbersome nature. Furthermore, it would be wholly unreasonable to assume occupants of 5 St. Olave's Court would have to keep the building's windows closed to simply experience similar to existing noise levels. This is particularly true during the summer months, when temperatures can be high.

Overlooking and Disturbance

- 2.7. We strongly disagree with DP9's comments that overlooking will not be an issue from the proposed roof terraces. We cannot see how the applicant and the design team have sufficiently considered or appreciated adjacent neighbouring properties if they believe this to be the case. Whilst 5 St. Olave's Court is located above the first floor roof terrace limiting potential of overlooking, four habitable rooms and roof terrace would be in direct and uninterrupted views from the proposed fourth and fifth floor terrace. If consented, the proposed terraces would overlook the 5 St. Olave's Court contrary to Local Plan Policy DM 10.3 Roof Gardens and Terraces.
- 2.8. In terms of mitigation, we have considered the options and it is wholly unacceptable to assume occupants of 5 St. Olave's Court would have to install blinds or draw shutters to avoid negative impacts of overlooking from people using the terraces or activities such as leisure and social events, between the hours of 8am to

9pm. This would not only be unsustainable by limiting natural light and encouraging the use of artificial lighting, it would greatly reduce the quality of the internal residential environment.

Design and Heritage

- 2.9. St. Olave's Court and the Grade I Listed St. Olave's House form a notable part of the Guild Hall Conservation Area and make a valuable contribution to the City's unique character and rich historic environment. The existing Fredericks' Place façade contributes to the character of St. Olave's Court, and plays an important role in the setting of the Grade I Listed St. Olave's House. As supported by objections from the City of London Conservation Area Advisory Committee and the City Heritage Society, the proposals in their current form have the potential to significantly adversely impact neighbouring heritage assets, contrary to Local Plan Policy CS 12 Historic Environment.
- 2.10. The introduction of the roof terraces above 1 Frederick's Place, one at first floor level, one at fourth floor level and one at fifth floor level (all approximately 2.5 metres from St. Olave's House), has the potential to result in harm to the setting of the Grade I Listed St. Olave's House and the character of the Guild Hall Conservation Area. The introduction of an incommensurate design and an increase in levels of activity in the area will affect the level of enclosure and the sense of calm currently enjoyed detracting from the character of the heritage assets' setting. The potential impact is compounded by the proposed increase in size of roof top plant and location of the St. Olave's Court refuse store, and is contrary to Local Plan Policies DM 10.1 Roof Top Plant, DM 12.2 Conservation Areas and DM 12.3 Listed Buildings.

For the reasons set out above, the proposed development would result in an unacceptable impact on neighbouring properties, which in this case cannot be satisfactorily mitigated. Given this, we believe the only acceptable course of action is to refuse the application as it stands or, as a minimum, seek revision to remove the first floor terrace and relocate the St. Olave's Court refuse point.

I do not see how the Corporation could fully consider the acceptability of the proposals without a visit to the St. Olave's House and 5 St. Olave's Court. I strongly urge you to contact my colleague Tessa O'Neill or myself to arrange a visit in order to view the site of the proposed terrace from inside St. Olave's House.

We respectfully request that the above comments are taken into consideration in the determination of the applications, and look forward to hearing from you in order to arrange a visit to St. Olave's House.

Yours sincerely



Tom Rudd

Planner

BDP

Direct Line: +44 [0]2 7812 8262

E-Mail: tom.rudd@bdp.com

cc

John Garbutt (Alderman for Walbrook Ward)
Lucy Frew (Councillor Walbrook Ward)

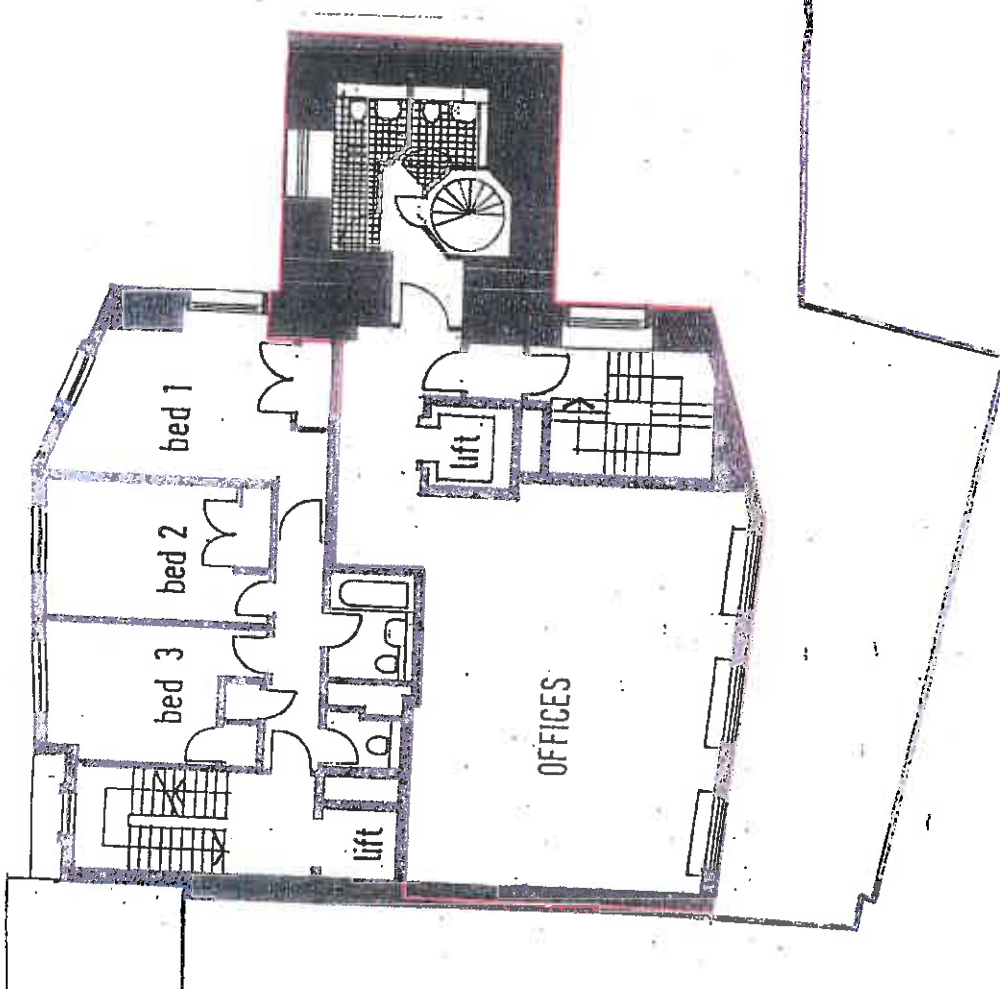
Ken Scott (Winter Scott LLP)

Glenn Winter (Winter Scott LLP)

Sophie-Jane Hunt (Winter Scott LLP)

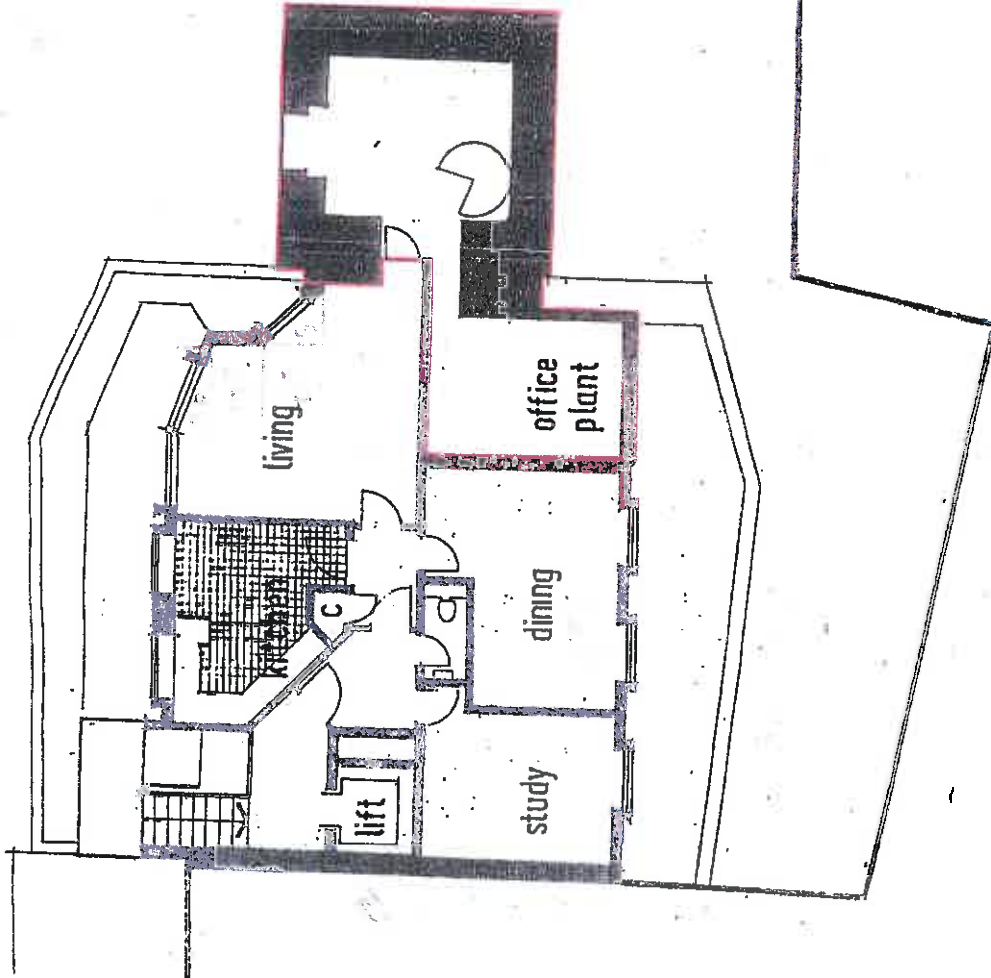
Tessa O'Neill (BDP)

THIS CERTIFICATE IS THE PROPERTY OF THE
LONDON DIOCESEAN FUND
AND IS HEREBY AFFIXED IN THE
PRESENCE OF:



9a IRONMONGER LANE EC2	
drawing	
SECOND FLOOR PLAN	
SCALE	DATE
1/100	21/02/87
	DRAWN

THE COMMON SEAL OF THE
LONDON DIOCESAN FUNG
WAS HEREUNTO AFFIXED IN
THE PRESENCE OF :



9a IRONMONGER LANE EC2	
drawing	
THIRD FLOOR PLAN	
scales	1/100
date	21/12/87
drawn	

Newman, Tony

From: Rudd, Tom <Tom.Rudd@bdp.com>
Sent: 14 June 2016 19:13
To: Newman, Tony
Cc: O'Neill, Tessa
Subject: Fredericks' Place

Hi Tony,

Many thanks for visiting Winter Scott's office today and taking the time to discuss the Frederick's Place proposals and the associated impact on Winter Scott's business. We were disappointed you did not share our view that the proposed terrace would have an unacceptable impact, but as discussed we would appreciate your consideration of increasing the height of the balustrade and the use of materials which would reduce noise impact further. I have outlined the potential mitigation measures which were discussed at our meeting below.

Terrace Balustrade

We would welcome design revisions at this stage to improve the visual and acoustic screening of the terrace balustrade. It is important the revised balustrade is of a suitable height and material to reduce noise and obscure views, for example a taller planted screen could better absorb sound and intercept noise outbreak.

Given the importance of the balustrade to Winter Scott, we request that we are consulted on the design revisions to the balustrade and would welcome an opportunity to speak with the applicant's architect/planning agent to comment on the design before it is finalised.

Refuse Storage

As stated in our letter of 18 May 2016, we welcome the relocation of the refuse store opposite the residential entrance of 5 St. Olave's Court and the reduction of associated adverse impacts on the amenity of the residential units. We also request Winter Scott are consulted on the revised refuse store location.

We appreciate the application determination date has now expired but request the above mitigation is fully considered prior to the determination of the application.

Kind regards,

Tom

Tom Rudd
Town Planner

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Newman, Tony

From: Rudd, Tom <Tom.Rudd@bdp.com>
Sent: 03 August 2016 17:33
To: Newman, Tony
Cc: O'Neill, Tessa
Subject: RE: 1-3 Frederick's Place - (15/01308/FULL)

Hi Tony,

Many thanks for the updates regarding the Frederick's Place amendments.

We are however disappointed with the response as we feel it does not reflect the discussions from our meeting on the 14th June, and does not address the concerns you appeared to share, specifically in relation to the location of the refuse store. I have outlined our comments below.

Refuse Store

Further to our meeting and telephone discussions, we understood CoL was seeking revisions to the location of the refuse store to provide a better relationship with neighbouring properties, specifically the residential dwelling at 5 St. Olave's Court. Please can you clarify why CoL is no longer seeking such revisions?

We remain concerned the refuse point is likely to be a source of noise and odour exacerbated by the narrowness of St. Olave's Court and compounded by the recent approval of the refuse store at the Korean Bank site. The location of the Frederick's Place refuse store on St. Olave's Court forms a poor relationship with 5 St. Olave's Court, with the store immediately fronting the principle and single access to the residential property, and negatively impacting the setting of adjacent heritage assets. We maintain our view the refuse store should be relocated away from St. Olave's Court to a more appropriate location.

Failing relocation, in relation to the conditions you are proposing we would request to be consulted on the Servicing Management Plan.

Terrace Balustrade

Whilst we welcome the amendment to the glazing treatment to a translucent finish, we feel the increase in height of the balustrade by approximately half a brick course to a total of 1.3 metres is inadequate. The height of the balustrade in relation to the planter raises significant concerns regarding safety.

In accordance with Part K of the Building Regulations 2010 Protection from Falling Collision and Impact, the balustrade should be a minimum of 1100mm above the finished level of the planter to provide sufficient protection from falling. Assuming a 500mm depth of the planter, the minimum height of the balustrade should be 1600mm above finished floor level.

We look forward to your comments with regards to the above.

Kind regards,

Tom

From: Newman, Tony [mailto:Tony.Newman@cityoflondon.gov.uk]
Sent: 02 August 2016 16:22
To: Rudd, Tom <Tom.Rudd@bdp.com>
Cc: O'Neill, Tessa <tessa.oneill@bdp.com>
Subject: RE: 1-3 Frederick's Place - (15/01308/FULL)

Dear Tom,

There have been no amendments to the refuse store. We would seek to control its use through similar conditions to those included on the Korean Bank approval.

Kind regards

Tony Newman
Senior Planning Officer
Department of the Built Environment
020 7332 3149
www.cityoflondon.gov.uk

From: Rudd, Tom [<mailto:Tom.Rudd@bdp.com>]
Sent: 29 July 2016 12:40
To: Newman, Tony
Cc: O'Neill, Tessa
Subject: RE: 1-3 Frederick's Place - (15/01308/FULL)

Dear Tony,

Many thanks for sending through the revised balustrade details.

Please can you also confirm any revisions to the location of the St. Olave's Court refuse store? I note the Korean Bank application was approved last week, including a refuse store opposite the proposed Frederick's place store and adjacent to the vicar's flat residential entrance.

Kind regards,

Tom

From: Newman, Tony [<mailto:Tony.Newman@cityoflondon.gov.uk>]
Sent: 28 July 2016 18:33
To: Rudd, Tom <Tom.Rudd@bdp.com>
Subject: 1-3 Frederick's Place - (15/01308/FULL)

Dear Tom,

Further to my site visit back in June, please find attached revised drawings which reflect the our discussions in relation to raising the balustrade on the northern elevation to address comments regarding privacy and overlooking. The balustrade would now be at 1.3m above finished floor level and feature translucent glazing (to be secured through condition).

In addition, I have attached sketch 1754_MP_SK03_042 which is a section through St Olave's Court to show the relationship between the proposed extension to No. 4 Frederick's Place, and the existing No. 9 Ironmonger Lane.

Kind regards

Tony Newman
Senior Planning Officer
Department of the Built Environment
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Republic of Ireland - Building Design Partnership (Architects, Designers, Engineers) Limited, registered in Ireland 197668, registered office Blackhall Place, Blackhall Green, Dublin 7.

The Netherlands - BDP Khandekar B.V. registered in the Netherlands 28067722, registered office Walenburgerweg 74, 3033 AG Rotterdam.

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India - BDP Design Engineering Private Limited, registered in India, Corporate Identity Number U74900DL2009FTC189644, registered office L20 Green Park (Main), New Delhi 110016.

United Arab Emirates - BDP MENA Consulting Engineers LLC, registered in Abu Dhabi, Trade License Registration Number 1019794, registered office Suite 202, Al-Jahili Tower, Corniche Road, P O Box 41670, Abu Dhabi.



Mr Tony Newman
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www.dominiclawson.co.uk

5 August 2016

Dear Mr Newman

OBJECTION TO FULL MAJOR PLANNING APPLICATION 15/01308/FULL and LISTED BUILDING CONSENT 15/01309/LBC relating to 1-3, 4, 5, 7 and 8 FREDERICKS PLACE AND 35 OLD JEWRY, LONDON EC2

We are writing on behalf of our client, the London Diocesan Fund (the "LDF"), who would like to object to planning application 15/01308/FULL and 15/01309/LBC for:

"Refurbishment of 1-3, 4, 5, 7 and 8 Fredericks Place and 35 Old Jewry including change of use from office to restaurant at ground floor and part lower ground floor in No. 1, change of use from office to retail at ground and lower ground floor in No. 3. Rationalisation of roof plants and other associated works."

The LDF own the freehold of two properties in close proximity to the application site - St. Olave's House, 9a, Ironmonger Lane, EC2V 8EY and The Rectory, 9, Ironmonger Lane, EC2V 8EY. St Olave's House is accessed via Ironmonger Lane. Part of St. Olave's House (fourth floor) is in residential use and is within 2.5m of the proposed fourth and fifth floor terraces of the application site. The remaining floorspace in St. Olave's House is in office use. The Rectory is also in residential use and is in close proximity to the proposed first floor terrace at no. 4 Fredericks Place.

The courtyard at the western end of St Olave's Court is a peaceful public space, forming the setting to our client's site and the surrounding built environment, providing a calm oasis in this busy part of the City for the quiet enjoyment of residents, tenants and the public.

Our objections

The aspects of the proposed development to which this letter objects are as follows:

1. Noise generation from the proposed roof terraces;
2. Noise generation from the restaurant;
3. Noise generation and impact on air quality from the plant at first floor level at the rear of 1-4 Fredericks Place;
4. Refuse collection and servicing arrangements and potential for disturbance;



5. Lack of a full transport assessment to allow an assessment of the likely increase in pedestrian traffic on St. Olave's Court; and
6. Our client was not informed of the proposed development nor were they consulted by either the Council or the applicant as the freehold owner of the site.

1. Noise Generation from the Proposed Roof Terraces

The Environmental Noise Report prepared by Cundall (December 2015) makes no assessment of the likely noise outbreak that will be caused by activity on either the first floor roof terrace that is proposed to run along most of the length of the rear of 1-4 Fredericks Place or the roof terraces at levels 4 and 5 of 1 Fredericks Place. Conversely, attention has been paid to ensuring that there will be no impact on the residential areas in numbers 4 and 6 Fredericks Place, which form part of the applicant's proposals.

Local Plan Policy DM 10.3 Roof Gardens and Terraces seeks to protect the amenity of existing residents from the potential impact of new roof terraces and it is currently not clear how the applicant intends to mitigate potential impacts, particularly with respect to social events which may be held in the evening and at night making use of these terraces in the summer months. The consultation response prepared by DP9 (18 March 2016) makes reference to the standard lease terms which would prevent smoking on the terraces. However, this is scarcely adequate in respect of the control of noise generating activity that may occur on these terraces to the detriment of our client's tenants and residents.

This is an omission which means that the City of London cannot make a proper assessment of the impact on our client's tenants and residents until further work is done on the noise impact on our client's property. We would also respectfully request that, should permission be granted, conditions are imposed that restrict the hours of use of these terraces, and prevent the use of amplified music, as the applicant has already proposed with respect to the proposed restaurant in 1 Fredericks Place.

2. Noise Generation from the Restaurant

This has been included in the Environmental Noise Report, and we welcome the proposed measures to keep noise levels to an acceptable level set out in paragraph 4.2.3 of this report. We would expect to see these measures set out in conditions should the application be consented.

3. Noise generation and impact on air quality and odours from the plant at first floor level at the rear of 1-4 Fredericks Place.

The drawing no. PO1/021, dated 28/06/16, shows that there is a timber screen to a proposed plant enclosure on the roof terrace at first floor level at the rear of 1-4 Fredericks Place. This was not indicated on the analogous drawing in the Design and Access Statement (page 39). It is unclear what this plant relates to, but it is likely to be there to serve the proposed restaurant at the ground floor in 1 Fredericks Place. We are concerned that this plant will generate noise and fumes that will have an impact on our tenants and residents in the Rectory in particular, which is in close proximity to this proposed plant. In the Environmental Noise Report, background noise has been monitored until 15.52 at the latest,

and assurances have been given that plant will not be audible above the background noise up to this time. However, no monitoring has been done in the evenings or at night, and we are concerned that at these times our client's residents in the Rectory in particular will be disturbed by both noise and fumes from this plant.

We welcome the conditions proposed by the Environmental Health Officer (30 December 2015) in accordance with Local Plan Policies DM15.6, DM15.7 and DM21.3 but we respectfully request that additional monitoring is done on background noise levels during the times that the plant at first floor level will be in operation and, if necessary, further conditions imposed.

4. Refuse Collection and Servicing Arrangements

According to the consultation response from DP9 (18 March, 2016), there were detailed discussions with the Council's Waste and Amenity Team, which included the submission of additional information and ended in an agreement on all matters in relation to the refuse and servicing of the proposed development. The additional information has not been made available. Therefore, we respectfully request that the amended strategy is made public, so our client can review the additional information and understand any amendments.

As proposed, the refuse collection point for the proposed A3 restaurant in 1 Fredericks Place is accessed from St. Olave's Court. We acknowledge that waste/refuse needs to be collected regardless of the location and the proposed development has a designated holding area for such waste.

Our client is concerned that the refuse point will produce an unsettling odour that will disturb surrounding businesses, minimising the amenity value of the area. Therefore, we consider that the holding area should be appropriately enclosed to prevent potential odours travelling throughout St. Olaves Court, causing harm to our client's tenants and residents.

5. Transport Assessment and increased footfall in St Olave's Court

The Transport Assessment (WSP, November 2015) makes no effort to assess the increased footfall that will be generated in St Olave's Court by the proposed restaurant in 1 Fredericks Place.

This is an omission, since it is clear that pedestrians will walk through St Olave's Court when going to and leaving the proposed restaurant. Our client is particularly concerned that residents will be disturbed in the late evening when diners leave the restaurant and may choose to remain in St Olave's Court or gain access to the courtyard, possibly engaging in anti-social behaviour.

We are of the view that the City of London cannot give proper consideration to this application without the benefit of an assessment of the pedestrian trip generation caused by the proposed restaurant in St Olave's Court.

6. Consultation

As a neighbour to the development site, the City of London was under a statutory duty to notify our client by letter of the application as set out in National Planning Policy Guidance -

Consultation and pre-decision matters, paragraph 029. No such notification was provided. This has prevented our client from responding to the application, setting out their concerns, and making representations to the City of London, until this very late stage in the process.

Further, there is no evidence of the consultation that was conducted by the applicant prior to submission of the application, and no statement of community consultation was submitted with the application, as is considered good practice by the Royal Town Planning Institute.

Conclusion

On behalf of our client, we propose the following actions should be taken to ensure the lawful determination of this planning application:

1. Further work should be done to allow the assessment of the likely noise generation from the proposed roof terraces, and appropriate conditions imposed once this work has been done. The City of London cannot at this stage determine this application without this further information.
2. Conditions as set out in paragraph 4.2.3 of the Environmental Noise Report should be imposed to mitigate the noise impact of the proposed restaurant at 1 Fredericks Place.
3. Further work should be done to analyse the potential impact of the proposed plant at first floor level at the rear of 1-4 Fredericks Place, as shown on drawing POI/021, and conditions imposed to mitigate any impact caused by noise and fumes.
4. Further information on refuse storage and collection arrangements should be provided before determination, addressing our concerns regarding the impact of the refuse holding area in St Olave's Court.
5. Further information should be provided on the increased use of St Olave's Court generated by the proposed development and how the impact of this increased use can be mitigated through conditions.
6. Further consultation is required on the application, given the fact that our client was not informed of the application, so that we can engage with the City of London and the applicant to ensure that our concerns are resolved before the application is determined.

We welcome the opportunity to discuss our concerns further should the Council deem it appropriate.

Yours sincerely

Dominic Lawson Bespoke Planning Ltd

On behalf of the London Diocesan Fund

Dominic Lawson Bespoke Planning Ltd is registered in England & Wales, at the above address, number 7229435. UK VAT registration number 991 7836 62. Dominic Lawson Bespoke Planning Ltd is registered in Ireland at Block 3, Harcourt Centre, Harcourt Road, Dublin 2, number 585599. Directors: Dominic Lawson MRTPI (British) and Anthony Gajadharsingh ACIS (Irish).

Newman, Tony

From: Luke Emmerton <luke.emmerton@dp9.co.uk>
Sent: 21 September 2016 10:21
To: Newman, Tony
Subject: Frederick's Place (15/01308/FULL & 15/01309/LBC)

Tony,

Further to our conversation and in light of our meeting with the adjoining neighbours yesterday, I can confirm that we will accept a reduced hours of use condition for the terraces restricting this until 6pm on weekdays with no use at weekends or bank holidays. We feel that this is an appropriate compromise respecting the amenity of the adjoining residential unit based on typical residential occupation times/periods.

I hope you are able to amend your report today before printing.

Best
Luke

Luke Emmerton
Director

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mobile: 07795 397618
e-mail: luke.emmerton@dp9.co.uk

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