

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	28 November 2016
<b>Subject:</b> 1 Undershaft London EC3P 3DQ Demolition of the existing buildings and construction of a ground plus 72 storey building (304.94m AOD) for office use (Class B1) [131,937sq.m GEA], retail (Class A1-A3) [2,178sq.m GEA] at ground and lower ground floor, a publicly accessible viewing gallery (Sui Generis) [2,930sq.m GEA] at level 71-72 and a restaurant (Class A3) [1,220sq.m] at level 70. Public Realm improvement works, ancillary basement cycle parking, servicing and plant. [Total 154,100sq.m GEA]	<b>Public</b>
<b>Ward:</b> Lime Street	<b>For Decision</b>
<b>Registered No:</b> 16/00075/FULEIA	<b>Registered on:</b> 3 February 2016
<b>Conservation Area:</b> No	<b>Listed Building:</b> No

### Summary

The proposed development is for a tower comprising 73 storeys above ground (304.94m AOD/289.94m AGL) with 4 basements.

The building would provide offices, retail (lower ground/basement 1), a publicly accessible viewing gallery (levels 71-72), public restaurant (level 70) and ancillary basement cycle parking, servicing and plant.

The gross floor area would be 154,100sq.m (GEA), comprising:

131,937sq.m offices,

2,178sq.m retail (Class A1-A3) (lower ground and ground)

2,930sq.m public viewing gallery (sui generis) (levels 71-72)

1,220sq.m restaurant (Class A3) (Level 70)

15,835sq.m ancillary areas and plant

An Environmental Statement accompanies the scheme.

The building would be the tallest in the City and the focal point of the Eastern Cluster, and would provide a significant increase in flexible office accommodation, supporting the strategic objective of the City of London Corporation to promote the City as the leading international financial and business centre.

The public realm benefits include bringing St. Helen's Square up to grade,

raising the building above the ground plane to enable the public realm to extend across the site and under the building, provision of an 'open to the air' lower concourse level similar in function to Broadgate Circle or the Rockefeller Centre in New York and, the provision of a free public viewing gallery at levels 71 and 72 (to include classrooms at level 71) with an aspiration for this space to be curated by the Museum of London. These public benefits are critical to the acceptability of this major development.

The Mayor of London supports the scheme in strategic planning terms.

Historic Royal Palaces has objected to the scheme on the grounds of its impact on the World Heritage Site.

St. Helen Bishopsgate Church and the Parochial Church Council have objected to the proposals in relation to potential impacts on the ability of the Church to continue its ministry by reason of noise during demolition, construction and operation. They also objected to the impact on the setting of the grade I listed Church and potential impacts on its structural stability. The applicant has agreed with the Parochial Church Council to provide noise mitigation measures within the church to ensure that during the operational phase of the development noise levels within the church are no worse than currently exist. Obligations in respect of these matters will be secured through the S106 agreement.

An objection was received from a member of the public relating to the historic significance of the existing building, the height and scale of the proposed building and its impacts on views, particularly the lift core's visibility in views from the south and south west, the lack of sky between the buildings in this part of the Cluster and the impact on the 'crown' of 22 Bishopsgate.

The Leatherseller's Company objected to the scheme's impact on lighting to their freehold properties in the vicinity, on the character of St Helen's Conservation Area and on the setting of the Tower of London and St Paul's Cathedral.

The impact of the scheme on the setting of conservation areas and listed buildings, on strategic views and on the settings of St Paul's Cathedral and the Tower of London World Heritage Site has been assessed and is considered acceptable.

To enable satisfactory servicing of this building it will require a freight consolidation operation.

There would be some stopping-up of public highway and dedication of private land associated with the northward realignment of Undershaft due to the removal of the existing vehicle ramps on the north side of Undershaft and the northward extension of the building line. There would be a net gain of 155.66sq.m in public highway.

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

report.

### **Recommendation**

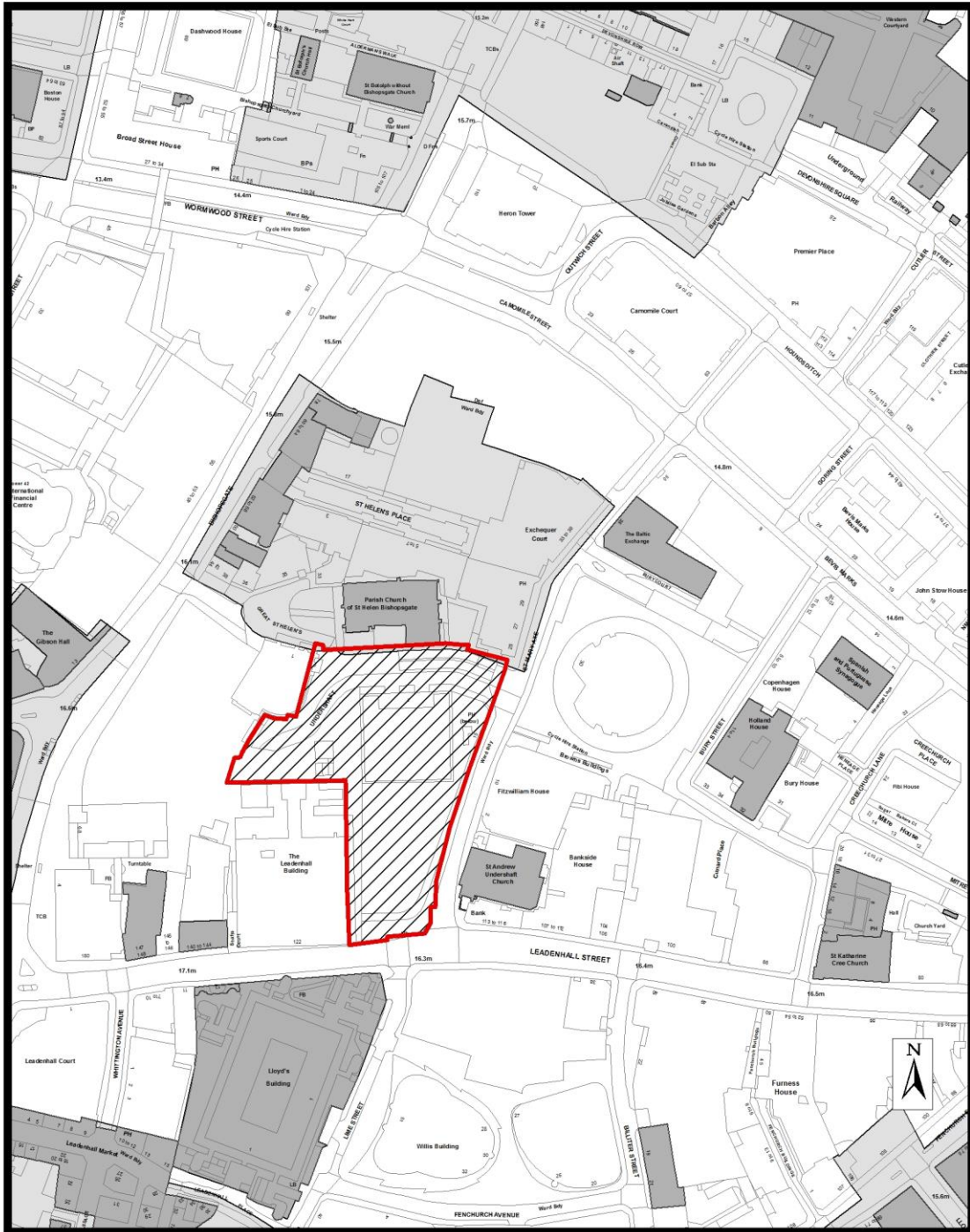
(1) That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule subject to:

(a) the Mayor of London being given 14 days to decide whether to allow the Corporation to grant planning permission as recommended, or to direct refusal, or to determine the application himself (Article 5(1)(a) of the Town & Country Planning (Mayor of London) Order 2008);

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

(2) That you agree in principle that the land affected by the building which are currently public highway and land over which the public have right of access may be stopped up to enable the development to proceed and, upon receipt of the formal application, officers be instructed to proceed with arrangements for advertising and making of a Stopping-up Order for the various areas under the delegation arrangements approved by the Court of Common Council.

# Site Location Plan



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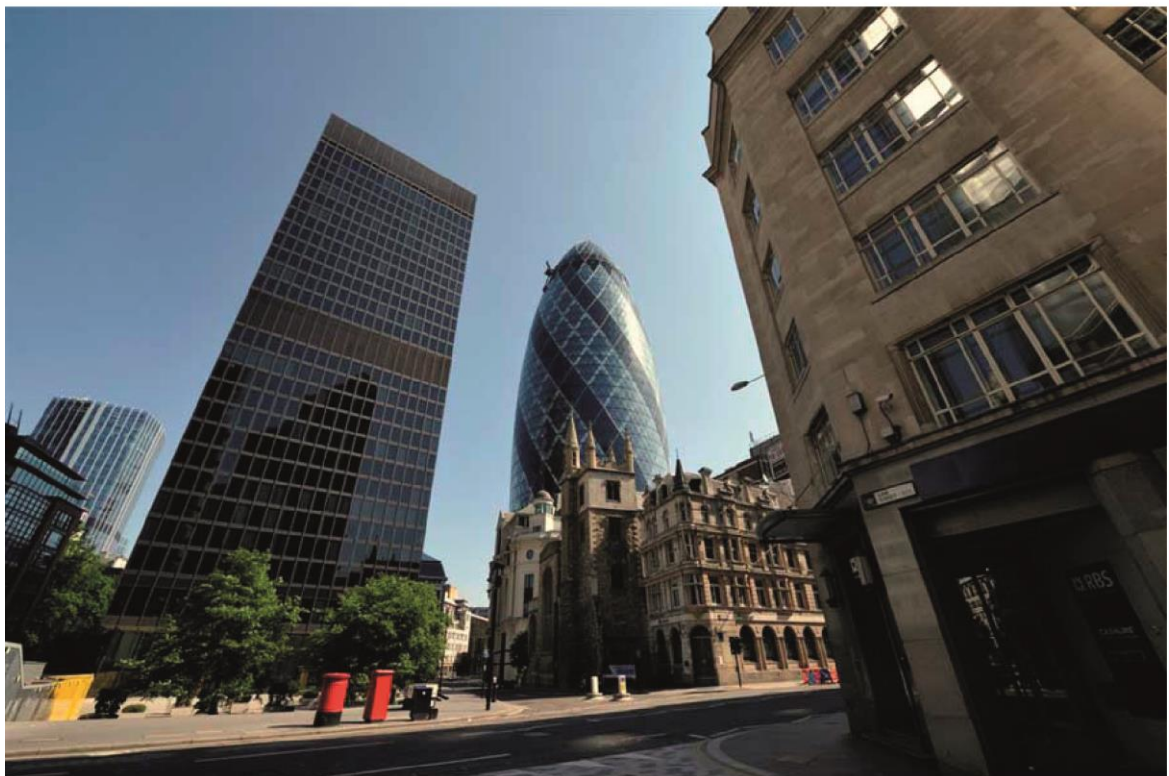
**ADDRESS:**  
1 Undershaft

**CASE No.**  
16/00075/FULEIA

-  **SITE LOCATION**
-  **LISTED BUILDINGS**
-  **CONSERVATION AREA BOUNDARY**



**DEPARTMENT OF THE BUILT ENVIRONMENT**



**Case No:** 16/00075/FULEIA  
**Address:** 1 Undershaft

## **Main Report**

### **Environmental Statement**

1. The application is accompanied by an Environmental Statement (ES). The ES is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. This is to ensure that the importance of the predicted effects and the scope for reducing them are properly understood by the public and the competent authority before it makes its decision.
2. The Local Planning Authority must take the Environmental Statement into consideration in reaching its decision as well as comments made by the consultation bodies and any representations from members of the public about environmental issues.
3. Representations made by anybody required by the EIA Regulations to be invited to make representations and any representations duly made by any other person about the environmental effects of the development also forms part of the environmental information before your Committee.
4. The Environmental Statement is available in the Members' Room, along with the application, drawings, relevant policy documents and the representations received in respect of the application.

### **Site**

5. The site is located on the south side of Undershaft and is bounded by Undershaft and the church of St. Helen Bishopsgate to the north, the piazza of St. Helen's square and Leadenhall Street to the south, St. Mary Axe to the east. The construction site of 22 Bishopsgate and the buildings of 1 Great St. Helen's and 122 Leadenhall Street are to the west and southwest.
6. Further to the west is the major thoroughfare of Bishopsgate, a Local Distributor Road in the TLRN, a Red Route managed by Transport for London.
7. The site is currently occupied by a 28 storey office building, known as the Aviva Tower, with an area of publically accessible open space, St. Helen's Square, to the south, east and west. The existing tower is 118m tall and has five levels of basement beneath. The basement areas contain ancillary office space, a loading bay, car parking, storage and plant areas. A small public house (now closed) is located in the basement on the eastern side of the site. To the north of the building and located to the north of Undershaft is a vehicle service ramp that provides access to the basement level loading bay.
8. The building, designed by architects Gollins Melvin Ward Partnership as part of a set piece composition with its neighbour at 122 Leadenhall Street, was completed in 1969. The bold rectilinear geometry and detailing was heavily influenced by Ludwig Mies van der Rohe.
9. The principal interest of the building was its method of construction (an early hung steel structure) and its bronze finished 'Miesian' cladding. However, in 1992 the building was heavily damaged in the Baltic

Exchange bombing which resulted in the replacement of the external cladding. Recent alterations to the lower storeys have further altered the appearance of the building.

10. The building, because of the degree of alteration, is not considered to be of sufficient architectural or historic interest to be identified as an undesignated heritage asset. The loss of its set piece partner (122 Leadenhall Street) further diminished its significance and in 2012 a 'Certificate of Immunity from Listing' was granted by English Heritage (now Historic England). This expires on 15th April 2017.
11. The site context is varied in character comprising a number of significant listed buildings including the church of St. Helen Bishopsgate (grade I), the Lloyd's Building (grade I), St. Andrew Undershaft Church (grade I), Leadenhall Market (grade II\*) as well as a number of grade II listed buildings on Bishopsgate to the north west and Leadenhall Street to the south west of the site.
12. While the site is not within a conservation area, the boundary of the St. Helen's Place Conservation Area is to the north side of Undershaft and the Bank and the Leadenhall Market conservation areas are located on the west and south sides of Bishopsgate and Leadenhall Street respectively.
13. The site falls within the Eastern Cluster and is in the immediate vicinity of prominent buildings at 30 St Mary Axe, 122 Leadenhall Street, Tower 42, 52-54 Lime Street (under construction) and the proposed developments at 6-8 Bishopsgate and 22 Bishopsgate.

### **Proposal**

14. The proposed development is for a tower comprising 73 storeys above ground (304.94m AOD/289.94m AGL) with 4 basements. The tower would taper almost imperceptibly with a 'virtual' apex at 10 times the height of the building above ground.
15. The building would provide offices, retail (lower ground/basement 1), a publicly accessible viewing gallery (levels 71-72), public restaurant (level 70) and ancillary basement cycle parking, servicing and plant.
16. The gross floor area would be 154,100sq.m (GEA), comprising:
  - 131,937sq.m offices
  - 2,145sq.m retail (Class A1-A3) (Lower Ground)
  - 33sq.m retail kiosk (Class A1) (Ground)
  - 2,930sq.m public viewing gallery (sui generis) (levels 71-72)
  - 1,220sq.m restaurant (Class A3) (Level 70)
  - 15,835sq.m ancillary areas and plant
17. St. Helen's Square, is currently terraced below the street level of Leadenhall Street and the south east part of St. Mary Axe. The square would be brought up to carriage way level and the building raised above

ground to enable the public realm to extend across the site and under the building.

18. A large elliptical opening would be created in the piazza, similar to the Broadgate Circle or the Rockefeller Centre in New York, which would provide light into, and a visual link with, the public areas at lower ground floor level. Incorporated within this opening would be a dedicated cycle ramp providing access to the cycle parking at basement level 2.
19. Public access to the viewing gallery would be gained from the lower concourse level via a dedicated entrance lobby.
20. Access to the main office reception would be provided by five escalators and two dedicated lifts. A combination of single decker and double decker high speed lifts would connect the double height reception area to the offices.
21. There would be two lift transfer zones, each over two levels, at floors 28 and 29 and 48 and 49. It is proposed that these areas would be flexibly designed to create opportunities for start-up spaces (25 spaces/308sq.m are proposed at level 28) and office amenity spaces, such as, Wellness centres, dining spaces, winter gardens or lounges, for the occupants of the building.
22. The building has been designed to achieve an inclusive environment throughout, maximising access for all. All entrances would provide level access into the building and internal spaces are designed to be suitable for use by people with disabilities. The public viewing gallery and restaurant on levels 70-72 would be fully accessible. Six car parking spaces would be provided for drivers with disabilities and provision would be made for adapted bicycles in the cycle storage areas which would be accessible by dedicated lifts and ramps.
23. The building is designed to provide a high quality internal environment that would support the health, wellbeing and comfort of the occupants. It has been reviewed against the criteria set out within the "Well Building Standard" (published by the International Well Building Institute), and is capable of being developed to meet the standard during the detailed design and construction stage in accordance with the Standard for shell and core buildings.
24. The existing vehicle ramp on Undershaft would be removed and infilled. There would be a consequential northward realignment of Undershaft.
25. During the consideration of this scheme, the ultimate height of the proposed building has been reduced to take account of the aircraft approach surface to London City Airport.
26. The aviation study submitted alongside the application indicated that the proposed tower would have penetrated the approach surface by 4.65m. As a consequence, the building's height has now been reduced by 4.66m.
27. This was achieved by reducing the height of each floor by 50mm and adjusting the structural floor beam depths.



28. The soffit level above the ground plane has also been reduced by 150mm.
29. The reduction in height does not result in any changes to the depth, piling, foundation design or floorspace figures originally submitted.

### **Consultations**

30. A Statement of Community Involvement has been submitted with the application outlining the developer's engagement with the statutory authorities, other interest groups and with residents, building owners and occupiers in the surrounding area. A public exhibition was held at the Bishopsgate Institute, close to the site, from 7<sup>th</sup> to 9<sup>th</sup> December 2015 attended by approximately 452 people. A total of 65 visitors provided written feedback of which the applicants' advise approximately 85% responded positively to the scheme, 5% negatively and 10% were neutral.
31. Following receipt of the planning application by the City the application has been advertised and widely consulted upon. Copies of all letters and e-mails making representations are attached.
32. 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 the proposed conditions and the Section 106 agreement. These include matters relating to environmental controls such as noise, fume extract and ventilation, controls during construction activities, and security matters.
33. Three comments (one objection, one holding objection and one neutral) have been received from members of the public. The objections are outlined below.
34. The holding objection related to potential inconsistencies within the data in the daylight and sunlight report. The data was correct and a clarification was issued on 24<sup>th</sup> March 2016. No further correspondence has been received.
35. The objection raised a number of issues which are summarised below:
  - lack of sky between the buildings in this part of the Cluster
  - unresolved lift core highly visible in views from the south and south west
  - height negates the 'crown' of 22 Bishopsgate
  - historic significance of the existing building

These issues are addressed in the relevant parts of the report under Considerations and paragraphs 8 to 10 above.

36. The Mayor of London considered the scheme to be broadly acceptable in strategic planning terms but that some parts of the proposals do not fully comply with the London Plan. In particular, building cooling arrangements, potential for future connection to a district heating and power network and, cycle hire arrangements.

37. The GLA, following the provision of additional information in relation to building cooling and the potential for future connection to a district heating and power network, is satisfied with the strategy for energy savings and climate change adaptation.
38. The Mayor supports the provision of offices and the mixed uses proposed as part of the scheme and notes that as no housing is included an affordable housing contribution would be sought by the City. No objection is raised to the height, bulk and massing of the development which, the Mayor considers, is an appropriate addition to the eastern cluster and provides high quality indoor and outdoor space including a significant enhancement of the existing public realm. The scheme is not considered to cause harm to the World Heritage Site, listed buildings or conservation areas on which it might impact.
39. Transport for London has replied separately specifically addressing the transportation aspects of the scheme.

It comments on access and public realm, parking, trip generation, public transport impact, cycling, servicing and construction, Travel Plan and mitigation payments.

TfL confirms it is satisfied with the number and range of cycle spaces and associated facilities to be provided within the scheme.

TfL strongly supports the proposal for delivery consolidation. It advises that the draft servicing, delivery management and construction management and, logistics approaches should be secured in detail through a condition.

TfL seeks a S106 contribution towards future provision of cycle hire in the vicinity given the size of the scheme and for a proportion of CIL to be allocated towards London Underground mitigation.

S106 considerations are addressed in the Planning Obligations and Community Infrastructure Levy section of this report.

40. The Department for Communities and Local Government has not responded.
41. Historic Royal Palaces (HRP) has objected to the planning application. Its letter outlines that it objected to the revised scheme at 22 Bishopsgate because “it would significantly change the emerging form of the Eastern Cluster”.

As part of the previous objection, and reiterated here, HRP analysed London Views Management Framework 2012 views 25A.3 from City Hall/Queens Walk and 10A.1 (Tower Bridge/North Bastion) stating that “The proposed new building at 1 Undershaft, although in the form of a relatively slender shaft, would be taller than 22 Bishopsgate, an effect increased in perspective from the Queen’s Walk and Tower Bridge and would stand in front (to the south) of it. It would shift the highest point of the Eastern Cluster closer to the Tower, taking it to a level never previously envisaged. It would also add to the densification of the Cluster and the extent to which the growing group of buildings would encroach on the skyline immediately to the west of the WHS, dwarfing the Tower

in its setting and diminishing further the White Tower's once dominant scale in relation to the City, identified as one of the attributes of the OUV [Outstanding Universal Value] of the WHS [World Heritage Site].”

It was also noted that the new building would be visually dominant in the view north-west from the Inner Ward, above the roof of St. Peter ad Vincula and intrusive in the view from the Inner Curtain Wall north and from the Byward Tower entrance.

HRP conclude “The proposed scheme for 1 Undershaft appears to signal a significant change from the earlier concept of the Cluster, which Historic Royal Palaces and UNESCO World Heritage Committee accepted as being compatible with the OUV of the WHS. Coupled with, particularly, the approved scheme for 22 Bishopsgate and other consented projects, the Eastern Cluster is now affecting perceptions of the significance of the Tower of London, and would be of concern not only to Historic Royal Palaces but also to the World Heritage Committee.”

The objections in relation to these views have been assessed and are covered in paragraphs 171 to 181.

42. The Royal Parks have not responded.
43. Historic England raises no objection to the redevelopment of the site in principle and recognises the potential for the design approach to provide a positive addition to the eastern Cluster. However, they identify that the proposals would cause some harm to the significance of the grade I registered St. James's Park through the impact on its setting as experienced in the LVMF view from the Blue Bridge towards Duck Island, but that this harm would be less than substantial.

They also recognise that there is potential for further harm to the setting of the Tower of London and the Church of St. Peter ad Vincula.

They state:

“In our view, any harm caused to London's heritage by the existing Eastern Cluster will not be increased by the proposal, although the view towards it from various points within London will change with No. 1 Undershaft making the cluster appear more prominent in the skyline.

Our recommendation is that a clear and convincing case needs to be made to the City of London to demonstrate that the harm set out above is necessary and cannot be avoided. The City of London should be content that a case has been made and that the public benefits of the development outweigh the harm to heritage, before granting planning permission.”

44. The Surveyor to the Fabric of St Paul's Cathedral has not responded.
45. Network Rail has advised it has no objection or comments to make.
46. Nine London boroughs have been consulted and at the time of this report four replies have been received.
47. The City of Westminster has raised no objection to the scheme.

48. The London Borough of Tower Hamlets raised no objection to the scheme but commented in relation to the Tower of London that “Development within the existing tall building cluster of the city of London is clearly visible within the setting of this World Heritage Site as seen in the LVMF view 10A.1. The impact on the Tower must be given special attention commensurate to its important designation.”
49. The London Borough of Hackney advises it has no objection.
50. The London Borough of Lambeth advises it has no objection.
51. The Parish Church of St. Helen Bishopsgate has provided detailed responses to the application. The Church does not oppose the principle of development on this site providing the short and long term impacts are assessed and robust mitigation is put in place to alleviate the pressures of development. The Church’s principal concerns are summarised below:

- Impacts on the operation of the Church attributable to:
  - o Noise during demolition and construction;
  - o Noise during the operational phase particularly due to the realignment of Undershaft and the increase in vehicular traffic.
- Impacts on the setting of the grade I listed Church;
- Impacts on the structural stability of the grade I listed Church;

The Church questions the viability of the proposed servicing regime and the appropriateness of the pedestrian and cycle movement studies and, requests restrictions are imposed on vehicular servicing on weekends particularly on Sundays to take account of the busiest period for church services. This will form part of the S106 agreement.

The issues in respect of structural stability and noise during demolition and construction are addressed through the use of appropriate conditions. Issues in respect of the setting of the church and noise during the operational phase of the development are addressed within this report. Where appropriate the City undertakes to consult the Church in respect of relevant detailed submissions.

52. Two letters in support of the Church’s position were received from Lord Farmer (former Churchwarden 1992-2012) and Richard Borgonon, Chairman of Capsicum Reinsurance. The latter was countered signed by six executive signatories from the City’s insurance sector including Mr. M Taylor, retired Chairman of Lloyd’s. The letters reiterated the issues raised by the church in respect of the potential impacts of the proposed development on the Church’s ministry.
53. The Leathersellers’ Company has raised concerns that the development could have a potentially adverse impact on its freehold interests in the area (including impacts on daylight and sunlight), the surrounding built environment, public services and the character of the St Helen’s Place Conservation Area.

The City's daylight and sunlight policy (Local Plan policy DM10.7) is primarily applicable to the protection of residential amenity. The specific properties to which the Leathersellers' Company refer are not in residential use, except for ancillary overnight accommodation.

An assessment of the daylight and sunlight issues in respect of 33 Great St. Helen's, which provides ancillary overnight accommodation associated with the Leathersellers' livery hall function, are specifically addressed within this report (paragraphs 292-295 & 304-307). The assessment indicates that any impact from the proposed development would be minor adverse.

The Company considers that the Environmental Statement "underplays" the impact of the proposed development on a number of important heritage assets including the Tower of London, St Paul's Cathedral and the Church of St Helen Bishopsgate and would cause significant harm to the character of St Helen's Place Conservation Area by virtue of its height and form and the increasing perception of the conservation area being hemmed in by tall buildings.

The City's assessment of the impact on the Tower of London, St Paul's Cathedral and other heritage assets is outlined at paragraphs 157 to 213 of this report.

The Company raises concerns about the extent of additional pressure that a development of this scale would place on the transport network and on local streets and footways and considers that mitigation for this has not been properly addressed in the application. The City's assessment of these issues is at paragraphs 214 to 247.

54. The freeholders of 1 Great St. Helen's, immediately adjoining the proposal site, while not objecting to the principle of the redevelopment, have raised concerns in relation to a procedural matter and the potential impacts of the proposals.

The validity of the application was questioned. It was suggested that development would extend beyond the red line boundary and consequently that ownership certificates may not have been correctly issued. It has now been clarified that all proposed development would take place within the red line boundary and that the ownership certificates have been correctly issued.

They considered it unacceptable that they had not been directly consulted as part of the pre-application process in accordance with paragraph 188 of the NPPF which encourages early engagement. There is no statutory requirement for applicants to consult with owners and occupiers of neighbouring properties; nonetheless, in this case a consultation took place as set out in the Statement of Community Involvement. This included direct engagement with the representatives of the current occupiers of 1 Great St Helens.

There was concern that the potential cumulative impacts of simultaneous construction works for this development and the neighbouring development at 22 Bishopsgate had not been assessed. In response the applicants state that it is very unlikely that noise generating activities

during demolition and construction would occur simultaneously as it is considered that due to the three year construction programme for 22 Bishopsgate the significant noise generating works (substructure and superstructure phases) would be complete by the time works start at Undershaft. However, the submitted Environmental Statement takes account of a 'worst case scenario' should both sites be under construction at the same time and demonstrates that the impacts could be mitigated.

Concern was raised that 1 Great St. Helen's is not identified as a 'Sensitive Receptor'. The applicants have clarified that the sensitive receptors surrounding the site (including 1 Great St. Helens) are included within the Environmental Statement but none are specifically identified by name unless the assessment required it. The effects upon all these properties have been investigated and are detailed within the assessment chapters.

Further issues were raised in respect of servicing, traffic noise and construction traffic. These are addressed in the Considerations section of this report.

55. The occupiers of 1 Great St. Helen's reiterate the concerns raised by the freeholder.
56. The City Heritage Society advises that the west elevation causes it some concern. They state "The projecting bay containing the lift shaft etc. is some 50 storeys high. The proposed treatment with 50 storey high unbroken white enamel panels dividing vertical strips of windows and louvres appears to us to be unsatisfactory. If it is viewed as a 50 storey building we believe it would be considered unsatisfactory."
57. London Heathrow Airport advises that the proposals could conflict with aerodrome safeguarding criteria but that they have no concerns in that regard providing suitable conditions are imposed to ensure mitigation of any impacts on the Heathrow 10cm radar and that the proposed construction methodology and height of cranes is agreed prior to any construction taking place.
58. Assessment by the National Air Traffic Services (NATS) indicates that the proposed building would negatively affect the En-Route H10 radar (Primary and Secondary Surveillance radar) and associated Lower Airspace Radar Service (LARS North and LARS East). The specific Air Traffic Control (ATC) operations affected would be those at London City Airport and Farnborough. The technical assessment advises that there would be no radar impacts on Heathrow Tower ATC operations. NATS has confirmed that the development would result in a loss of coverage and false radar returns which would be unacceptable. They advise that this can be mitigated by modifications to the radar systems and have requested specific conditions to ensure that a Radar Mitigation Scheme (RMS) and its implementation is agreed prior to the construction exceeding a height of 126m AOD.

59. London City Airport has recommended the imposition of conditions to ensure that the construction and operation of the building does not impact on their operations.
60. The Environment Agency has no comment.
61. Natural England advises that the proposal is unlikely to affect any statutorily protected sites or landscapes.
62. Thames Water has recommended a number of conditions and Informatives to be attached to the planning permission if approved.
63. The City Police advises that they have provided comments directly to the security consultants acting for the developer. They request that standard conditions and informatives in relation to security issues be applied to any grant of planning permission.

### **Policy Context**

64. The development plan consists of the London Plan 2016 and the City of London Local Plan 2015. The London Plan sets out the Mayor's vision for London up to 2036, and includes policies aimed at delivering employment growth of 57,000 or 13.5% in the City of London in this period. The London Plan identifies the City as falling within London's Central Activities Zone (CAZ) and requires that planning policy should sustain and enhance the City as a "strategically important, globally-orientated financial and business centre", ensuring that development of office provision is not strategically constrained and that provision is made for a range of occupiers, especially financial and business services. To deliver office growth, the Plan encourages the renewal, modernisation and increase in the office stock, where there is strategic and local evidence of sustained demand for office-based activities.
65. The London Plan requires that new development should not adversely affect the safety of the transport network and should take account of cumulative impacts of development on transport requirements. New development is required to be of the highest architectural quality and not to cause harm to the amenity of surrounding land and buildings, in respect of overshadowing, wind and micro climate. The Plan contains detailed guidance on the location and development of tall buildings, requiring that they should only be considered in areas whose character would not be adversely affected by the scale, mass and bulk of the building, relate well to surrounding buildings and public realm and, individually or as a group, improve the legibility of an area and enhance the skyline and image of London. Where appropriate they should have accessible public areas on the upper floors. Tall buildings should not impact adversely on local or strategically defined views. The impact of tall buildings in sensitive locations should be given particular consideration. Such locations include conservation areas, the settings of listed buildings and World Heritage Sites.
66. The City of London Local Plan provides detailed, City specific, guidance on development. A key objective is to ensure that the City remains the world's leading international, financial and business services centre,

planning for 1,150,000 square metres of additional office floorspace between 2011 and 2026. The bulk of this growth is expected to take place within the City's Eastern Cluster. The Eastern Cluster is identified as an area where new tall buildings may be appropriate, adding to and enhancing the existing tall buildings cluster and the overall appearance of the cluster on the skyline, while adhering to the principles of sustainable development and conserving heritage assets and their settings. A significant growth in office floorspace and employment is envisaged, particularly through the development of tall buildings on appropriate sites. The Plan seeks to ensure that streets, spaces and the public realm are enhanced to accommodate the scale of development envisaged, and that the area remains a safe and attractive area to work and visit.

67. 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.
68. There is relevant City of London supplementary planning guidance in respect of: Planning Obligations, Protected Views, Bank and St Helen's Place conservation areas, Open Spaces Strategy and Tree Strategy, as well as the City of London Community Infrastructure Levy Charging Schedule. There is relevant Mayoral supplementary planning guidance in respect of Sustainable Design and Construction, London View Management Framework, Accessible London, Control of Dust and Emissions during Construction and Demolition, and Use of Planning Obligations in the funding of Crossrail and the Mayoral CIL.
69. Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are: building a strong, competitive economy, placing significant weight on supporting economic growth, job creation and prosperity; promoting sustainable transport and requiring transport assessments where significant transport movements are envisaged; requiring good design, ensuring buildings function well and add to the overall quality of an area; meeting the challenge of climate change and addressing the potential for flooding; conserving and enhancing the natural environment; conserving and enhancing the historic environment, attaching great weight to the conservation of heritage assets of the highest significance.

### **Considerations**

70. 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, any local finance considerations so far as material to the application, and other material considerations. (Section 70(2) 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);

To pay special attention to the desirability of preserving or enhancing the character or appearance of the St Helen's Place Conservation Area (S 72(1) Planning, Listed Buildings and Conservation Areas Act 1990);

71. In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990); in this case the duty is to have special regard to the desirability of preserving the settings of listed buildings.
72. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
73. In respect of sustainable development 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...'*
74. There are policies in the Development Plan which support the proposal and others which do not. It is necessary to assess all the policies and proposals in the plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.

### **Principal Issues**

75. The principal issues in considering this application are:
  - The economic benefits of the scheme;
  - Impact on retail and the public realm including provision of a publically available viewing gallery and education facility free of charge;
  - The appropriateness of the bulk, massing and design of the proposals;
  - The impact of the proposals on the London skyline including on views in the London Views Management Framework;
  - The impact of the proposal on heritage assets;
  - Servicing, Transport and impact on public highways;
  - The impact of the proposal on nearby buildings and spaces, including environmental impacts such as daylight and sunlight, wind microclimate, solar glare and energy and sustainability; and

- The extent to which the proposals comply with Government policy advice (NPPF) and with the relevant policies of the Development Plan.

### Economic Issues and Need for the Development

76. The City of London, as one of the world's leading international financial and business centres, contributes significantly to the national economy and to London's status as a 'World City'. Rankings such as the Global Financial Centres Index (Z/Yen Group) and the Cities of Opportunities series (PwC) consistently score London as the world's leading financial centre, alongside New York. The City is a leading driver of the London and national economies, generating ?45 billion in economic output (as measured by Gross Value Added), equivalent to 13% of London's output and 3% of total UK output. The City is a significant and growing centre of employment, providing employment for over 450,000 people.
77. The City is the home of many of the world's leading markets. It has world class banking, insurance and maritime industries supported by world class legal, accountancy and other professional services and a growing cluster of technology, media and telecommunications (TMT) businesses. These office-based economic activities have clustered in or near the City to benefit from the economies of scale and in recognition that physical proximity to business customers and rivals can still provide a significant competitive advantage.
78. Alongside changes in the mix of businesses operating in the City, the City's workspaces are becoming more flexible and able to respond to changing occupier needs. Offices are increasingly being managed in a way which encourages flexible and collaborative working and provides a greater range of complementary facilities to meet workforce needs. There is increasing demand for smaller floor plates and tenant spaces, reflecting this trend and the fact that a majority of businesses in the City are classed as Small and Medium Sized Enterprises (SMEs).
79. The National Planning Policy Framework establishes a presumption in favour of sustainable development and places significant weight on ensuring that the planning system supports sustainable economic growth, creating jobs and prosperity.
80. The City of London lies within the Central Activities Zone (CAZ), which is London's geographic, economic and administrative core and contains London's largest concentration of financial and business services. The London Plan 2016 strongly supports the renewal of office sites within the CAZ to meet long term demand for offices and support London's continuing function as a World City. The Plan recognises the City of London as a strategic priority and stresses the need 'to sustain and enhance it as a strategically important, globally-oriented financial and business services centre' (policy 2.10). CAZ policy and wider London Plan policy acknowledge the need to sustain the City's cluster of economic activity and policies 2.11 and 4.3 provide for exemptions from mixed use development in the City in order to achieve this aim.

81. The London Plan projects future employment growth across London, projecting an increase in City employment of 151,000 between 2011 and 2036, a growth of 35.6%. Further office floorspace would be required in the City to deliver this scale of growth and contribute to the maintenance of London's World City Status.
82. Strategic Objective 1 in the City of London Local Plan 2015 is to maintain the City's position as the world's leading international financial and business centre. Policy CS1 aims to increase the City's office floorspace by 1,150,000sq.m gross during the period 2011-2026, to provide for an expected growth in workforce of 55,000. The Local Plan, policy DM1.2 further encourages the provision of large office schemes, while DM1.3 encourages the provision of space suitable for SMEs. The Local Plan recognises the benefits that can accrue from a concentration of economic activity and seeks to strengthen the cluster of office activity, particularly in the Eastern Cluster, identifying this area as the main focus for future office development and new tall buildings. Strategic Objective 2 and Policy CS7 actively promote a significant increase in office floorspace within the Eastern Cluster, providing for high quality floorspace to meet the varied needs of office occupiers and attract new inward investment into the City.
83. The provision of a substantial and tall office building in this location meets the aims of policy CS7 in delivering a significant growth in both office floorspace and employment. The current application provides for an increase in floorspace and employment, but also provides a better match with emerging market requirements for flexibility and complementary uses, in line with the requirements of the Local Plan.
84. The proposed development would result in an additional 80,477sq.m gross of additional B1(a) office floorspace, further consolidating the nationally significant cluster of economic activity in the City and contributing to its attractiveness as a world leading international financial and business centre. This amount of floorspace would contribute towards meeting the aims of the London Plan for the CAZ and deliver approximately 7% of the additional office floorspace sought in Local Plan policy CS1. The development would accommodate approximately 8,251 office workers.
85. The proposed development includes large uniform floor plates which maximise internal usable areas, which addresses the needs of international business in accordance with Local Plan policy DM1.2. The building design, with the core at the side, enables this floorspace to be used flexibly, with floors that can be subdivided to meet the needs of range of potential occupiers, addressing the growing demand in the City by smaller tenants, thus meeting the requirements of policy DM1.3.
86. To attract and encourage small, start-up businesses the developers have stated that they would commit to providing 25 workspaces at 50% of the market rent for their first five years in the building.

#### Retail Provision

87. The scheme would provide 3,365sq.m (GEA) of retail floorspace.

88. A total of 2,145sqm (GEA) of retail floorspace is proposed at lower ground floor within the open retail gallery formed by the elliptical opening at ground floor level. The retail units would be accessed via stairs and dedicated lifts from ground floor level.
89. A small kiosk (33sq.m GEA) would be provided on the north west corner of the building.
90. A Class A3 restaurant (1220sq.m) would be located at level 70 of the building.
91. The restaurant would have a maximum capacity of 200 people. Access would be from the public lifts at lower concourse.
92. Egress would be via the same lifts but discharging at ground floor level.
93. Provision is made in the main circulation areas for people with disabilities to use lifts instead of the stairs or escalators.
94. The retail units would be serviced from the main servicing bay at basement level 3.
95. It is considered that the retail provision would complement that of the nearby Principal Shopping Centres of Liverpool Street and Leadenhall Market.

#### Public Realm

96. The public realm would consist of open space at ground level and a retail court and public space at lower ground level.
97. The existing St. Helen's Square, which is accessed by steps from Leadenhall Street and the south east part of St. Mary Axe, would be raised to provide a level surface. This, combined with the elevated base of the tower, would enable the area of publicly accessible space to connect across the whole of the site from north to south.
98. A large elliptical opening, measuring approximately 18m wide by 35m long would be created in the southern part of St. Helen's Square. This would provide light into, and a visual link with, the public areas and retail court at lower ground level. Steps down to the lower court would be incorporated on both the west and east sides, and a cycle ramp would sweep down the east side.
99. Lifts located to the northeast of the elliptical opening, adjacent to the steps, would connect the ground level public square to the lower court. They would also provide cycle access to Basement Level 2.
100. It is noted that planning permission (application no. 13/00769/FULL) dated 7<sup>th</sup> November 2013 was granted for a landscaping scheme to enhance the public open space of St. Helen's Square. That permission, which is the subject of ongoing negotiations between the owners of 122 Leadenhall Street and 1 Undershaft to enable its implementation, expired on the 6<sup>th</sup> November 2016. It is likely that the application will be re-submitted for further consideration in the near future.

### Public Viewing Gallery

101. A significant contribution for the public would be the provision of a public viewing gallery at levels 71 and 72 of the building (293.5m and 296.5m AOD) which would be accessible at no charge. There is an aspiration for the viewing gallery to have an educational focus including two classrooms (level 71) and audio-visual exhibition facilities. The viewing gallery would provide 2,930sq.m of floorspace and would offer 360 degree unobstructed panoramic views across London. Access would be from an entrance lobby at lower ground level. Entrance to the gallery would be ticketed and queuing and security clearance would take place within the lower ground level lobby. From here visitors would use two dedicated large volume lifts which would terminate at level 71. For visitors leaving the viewing gallery the lifts would discharge within a lobby at ground level; exiting the building on to either St. Helen's Square or Undershaft.
102. It is noted that the developer is in ongoing negotiations with the Museum of London in relation to the potential for the Museum to curate the viewing gallery and educational spaces.
103. The viewing gallery would have capacity for 400 people (including staff) based on emergency escape provision. The opening hours for the free viewing gallery would be secured under the S106 agreement. Outside of the opening hours the gallery space would be available for private function purposes.
104. The provision of a free public viewing gallery would accord with London Plan policy 7.7 and is regarded as an essential element of the proposed development. Given the building's significant impact on its environs, the provision of freely accessible public realm space at the top of the building is a necessary public benefit. The gallery would improve the accessibility and inclusivity of the building for members of the public and deliver a new space and unique vantage point for London's residents, workers and visitors.
105. The provision of the public viewing gallery and the details of its operation would be secured by the S106 agreement in accordance with details set out in the S106 section of this report. Detailed matters such as internal layout; extent of catering facilities, the "look and feel" of the interior and the reception areas, and visitor management are reserved for future approval to ensure an inclusive space for the public.

### Height and Bulk

106. The proposed tower is located at the centre of the Eastern Cluster. The City of London Core strategy identifies the Eastern Cluster policy area as the preferred location for siting tall buildings where deemed appropriate. The principle of a new tower in the heart of the cluster is acceptable in broad policy terms.
107. The proposed tower would rise to 304.94m AOD (the maximum height permissible due to aviation constraints) and would be the tallest tower proposed in the City cluster. As a comparison, the following list outlines

the heights of existing and permitted towers in the City cluster (in descending AOD height order):

- The Pinnacle (now superseded by 22 Bishopsgate) 304.9 m
- 22 Bishopsgate (formerly The Pinnacle): 294.94m
- 122 Leadenhall Street : 239.40m
- Heron Tower : 217.80m
- 52-54 Lime Street : 206.50m
- Tower 42 : 199.60m
- 30 St Mary Axe : 195m
- 6-8 Bishopsgate : 185.10m
- 100 Bishopsgate : 184m
- 40 Leadenhall Street : 170m
- 150 Bishopsgate : 151m
- Willis Building / 51 Lime Street :138m
- 99 Bishopsgate : 118m

108. The proposed tower would have a significant and far reaching impact on long views across London as well a substantial impact on local townscape views.
109. A tower of this scale and height is considered appropriate at this location as it sits within the visual centre of the cluster of towers in key views, in particular in views from the west such as Waterloo Bridge. In these views the cluster (both in terms of existing and consented towers) rises up from the north in order to slope away from St Paul's Cathedral towards the application site before dropping down in height towards the south.
110. The tower's height would introduce a more vertical emphasis to the centre of the cluster when seen from some viewpoints and would enhance its dynamic profile on London's skyline.

#### Design Approach

111. The design approach is simple and restrained, which is considered appropriate given the substantial scale of the building and its impact on the skyline. The tower is of a slender rectangular profile which subtly narrows as the building rises. The intention is to create an elegant, abstract form with a strong verticality to subdue and lighten its impact on the skyline.
112. The design approach subtly contrasts with the designs of the other tall buildings in the cluster to enhance the dialogue between them. Its design would introduce variety alongside the angled prow of 22 Bishopsgate, the stacked cubic composition of 6-8 Bishopsgate; the steep, raking, triangular silhouette of the Leadenhall building; the crystalline form of 52-54 Lime Street; the concave facades of 51 Lime Street; the distinctive

cylindrical form of 30 St Mary Axe; the intricately modelled facade of the Lloyd's Building and the layered rectangular form of Heron Tower. The result is a grouping of individual creating a cluster rich in variety and contrast yet defining a coherent single dynamic and convincing urban form on the skyline.

113. The lift cores of the tower are located in a "back pack" on the west elevation of the building which rises three quarters of the height of the building (228.13m AOD). Moving the lifts to this off centre position enables the extensive ground floor area to be opened up for new public space under the building and results in better office floor plates.
114. The tower is cantilevered over the ground floor plane at a generous height, approximately 10m to 17m, resulting in a spacious area liberating the ground floor plane to maximize pedestrian flows through the site. The cantilevered base assists in minimizing the visual impact of such a substantial building in street level views. Such views across the site would focus on St Helen Bishopsgate Church and the fine faience facade of Leathersellers to the north and St Andrew's Undershaft Church and the Lloyds Building to the south enhancing these listed buildings in the townscape. The space underneath the tower facing the public square to the south would be well lit and the design of the soffit would be visually lifted through the use of colour and artwork (reserved by condition). The paving of the open area under the tower (as would the remainder of the square) would be York Stone to reinforce the sense of public realm and a seamless transition to surrounding streets and landscaping.
115. The tower is dominated by a series of substantially scaled stacked diagonal bracing steel enclosed by the corner columns of the same material. The diagonal bracing is broken in to seven elements which would diminish subtly in scale as the tower rises to reinforce the diminishing scale of the tower as well as giving a sense of strong base and vertical hierarchy to the building. The diagonal bracing would have an angled profile which tapers gradually both in section and plan which introduces modelling and detailing whilst the corner columns are articulated in an "L" shaped profile, again contributing to the modelling of the building and visually framing the bracing. The framework would be weathering steel of a natural brown colour which is considered to be a finish of convincing patina and rich colour and texture. This material has been used successfully in many schemes in central London and elsewhere. Detailing of the steelwork would be conditioned to ensure appropriate water runoff and collection to the public realm below and to avoid any potential issues of staining.
116. Set behind the face of the diagonal bracing are projecting angled horizontal Brise Soleil with a white vitreous enamel finish contributing to a level of modelling, depth and detailing whilst giving the tower a white tone. The interplay between the weathering steel frame and the white vitreous enamel Brise Soleil is considered convincing and complementary with a striking relationship between the colours and

surface texture of both materials; patinated brown and white. Behind the Brise Soleil is a facade of low iron glazing.

117. The upper levels of the tower is designed to maximize the public benefit and views from the free public viewing gallery with an almost wholly glazed cube enclosed by the diagonal bracing of the external frame creating an appropriate event at the top of the building and visually terminating the tower. On the upper viewing gallery levels the brise soleil are of dichroic glazing and are widely spaced on and just below the floor plates so as not to intrude upon the elevated views out of the building.
118. At a height of between 290m and 300m (AOD) at levels 71 and 72, the public viewing gallery which would be free for the public to visit would be the highest such gallery in London and would assist in mitigating the impact of the proposed tower on the public realm at ground floor level. Substantial work has gone in to the design of this element to make it an accessible and inclusive space. The internal layout; any catering facilities, the “look and feel” of the interior, visitor management etc. are reserved for future approval to ensure the most inclusive space for the public.
119. The west elevation of the lift “back-pack” is of a more restrained character designed to complement the visual integrity of the tower with vitreous enamel panels slightly angled in their alignment to create a degree of modelling and shadowing encased by a weathering steel framework which incorporates glazed panels, louvres and aluminium curtain walling.
120. Ventilation for plant is appropriately integrated in to the design with vitreous enamel louvres. The Maintenance and cleaning equipment for the building provides cleaning cradles at the roof of level 58 and on the roof at level 73. These units, when parked, would be below the roof line and concealed from view.
121. A generous public square is provided to the south of the tower where the existing partly sunken and stepped square is. This area would be at the same level as the open space under the Leadenhall building to the west enabling step free access between the two spaces.
122. A key element of the public square is the Lower Court, a sunken oval in the centre of the square which is intended to be a vibrant hub with the possibility of a skating ring in winter, street markets, public art or a performance space for music etc. There is no such focus point within the City cluster of tall buildings and the space has the potential to provide that focus. The Lower Court would be enclosed by retail and restaurant uses ensuring a high degree of vibrancy and activity. A water feature (to be conditioned) is proposed within the Lower Court and the edges of the court would have flower planting to introduce vibrant colour which would be conditioned along with the landscaping. To the north and south of the lower court at ground floor square level are areas of stepped seating as places to dwell and observe the activity within the Lower court and the square.



123. The Lower Court provides the forecourt to the entrance of the public viewing gallery to enhance the sense of arrival and gravitas to a public amenity of London wide significance. The entrance to the viewing gallery would be clearly discernible in views across the Lower Court from within the Court as well as ground floor level. Signage would be negotiated to underline the prominence of the viewing gallery entrance.
124. The scale of the Lower Court is intended to ensure space for generous pedestrian flows at ground floor level. The Lower Court would be accessed by two large external staircases on the west and east side of the Lower Court as well as an additional staircase at the northern end in the open area under the tower. In addition six lifts are provided, two externally next to the eastern staircase and four in the open area under the building.
125. The cycle ramp is to the east of the Lower Court which would introduce a sense of theatre and activity to the space. This access is from St Mary Axe to minimize the travelling distance and potential conflict with pedestrian flows.
126. Bollards are provided for security mitigation on the south and north east side of the square and have been kept to a minimum and positioned so as not to impede pedestrian flows. In addition bollards are provided under the north and east building line of the tower and the area to the west between the vehicle access and the pedestrian route under the Leadenhall building.
127. Comprehensive wind and sunlight modelling show that the Lower Court area would have very high comfort levels for pedestrians. It would be a sheltered area away from the street level winds and face south to maximize sunlight through the day. The alignment of the lower ground route to the north of the Lower Court to the viewing gallery entrance to face south would maximize sunlight in to this area.
128. The impact of the development on wind conditions and wind mitigation is covered in paragraphs 257 to 273 of this report.
129. Away from the Lower court there would be a need to provide wind mitigation. This would take the form of a raised canopy integrated into the public lifts on the east side of the square. In the event that 22 Bishopsgate were not to proceed, additional perforated screens would be required to be sited on the western side of the square. It is envisaged that all the required structures would be a commissioned pieces of art, the details of which would be reserved by condition.

#### London Views Management Framework

130. The London View Management Framework (LVMF) is a key part of the Mayor's strategy to preserve London's character and built heritage. It explains the policy framework for managing the impact of development on key panoramas, river prospects and townscape views. The LVMF provides Mayoral Supplementary Planning Guidance (SPG) on the management of 27 strategically important views designated in the London Plan. It elaborates on the policy approach set out in London Plan policies 7.10, 7.11 and 7.12 and came into effect on 16 March 2012.

London Plan policy requires that development should not cause adverse impacts on World Heritage Sites or their settings and that new development should not harm and where possible should make a positive contribution to the characteristics and composition of strategic views and their landmark elements.

131. The site falls outside all of the Protected Vistas of the LVMF but impacts on a number of the identified Assessment Points. These have been assessed and the impact on the following assessed points in particular:

Tower Bridge: (10A.1)

132. This LVMF view is identified also as a key view in the Tower of London World Heritage Site Local Setting Study. Its focus is on the Tower of London with the cluster of towers in the City a distinctive element to the west of the Tower.
133. In this view, the proposed tower would be visible as a strong element and central focal point on the skyline and would establish an apex to the cluster.
134. The proposed tower is not considered to harm the view. It will, with the consented towers assist in consolidating and pulling the cluster together as a coherent urban form on the skyline to the left of the tower, providing a clarity and coherence in the relationship between the cluster and the Tower. The upper storeys of the proposed tower would appear as a slender vertical element framed by sky with the glazed public viewing gallery visible as a clearly identified feature. The tower enables the cluster to diminish in scale from the centre towards the Tower of London, maintaining the relationship of the City cluster to the significance of the Tower of London.
135. The proposal is a significant distance from the White Tower on the eastern side of the view. The White tower and the curtain wall of the tower would remain the dominant focal point in the foreground.
136. Therefore the proposal does not dominate the Tower of London or compromise the ability to appreciate the Outstanding Universal Value of the World Heritage Site and would relate satisfactorily to existing skyline features in consolidating the City cluster of towers; as such the proposal is in accordance with the guidance for this view (paragraphs 183 to 187 of the LVMF).

City Hall (25A.1, 25A.2 and 25A.3)

137. While outside the Protected Vista, the proposal would affect the views from, and between the three Assessment Points (25A.1, 25A.2 and 25A.3). The City cluster of towers is a characteristic element in these views. The site falls outside the Protected Vista from City hall focusing on the Tower of London. However, the proposal would affect the views from the three assessment points.
138. The principal focus of all three views is the strategic landmark of the Tower of London. The proposed tower would appear as a prominent feature on the skyline of the cluster of towers and would reinforce and consolidate the profile of the cluster with its highest point and other

towers diminishing in height eastwards towards the Tower of London. This is an appropriate and sympathetic relationship to the Tower of London. At no point in the three Assessment viewpoints would the proposed tower appear directly over the Tower of London and its curtain walls. The Tower of London to the east of the cluster would continue to dominate the lower scale of the townscape in this part of the view. The Outstanding Universal value and setting of the Tower of London World Heritage Site would not be compromised.

139. Therefore, the proposal is considered to be in accordance with the guidance for this view (paras 414 to 415 and 418 to 419 of the LVMF) and Policy 7.10B of the London Plan, in particular by virtue of the proposal's height, scale, massing and materials and its relationship to other buildings in this view and the quality of design. The proposal would not compromise the viewer's ability to appreciate the Outstanding Universal Value, integrity, authenticity or significance of the World Heritage Site, does not dominate the World Heritage Site and relates positively to the Tower of London. Consequently, the World Heritage Site would continue to dominate its surroundings.

#### Waterloo Bridge (15B.1 and 15B.2)

140. The proposed tower creates a new central focal point to the city cluster when viewed from and between assessment points 15B.1 and 15B.2 and would appear alongside the consented 22 Bishopsgate tower. The proposal would consolidate and enhance the dynamic profile of the City cluster, pulling the towers together visually, creating a more coherent urban form. Its height would create a better sense of vertical emphasis and hierarchy to the cluster resulting in a more convincing profile on the skyline. Unifying the cluster as a clear urban form separate from St. Paul's would assist in clarifying the cluster's relationship with the Cathedral, and would not detract from the Cathedral as a Strategically Important Landmark (SIL).
141. The proposal is considered to accord with the guidance for this view (para 262 to 267 of the LVMF). The proposal would assist in consolidating the cluster into a unified urban form on the skyline behind the buildings and spaces fronting the river. Its height and high architectural design would not draw the cluster closer to St. Paul's Cathedral ensuring the Cathedral's continued visual prominence.

#### Hungerford Bridge (17B.1, 17B.2)

142. The impact on the eastern views from Hungerford Bridge is very similar to that from Waterloo Bridge. The proposal would be a significant feature on the skyline from, and between assessment points 17B.1 and 17B.2 and would appear to the south of the 22 Bishopsgate tower and consolidate the cluster's profile and would not harm the appreciation, views or setting of St. Paul's Cathedral.
143. The proposal is considered to be in accordance with the guidance for this view (paras 301 to 305 of the LVMF). In particular, the setting of St Paul's Cathedral is preserved while the tower strengthens the

composition of the existing cluster of tall buildings with a high quality tower.

#### London Bridge (11B.1, 11B.2)

144. The tower would be visible on the western periphery of this view from and between Assessment Points 11B.1 and 11B.2. It would stand at the western edge of the cluster and would not harm the setting of the Tower of London World Heritage Site, which is in the extreme east of the view. The proposal would consolidate the profile of the cluster and would not harm the wider settings of the listed Adelaide House, Custom House, St Magnus the Martyr or Billingsgate Market.
145. The proposal is considered to be in accordance with the guidance for this view (paras 202 to 205 of the LVMF). In particular, Tower Bridge would remain the dominant structure in the view and the viewer's ability to easily recognize its profile and the Outstanding Universal Value of the World Heritage Site would not be compromised.

#### Gabriel's Wharf (16B.1, 16B.2)

146. The proposed tower would appear as a prominent feature on the skyline from and between assessment points 16B.1 and 16B.2 and would be seen alongside and partially obscured by 22 Bishopsgate and the Leadenhall building tower. The tower would consolidate the profile of the cluster as a coherent urban form and clarify the cluster's relationship with St Paul's cathedral. The views and setting of St Paul's Cathedral or other Heritage Assets in this view would not be harmed.
147. The proposal is considered to be in accordance with the guidance for this view (paras 280 to 283 of the LVMF). In particular, the proposal would preserve the townscape setting of St. Paul's Cathedral by being located within and contribute to the existing eastern cluster. The prominence of St Paul's Cathedral would not be reduced or compromised.

#### St James' Park (26A)

148. The proposed tower would be almost entirely concealed by the mature tree canopy on Duck Island during the summer months. During the winter months the top storeys of the tower would be visible through the branches alongside 22 Bishopsgate. Numerous tall buildings have been permitted (some of which are under construction) in both Lambeth and Southwark. These would be visible alongside the proposed tower above the Duck Island. The result would be a backdrop of taller buildings to this view. In this respect, the proposal would not harm this view.
149. The proposal is in accordance with the guidance for this view (para 431 of the LVMF). In particular, the proposal is of a scale, mass and form that does not dominate, overpower or compete with the existing two groups of buildings or the landscape elements between and either side of them. In addition, the proposal in terms of its roofline, materials, shape and silhouette would be of appropriate design quality.

Alexandra Palace (1A.1, 1A.2) Parliament Hill (2A.1, 2A.2) Kenwood (3A), Primrose Hill (4A)

150. In each of these views the proposed tower would be located well to the left of the protected vista of St Paul's Cathedral and would not diminish the appreciation of or the setting of the Cathedral. The tower would create a central focal point and in accordance with the Visual Management Guidance for these views in the LVMF would consolidate the existing cluster.
151. In this respect, the proposal is in accordance with the LVMF guidance for these views; para 87 to 90 in the case of 1A.1 and 1A.2; para 98 to 103 in the case of 2A.1 and 2A.2; para 119 to 121 in the case of 3A and para 130 in the case of 4A.1.

Greenwich (5A.1, 5A.2) Blackheath (6A)

152. In these views the proposed tower is located well to the right of St Paul's Cathedral and would not diminish the viewer's ability to recognize or appreciate the Cathedral. The tower would consolidate the existing cluster of towers. In this respect the proposal is in accordance with the guidance for these views, para 143 to 147 in the case of 5A.1 and 5A.2 and paras 154 to 156 in the case of 6A.

Lambeth Bridge (19A.1, 19A.2)

153. The proposed tower would be visible rising above the mature tree canopy between St Thomas' Hospital and Lambeth Palace alongside the other towers of the City Cluster and rising behind the Leadenhall Building. Combined with the other consented towers, the proposal would assist in consolidating and pulling together the Cluster of towers as a coherent single urban form on the distant skyline. The setting of Lambeth Palace would not be harmed. In this respect, the proposal is in accordance with the guidance for this view (paras 334 to 339 of the LVMF).

Other Key Views (non LVMF)

154. Given the scale of the proposed tower, its impact on surrounding townscape views is widespread and the key views impacted upon are discussed in turn:

Monument

155. The proposal falls outside the identified viewing cones from the Monument and would not harm or conceal views of important heritage assets in the view. The proposal would provide a striking new focal point in the view from the Monument. It would assist in consolidating the cluster of tall buildings as a coherent built form. Although partly obscured by the 122 Leadenhall Street tower, the slender verticality of the tower would be striking with a visual interplay between the public viewing gallery of the Monument and the one on the top of the proposed tower. The proposal would not harm or obstruct important views of the Monument from afar or in local views.

### Fleet Street / Ludgate Hill

156. The tower would be almost wholly concealed behind the consented 22 Bishopsgate tower in views along Fleet Street to Ludgate Hill. The tower would not encroach upon the area of sky between the 122 Leadenhall and 6-8 Bishopsgate towers and St. Paul's Cathedral, which is of key importance in views and setting of the cathedral from the eastern part of Fleet Street and Ludgate.

### St. Paul's Cathedral

157. The proposal would not harm views of or the setting or significance of St. Paul's. The proposal does not fall within the St. Paul's Heights policy area.

158. Exceptional public views of London are afforded from the Golden gallery of St. Paul's, and from here the tower would be almost wholly concealed behind 22 Bishopsgate.

159. From St. Paul's Churchyard, the tower would be visible above the roofline of New Change, though largely concealed behind the permitted 22 Bishopsgate tower and, the proposed tower is not considered to harm this view.

160. The proposal is not considered to harm views within and out of or the setting or significance of the St. Paul's Conservation Area.

### Bank junction

161. The proposed tower would appear as a prominent backdrop to the Royal Exchange on Bank junction albeit largely concealed behind the consented 22 Bishopsgate and 6-8 Bishopsgate towers. The existing backdrop of the Bank of England, Royal Exchange and Mansion House consists of a number of tall buildings from the 122 Leadenhall tower, Tower 42 and the former Stock Exchange. As well as the evolving City Cluster (22 Bishopsgate, 52-54 Lime Street, 40 Leadenhall Street, 6-8 Bishopsgate and 100 Bishopsgate). The result would be a dynamic backdrop and a striking contrast between the historical buildings framing Bank junction in the foreground and the backdrop of contemporary towers. The proposed tower would assist in consolidating the form and profile of the City cluster in this view.

### Other Local Views

162. Given the scale of the proposed tower, it would have a considerable impact on other views both in the City and in the wider area of central London. These have been assessed in detail.

163. In views such as from Threadneedle Street, Cornhill, Gresham Street and Queen Victoria Street the proposed tower would largely be concealed behind the 22 Bishopsgate tower but alone it would appear as a strong and prominent focal point on the skyline not only signifying the City cluster of towers as a key part of London's skyline but also playing a key visual role in successfully pulling together and consolidating the profile of the City cluster as a coherent urban form in views. A similar impact is seen in wider views from Shoreditch High Street, Finsbury

Square and the Artillery company grounds to the north to Whitechapel Road, Altab Ali Park and Commercial Road in the east.

164. From Butler's Wharf the proposed tower would appear as a prominent feature on the skyline in the heart of the City cluster to the right of the northern tower of Tower Bridge. From the eastern end of Butler's Wharf, where the bridge is viewed virtually head on, Tower Bridge would remain visible against clear sky with the emerging City cluster of towers consolidated as a more coherent urban form to its north. This view would not be harmed.
165. From the river terrace of Somerset House, the proposal would be located behind the mature tree canopy in the foreground to the south of both Heron Tower and Tower 42. The proposal would be a significant distance to the south of St Paul's and would not harm its setting when viewed in winter.
166. In other views such as from Finsbury Circus, Bunhill Fields and the Geffrye Museum, the proposal would consolidate the City cluster of towers albeit through mature tree canopies which would largely conceal the tower during the summer months and would not harm these conservation areas or Heritage assets in these views.
167. In the case of the impact on the Artillery Company grounds and Finsbury Square, the proposal would be seen alongside the existing towers of the City cluster and alongside permitted towers, the proposal would consolidate the cluster of tall buildings. Therefore, the proposal would not harm the setting of the conservation areas and Heritage Assets in these views.

#### Views from other publically accessible elevated viewing areas

168. The City cluster forms a key element in a number of elevated views from the upper storeys of other buildings, which by reason of the fact they are freely available to the public are considered to have significant public benefits. Such free public elevated viewing areas are increasing in number. In particular, the cluster of towers forms a dynamic element in views from the Skygarden in 20 Fenchurch Street and New Change roof terrace. The impact of the proposal has been assessed on both of these and the proposal would contribute positively to the dynamic qualities of these views. Furthermore, the proposal would not harm future views from the roof terrace of 120 Fenchurch Street (under construction) or the viewing gallery in the consented 6-8 Bishopsgate tower.
169. The proposed tower by virtue of its height would to a degree obscure the views eastwards from 22 Bishopsgate. However, the impact is not considered to substantially adversely affect the viewing experience as the layout of the viewing gallery of 22 Bishopsgate is designed primarily to focus to the west and south with views to the east focusing on the existing and consented tall buildings within the cluster.
170. The proposal would appear as a prominent and dynamic element in the heart of the City cluster of towers from the viewing gallery of Tate Modern on Bankside. In this view, the proposed tower would consolidate the form of the cluster. The proposal would not harm this elevated view.

## Tower of London World Heritage Site

171. The Tower of London World Heritage Site Management Plan (2007) provides an agreed framework for long-term decision-making on the conservation and improvement of the Tower and sustaining its outstanding universal value. The Plan embraces the physical preservation of the Tower, protecting and enhancing the visual and environmental character of its local setting, providing a consideration of its wider setting and improving the understanding and enjoyment of the Tower as a cultural resource. The local setting of the Tower comprises the spaces from which it can be seen from street and river level, and the buildings that provide definition to those spaces. Its boundary is heavily influenced by views across the Thames.
172. The Tower of London Local Setting Study, produced in 2010, describes the current character and condition of the Tower's local setting and sets out aims and objectives for conserving, promoting and enhancing appreciation of the Outstanding Universal Value of the Tower. It recognised and identified in the City of London Local Plan in Policies CS12 and CS13 and on Policies Map A.
173. The Tower of London World Heritage Site is located a significant distance to the east of the site. The proposal has been assessed from all recognized key views of the World Heritage Site identified in the adopted Local Setting Study. Many of these views from the South Bank (25A) and Tower Bridge (10A) are LVMF views and have been discussed in preceding paragraphs in terms of their impact on the World Heritage Site. It is concluded the proposal does not cause adverse impact on the World Heritage Site or its setting in these views or compromise a viewer's ability to appreciate its Outstanding Universal Value, integrity, authenticity or significance. Therefore, the proposal accords with Policy 7.10 of the London Plan.
174. Other views listed within the Local Setting Study include views from the Inner Ward, Inner Wall and near the Byward Tower entrance. These have been assessed in turn.
175. From the "Scaffold Site" viewpoint in the Inner Ward, the upper storeys of the tower would be seen above the parapet of the Chapel Royal of St Peter ad Vincula alongside the upper storeys of 22 Bishopsgate. These two elements would have a significant impact on the view but not in a manner which would harm the view of the Chapel and adjoining historic buildings, which would remain the prominent townscape elements in this view. The proposal would not detract from the scale of the buildings of the Inner Ward or the sense of place of the Inner Ward and, would ensure the buildings surrounding the Inner Ward remain the focus of the view in accordance with the guidance for this view in the Local Setting Study.
176. The Local Setting Study acknowledges that there is a range of views within the Inner Ward. A more detailed and comprehensive assessment of the visual impact on the Inner Ward was required as part of the submission. It is clear that the cluster of towers represent a prominent



backdrop to views within the Inner Ward. It is only as one approaches the Chapel on the northern side of the Inner Ward that most of the towers are concealed by the Chapel and stepping forwards towards the Chapel the proposed tower and the rest of the cluster are concealed from view.

177. The upper storeys of the proposed tower would accommodate the free public viewing gallery, a substantial wider public benefit of the scheme. It would enable new high level public views of the Tower of London, enhancing its visual appreciation from afar.
178. From the identified viewpoint from the Inner Wall looking northwards, the proposal would rise to the right of the Leadenhall Building with the permitted 52-54 Lime Street and 40 Leadenhall Street tower at a lower level in its foreground. The proposed tower would introduce a further element on the eastern side of the cluster but not in a manner that would harm views out of the World Heritage Site. From this viewpoint, the proposed tower would sit comfortably within the City cluster and would consolidate it as a coherent unified form on the skyline.
179. In the view from the Byward Tower entrance, the proposed tower would similarly consolidate and add to the profile of the cluster rising behind and to the left of the Leadenhall Building and would not harm views out of the World Heritage Site from this point.
180. Although clearly visible, the proposed tower would appear as a peripheral feature on the skyline a considerable distance from the World Heritage Site. The emerging City cluster of towers to the west of the Tower of London is an integral part of the setting and views of the World Heritage Site. The proposal would assist in consolidating this cluster as a coherent, unified urban form and would not harm the setting or Outstanding Universal value of the World Heritage site in any of these views.
181. The Planning and Transportation Committee were informed on 26th April 2016 that the Department of the Built Environment is undertaking three-dimensional (3D) computer modelling of the City's eastern cluster to understand better the effect of existing planning policies for that area and its relationship to its environs and other parts of the City. This work is providing confidence that the cluster can evolve while taking full account of key protected views and the wider setting of the Tower of London World Heritage Site. The height of the proposed tower is not considered to conflict with the initial findings of the 3D model in terms of the relationship with the Tower of London World Heritage Site.

#### Setting of Listed Buildings

182. A large number of listed buildings are located in close proximity of the site. In addition, by reason of the scale and height of the development it affects the setting of a number of other listed buildings further afield. These will be discussed in turn.

### St. Helen Bishopsgate

183. This grade I listed church lies in very close proximity to the proposed building which would have substantial impact on its setting.
184. The proposed footprint of the tower comes closer to the church by removing the unsightly and intrusive servicing ramp on Undershaft which compromises the setting of the church. It replaces it with level access and a wider pavement adjoining the church. In addition, the open area beneath the tower with a soffit height of between 10m and 17m would open up views of the Church from Leadenhall Street and St Mary Axe, enhancing its wider appreciation in the townscape. These benefits are considered to outweigh the impact of the closer location of the tower to the church.
185. One of the distinctive characteristics of the townscape of the City cluster is the striking and dynamic contrast in scale between the historic buildings such as the churches and the new towers. In other townscapes in London, such a contrast in scale would be uneasy in terms of the setting of historic buildings, whereas in this small part of the City it is a defining characteristic between the old and new. Within this specific context, the scale of the proposed tower is not considered to harm the setting of St. Helen Bishopsgate Church. Indeed from most vantage points, the church is seen against a backdrop of towers.
186. The proposal would have a 'minor adverse' effect on the level of daylight to the historic interior of the Church (see the Daylight and Sunlight section of this report). The existing tower already overshadows the windows on the south elevation and the appreciation of the historic interior of the Church would not be further compromised. The special architectural or historical interest of the Church would not be harmed.

### Gibson Hall

187. Gibson Hall (grade I listed) stands on the west side of Bishopsgate on the corner of Threadneedle Street. In virtually all views, the proposed tower would be concealed behind 22 Bishopsgate and where it would be seen it would appear alongside the backdrop of other towers in the Eastern Cluster. As such, the proposal would not harm the setting of this listed building.

### Nos. 46, 48, 52-58, 60-68, 70 Bishopsgate

188. This collection of grade II listed buildings on Bishopsgate defines the western boundary of the St Helen's Place Conservation Area. The proposed tower would appear as a prominent backdrop to these listed buildings in views southwards along Bishopsgate where the backdrop is characterised by tall buildings, in particular 22 Bishopsgate immediately to the south. Therefore, the proposed tower would not harm the setting of these listed buildings.

### St Ethelburga's, Bishopsgate

189. The proposed tower would generally be concealed from view by 22 Bishopsgate. The setting of this Church is defined by a backdrop of tall buildings and this contrast in scale is now an integral part of the

Church's setting and as such the proposed tower would not harm this setting.

#### Lloyd's Building

190. The Lloyd's Building on the south side of Leadenhall Street is grade I listed and, probably more than any of the other listed buildings in the City cluster, owes its setting to the cluster of towers characterising the area. In local views on the western end of Leadenhall Street, the proposed tower would be concealed behind 122 Leadenhall Street. In other views along Leadenhall Street, the proposal would be visible as a prominent element framing the public square to the north of the Lloyd's Building. The proposed tower would be seen alongside the other towers within the cluster as a backdrop to the Lloyd's building which is considered an appropriate setting to an existing high rise building of national significance. The raised lower levels of the proposed tower would open up new views southwards of the Lloyd's Building from St. Mary Axe and Undershaft. The proposal will not harm the setting or significance of this listed building.

#### St. Andrew Undershaft Church

191. This grade I listed church is located to the east of the site on St. Mary Axe. The proposed tower would have a significant impact on the setting of this church. The setting of the church is characterised by tall buildings such as 30 St. Mary Axe, the Leadenhall Building and the existing tower on the application site. In addition, 52-54 Lime Street and 40 Leadenhall Street are located to the south of the church. The open lower storeys of the tower would open up views of the church from Undershaft reinforcing its visual importance in the townscape.

#### St. Katherine Cree Church

192. In views westwards along the eastern end of Leadenhall Street the tower would appear as a prominent backdrop rising above this grade I listed church. The backdrop of this church is characterised by tall buildings on both sides of the street and in this respect, the setting of the listed church would not be harmed.

#### 38 St Mary Axe (The Baltic Exchange)

193. The proposal would appear as a prominent backdrop in views southwards towards this grade II listed building. The backdrop of the building is dominated by the existing and consented towers of the cluster and in this respect the setting of the building would not be harmed.

#### Holland House (1-4 Bury Street)

194. This grade II\* listed building is located to the east of the site and the impact of the proposal on its setting would be minimal given it would be largely concealed behind the 30 St Mary Axe. Holland House is appreciated in views against a backdrop of existing and consented towers and, therefore, the setting of the listed building would not be harmed.

### The listed buildings along Threadneedle Street

195. Threadneedle Street runs west to east on axis to the site. The entire north and south side of the Street comprise of listed buildings, all of which are grade II listed, with the exception of 51-53 and Merchant Taylor's Hall which are grade II\*. The proposed tower would be virtually wholly concealed behind 22 Bishopsgate in views eastwards.
196. The stark contrast in scale between these historical streets within the Bank Conservation Area and the imposing scale of the towers in the city cluster is a defining characteristic of this part of the City. Despite the imposing presence of the proposed tower and others in the view the tight grain and collective character of these listed buildings hold their own.

### The Listed Buildings at Bank Junction

197. The historic buildings framing the Bank junction represent one of the most sensitive townscapes in London and in terms of their gravitas and use this ensemble of historic buildings embody the identity of the historical City of London. These buildings include the nationally significant grade I Listed Bank of England, Royal Exchange and Mansion House as well as others such as the grade I Listed 27-32 Poultry and St. Mary Woolnoth, the grade II listed 1 Princes Street, 1-6 King William Street and 82 Lombard Street.
198. In terms of the proposal, the key views of this collection of listed buildings from the west focus on the portico of the Royal Exchange. The defining element of this view is the contrast between the historic buildings in the foreground and the backdrop of the emerging City cluster of towers providing one of the most striking townscapes in London. From the key views these historic buildings are seen against the backdrop of the towers of the eastern cluster which will be added to by those under construction and permitted and other substantial buildings such as the former Stock Exchange, and Tower 42.
199. The upper storeys of proposed tower would be visible between 22 Bishopsgate and the Leadenhall Building and above 6-8 Bishopsgate. The proposed tower would assist in consolidating the profile of the cluster as a dynamic and bold backdrop to the historic buildings in the foreground. The setting of the listed buildings in the foreground would not be harmed.

### The Setting of other Listed Buildings

200. There are a cluster of listed buildings on Cornhill and the northern end of Gracechurch Street where in a limited number of views the proposed tower would appear as a prominent element in their backdrop. However, these views are characterised by the cluster of tall buildings (both completed and consented) and the proposed tower is not considered to harm the setting of these listed buildings in these views.
201. The church of St. Botolph without Bishopsgate is a grade I listed building to the north of the Bishopsgate / London Wall junction a significant distance to the north of the site. In most views, the proposed tower would be concealed behind either the consented 100 Bishopsgate or 22

Bishopsgate tower. Where visible, the proposal would be a prominent element in the backdrop of the church in views southwards. However, it would be seen alongside the existing and consented tall buildings of the City cluster. Therefore, the proposal is not considered to harm its setting.

202. St Magnus the Martyr Church, Custom House, Billingsgate Market and Adelaide House are all important listed buildings which line the riverside from London Bridge eastwards. In the key views of the proposed tower from the southern bank and from London and Tower bridges all three buildings are seen in the foreground of the river view with the emerging City towers as their distinctive backdrop. The proposed tower would assist in consolidating the cluster of the towers on the skyline and would not harm the setting of any of these listed buildings.

#### Setting of Conservation Areas

203. The site is adjacent or in close proximity to a number of conservation areas. The proposal would also affect more distant conservation areas within and outside the City. These include conservation areas in the London Borough of Islington and Tower Hamlets. The impact of the proposal on nearby conservation areas within the City is set out below:

#### St. Helen's Place Conservation Area

204. To the north of the site lies the St. Helen's Place Conservation Area. The proposed tower would have a substantial impact on views in to, out of and within the conservation area and its setting. The St. Helen's Place Conservation Area, more so than any other, is surrounded by the tall buildings of the Eastern Cluster. The presence of these tall buildings now defines the setting of this conservation area. To the north is the consented 100 Bishopsgate Tower, to the east, 30 St Mary Axe; to the west stands Tower 42 and the consented 22 Bishopsgate tower and to the south is the existing Undershaft Tower. These towers are (and would be) clearly visible as prominent elements in the backdrop and setting of the conservation area and are now characteristic features in its setting.

#### Bank Conservation Area

205. To the west, the Bank Conservation Area includes all of the west side of Bishopsgate from Gibson's Hall to 8 Gracechurch Street. Views of and from within this conservation area is characterised by the backdrop of tall buildings in the City cluster on the north and east side of Bishopsgate. The view from Bank junction, the centre piece of the conservation area is discussed in more detail in preceding paragraphs. The proposed tower would be visible in a number of viewpoints but would largely be concealed by 22 Bishopsgate, the existing Leadenhall Building and 6-8 Bishopsgate. However, as stated above they would be seen against the backdrop of the completed and consented towers.
206. In this respect, the proposal is not considered to harm the character or appearance or setting of the Bank Conservation Area or its significance.

#### Leadenhall Market Conservation Area

207. Some distance to the south of the site is the Leadenhall Market Conservation Area. The proposed tower would appear above the

Leadenhall Building tower in views northwards along Gracechurch Street above the western entrance to the market. Leadenhall Market is characterised by the presence of tall buildings as a backdrop to the north and east and, in this respect, the proposal would not harm views in to or the setting of the conservation area.

208. Given the alignment and roof of the Market and the presence of the Leadenhall Building and Lloyds, the development would barely be visible in glimpses from within the Market itself and where it would be seen it would be against the backdrop of consented tall buildings.
209. In this respect, the proposal is not considered to harm the character or appearance or setting of the Leadenhall Market Conservation Area or its significance.

#### Bishopsgate Conservation Area

210. This conservation area lies a significant distance to the north of the site. However, by reason of the substantial scale and height of the proposed tower it would have an impact on the setting and in views southwards from the conservation area.
211. In these views, the tower would be seen alongside existing and consented towers including, the Heron Tower, 100 Bishopsgate, 22 Bishopsgate and the 150 Bishopsgate towers on the east side of Bishopsgate and No 99 Bishopsgate and Tower 42 to the west of Bishopsgate. The tower would contribute to the dynamic quality of these tall buildings, resulting in a powerful and striking backdrop to the conservation area.
212. The proposal is not considered to harm the character or appearance or setting of the Bishopsgate Conservation Area or its significance.

#### Non-designated Heritage Assets

213. No harm has been identified to non-designated Heritage Assets, their settings or their significance.

#### Transport, Servicing, Parking and Impact on Public Highways

##### Servicing

214. The scale of the proposed development is such that unregulated deliveries to and collections from the site would have a major detrimental impact on the surrounding area, particularly at peak periods. The five proposed servicing bays (four for 8m vehicles and one for van deliveries) in basement level 3 and the two proposed vehicle lifts to provide access to this level would be insufficient to provide for unregulated deliveries to and collections from the site to take place without significant queuing of servicing vehicles on Undershaft. This would have major impacts on the efficient servicing of neighbouring buildings and the safe and convenient movement of pedestrians and cyclists in the area together with a consequent increase in air and noise pollution. As a result, it is essential that the deliveries to and collections from the site are regulated and that the total numbers of servicing vehicles are very substantially reduced from those that would occur in an unmanaged situation. This can only

realistically be done via freight consolidation and, as a result, the developer intends to establish a freight consolidation operation for the development that would include a freight consolidation centre.

215. The use of an off-site logistics centre and consolidated servicing system would have a number of benefits:

- Reduction in the number of service deliveries by at least 50%;
- Scheduled deliveries in accordance with times to be agreed by the City of London and controlled by a delivery management system;
- Use of the optimal type of vehicle for the specific journey and load and driven by a regular team of drivers;
- Associated environmental benefits:

216. There would also be a number of security benefits;

- All delivery vehicles from the consolidation centre would be expected;
- Vehicle contents could be security checked and vehicles sealed at the consolidation centre;
- Drivers would be security vetted.

217. The applicants' consultants have shown that the vast majority of supplies, including foodstuffs, could be delivered through a consolidated system. There would be some exceptions, for example very specialist food or deliveries originating in or close to the City. The consolidation and logistics system would be applied to all occupiers of the building including the restaurant and retail occupants.

218. It is estimated that up to 193 vehicles a day would service the building. Included in this number would be non-consolidated vehicles which would deliver directly to the site under the control of the logistics centre. Under this system no unscheduled deliveries to the site would be accepted.

219. Except in emergency (lift repairs, etc.) and in order to relieve pressure on the City's streets and to avoid conflict with pedestrian and cyclist peak times, it is intended that the City would prohibit delivery vehicles servicing the site during morning and evening peaks and lunchtimes. This means that night-time servicing would be a pre-requisite of the development. A high proportion of deliveries (on average 12 vehicles per hour) would arrive during night-time hours; the type of vehicles used, routes used and quick entrance into the building would need to be carefully controlled in order to minimise noise disturbance to the surrounding area.

220. The reduction in the number of delivery vehicle trips by the provision and use of the offsite logistics centre is critical to the acceptability of the scheme and as such must be fully operational before any occupation of the development. The provision of such a facility at all times must be guaranteed for the life of the building. Provision of the off-site logistics and consolidation centre and review procedures would be secured by

S106 and would include details of numbers and timings of daily deliveries and numbers of non-consolidated deliveries, both of which would be capped as outlined under the Planning Obligations section of this report (paragraph 366 onwards). A Delivery and Servicing Management Plan would be required under the S106 agreement.

221. Facilities would be provided at street level off Undershaft for cycle and motorcycle couriers.

#### CCTV Monitoring

222. As a result of recently completed developments and other building works in the immediate vicinity, traffic flows along Undershaft have increased. Therefore, a loading and unloading prohibition on Undershaft is being considered to facilitate the functioning of the street.
223. The proposed development would add approximately 193 vehicles daily to the existing traffic flows and the applicant would be required to provide funding towards the costs of a closed-circuit television (CCTV) system to enable the proposed prohibition to be monitored efficiently and ensure that servicing and delivery is carried out in accordance with the S106 agreement.

#### Waste Management

224. A centralised waste storage area is located at B3 level immediately adjacent to four compactors. The area would provide sufficient space general and recycled waste and for refuse vehicle access and manoeuvring.
225. There would be minimum headroom of 5m within the service area and lifts.
226. The proposed Waste Management Strategy meets the City's requirements.

#### Parking

227. The only car parking on site would be at basement level 3 where six spaces for disabled car parking, two of which would have an electric vehicle charging point, would be provided. No motorcycle spaces are provided.

#### Bicycle spaces

228. A total of 1,825 cycle parking spaces are proposed. These would comprise 1,664 long stay (commuter) spaces and 38 short stay (office visitor) spaces at basement level 2 and 123 short stay (retail and viewing gallery visitor) spaces at ground level.
229. A total of 167 showers are proposed. 117 at basement level 2 and 50 on the upper floors. This equates to one shower per 10 spaces which, while slightly less than our advice of one per 8 spaces, is considered acceptable.
230. A total of 1,664 lockers are proposed in the same locations as the showers. This equates to one locker per long stay cycle space.



231. The number of cycle spaces proposed accords with the London Plan Standards. The shower provision, while slightly below the City's recommendation, is constrained by the re-use of the existing basements. It is considered that the proposal achieves a significant provision of cycle spaces together with associated facilities which is acceptable for the development. The details of the provision, range, type and location of the cycle spaces, showers and lockers would be dealt with under planning conditions to ensure general compliance with policy.

### Public Transport

232. The development site is highly accessible by public transport and records the highest possible Public Transport Access Level (PTAL) of 6b. Bank, Monument and Liverpool Street Underground Stations are all within a five minute walk from the sit. Liverpool Street, Moorgate, Fenchurch Street, and Cannon Street Mainline Stations are all within a twelve minute walk and 24 bus services are available within 640m of the site.

233. It is predicted that the proposed development is likely to accommodate 8,251 office workers and that 3,296 office employees would travel to the development in the AM peak hour and 3,016 from the development in the PM peak hour.

234. Additionally, the proposed public viewing gallery, retail uses and visitors to the office premises would generate an estimated 267 people during the AM peak hour and 1,000 in the PM peak hour.

235. A total of 3,563 and 4,016 trips are forecast during the AM and PM peak hours respectively.

236. The trips have been measured against the existing baseline and split between the different predicted modes of transport; the majority of journeys would be undertaken by train or Underground and DLR, with the remaining smaller percentage by bus, taxi, bicycle or foot. It is estimated that the proposed development would increase the number of national rail passengers by about 0.2% and 0.4% in the AM and PM peak hours respectively (an additional 1.6 and 1.8 passengers per service) although this would not be distributed evenly across the network. It is anticipated that the proposed opening of Crossrail in 2018 would go some way to alleviating the pressure on the rail services.

237. A total net increase in London Underground trips as a final mode (slightly reduced once Crossrail is open) is estimated to be 1,659 trips in the AM peak and 1,750 in the PM peak. Increases are predicted on the Central, Northern and Waterloo and City lines which already experience high levels of crowding in the peaks. However, a number of improvements are programmed that will improve capacity. These include:

Waterloo & City Line - As part of the "New Tube for London" programme the number of trains per hour (tph) will be increased from 22 to 30 raising capacity from 9,500 passengers per hour (pph) to 14,250pph in each direction.

Central Line - The NTfL programme proposes to increase the number of trains per hour by 25% with up to 36tph. This will raise capacity by approximately 6,000pph in each direction.

Northern Line – the Northern Line currently has some spare capacity with the Ratio of Flow to Capacity (RFC) at 97.9%. The anticipated increase in passenger trips generated by the proposed development would raise the RFC to 98.4%.

238. A total of 302 AM peak hour trips (289 inbound) and 319 PM peak hour trips (287 outbound) are forecast on the bus network; on average less than one additional passenger per bus is expected.

#### Pedestrian movements

239. Pedestrian comfort assessments have been undertaken at footways and crossings surrounding the site. The assessments takes account of forecast employment growth and are based on the proposed development layout, which would create new pedestrian space and new routes thereby changing existing patterns of movement.
240. The proposed development and public realm will create and cater for important pedestrian desire lines that are currently unavailable or indirect, in particular:
- The existing route between Bishopsgate and Leadenhall Street via Great St Helen's is indirect and blocked by the existing building. This route will become more direct travelling underneath the proposed building.
  - As part of the 22 Bishopsgate scheme it is proposed that a pedestrian link will be provided from Bishopsgate which will continue underneath the proposed building to 30 St Mary Axe.
  - With the removal of the vehicle access ramp on Undershaft the segregation of the existing footway sections can be resolved, with an improved northern footway provided (minimum 1.9m) outside St. Helen Bishopsgate Church and a new wide pedestrian route beneath the proposed building to the south.
241. The large new public square to the south of the proposed development will be step-free (currently stepped) and will enable easier pedestrian movement around and through the site. Further public realm at lower ground level provides for retail access and a north-south pedestrian connection.
242. In the future scenario most footways would experience acceptable or comfortable pedestrian comfort. Footways along St. Mary Axe (to the north of Undershaft) have a Pedestrian Comfort Level (PCL) of C which is classified as being 'at risk' whereby movement becomes increasingly restricted. St. Mary Axe provides north-south pedestrian movement; the proposed development would provide additional north-south/east-west routes to and from Leadenhall Street, Bishopsgate and Bevis Marks via the 'At Grade' piazza, underneath the building, Great St. Helen's and the northern part of St. Mary Axe. This would help ease the pressure on St. Mary Axe.

243. Pedestrian crossings on Leadenhall Street are expected to be unchanged with a PCL of C. However, it is expected that the future layout and signal phasing of the Leadenhall Street/Lime Street/St. Mary Axe junction will enable pedestrians to cross diagonally during a “pedestrian scramble” phase under signal control, similar to that already operational at the junction of Cheapside/New Change/Newgate Street/St. Martin’s Le Grand, providing improved and comfortable conditions.
244. As a result, it is envisaged the pedestrian trips generated by the proposed development and the committed developments, would not have a significant impact on the pedestrian network surrounding the proposal site.

#### Stopping up/Dedication of land as public highway

245. A stopping-up of Public Highway plan is attached to this report. This shows areas of existing highway to be stopped-up and areas of private land that are to be dedicated as public highway.
246. The proposed stopping-up and dedication is due to the northward realignment of Undershaft due to the removal of the existing vehicle ramps on the north side of Undershaft and the northward extension of the building line.
247. The area of highway that would be stopped up is 644.19sq.m and the area to be dedicated as public highway is 799.85sq.m resulting in a net increase of 155.66sq.m of public highway.

#### Security

248. A number of internal and external security measures would be employed to address security issues which arise with a development of this size, location and nature.
249. Externally, perimeter protection would be achieved by the installation of bollards and by the facade construction. These bollards would all be on the developer’s land.
250. Details of the security measures would be sought by condition. Any alterations on the highway would be secured through a Section 278 agreement.

#### Aviation

251. As detailed under Consultations (para 58) the scheme would impact on the radar operations for air traffic movements at Heathrow, London City Airport and Farnborough which can be mitigated by alterations to the radar calibration and the provision of additional radar feeds to Farnborough. Conditions would be imposed to require a radar mitigation scheme to be agreed by the local planning authority in consultation with National Air Traffic Services (NATS) prior to commencement.
252. The applicants have agreed that no structure, including any cranes during the construction phase, would exceed 304.94m AOD in order to safeguard aviation routes at Heathrow and London City Airport.

### Environmental impact of proposal on surrounding area

253. The impact of the scheme on the amenity of the surrounding area has been assessed taking into account Development Plan policy.

### Wind Microclimate

254. The likely effect of the development on wind microclimate in the immediately surrounding area has been assessed using two methodologies and the results considered against the policy requirements of policies 7.6 and 7.7 of the London Plan and DM10.1 of the Local Plan. The assessment has been undertaken using a boundary layer wind tunnel and computer based technologies to simulate the wind microclimate conditions and the likely effects on sensitive receptors have been assessed for suitability using the widely accepted Lawson Comfort Criteria.
255. The assessment, using wind tunnel tests, provides details of the average and gust wind conditions around the existing site and the proposed development and assesses the cumulative impact with other proposed developments including 22 Bishopsgate, 100 Bishopsgate, 52-54 Lime Street, 60-70 St. Mary Axe, 24 Bevis Marks and Mitre Square. Assessments are given for both the summer season and the windiest season. Wind speeds were measured at 140 locations around the site including at sensitive areas such as entrances to buildings and external seating areas.
256. The design of the development has been amended to incorporate a number of wind mitigation features in order to address potential areas of concern around the site. The presence of these measures is included in the final wind assessment results.
257. The second assessment uses Computational Fluid Dynamics (CFD) methodologies to verify the results of the wind tunnel assessment.
258. For a mixed use urban site such as the proposed development and surrounding area the desired wind microclimate would typically have areas suitable for sitting, pedestrian standing or building entrance use, and leisure walking.
259. The baseline assessment shows the wind conditions around the existing site with the empty site at 22 Bishopsgate. In the summer season the surrounding areas are mainly suitable for 'standing or building entrances' and for 'sitting'. In the windiest season the conditions are suitable for 'standing or entrances' or 'leisure walking'. These conditions are typical of other Central London locations with closely spaced low rise buildings. However, it is noted that there are five locations where there would be strong winds of Beaufort Force 6 for periods in excess of three hours per annum (mitigation normally recommended) and two areas where strong winds of Beaufort Force 7 would occur for periods in excess of one hour per annum (mitigation normally required).
260. A wind mitigation feature consisting of a canopy incorporated into the structure of the public/cycle lifts would be installed on the east side of the

piazza. The canopy would measure a maximum of 27m long by 7m wide and would be raised 4m above ground level.

261. Details of the appearance of all wind mitigation features would be required by condition and appropriate architectural solutions would be sought given the prominence of the proposed structures.
262. With mitigation measures and 22 Bishopsgate in place, the assessment shows that during the windiest season general conditions would be suitable for 'leisure walking' or better. Areas of 'sitting' would be available to the north and northwest of the site and to the south within the open public area at lower ground level. This assessment indicates a general improvement over the existing baseline position and removes the areas of strong wind gusts (Beaufort Force 6 and 7).
263. During the summer season the conditions around all areas of the site would be suitable for 'standing/entrances' or 'sitting'.
264. At the entrances to the proposed development conditions would all be to the required 'standing' or calmer wind conditions in both seasons.
265. During the windiest season the cumulative assessment indicates a slight worsening of conditions, 'standing/entrance' increased to 'leisure walking', on the east side of St. Mary Axe outside the entrances of Nos. 2-10 and No. 30. Further detailed analysis shows that the existing conditions in these locations are generally borderline (+/- 2 %) between the 'standing/entrance' and the 'leisure walking' categories. The data indicates that the percentage change for each of the points analysed would be within a few percentage points and concludes that "these relatively minor changes in the local wind environment would generally not be noticeable to pedestrians".

### **Worst Case Scenario**

266. In the event that the development at 22 Bishopsgate were not to proceed and the site remained incomplete, a revised wind mitigation strategy would be required and secured through the S106 agreement. This would provide five porous wind screens to the west side of the building to the rear of 122 Leadenhall Street and a porous wind skirt that would wrap around the south west corner of the building. The canopy on the east side of the piazza would not be required.
267. In this scenario there would be a marginal increase in wind speeds at some locations at street level from 'standing/entrance' to 'leisure walking' including at the main office entrance. However, the instances of Beaufort Force 7 identified in the current baseline case would be mitigated and the open public space at lower ground floor level would remain within the 'sitting' category.

### **Conclusion**

268. The main wind effect of the proposed development would be to channel some of the prevailing south-westerly wind down to the ground with increases in windiness to the south west corner of the site at the junction with the rear of 122 Leadenhall Street. With the proposed mitigation measures in place the assessment shows that in the windiest season the

wind micro-climate would be generally improved over the currently existing situation and at no point around the building or in the immediately surrounding area would the building cause conditions to exceed 'leisure walking' criteria. In the summer, conditions would be primarily 'sitting' or 'standing/entrance'.

269. The results confirm that the proposed development would have some adverse impacts, principally to the east side of St. Mary Axe, but not such as to cause unacceptable harm to pedestrian level wind conditions which would remain at a level suitable for the urban environment in which the development is situated.
270. The separate CFD verification assessment (see paragraph 260) provides results which are in line with the wind tunnel results.

### Daylight and Sunlight

271. An assessment of the impact of the development on daylight and sunlight to surrounding buildings has been undertaken in accordance with the Building Research Establishment (BRE) Guidelines and considered having regard to Policies 7.6 and 7.7 of the London Plan and DM 10.7 of the Local Plan. While the assessment has been carried out for all the surrounding buildings including commercial offices, only those considered as sensitive in terms of daylight and sunlight (23 in total) are evaluated in this report. These include residential properties at Wormwood Street and Creechurch Lane, (the nearest residential property at 50 Bishopsgate does not have windows that face the site and, therefore, would not be effected) and other sensitive sites such as the Parish Church of St. Helen Bishopsgate, St. Andrew Undershaft Church, Drapers' Hall, Merchant Taylors' Hall, 19 Old Broad Street (City of London Club) and 15 Bishopsgate.
272. The assessment of daylight and sunlight is a comparative one measured against the current base conditions.
273. It should be noted that where there are existing low levels of daylight in the baseline figures any change in the measured levels has been generally described in two ways to give a more complete picture. These are:
- Percentage change (10% reduced to 8% = 20% reduction); and
- Actual/Absolute change (10% reduced to 8% = 2% change).

### Daylight

274. In terms of the impact on daylight, the assessment shows that for 15 of the 23 properties identified as being sensitive, the effect of the proposed development would be within BRE criteria (reductions of less than 20% of the existing values) and thus the development would have a negligible impact on those properties. Of the remaining eight properties, four (20-21 Wormwood Street, 14, 16 and 18-20 Creechurch Lane) are residential (Class C3).

#### 20-21 Wormwood Street

275. There are 32 windows serving 10 rooms within this property. 30 of the 32 windows will meet the BRE guidelines for Vertical Sky Component (VSC) and therefore experience a negligible effect. The remaining two windows would experience percentage changes of 22% and 28%. Both windows have low existing levels of VSC and, therefore, any alteration results in a disproportionate percentage change. The actual VSC reductions to these windows would be less than 2%.
276. With regard to the No Sky Line (NSL) assessment, all of the rooms assessed would meet the BRE criteria.
277. The effect of the proposed development on this property is considered to be negligible to minor adverse.

#### 14 Creechurch Lane

278. There are a total of 12 windows within this property serving four rooms. With regard to VSC all of the windows within this property would meet the BRE guidelines and experience a negligible impact.
279. In regards to the NSL assessment, none of the rooms would meet the BRE criteria. Two rooms would experience an alteration between 20-30% and two rooms experience alterations between 30-40%. All these rooms have an existing daylight distribution of only 60% of their room area compared to the British Standard recommendation of 80% and any change would result in a disproportionate percentage change. All the rooms would retain a daylight distribution of at least 40% of their area.
280. Overall the effect of the proposed development is considered to be minor adverse.

#### 16 Creechurch Lane

281. There are a total of 12 windows within this property serving four rooms. With regard to the VSC, 10 of the windows assessed would meet the BRE criteria and experience a negligible impact. The remaining two windows would experience a change of 21%, just above the 20% reduction level considered as not noticeable within the BRE guidelines. Both windows have low existing levels of VSC and any alteration would result in a disproportionate percentage change. The absolute changes to these windows would equate to 2% VSC and it is questionable whether this would be noticeable to an occupant.
282. With regard to the NSL, one of the four rooms assessed would meet the BRE criteria. Of the remaining rooms, one would experience an alteration between 20-30%, one between 30-40% and one over 40%. All three of the affected rooms have a daylight distribution of 45-66% compared to the British Standard recommended 80% which combined with the large area of the room space may result in disproportionate percentage changes.
283. The overall effect of the proposed development on this property is considered to be minor adverse.

### 18-20 Creechurch Lane

284. There are 117 windows within this property serving 10 rooms. 116 windows would meet the BRE guidelines for VSC and experience a negligible impact. The remaining window would experience a change of 21%, just above the 20% reduction level considered as not noticeable within the BRE guidelines. This window has a low existing value of 8.5% VSC and any change would result in a disproportionate percentage change. The actual change in VSC to this window equates to 1.6% and it is therefore questionable whether this would be noticeable to an occupant.
285. With regards to the NSL, seven of the 10 rooms assessed would meet the BRE criteria. One room would experience a change of 29% whereas the remaining two rooms would experience changes between 33-35%. All three of the affected rooms have an existing NSL of 66% or less compared to the British Standard recommended 80% and any change would result in a disproportionate percentage change.
286. The effect of the Proposed Development on this property is considered to be of minor adverse.

### Non-residential Properties

287. The remaining four properties that would experience noticeable reductions in daylight are the Parish Church of St. Helen Bishopsgate, 33 Great St. Helens, Merchant Taylors Hall and 19 Old Broad Street, The City of London Club.

### Parish Church of St Helen Bishopsgate

288. There are 47 windows within this property serving 14 rooms. 30 (64%) of the windows would meet the BRE criteria for VSC and experience a negligible impact. One window would experience a change of 20.3% which is fractionally beyond the BRE criteria of 20%. Three windows would experience alterations between 30-40%. All of these windows have low existing values (less than 3% VSC in absolute terms) and any alteration would result in a disproportionate percentage change. These windows would experience actual changes of 0.9% VSC and it is questionable whether this would be noticeable to an occupant.
289. The remaining 13 windows experience alterations beyond 40%. All have existing levels of VSC below 8% in absolute terms with many as low as 3%. In such circumstances any change would result in a disproportionate percentage change. Nine out of the 13 windows would experience actual changes of approximately 2% VSC and therefore it is questionable whether these would be noticeable to an occupant.
290. With regards to NSL, 12 of the 14 rooms assessed would meet the BRE guidelines. Of the remaining two rooms, one would experience a change of 22% compared to the 20% set out in the BRE guidelines. This room has a low level of daylight distribution and any alteration would result in a disproportionate percentage change. The remaining room would experience an alteration of 31%, however it should be noted that this room has a low existing daylight distribution of only 28% of the room



space and any changes would result in a disproportionate percentage change. The absolute difference to this room equates to approximately 12sqft and a resultant distribution of 19% of the room area.

291. The effect of the proposed development on this property is considered to be minor adverse.

### 33 Great St. Helens

292. It should be noted that the overnight accommodation within this property is considered ancillary to the Leathersellers' office space and, therefore, is less sensitive.
293. There are 26 windows within this property serving 7 rooms. 13 windows would meet the BRE criteria for VSC and therefore experience a negligible impact. 11 windows would experience alterations between 20% - 30%. All of these windows have low existing levels of VSC and any change would result in a disproportionate percentage change. The actual changes to these windows would equate to 3% VSC. The two remaining windows would experience changes of 30% and 31%. Both have an existing VSC just below 7% in absolute terms and any alteration would result in a disproportionate percentage change. The actual changes experienced by both windows would equate to 2.1% VSC.
294. With regard to NSL, four of the seven rooms assessed would meet the BRE guidelines. The remaining three rooms would experience alterations beyond 40%. However, two of these are understood to serve a store room and a bedroom and are considered less sensitive in regards to daylight compared to other uses.
295. The effect of the proposed development is considered to be minor adverse.

### Merchant Taylors Hall

296. A total of 55 windows serving 25 rooms within this property have been assessed for daylight. All of the windows within this property would meet the BRE criteria for VSC and experience a negligible impact.
297. In regards to NSL 24 of the 25 rooms assessed would meet the BRE criteria. The remaining room would experience an alteration of 33%. This room has an existing low NSL to only 12% of the room space which is reduced to 8% as a result of the proposed development. In such circumstances any alteration would result in a disproportionate percentage change. The actual alteration in area relates to 2sqft which is highly unlikely to be noticeable to any occupant.
298. Given the small nature of the alteration to one room within this property and high VSC compliance levels, the effect is considered to be negligible.

### 19 Old Broad Street

299. There are 33 windows within this property serving 13 rooms. 32 windows would meet the BRE criteria for VSC and experience a negligible impact. The remaining window has a low existing VSC and would experience a

change of 22.5%. The actual change is 1.6% and it is therefore questionable whether this would be noticeable to an occupant.

300. In regards to the NSL 12 of the 13 rooms assessed would meet the BRE guidelines. The remaining room would experience an alteration of 21% compared to the 20% suggested in the BRE guidelines. In absolute terms this equates to a loss of daylight distribution to 3sqft and it is questionable whether the effect would be noticeable to an occupant.
301. The effect on this property is considered to be negligible to minor adverse.

#### Conclusion

302. The results show that where the development would have an impact on the surrounding sensitive properties, the effects would be negligible to minor adverse. In all cases where properties would experience reductions beyond BRE recommended criteria the windows affected have very low existing daylight levels leading to disproportionate percentage changes. This is largely due to the tight urban grain of the City and the actual levels of change are small. Therefore, although not compliant with BRE recommendations the proposal is not considered to have such an effect as to cause unacceptable harm.

#### Sunlight

303. 16 properties have been identified as being sensitive in terms of sunlight. Of these, only two (both non-residential) would experience impacts outside of the BRE guidance.

#### 33 Great St. Helens

304. A total of 26 windows have been assessed within this property for sunlight as they face the Site and are located within 90 degrees of due south. 23 windows would meet the BRE guidelines for both total and winter Annual Probable Sunlight Hours (APSH) and, therefore, the effect on these windows is considered to be negligible.
305. The three affected windows experience changes in both winter and total APSH. All three experience alterations in winter APSH in excess of 40% due to the low existing levels of APSH which are between 2% and 3% and any alteration would result in a disproportionate percentage change. With regards to total APSH two windows experience alterations between 20-30% which may be considered minor in significance and they would retain APSH levels of 18% and 22%. The remaining window would experience changes in excess of 40% due its low existing total APSH level of 10%.
306. One of the affected windows serves a reception and the remaining two are understood to serve a conference room and, therefore, both rooms are considered non-habitable and are less sensitive in terms of sunlight.
307. Overall, the effect on this property is considered to be minor adverse.

### Parish Church of St. Helen Bishopsgate

308. A total of 38 windows have been assessed within this property for sunlight as they face the proposal site and are located within 90 degrees of due south. Of these 38 windows, 31 would meet the BRE guidelines for both total and winter APSH and, therefore, the effect on these windows is considered to be negligible.
309. The seven affected windows all would experience changes in excess of 40% in total APSH. In relation to winter APSH one of the affected windows would experience changes of between 30% and 40% and four windows would experience alterations in excess of 40% due to the low existing levels of winter APSH which are between 1% and 3% and any alteration would result in a disproportionate percentage change.
310. Many of the affected windows serve the main hall areas where there are multiple windows many of which meet the BRE criteria for sunlight as a result of the proposed development.
311. In consideration of the above the effect to this property is considered to be minor adverse.

### Conclusion

312. In conclusion the proposed development would not cause unacceptable harm to daylight and sunlight levels to the properties identified as sensitive and the impact on residential properties would be acceptable. There would be instances of minor adverse effects to some buildings as outlined above which would be a breach of planning policy in that tall buildings should not affect their surroundings adversely. These breaches are largely caused by existing low levels of daylight and sunlight which is not uncommon in a densely developed area such as the City where a number of properties experience daylight and sunlight levels below recommended BRE Guidelines.
313. The assessment shows that the proposed development would not result in significant adverse impacts.

### Transient Overshadowing

314. The assessment of the impact of transient overshadowing was undertaken according to the BRE Guidelines in respect of several key amenity areas identified in proximity to the site and considered having regard to Policies 7.6 and 7.7 of the London Plan.
315. The assessment shows that in the existing situation much of the City is in shadow for long periods of the day due to the existing surrounding buildings.
316. On March 21<sup>st</sup> between 9am and 11am the development would cast a shadow on to the amenity area in front of the Parish Church of St. Helen Bishopsgate. At 12pm the shadow stretches northwards on to the amenity area at St. Botolph without Bishopsgate gardens. By 1pm the shadow has moved completely from the amenity area. From 4pm the shadow from is cast directly to the east of the Site but the majority is overlapped by shadow cast from surrounding buildings.

317. On June 21<sup>st</sup> from 11am to 12pm shadow is cast on to the amenity area in front of the Parish Church of St. Helen Bishopsgate. At 1pm the shadow is at its shortest and is cast directly to the north of the site. From 5pm shadow is cast to the east of the site but the majority is overlapped by shadow cast from surrounding buildings.
318. On December 21<sup>st</sup> there would be a marginal increase in overshadowing between 12pm and 1pm.
319. On March 21<sup>st</sup>, June 21<sup>st</sup> and December 21<sup>st</sup> the remaining sensitive amenity areas around 30 St. Mary Axe, next to the 122 Leadenhall street, the playground of the St. John Cass Primary School, the courtyard at the City of London Club and the amenity space between the Royal Exchange buildings would be unaffected by overshadowing from the site. The effects in regards to transient overshadowing are, therefore, considered minor.
320. The overshadowing of the amenity area in front of the Parish Church of St. Helen Bishopsgate would be unchanged from the existing situation. However, it is likely that the amenity space would feel less enclosed as a result of the base of the proposed building being raised 10m to 17m above ground level.

#### Solar Glare

321. The BRE Guidelines recommend that solar glare analysis be carried out to assess the impact of glazed facades on road users in the vicinity. In this case, viewpoints for the analysis were positioned at points before a junction or traffic lights where a distraction to motorists may occur. The viewpoint was positioned at 1.5m above ground at the height of a sitting driver and pointing down the centreline of the road where drivers' vision is critical.
322. The potential for reflected solar glare or dazzle has been assessed at 15 potentially sensitive viewpoints for road users and pedestrians surrounding the site. These are generally signalled road junctions and pedestrian crossings.
323. The analysis assumes a worst case scenario for solar glare with an external facade glazing with a reflectance level of 36%. The analysis concludes that in the worst case scenario, when there is no cloud cover to dissipate the sun's rays, the effects of solar glare would cause a negligible to moderate adverse effect for road users at the assessment points. In all cases the majority of the solar glare could be mitigated by the drivers' use of a visor.
324. The impact of solar reflections on longer distance views from St. James' Park and Waterloo Bridge has been assessed. From St. James' Park the lower sections of the development would be obscured by trees. Incidents of reflection from the upper levels would occur predominantly in the evening (setting sun) between the months of April and August. Climate data suggests that, in respect of the time of year and time of day, the sun would only be shining 30% of the time reducing the incidences of solar reflectance.

325. From Waterloo Bridge solar reflection would be visible in the evening (setting sun) between mid-March to mid-April and mid-August to mid-September. Climate data suggests that, in respect of the time of year and time of day, the sun would only be shining between 10% - 30% of the time reducing the incidences of solar reflectance.
326. In both cases the assessment does not account for cumulative developments. If neighbouring cumulative developments come forward the majority of the proposal sites facades would be obscured in these views reducing the significance of any solar reflection to negligible.

#### Solar Convergence

327. Solar convergence is a geometric phenomenon related to concave facade design. The proposed development, with its flat vertical facades, would not give rise to solar convergence.

#### Light Pollution

328. The impact of light pollution has been considered in respect of the effect on 36 Great St Helens, a hotel in the immediate vicinity of the site, and the Parish Church of St. Helen Bishopsgate.
329. The assessment finds that the impacts on 36 Great St Helens would be within acceptable levels at all times of day.
330. One window within the Parish Church of St. Helen Bishopsgate would experience light pollution levels above those recommended during post-curfew hours (11pm to 7am). However, as services within the church are normally concluded by 9:30pm it is considered that the impact would be of little significance.

#### Energy and Sustainability

331. The NPPF, London Plan and the Local Plan seek to ensure that sustainability is integrated into designs for all development.
332. A sustainability statement has been produced to demonstrate that the proposed development has been designed to take into account the likely impacts of climate change, that the materials specification would follow principles of lean design and use of environmentally friendly and responsibly sourced materials, that waste reduction measures would be incorporated, that pollution would be minimised, that sustainable travel methods would be promoted and that the design of the development would be guided by the health and wellbeing standard WELL.

#### Energy consumption

333. The London Plan requires an assessment of energy demand that demonstrates the steps taken to apply the Mayor's energy hierarchy to achieve the reduction of energy consumption within buildings and to use renewable energy sources. London Plan policy requires non-domestic buildings to achieve a 35% carbon emissions reduction over Part L (2013) of the Building Regulations. Policy CS15 of the Local Plan supports this approach.

334. Energy consumption reduction would be achieved by a number of building design features and the use of energy efficient building services plant. The development would utilise a unitised aluminium framed curtain walling system comprising high performance insulating glass units. Each floor will contain two levels of brise soleil made from mild steel with a vitreous enamel finish. Parts of the west and north facade would contain vertical fins. Levels 70 and above will contain dichroic glass brise soleil.
335. The brise soleil would provide a significant contribution to reducing the heating gain and cooling requirements. In addition high performance building services are proposed including high efficiency air handling units, low energy lighting and use of light sensors.
336. A Combined Heat and Power (CHP) hot water system is proposed which would meet 60% of the building's annual heating demand. The system would be designed to allow future connection to an expanded Citigen network for import/export of heat
337. The reduction in regulated carbon emissions following the energy demand reduction and with the proposed energy efficient measures in place would be 35.7%, in compliance with London Plan policy.
338. Renewable energy technologies have been assessed. It was concluded that only photo-voltaic (PV) would be feasible; it being complementary to the proposed CHP heating network. An area of the roof has been identified as being suitable to accommodate PV panels.

### BREEAM

339. A preliminary BREEAM pre-assessment has been carried out which indicates that the building would achieve an 'excellent' rating with the potential to achieve additional credits above this. Areas which would be targeted to achieve further credits include water management, waste and site ecology.

### Water Management

340. The site is not in the City flood risk area but a Flood Risk Assessment has been carried out in accordance with Local Plan policy CS18 for major developments.
341. Runoff from the Site would be restricted by appropriate Sustainable Urban Drainage Systems (SuDS) measures such as providing a geocellular (modular/honeycomb) storage system and rainwater harvesting tanks. The peak discharge rate from the Site would be reduced to at least 50% of the existing runoff rate.
342. The Proposed Development would provide a betterment of low magnitude to the existing surface water run-off rates and, therefore, have minor beneficial effect to the Thames Water sewer network and River Thames Water quality and biodiversity by reducing the risk of overflow during extreme rainfall events.
343. A number of matters of detail would be sought by planning condition.

### Air Quality

344. The EIA includes an assessment of the likely changes in air quality as a result of the construction and operational phases of the development and has been considered having regard to Policies 7.14 of the London Plan and CS15 of the Local Plan.
345. During construction dust emissions would increase and would require control through the implementation of good practice mitigation measures in the Construction Method Statements to be approved under conditions attached to the planning permission.
346. The report states that the number of additional vehicles during the construction phase would lead to a small increase in the number of vehicles on the local highway network. The overall impact would not be considered sufficient to cause a significant adverse effect at any of the nearby local air quality receptors.
347. For the completed scheme the assessment predicts that the effect on air quality due to the increase in air pollutants from road traffic and CHP/boiler emissions would be negligible; the air quality neutral assessment concludes that the proposed development would be 'air quality neutral' in terms of transport and building emissions in compliance with Development Plan requirements.

### Noise and Vibration

348. The EIA assesses the impact from noise and vibration on the surrounding area and in particular in relation to noise sensitive receptors around the site such as the Parish Church of St. Helen Bishopsgate, St. Andrew's Undershaft, residential premises in Bishopsgate and the hotel in Great St Helen's. The assessment has been considered having regard to policies 7.15 of the London Plan and DM15.7 of the Local Plan.
349. In most City redevelopment schemes most noise and vibration issues occur during demolition and early construction phases. Noise and vibration mitigation, including control over working hours and types of equipment to be used, would be included in a Construction Management Plan to be approved under condition.
350. The impact on noise levels from traffic during the construction phase would be most noticeable in St. Mary Axe and Undershaft where the impact is predicted to be minor adverse. Similarly during the operational phase of the development increased noise levels from traffic would have a minor adverse impact in St. Mary Axe and Undershaft but a negligible impact on other surrounding streets.
351. Undershaft is primarily used as an access/egress route for service vehicles. The increase in service vehicles as a result of this development (less than 20% of the cumulative total) would have a minor adverse impact on noise levels. The number and timing of service deliveries, including night time servicing, would be controlled through the proposed delivery and servicing arrangements, in order to ensure that the increase in vehicles does not cause unacceptable harm to the surrounding area.

352. The impact of increased noise levels inside the Parish Church of St. Helen Bishopsgate has been raised as an issue during the demolition and construction and operational phases of the development.
353. Noise and vibration during demolition and construction would be controlled through conditions as outlined above. These would require the submission of a Construction Logistics Plan (CLP) to manage all freight vehicle movements to and from the site and, a Construction Management Plan (CMP) that includes a scheme for protecting nearby residents, churches and commercial occupiers from noise, dust and other environmental effects attributable to the development.
354. During the operational phase of the development it is predicted that the increased cumulative traffic flow would result in external noise levels along Undershaft rising to approximately 65dBA. This represents an increase of 4dB over the existing baseline level of 61dBA. It is noted in submissions by the Church's specialist noise consultant that a change of 3dBA is just perceptible.
355. Notwithstanding the limited increase in external noise levels, the applicant has agreed to provide noise mitigation measures within the church to ensure that internal noise levels are no worse than those currently experienced. The obligation to provide these measures, which could include secondary glazing, would form part of the S106 agreement.
356. Noise levels from mechanical plant in the completed development would need to comply with the City of London's standard requirement that there would be no increase in background noise levels and approved under planning conditions to ensure there would not be an adverse effect on the surrounding area.
357. The impacts on noise and vibration would be managed through conditions and provisions in the S106 agreement to control any adverse effects.

#### Television and Radio (Electronic Interference)

358. The Environmental Statement shows that the development would throw a terrestrial television shadow northwards in the area covered by transmissions from Crystal Palace and a satellite shadow to the north west of the site. However the shadows which would be attributable to this development coincide with shadows already cast by existing developments. No domestic terrestrial TV aerial installations or satellite installations were identified in the additional predicted shadow areas that this development would impact on and therefore the development is assessed as having no effect on terrestrial and satellite reception to residential properties.
359. The desktop study outlined in the Environmental Statement concluded that radio reception would not be at risk from the completed development.



## Archaeology

360. The site is in an area where there is potential for important Roman, medieval and post-medieval remains to survive. It is to the north of the Roman Basilica-Forum, to the south of the medieval Benedictine Priory and parish church of St Helen. The southern boundary of the medieval churchyard appears to be within the site, however, its full extent is not known.
361. There is potential for archaeology to survive on the north side of the north side of the site in the area single basement and the vehicle ramp. On the remainder of the site an existing double basement would have removed all archaeological remains.
362. An Historic Environment Assessment and Addendum have been submitted with the application. The proposed scheme would have an impact on potential archaeological remains in one area where a single level basement and new foundations on the north east side of the site are proposed. This may affect surviving Roman features, and any surviving remains of the medieval churchyard, including burials.

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

363. Under Section 106 of the Town & Country Planning Act 1990 an agreement or planning obligation can be made between a person interested in the land, usually the developer, and the local authority, or a unilateral undertaking can be submitted by a person interested in the land:
- restricting the development or use of land in any specified way;
  - requiring specified operations or activities to be carried out in, on or under or over the land;
  - requiring the land to be used in any specified way; or
  - requiring a sum or sums to be paid to the authority on a specified date or dates or periodically.
364. Planning obligation arrangements were modified by the Community Infrastructure Levy Regulations 2010 as amended ('the CIL Regulations'). The Regulations introduce statutory restrictions on the use of planning obligations to clarify their proper purpose, and make provision for planning obligations to work alongside any Community Infrastructure Levy ('CIL') arrangements which local planning authorities may elect to adopt.
365. Regulation 122 states that it is unlawful for a planning obligation to constitute a reason to grant planning permission when determining a planning application if the obligation does not meet all the following tests:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development

366. Regulation 123 states that a planning obligation may not constitute a reason to grant planning permission to the extent that it provides funding for infrastructure included in the regulation "Regulation 123" list as the type of infrastructure on what CIL would be spent on.
367. The National Planning Policy Framework (March 2012) stated that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The policy repeated the CIL Regulation tests set out above and states that where planning obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. (NPPF paragraphs 203-206).

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

368. London Plan Policy 8.3 requires the Mayoral CIL to be paid by developers to help fund strategically important infrastructure, initially focussing on Crossrail until 2019. The Mayor has set a charge of £50 per square metre and this applies to all development over 100sq.m (GIA) except social housing, education related development, health related development and development for charities for charitable purposes.

### **Mayoral Planning Obligations**

369. Since April 2010 the Mayor of London has sought contributions towards the cost of funding Crossrail through the negotiation of planning obligations in accordance with London Plan Policy 6.5. Mayoral planning obligations are payable by developers according to an indicative level of charges for specific uses set out in the Mayoral SPG (April 2013): offices (£140 per sq.m net gain in GIA floorspace), retail (£90) and hotels (£61) provided there is a net gain of 500sq.m.
370. Developments liable for both Mayoral CIL and Mayoral planning obligations payments for Crossrail would not be double charged. The Mayor would treat the CIL liability as a credit towards Mayoral planning obligation contribution. Therefore the Mayoral planning obligation liability can be reduced by the Mayoral CIL.
371. At the time of preparing this report the Mayoral CIL has been calculated to be £5,000,850. The full Mayoral planning obligation has been calculated to be £14,123,930. This would be reduced to £9,123,080 after deduction of the Mayoral CIL. It should be noted that these figures may be subject to change should there be a variation in the CIL liability at the point of payment and application of indexation and should, therefore, only be taken as indicative at this point.
372. Under the CIL regulations the City Corporation is able to retain 4% of the Mayoral CIL income as an administration fee; the remainder would be forwarded to the Mayor of London. The whole of the Mayoral planning obligation received would be forwarded to the Mayor. However, the developer would also be liable to pay an additional £3,500 Mayoral administration and monitoring charge to the City Corporation. The total

contributions due in accordance with the Mayoral CIL and Mayoral planning obligation policies are summarised below:

<b>Liability in accordance with the Mayor of London's policies</b>	<b>Contribution</b>	<b>Forwarded to the Mayor</b>	<b>City's charge for administration and monitoring</b>
Mayoral Community Infrastructure Levy payable	5,000,850	4,800,816	200,034
Mayoral planning obligation net liability*	9,123,080	9,123,080	3,500
<b>Total liability in accordance with the Mayor of London's policies</b>	<b>14,123,930</b>	<b>13,923,896</b>	<b>203,534</b>

\*Net liability is on the basis of the CIL charge remaining as reported and could be subject to variation.

### **City CIL**

373. The City introduced its CIL on 1<sup>st</sup> July 2014 chargeable in addition to the Mayoral CIL and Mayoral planning obligations. CIL is charged at a rate of £75 per sq.m for Offices and £75 for all other uses. At the time of preparing this report the City CIL has been calculated to be £7,501,275. It should be noted that these figures may be subject to change should there be a variation in the CIL liability at the point of payment and application of indexation and should, therefore, only be taken as indicative figures at this point.

374. Under the CIL regulations the City Corporation is able to retain 5% of the CIL income as an administration fee. The contributions collected would be used to fund the infrastructure required to meet the requirements of the City's Development Plan.

### **City S106 Planning Obligations**

375. On 1 July 2014 the City's Supplementary Planning Document on Planning Obligations was adopted. City Planning Obligations would be payable by developers in accordance with the Planning Obligations SPD on new commercial developments where there is a net increase of 500sq.m or more of Gross Internal Area. The policy seeks contributions towards Affordable Housing (£20 per sq.m), Local Training, Skills and Job Brokerage (£3 per sq.m) and Carbon Offsetting (£60 per tonne of carbon offset).

376. The section 106 agreement would normally follow the agreement template available on the City of London website.

377. In this case the proposed net increase in floorspace would be 100,017sq.m. On the basis of the figure indicated in the Supplementary

Planning Document, the planning obligation figure available for allocation would be £2,277,388. It is the City's practice that all financial contributions be index-linked with reference to the appropriate index from the date of adoption of the City's SPD to the date planning permission was granted.

378. The applicant has agreed a breakdown which accords with the Supplementary Planning Document as follows:

<b>Liability in accordance with the City of London's policies</b>	<b>Contribution £</b>	<b>Available for Allocation £</b>	<b>Retained for Administration and Monitoring £</b>
City Community Infrastructure Levy	<b>7,501,275</b>	<b>7,126,211</b>	<b>375,064</b>
City Planning Obligation Affordable Housing	<b>2,000,340</b>	<b>1,980,337</b>	<b>20,003</b>
City Planning Obligation Local, Training, Skills and Job Brokerage	<b>300,051</b>	<b>297,050</b>	<b>3,000</b>
City Planning Obligation Non-Financial Monitoring Charge	<b>6,000</b>	<b>Nil</b>	<b>6,000</b>
<b>Total liability in accordance with the City of London's policies</b>	<b>9,807,666</b>	<b>9,403,598</b>	<b>404,067</b>

379. I have set out below the details that I am recommending concerning the planning obligations. All of the proposals are considered to be necessary to make the application acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development and meet the above tests contained in the CIL Regulations and in government policy. I would also request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations as necessary.

Affordable Housing Contribution

380. The Affordable Housing contribution will be used for the purpose of off-site provision of affordable housing in suitable locations in or near to the City of London in accordance with the London Plan. The applicant will be required to pay this contribution on or before the implementation of the planning permission.

Local Training, Skills and Job Brokerage Contribution

381. The Local Training, Skills and Job Brokerage contribution will be applied to the provision of training and skills initiatives, including job brokerage, in the City or City fringes. The Developer will be required to pay this contribution on or before the implementation of planning permission.

### Highways Reparation and other Highways Obligations

382. The cost of highway reparation works required as a result of the development would be the responsibility of the Developer.
383. It would be necessary for the Developer to enter into a Section 278 agreement prior to implementation of the development to carry out works to the public highway and the Transport for London Road Network. All works would be at the cost of the Developer and would be required to mitigate the impact of the development.
384. The proposed works would include (but not limited to) the changes to public highways including the institution of a loading and unloading prohibition on Undershaft, the capital costs of closed circuit television (CCTV) cameras to allow this prohibition to be efficiently enforced and other works necessary to make the development acceptable in planning terms.

### Counter-Terrorism

385. In line with policy CS3 of the City of London Local Plan 2015, the Developer would be required to pay the costs towards implementing the necessary security measures to enhance the security of the development and the wider area (particularly Undershaft). The City Corporation has requested a security assessment to be carried out by the City of London Police Counter Terrorism Security Advisor (CTSA) to assess the security impacts of the Development and its impacts on the wider area (in particular Undershaft). Should the outcome of the security assessment recommend or require alterations to, and additional infrastructure on the highway for the purposes of counter terrorism and security, the developer would be required to enter into a separate section 278 agreement prior to implementation of the development (unless the City confirms that no Security S278 agreement is required). The S278 agreement would secure details of recommended highway adjustments, new security infrastructure, traffic orders required to authorise installation, maintenance and management by the City and the City of London Police.

### Cycle Hire Contribution

386. As a result of the increased number of people travelling to and from the proposed development, Transport for London seek a contribution of £200,000 to mitigate the impact on existing local cycle hire docking stations in the vicinity of the site. The contribution would provide a dual banked cycle hire station capable of accommodating 30 cycles. The developer would be required to pay this contribution prior to implementation.

### Delivery and Servicing Management Plan

387. The developer would be required to submit for approval a Delivery and Servicing Management Plan prior to occupation, and to adhere to the plan as approved. The plan would be required to include details of the freight consolidation operation and centre and the delivery and servicing booking and management systems that are necessary to achieve

compliance with the maximum vehicle numbers required by the planning obligation. In the event of a breach of the Management Plan, the developer would be required to resubmit a revised document. Should the developer default on this requirement, the City would be given the ability to provide a replacement plan. The operation of the Delivery and Servicing Management Plan would be subject to an annual review.

388. To ensure that the adverse impacts of servicing vehicles are reduced to an acceptable level, and in particular to a level that the five proposed servicing bays (four for 8m vehicles and one for van deliveries) and two vehicle lifts would cope with, the development would require the following to be secured in the S106 agreement.
389. The total number of vehicles (other than motorcycles and cycles) shall not exceed 193 per day at times set out at paragraphs 392 - 394.
390. Deliveries would be managed to ensure all deliveries including any unconsolidated deliveries have pre-booked slots.
391. All occupiers are required not to accept any service vehicles or deliveries to the site except from vehicles parked in the servicing area constructed for this purpose in basement level 3 or from solo motor cycles in the solo motor cycle servicing area provided for this purpose within the curtilage of the site or from pedal cycles or from pedestrians.
392. The developer and any occupiers shall not be permitted to bring into the building or the curtilage of the building, nor permit or allow to be brought into the building or the curtilage of the building on any day, other than a Saturday or a public holiday or a bank holiday, more than 30 motor vehicles in total, other than solo motor cycles between 1000 hours and 1200 hours, nor more than 30 motor vehicles in total other than solo motor cycles between 1400 hours and 1700 hours; nor more than 133 motor vehicles other than solo motor cycles between 1900 hours and 0600 hours (non-peak hours).
393. The developer and any occupier shall not be permitted to bring into the building or the curtilage of the building, nor permit or allow to be brought into the building or the curtilage of the building, on any day other than a Saturday or a public holiday or a bank holiday, any motor vehicle other than solo motor cycles between 0600 hours and 1000 hours and between 1200 hours and 1400 hours and between 1700 hours and 1900 hours (peak hours).
394. The Church requests more onerous restrictions than those outlined above are imposed on vehicular servicing on weekends particularly on Sundays to take account of the busiest period for church services. The developer has agreed that occupiers shall not be permitted to bring into the building or the curtilage of the building, nor permit or allow to be brought into the building or the curtilage of the building, on a Sunday, any service or deliveries motor vehicles other than solo motor cycles between 1030 hours and 1200 hours and between 1600 hours and 1930 hours.

395. TfL would encourage the applicant to commit to all vehicles travelling between the consolidation centre and the site to be FORS Silver accredited.

#### Travel Plan

396. The developer would be required to submit both interim and full Travel Plans prior to occupation and six months after occupation respectively. A review of the Travel Plan would be undertaken annually for the first five years following completion of the development. The obligations in relation to this shall apply for the life of the building.

#### Local Training, Skills and Job Brokerage Strategy

397. The applicant would be required to submit for approval details of the Local Training, Skills and Job Brokerage Strategy in line with the aims of the City Corporation's Employment Charter for Construction. This Charter aims to maximise job opportunities in the City for residents of the City fringes and offer employment and training opportunities to local people wishing to begin a career in construction. The Strategy would need to be submitted prior to Implementation of the development.

#### Local Procurement

398. The applicant would be required to submit for approval a Local Procurement Strategy prior to implementation. The Local Procurement Strategy shall include details of: initiatives to identify local procurement opportunities relating to the construction of the development; initiatives to achieve a 10% target for local procurement, from small to medium sized enterprises in the City and City fringes; the timings and arrangements for the implementation of such initiatives; and suitable mechanisms for the monitoring of the effectiveness of such initiatives e.g. a local procurement tracker can be used to capture this information.

399. The developer would be required at the 6 month stage, or half way through the project (whichever is earliest), to report to the City of London Corporation's Economic Development Office on their performance against the 10% local procurement target.

400. The Economic Development Officer is able to provide information and guidance to the Developer its Contractor and Sub-Contractors. The Developer is encouraged to liaise with the Economic Development Officer at the earliest stage in the development process in order that the strategy can be submitted prior to implementation

#### Viewing Gallery

401. A public viewing gallery would be located on level 71-72. The developer is proposing to provide educational facilities at level 71 and the main public viewing gallery space at level 72. The Viewing Gallery would be accessible by the public free of charge, during opening hours and would accommodate no less than 400 people (including staff) at any one time during public opening hours. The Viewing Gallery would be served by its own entrance and lobby from the lower croft, basement 1 level. The reception would comprise necessary security and two dedicated lifts to

take visitors to Level 71. The education floorspace would be reserved for education use between the hours of 1000 – 1500 Monday to Friday.

402. The developer's aspiration is to lease the viewing gallery and the associated areas in its entirety to a cultural/educational organisation to use the wider gallery space outside of public hours for the purposes such as fundraising, private events and charitable activities.
403. No part of the development shall be occupied until the viewing gallery has been completed to shell and core and including fully operational lifts; (ii) the restaurant shall not be occupied until the viewing gallery is made available for public access; (iii) no more than 35% of the office space shall be occupied until the viewing gallery has been made available for public access. These provisions are still being discussed with the applicants and would be secured in the S106 agreement.
404. Access to the Viewing Gallery would be via a booking system on a dedicated website and visitors would be able to book to access the Viewing Gallery prior to arrival. The education facility would be available free of charge and accessed via a separate booking system for registered education providers.
405. The Viewing Gallery would be open to the public between the hours of 1000-1800 Monday - Wednesday, 1000-2000 on Thursday and Friday, 1000-1700 on Saturdays and 1000-1600 on Sundays, Public Holidays and Bank Holidays [excluding Christmas Day] except in the circumstances of Force Majeure and to accommodate maintenance (which shall not be for more than 48 hours in any 8 week period).

#### Viewing Gallery Management Plan

406. A viewing gallery management plan would be secured as part of the S106 agreement with the City Corporation. The plan would make provision for, but is not limited to, such matters as booking procedure, safety and security, management, staffing and access.

#### Solar Glare

407. In order to verify the assessment of the potential road safety impact and to inform the type and extent of measures necessary to mitigate this impact, an independent solar glare assessment is required to be carried out prior to any works above ground being carried out. The developer would be required to pay any costs incurred for an independent audit of the solar glare assessment. In the event that the solar glare assessment reveals that the development has material adverse impacts, the developer shall undertake to implement any mitigation measures. The developer shall secure any necessary consents and permission prior to carrying out the mitigation measures.

#### Carbon Offsetting

408. The London Plan sets a target for major developments to achieve an overall carbon dioxide emission reduction of 40% (over the 2010 Building Regulations) or 35% reduction (over the 2013 Building Regulations) from 2013-2016. The submitted energy statement



demonstrates that the development is designed to achieve a 35.7% reduction in carbon emissions.

409. A detailed post construction assessment would be required. If the assessment demonstrates that the target is not met on site the applicant would be required to meet the shortfall through cash in lieu contribution. The contribution would be secured through the section 106 agreement at an initial cost of £60 per tonne of carbon to be offset, calculated over a 30 year period. The financial contribution for carbon off-setting would be required on Completion prior to occupation of the development.

#### Utility Connections

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

#### TV Reception Survey

411. The Developer has provided the First Interference Survey for the City Corporation. As soon as reasonably practicable following completion the developer would be required to undertake the Second Interference Survey and shall submit the results to the City for information. If there is a significant deterioration in TV and radio reception, then the Developers would undertake appropriate mitigation measures.

#### Wind Mitigation

412. If requested by the City within 5 years of completion of the development (and/or in the event that the Wind Assessment is required to be updated in respect of 22 Bishopsgate), the Developer shall carry out a Wind Audit and submit the results to the City. If required by the City, the developer would pay the City Corporation's costs for the Audit to be externally verified. In the event that the Wind Audit reveals that the Development has material adverse wind effects and the City considers that such adverse wind effects are attributable to the Development, the Developers shall undertake wind mitigation measures. Any measures deemed necessary would be accommodated within the site boundary where possible. As discussed at paragraph 262 above, a revised wind mitigation strategy would have to be implemented in the event of 22 Bishopsgate not proceeding.

### Monitoring and Administrative Costs

413. A 10 year repayment period would be required whereby any unallocated sums would be returned to the developer 10 years after practical completion of the development. Some funds may be set aside for future maintenance purposes.
414. The applicant will pay the City of London's legal costs and the City Planning Officer's administration costs incurred in the negotiation, execution and monitoring of the legal agreement and strategies.

### Site Specific Mitigation

415. The City will use CIL to mitigate the impact of development and provide necessary infrastructure but in some circumstances it may be necessary additionally to seek site specific mitigation to ensure that a development is acceptable in planning terms. Other matters requiring mitigation are still yet to be fully scoped.

### Conclusions

416. The proposal accords with the strategic objective to ensure that the City maintains its position as the world's leading international financial and business centre and with the strategic objective to focus and promote a significant increase in office floorspace in the Eastern Cluster. The building would be the tallest in the City and would deliver approximately 7% of the additional office floorspace sought in Policy CS1 to meet the needs of projected long term economic and employment growth.
417. The scheme would provide 3,365sq.m (GEA) of new retail floorspace.
418. The development has been designed with flexible lifting arrangements and large, regular, floorplates that could be subdivided to accommodate future work styles and provide high quality flexible spaces. The development would offer of a range of complementary facilities for tenants, such as, Wellness centres, dining spaces, winter gardens or lounges. The building would be designed to high sustainability standards.
419. To attract and encourage small, start-up businesses the developers have committed to providing 25 workspaces at 50% of the market rent for their first five years in the building.
420. The design approach is calm and restrained which is appropriate to a building of this scale. The proposal's design would complement other tall buildings in the cluster. The scale and height of the proposal is appropriate as it would introduce a vertical emphasis to the centre of the cluster of towers in key views and would assist in consolidating the cluster enhancing its profile on the skyline.
421. With the development of a cluster of high buildings it is inevitable that some distant and local views would change and that the setting of heritage assets would be altered. The proposal, due to its scale and height, would be visible in a large number of views but, as outlined in the report, would not cause harm to these views.

422. The proposal would not cause harm to views, the setting or the significance of the Tower of London World Heritage Site or of St Paul's Cathedral
423. The development would impact on the setting of a number of designated and non- designated heritage assets but would not cause harm to their significance or settings and as a result their settings would be preserved. The site lies within the St. Helen's Place Conservation Area. The character and appearance of that conservation area would be preserved. The existing towers in the cluster provide a striking contrast in scale when seen in relation to the historic buildings and areas around them and, are a defining characteristic of this part of the City.
424. The scheme would deliver London's highest public viewing gallery which would be free of charge and an important contribution to the public benefit of the scheme. There is an aspiration for the viewing gallery to have an educational focus and the approved plans include two classrooms at level 71. The applicants are currently in negotiations with the Museum of London and, subject to the outcome of those negotiations, there is the potential that the Museum would curate the viewing gallery and educational spaces.
425. The scheme would make optimal use of the capacity of a site with high levels of public transport accessibility and, other than six spaces for disabled car parking, would be car free. 1,664 long stay (commuter) and 161 short stay (visitor) bicycle parking spaces and associated facilities would be provided in accordance with latest Development Plan standards. The servicing logistics strategy which would be incorporated in the Delivery and Servicing Management Plan would half the number of service deliveries normally expected for a development of this size and would establish a welcome approach to servicing for other developments in the City.
426. The scheme would result in additional pedestrian trips to and from the site. However, the new, step free, public realm would create and cater for important pedestrian desire lines that are currently unavailable or indirect thus enabling easier pedestrian movement around and through the site. As a result, it is envisaged that the pedestrian trips generated by the development and the nearby committed developments, would not have a significant impact on the pedestrian network surrounding the proposal site.
427. The scheme would result in some adverse environmental impacts for example on daylight and sunlight and on overshadowing to surrounding areas which is a consequence of large scale development. It is not considered that the impacts would cause unacceptable harm such as to warrant a refusal of planning permission.
428. The scheme would provide significant benefits through the CIL and S106 where relevant for improvements to the public realm, housing and other local facilities and measures. That payment of CIL is a local finance consideration which weighs in favour of the scheme. In addition to the general there would be site specific measures sought in the S106

Agreement. Together these would go some way to mitigate the impact of the proposal.

429. Virtually no major development proposal is in complete compliance with all policies and in arriving at a decision it is necessary to assess all the policies and proposals in the plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.
430. In this case I am of the view that the proposal accords with the Development Plan as a whole and that having taken other material considerations and local finance considerations into account, planning permission should be granted as set out in the recommendation and the schedules attached.

## **Background Papers**

### Internal

Email 22.02.2016 City of London Police

Memorandum 10.03.2016 City of London Markets and Consumer Protection, Pollution Team

### External

Email 09.02.2016 Crossrail

Letter 10.02.2016 Natural England

Email 10.02.2016 P Kelly

Email 14.02.2016 Y Ronish

Letter 16.02.2016 City Heritage Society

Email 17.02.2016 Thames Water

Letter 17.02.2016 Historic England

Letter 19.02.2016 Heathrow Airport Limited

Email 22.02.2016 Network Rail

Letter 24.02.2016 Eversheds LLP (Leatherseller's)

Email 25.02.2016 DP9

Email 25.02.2016 DP9

Letter 26.02.2016 St. Helen Bishopsgate

Letter 29.02.2016 LB Hackney

Letter 29.02.2016 Transport for London

Email 01.03.2016 London City Airport Limited

Email 07.03.2016 C Hillier

Letter 09.03.2016 Indigo Planning Limited (1 Great St. Helen's)

Letter 14.03.2016 LB Tower Hamlets

Letter 15.03.2016 WSP Parsons Brinckerhoff

Email 25.02.2016 DP9

Letter 23.03.2016 Greater London Authority

Letter 24.03.2016 Historic Royal Palaces

Letter 24.03.2016 Hiscox

Letter 31.03.2016 Transport for London

Letter 01.04.2016 St. Helen Bishopsgate

Letter 07.04.2016 DP9

Letter 20.04.2016 City of Westminster

Letter 20.04.2016 RPC LLP (Parochial Church Council)  
Email 25.04.2016 Greater London Authority  
Letter 26.04.2016 DP9  
Letter 27.04.2016 DP9  
Letter and supporting Information 28.04.2016 RPC LLP (Parochial Church Council)  
Email 29.04.2016 National Air Traffic Services (NATS)  
Letter 04.05.2016 Lord Farmer  
Letter 05.05.2016 Capsicum Reinsurance Brokers Holdings LLP  
Letter 09.05.2016 Eversheds LLP (Leatherseller's)  
Email 16.05.2016 DP9  
Letter 03.06.2016 DP9  
Email 08.06.2016 C Hillier  
Email 15.06.2016 National Air Traffic Services (NATS)  
Letter 05.07.2016 St. Helen Bishopsgate  
Letter 05.07.2016 RPC LLP (Parochial Church Council)  
Email 30.09.2016 Crossrail  
Letter 04.10.2016 Historic England  
Letter 05.10.2016 LB Camden  
Letter 10.10.2016 City of Westminster  
Email 12.10.2016 National Air Traffic Services (NATS)  
Email 19.10.2016 London City Airport Limited  
Letter 20.10.2016 LB Hackney  
Letter 25.10.2016 Environment Agency  
Letter 27.10.2016 LB Lambeth  
Email 12.10.2016 National Air Traffic Services (NATS)  
Email 20.10.2016 St. Helen Bishopsgate  
Email 04.11.2016 St. Helen Bishopsgate  
Email 09.11.2016 DP9

#### Application Documents

Draft Heads of Terms by DP9 rec'd 29.01.2016

ES Volume I: Main Assessment by AECOM rec'd 29.01.2016

ES Volume II: Townscape, Heritage and Visual Assessment Amendment 1B  
by Tavernor Consultancy rec'd 06.10.2016

ES Volume II Part B: Townscape, Heritage and Visual Assessment  
Amendment 1B by Tavernor Consultancy rec'd 29.01.2016

ES Volume III: Technical Appendices by AECOM rec'd 29.01.2016

Non-Technical Summary by AECOM rec'd 29.01.2016

Planning Statement by DP9 rec'd 29.01.2016

Statement of Community Involvement by Field Consulting rec'd 29.01.2016

Sustainability Statement by WSP Parsons Brinckerhoff rec'd 29.01.2016

Aviation Report by WSP Parsons Brinckerhoff rec'd 29.01.2016

Energy Statement by WSP Parsons Brinckerhoff rec'd 29.01.2016

Design And Access Statement by Eric Parry Architects rec'd 29.01.2016

Design And Access Statement Addendum by Eric Parry Architects rec'd  
27.09.2016

Historic Environment Assessment Addendum by MOLA rec'd 14.04.2016

Historic Environment Assessment Addendum by MOLA rec'd 03.05.2016

Wind Microclimate - Microclimate Mitigation Workshop 4 (MW4) RWDI #  
1501015 - PLW – MW4 Pedestrian Assessment Final B April 22, 2016 by  
RWDI rec'd 22.04.2016

Wind Engineering CFD Assessment by Buro Happold Engineering Rec'd  
18.05.2016

Daylight and Sunlight Future Baseline Conditions Study by Gordon Ingram  
Associates rec'd 01.07.2016

Environmental Impact Assessment Addendum by AECOM rec'd 27.09.2016

Transient Overshadowing Assessment Extended Site - 1km by Gordon  
Ingram Associates rec'd 28.09.2016

Light Pollution and Solar Glare by Gordon Ingram Associates rec'd  
20.10.2016

EIA Erratum by AECOM rec'd 14.11.2016

Technical Note: Updated Baseline Sound Monitoring by AECOM rec'd  
15.11.2016

Drawings:

EPA 1US 05 PLN 001 Rev. P00, EPA 1US 05 PLN 002 Rev. P00, EPA 1US 05 PLN 014 Rev. P00, EPA 1US 05 PLN 015 Rev. P00, EPA 1US 05 PLN 016 Rev. P00, EPA 1US 05 PLN 017 Rev. P00, EPA 1US 05 PLN 018 Rev. P00, EPA 1US 05 PLN 019 Rev. P00, EPA 1US 05 PLN 020 Rev. P00, EPA 1US 05 PLN 021 Rev. P00.

EPA 1US 05 ELE 030 Rev. P00, EPA 1US 05 ELE 031 Rev. P00.

EPA 1US 05 SK 408, EPA 1US 05 SK 409.

3182 IN 101 (Boundary Plot).



## **Appendix A**

### **London Plan Policies**

The London Plan policies which are most relevant to this application are set out below:

Policy 2.10 Enhance and promote the unique international, national and London wide roles of the Central Activities Zone (CAZ) and as a strategically important, globally-oriented financial and business services centre.

Policy 2.11 Ensure that developments proposals to increase office floorspace within CAZ include a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in the plan.

Policy 2.18 Protect, promote, expand and manage the extent and quality of and access to London's network of green infrastructure.

Policy 3.1 Protect and enhance facilities and services that meet the needs of particular groups and communities.

Policy 3.2 New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help to reduce health inequalities.

Policy 3.3 Ensure the housing need identified in the London Plan is met, particularly through provision consistent with at least an annual average of 32,210 net additional homes across London which would enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners.

Policy 3.11 Maximise affordable housing provision and seek an average of at least 13,200 more affordable homes per year in London over the term of the London Plan.

Policy 3.16 Protection and enhancement of social infrastructure - additional and enhanced social infrastructure provision to meet the needs of a growing and diverse population.

Policy 4.1 Promote and enable the continued development of a strong, sustainable and increasingly diverse economy;

Support the distinctive and crucial contribution to London's economic success made by central London and its specialist clusters of economic activity;

Promote London as a suitable location for European and other international agencies and businesses.

Policy 4.2 Support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes.

Policy 4.3 Within the Central Activities Zone increases in office floorspace should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan.

Policy 4.5 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 4.6 Support the continued success of London's diverse range of arts, cultural, professional sporting and entertainment enterprises and the cultural, social and economic benefits that they offer to its residents, workers and visitors.

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

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

Policy 5.3 Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. Major development proposals should meet the minimum standards outlined in supplementary planning guidance.

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

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

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

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

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

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

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

Policy 5.18 Encourage development waste management facilities and removal by water or rail transport.

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

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

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

Policy 6.9 Developments should provide secure, integrated and accessible cycle parking facilities and provide on-site changing facilities and showers for cyclists, facilitate the Cycle Super Highways and facilitate the central London cycle hire scheme.

Policy 6.13 The maximum standards set out in Table 6.2 should be applied to planning applications. Developments must:

ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles

provide parking for disabled people in line with Table 6.2

meet the minimum cycle parking standards set out in Table 6.3

provide for the needs of businesses for delivery and servicing.

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

Policy 7.3 Creation of safe, secure and appropriately accessible environments.

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

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

Policy 7.6 Buildings and structures should:

a be of the highest architectural quality

b be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm

c comprise details and materials that complement, not necessarily replicate, the local architectural character

d not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings

- e incorporate best practice in resource management and climate change mitigation and adaptation
- f provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g be adaptable to different activities and land uses, particularly at ground level
- h meet the principles of inclusive design
- i optimise the potential of sites.

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

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

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

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

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

Policy 7.14 Implement Air Quality and Transport strategies to achieve reductions in pollutant emissions and minimise public exposure to pollution.

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

Policy 7.18 Resist the loss of local protected open spaces unless equivalent or better quality provision is made within the local catchment area.

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

Policy 7.21 Trees should be protected, maintained, and enhanced. Existing trees of value should be retained and any loss as the result of development should be replaced.

## Relevant Local Plan Policies

### ***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.

### ***DM1.3 Small and medium business units***

To promote small and medium sized businesses in the City by encouraging:

- a) new accommodation suitable for small and medium sized businesses or occupiers;
- b) office designs which are flexible and adaptable to allow for sub-division to create small and medium sized business units;
- c) continued use of existing small and medium sized units which meet occupier needs.

### ***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.

### ***DM2.1 Infrastructure provision***

- 1) Developers will be required to demonstrate, in conjunction with utility providers, that there will be adequate utility infrastructure capacity, both on and off the site, to serve the development during construction and operation. Development should not lead to capacity or reliability problems in the surrounding area. Capacity projections must take account of climate change impacts which may influence future infrastructure demand.
- 2) Utility infrastructure and connections must be designed into and integrated with the development wherever possible. As a minimum, developers should identify and plan for:

- a) electricity supply to serve the construction phase and the intended use for the site, and identify, in conjunction with electricity providers, Temporary Building Supply(TBS) for the construction phase and the estimated load capacity of the building and the substations and routes for supply;
  - b) reasonable gas and water supply considering the need to conserve natural resources;
  - c) heating and cooling demand and the viability of its provision via decentralised energy (DE) networks. Designs must incorporate access to existing DE networks where feasible and viable;
  - d) telecommunications network demand, including wired and wireless infrastructure, planning for dual entry provision, where possible, through communal entry chambers and flexibility to address future technological improvements;
  - e) separate surface water and foul drainage requirements within the proposed building or site, including provision of Sustainable Drainage Systems (SuDS), rainwater harvesting and grey-water recycling, minimising discharge to the combined sewer network.
- 3) In planning for utility infrastructure developers and utility providers must provide entry and connection points within the development which relate to the City's established utility infrastructure networks, utilising pipe subway routes wherever feasible. Sharing of routes with other nearby developments and the provision of new pipe subway facilities adjacent to buildings will be encouraged.
- 4) Infrastructure provision must be completed prior to occupation of the development. Where potential capacity problems are identified and no improvements are programmed by the utility company, the City Corporation will require the developer to facilitate appropriate improvements, which may require the provision of space within new developments for on-site infrastructure or off-site infrastructure upgrades.

### ***DM3.1 Self-containment in mixed uses***

Where feasible, proposals for mixed use developments must provide independent primary and secondary access points, ensuring that the proposed uses are separate and self-contained.

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

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

- a) building-related security measures, including those related to the servicing of the building, to be located within the development's boundaries;
- b) measures to be integrated with those of adjacent buildings and the public realm;

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

### ***DM3.3 Crowded places***

On all major developments, applicants will be required to satisfy principles and standards that address the issues of crowded places and counter-terrorism, by:

- a) conducting a full risk assessment;
- b) keeping access points to the development to a minimum;
- c) ensuring that public realm and pedestrian permeability associated with a building or site is not adversely impacted, and that design considers the application of Hostile Vehicle Mitigation measures at an early stage;
- d) ensuring early consultation with the City of London Police on risk mitigation measures;
- e) providing necessary measures that relate to the appropriate level of crowding in a site, place or wider area.

### ***DM3.4 Traffic management***

To require developers to reach agreement with the City Corporation and TfL on the design and implementation of traffic management and highways security measures, including addressing the management of service vehicles, by:

- a) consulting the City Corporation on all matters relating to servicing;
- b) restricting motor vehicle access, where required;
- c) implementing public realm enhancement and pedestrianisation schemes, where appropriate;
- d) using traffic calming, where feasible, to limit the opportunity for hostile vehicle approach.

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

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

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building



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

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

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

### ***DM10.3 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.

#### ***DM10.4 Environmental enhancement***

The City Corporation will work in partnership with developers, Transport for London and other organisations to design and implement schemes for the enhancement of highways, the public realm and other spaces. Enhancement schemes should be of a high standard of design, sustainability, surface treatment and landscaping, having regard to:

- a) the predominant use of the space, surrounding buildings and adjacent spaces;
- b) connections between spaces and the provision of pleasant walking routes;
- c) the use of natural materials, avoiding an excessive range and harmonising with the surroundings of the scheme and materials used throughout the City;
- d) the inclusion of trees and soft landscaping and the promotion of biodiversity, where feasible linking up existing green spaces and routes to provide green corridors;
- e) the City's heritage, retaining and identifying features that contribute positively to the character and appearance of the City;
- f) sustainable drainage, where feasible, co-ordinating the design with adjacent buildings in order to implement rainwater recycling;
- g) the need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
- h) the need for pedestrian priority and enhanced permeability, minimising the conflict between pedestrians and cyclists;
- i) the need to resist the loss of routes and spaces that enhance the City's function, character and historic interest;
- j) the use of high quality street furniture to enhance and delineate the public realm;
- k) lighting which should be sensitively co-ordinated with the design of the scheme.

#### ***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.

### ***DM11.2 Public Art***

To enhance the City's public realm and distinctive identity by:

- a) protecting existing works of art and other objects of cultural significance and encouraging the provision of additional works in appropriate locations;
- b) ensuring that financial provision is made for the future maintenance of new public art;
- c) requiring the appropriate reinstatement or re-siting of art works and other objects of cultural significance when buildings are redeveloped.

### ***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.

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

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

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

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

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

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

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

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

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

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

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

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

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

1. Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.
2. Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.
3. Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for Sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NO<sub>x</sub>).
4. Developers will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.
5. Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.
6. Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest building in the development in order to ensure maximum dispersion of pollutants.

### ***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.

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

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

#### ***DM16.2 Pedestrian movement***

1. Pedestrian movement must be facilitated by provision of suitable pedestrian routes through and around new developments, by maintaining pedestrian routes at ground level, and the upper level walkway network around the Barbican and London Wall.
2. The loss of a pedestrian route will normally only be permitted where an alternative public pedestrian route of at least an equivalent standard is provided having regard to:
  - a) the extent to which the route provides for current and all reasonably foreseeable future demands placed upon it, including at peak periods;
  - b) the shortest practicable routes between relevant points.
3. Routes of historic importance should be safeguarded as part of the City's characteristic pattern of lanes, alleys and courts, including the route's historic alignment and width.
4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.

5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.
6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

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

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

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

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

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

1. Developments in the City should be car-free except for designated Blue Badge spaces. Where other car parking is exceptionally provided it must not exceed London Plan's standards.
2. Designated parking must be provided for Blue Badge holders within developments in conformity with London Plan requirements and must be marked out and reserved at all times for their use. Disabled parking spaces must be at least 2.4m wide and at least 4.8m long and with reserved areas at least 1.2m wide, marked out between the parking spaces and at the rear of the parking spaces.
3. Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide



and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.

4. On site servicing areas should be provided to allow all goods and refuse collection vehicles likely to service the development at the same time to be conveniently loaded and unloaded. Such servicing areas should provide sufficient space or facilities for all vehicles to enter and exit the site in a forward gear. Headroom of at least 5m where skips are to be lifted and 4.75m for all other vehicle circulation areas should be provided.
5. Coach parking facilities for hotels (use class C1) will not be permitted.
6. All off-street car parking spaces and servicing areas must be equipped with the facility to conveniently recharge electric vehicles.
7. Taxi ranks are encouraged at key locations, such as stations, hotels and shopping centres. The provision of taxi ranks should be designed to occupy the minimum practicable space, using a combined entry and exit point to avoid obstruction to other transport modes.

#### ***DM17.1 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.

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

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

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

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

1. The design of the surface water drainage system should be integrated into the design of proposed buildings or landscaping,

where feasible and practical, and should follow the SuDS management train (Fig T) and London Plan drainage hierarchy.

2. SuDS designs must take account of the City's archaeological heritage, complex underground utilities, transport infrastructure and other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.
3. SuDS should be designed, where possible, to maximise contributions to water resource efficiency, biodiversity enhancement and the provision of multifunctional open spaces.

#### ***DM19.1 Additional open space***

1. Major commercial and residential developments should provide new and enhanced open space where possible. Where on-site provision is not feasible, new or enhanced open space should be provided near the site, or elsewhere in the City.
2. New open space should:
  - a) be publicly accessible where feasible; this may be achieved through a legal agreement;
  - b) provide a high quality environment;
  - c) incorporate soft landscaping and Sustainable Drainage Systems, where practicable;
  - d) have regard to biodiversity and the creation of green corridors;
  - e) have regard to acoustic design to minimise noise and create tranquil spaces.
3. The use of vacant development sites to provide open space for a temporary period will be encouraged where feasible and appropriate.

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

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

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

#### ***DM20.4 Retail unit sizes***

1. Proposals for new retail uses should provide a variety of unit sizes compatible with the character of the area in which they are situated.

2. Major retail units (over 1,000sq.m) will be encouraged in PSCs and, where appropriate, in the Retail Links in accordance with the sequential test.

### ***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.

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

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

### ***CS2 Facilitate utilities infrastructure***

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

### ***CS3 Ensure security from crime/terrorism***

To ensure that the City is secure from crime, disorder and terrorism, has safety systems of transport and is designed and managed to satisfactorily accommodate large numbers of people, thereby increasing public and corporate confidence in the City's role as the world's leading international financial and business centre.

### ***CS4 Seek planning contributions***

To manage the impact of development, seeking appropriate developer contributions.

### ***CS7 Meet challenges of Eastern Cluster***

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

### ***CS10 Promote high quality environment***

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

### ***CS11 Encourage art, heritage and culture***

To maintain and enhance the City's contribution to London's world-class cultural status and to enable the City's communities to access a range of arts, heritage and cultural experiences, in accordance with the City Corporation's Destination Strategy.

### ***CS12 Conserve or enhance heritage assets***

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

### ***CS13 Protect/enhance significant views***

To protect and enhance significant City and London views of important buildings, townscape and skylines, making a substantial contribution to protecting the overall heritage of the City's landmarks.

### ***CS14 Tall buildings in suitable places***

To allow tall buildings of world class architecture and sustainable design in suitable locations and to ensure that they take full account of the

character of their surroundings, enhance the skyline and provide a high quality public realm at ground level.

***CS15 Creation of sustainable development***

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

***CS16 Improving transport and travel***

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

***CS17 Minimising and managing waste***

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

***CS18 Minimise flood risk***

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

***CS19 Improve open space and biodiversity***

To encourage healthy lifestyles for all the City's communities through improved access to open space and facilities, increasing the amount and quality of open spaces and green infrastructure, while enhancing biodiversity.

***CS20 Improve retail facilities***

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

***CS21 Protect and provide housing***

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

## SCHEDULE

APPLICATION: 16/00075/FULEIA

### 1 Undershaft London EC3P 3DQ

**Demolition of the existing buildings and construction of a ground plus 72 storey building (304.94m AOD) for office use (Class B1) [131,937sq.m GEA], retail (Class A1-A3) [2,178sq.m GEA] at ground and lower ground floor, a publicly accessible viewing gallery (Sui Generis) [2,930sq.m GEA] at level 71-72 and a restaurant (Class A3) [1,220sq.m] at level 70. Public Realm improvement works, ancillary basement cycle parking, servicing and plant. [Total 154,100sq.m GEA]**

## CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
  
- 2 No work except demolition to basement slab level shall take place until an investigation and risk assessment has been undertaken to establish if the site is contaminated and to determine the potential for pollution in accordance with the requirements of DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.  
Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and to the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the remediation scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.  
Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing of the Local Planning Authority.  
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the Local Plan DM15.8. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 3 Before any development hereby permitted is begun an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To improve or maintain local air quality, particularly nitrogen dioxide and particulates PM10 in accordance with the City of London Air Quality Strategy 2011 in accordance with the following policies of the Local Plan: DM15.1, DM15.6. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 4 A scheme for protecting nearby residents, churches and commercial occupiers from noise, dust and other environmental effects during demolition shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition taking place on the site. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the demolition process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The demolition shall not be carried out other than in accordance with the approved scheme.

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3. These details are required prior to demolition in order that the impact on amenities is minimised from the time that development starts.
- 5 A scheme for protecting nearby residents, churches and commercial occupiers from noise, dust and other environmental effects during construction shall be submitted to and approved in writing by the Local Planning Authority prior to any construction work taking place on the site. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the construction process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme.

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

construction in order that the impact on amenities is minimised from the time that the construction starts.

- 6 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site construction of the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority (in consultation with Transport for London).  
REASON: To ensure that construction works do not have an adverse impact on the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to construction work commencing in order that the impact on the transport network is minimised from the time that construction starts.
- 7 Before any works are begun a survey of the highways and other land at the perimeter of the site shall be carried out and submitted to the Local Planning Authority showing the existing Ordnance Datum levels of the adjoining streets and open spaces.  
REASON: To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.8, DM16.2. These details are required prior to commencement in order to create a record of the conditions prior to changes caused by the development.
- 8 Before any works thereby affected are begun details must be submitted to and approved in writing by the local planning authority indicating the proposed finished floor levels at basement and ground floor levels in relation to the existing Ordnance Datum levels of the adjoining streets and open spaces (as approved in accordance with details submitted pursuant to Condition 4) and all development pursuant to this permission shall be carried out in accordance with the approved details.  
REASON: To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.8, DM16.2.
- 9 Before any piling or construction of basements is commenced a scheme for the provision of sewer vents within the building shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the local planning authority the agreed scheme for the provision of sewer vents shall be implemented and brought into operation before the development is occupied and shall be so maintained for the life of the building.



REASON: To vent sewerage odour from (or substantially from) the development hereby permitted and mitigate any adverse air pollution or environmental conditions in order to protect the amenity of the area in accordance with the following policy of the Local Plan: DM10.1. These details are required prior to piling or construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 10 Before any construction works hereby permitted are begun the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
- (a) Fully detailed design and layout drawings for the proposed SuDS components ( as described by the Drainage Strategy 001 November 2015 ) including but not limited to: attenuation systems, flow control including the hydraulic brakes and pumps, rainwater harvesting system, design for system exceedance, water quality, integration with the public realm, construction plan, cost etc. The surface water discharge rates for each storm event should be no greater than agreed and the actual attenuation volume provided within each of the catchments should be no smaller than agreed; changes will need to be justified and agreed by the Lead Local Flood Authority;
  - (b) Full details of measures to be taken to prevent flooding (of the site or by the site) during the course of the construction works.
- REASON: To improve sustainability, reduce flood risk and reduce water run off rates in accordance with the following policies of the Local Plan: DM15.5 and DM18.1
- 11 Before the shell and core is complete the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
- (a) A Lifetime Maintenance Plan for the SuDS system to include: - A full description of how the system would work, it's aims and objectives and the flow control arrangements;
  - A Maintenance Inspection Checklist/Log;
  - A Maintenance Schedule of Work itemising the tasks to be undertaken, such as the frequency required and the costs incurred to maintain the system.
- REASON: To improve sustainability, reduce flood risk and reduce water run off rates in accordance with the following policies of the Local Plan: DM15.5 and DM18.1
- 12 No construction of basements shall take place until it has been demonstrated that there would be no unacceptable risk to below ground utilities infrastructure, details of which shall be approved in writing by the Local Planning Authority in liaison with Thames Water

before such works commence and the development shall be carried out in accordance with the approved details.

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

- 13 Prior to any works commencing on site the developer shall consult with National Air Traffic Services (NATS) En Route PLC and the relevant airport authorities on the following:

(a) The date construction is due to start and end; and

(b) The maximum height and location of all construction equipment rising above 150m Above Ground Level (AGL).

REASON: In the interests of the safe operation of Heathrow Airport, London City Airport and of NATS En-route PLC.

- 14 No construction work involving the erection of permanent structure above a datum height of 126 metres above ground level shall commence on site until a Radar Mitigation Scheme (RMS), including a timetable for its implementation during construction, has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Air Traffic Operator (National Air Traffic Services). The Radar Mitigation Scheme (RMS) shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of the safe operation of Heathrow Airport, London City Airport and of NATS En-route PLC.

- 15 No construction work involving the erection of any permanent or temporary structures or cranes that would breach a datum height of 126 metres above ground level (AGL) shall commence on site until the Developer has agreed a "Crane Operation Plan" which has been submitted to and approved in writing by the Local Planning Authority in consultation with the Air Traffic Operator (National Air Traffic Services). Construction at the site shall thereafter be operated strictly in accordance with the approved "Crane Operation Plan".

REASON: In the interests of the safe operation of Heathrow Airport, London City Airport and of NATS En-route PLC.

- 16 Unless otherwise approved in writing and in accordance with details approved under Condition 19, no part of the building shall be occupied until the approved wind mitigation measures have been implemented. The said wind mitigation measures shall be retained in place for the life of the building unless otherwise agreed by the Local Planning Authority.

REASON: In order to ensure that the proposed development does not have a detrimental impact on the amenities of the area in accordance with the following policies of the Local Plan: DM10.1, DM16.1, DM16.2.

- 17 The development shall incorporate such measures as are necessary within the site to resist structural damage arising from an attack with a road vehicle or road vehicle borne explosive device, details of which

must be submitted to and approved in writing by the Local Planning Authority before any construction works thereby affected are begun. The said measures shall be retained in place for the life of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the premises are protected from road vehicle borne damage within the site in accordance with the following policy of the Local Plan: DM3.2.

- 18 Unless otherwise approved in writing by the Local Planning Authority, before any works thereby affected are begun, details of the provision to be made in the building's design to enable the discreet installation of street lighting on the development, including details of the location of light fittings, cable runs and other necessary apparatus, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

REASON: To ensure provision for street lighting is discreetly integrated into the design of the building in accordance with the following policy of the City of London Local Plan: DM10.1.

- 19 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;

(b) details of all elevations to show typical details of all external components including details of drainage;

(c) details of the wind canopies and other wind mitigation measures including details of drainage;

(d) details of ground floor elevations including entrances;

(e) details of escape doors, gates, doors to the vehicular lifts and bicycle entrance;

(f) details of soffits, hand rails and balustrades;

(g) details of ground level surfaces including materials to be used;

(h) details of external lighting attached to the building including anti-collision lights, lighting to the soffits and lighting to the new pedestrian routes;

(i) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level;

(j) details of plant and ductwork to serve the Class A1, A3 and A4 uses;

(k) details of ventilation and air-conditioning for the Class A1, A3 and A4 uses;

(l) details of the final configuration and location of the 30 Transport for London Cycle Hire stands.

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

- 20 All unbuilt surfaces shall be treated in accordance with a landscaping scheme to be submitted to and approved in writing by the Local Planning Authority before any landscaping works are commenced. Trees and shrubs which die or are removed, uprooted or destroyed or become in the opinion of the Local Planning Authority seriously damaged or defective within 5 years of completion of the development shall be replaced with trees and shrubs of similar size and species to those originally approved, or such alternatives as may be agreed in writing by the Local Planning Authority.  
REASON: In the interests of visual amenity in accordance with the following policies of the Local Plan: DM10.1, DM19.2.
- 21 Before any works thereby affected are begun details of the entrance and lower ground floor lobby of the public viewing gallery shall be submitted to and approved by the Local Planning Authority. Such details shall be implemented prior to the occupation of the building unless otherwise approved in writing by the Local Planning Authority.  
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.
- 22 (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.
- 23 Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.  
REASON: In order to protect the amenities of commercial occupiers in the building in accordance following policy of the Local Plan: DM15.7.

- 24 The proposed office development sharing a party element with non-office premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR40 is not exceeded in the proposed office premises due to noise from the neighbouring non-office premises and shall be permanently maintained thereafter.  
A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan: DM15.7.
- 25 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 any other premises in the building from the Class A uses. Unless otherwise approved, 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 uses take place.  
REASON: In order to protect commercial amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 26 No cooking shall take place within any Class A unit hereby approved or within any part of the Class B1 premises until fume extract arrangements and ventilation have been installed to serve that unit in accordance with a scheme approved by the Local Planning Authority. Unless otherwise approved, 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.
- 27 A post construction BREEAM assessment demonstrating that a target rating of 'Excellent' has been achieved (or such other target rating as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an 'Excellent' rating) shall be submitted as soon as practicable after practical completion.  
REASON: To demonstrate that carbon emissions have been minimised and that the development is sustainable in accordance with the following policy of the Local Plan: CS15, DM15.1, DM15.2.
- 28 A detailed facade maintenance plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with

the Local Highway Authority prior to the occupation of the building hereby permitted.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the development to ensure that there is no obstruction on the streets and in the interests of public safety in accordance with the following policy of the Local Plan: CS16

- 29 The development shall be designed to allow for the retro-fit of heat exchanger rooms to connect into a district heating network if this becomes available during the lifetime of the development.  
REASON: To minimise carbon emissions by enabling the building to be connected to a district heating and cooling network if one becomes available during the life of the building in accordance with the following policies of the Local Plan: DM15.1, DM15.2, DM15.3, DM15.3, DM15.4.
- 30 The threshold of all vehicular access points shall be at the same level as the rear of the adjoining footway.  
REASON: To maintain a level passage for pedestrians in accordance with the following policies of the Local Plan: DM10.8, DM16.2.
- 31 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.
- 32 No doors or gates shall open over the public highway.  
REASON: In the interests of public safety
- 33 At all times when not being used for cleaning or maintenance the window cleaning gantries, cradles and other similar equipment shall be garaged within the enclosure(s) shown on the approved drawings.  
REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.
- 34 No public address system (PA), amplified live or amplified recorded music shall be played within any part of the building or site so loud that it can be heard outside the site or within any other premises in the building on the site.  
REASON: To safeguard the amenity of the occupiers of nearby premises and the area in general in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 35 A clear unobstructed minimum headroom of 5m must be maintained for the life of the building in the refuse skip collection area as shown on the approved drawings and a clear unobstructed minimum headroom of 4.75m must be provided and maintained over the remaining areas and access ways.

REASON: To ensure that satisfactory servicing facilities are provided and maintained in accordance with the following policy of the Local Plan: DM16.5.

- 36 The loading and unloading areas must remain ancillary to the use of the building and shall be available at all times for that purpose for the occupiers thereof and visitors thereto.  
REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Local Plan: DM16.5.
- 37 Goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall not be accepted or dispatched unless the vehicles are unloaded or loaded within the curtilage of 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, DM16.5, DM21.3.
- 38 A level clear standing area shall be provided and maintained entirely within the curtilage of the site at street level in front of any vehicle lift sufficient to accommodate the largest size of vehicle able to use the lift cage.  
REASON: To prevent waiting vehicles obstructing the public highway in accordance with the following policy of the Local Plan: DM16.5.
- 39 6 car parking spaces (2 of which shall have electric vehicle charging points) suitable for use by people with disabilities shall be provided on the premises in accordance with the drawings hereby approved and shall be maintained throughout the life of the building and be readily available for use by disabled occupiers and visitors without charge to the individual end users of the parking.  
REASON: To ensure provision of suitable parking for people with disabilities in accordance with the following policy of the Local Plan: DM16.5.
- 40 Provision shall be made for disabled people to obtain access to the offices, the public viewing gallery and to each retail unit via their respective principal entrances without the need to negotiate steps and shall be maintained for the life of the building.  
REASON: To ensure that disabled people are able to use the building in accordance with the following policy of the Local Plan: DM10.8.
- 41 The pass door shown adjacent to or near to the entrances on the drawings hereby approved shall remain unlocked and available for use at all times when the adjacent revolving doors are unlocked.  
REASON: In order to ensure that people with mobility disabilities are not discriminated against and to comply with the following policy of the Local Plan: DM10.8.

- 42 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 1,664 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.
- 43 Unless otherwise approved in writing by the local planning authority, changing facilities and showers, including no less than 167 showers and 1,664 lockers, shall be provided in accordance with the drawings hereby approved and maintained throughout the life of the building for the use of occupiers of the building.  
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
- 44 No structures or plant which exceeds 304.94m AOD shall be erected on the site either permanently or during the period of construction without the prior written authority of the Local Planning Authority.  
REASON: To ensure that the appearance of the building is satisfactory and to ensure that the proposal is acceptable in relation to aircraft safety in accordance with the following policies of the Local Plan: CS14
- 45 The generator(s) shall be used solely on brief intermittent and exceptional occasions when required in response to a life threatening emergency or an event requiring business continuity and for the testing necessary to meet those purposes and shall not be used at any other time. At all times the generator(s) shall be operated to minimise its noise impacts and emissions of air pollutants and a log of its use shall be maintained and be available for inspection by the Local Planning Authority.  
REASON: To ensure that the generator(s), which does not meet City of London noise standards, and would have a negative impact on local air quality, is used only in response to a life threatening emergency or exceptional business continuity situation in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 46 Unless otherwise agreed in writing by the local planning authority all combustion flues must terminate at least 1m above the highest roof in the development in order to ensure maximum dispersion of pollutants.  
REASON: In order to ensure that the proposed development does not have a detrimental impact on occupiers of residential premises in the area and in accordance with the following policy of the Local Plan:



DM15.6 and to maintain local air quality and ensure that exhaust does not contribute to local air pollution, particularly nitrogen dioxide and particulates PM10, in accordance with the City of London Air Quality Strategy 2015 and the Local Plan DM15.6.

- 47 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission:

Drawings:

EPA 1US 05 PLN 049 Rev. P00, 050 Rev. P00, 096 Rev. P00, 097 Rev. P01, 098 Rev. P01, 099 Rev. P01, 100 Rev. P01, 101 Rev. P00, 102 Rev. P00, 110 Rev. P00, 120 Rev. P00, 128 Rev. P00, 129 Rev. P00, 135 Rev. P00, 140 Rev. P00, 148 Rev. P00, 149 Rev. P00, 155 Rev. P00, 165 Rev. P00, 170 Rev. P00, 171 Rev. P01, 172 Rev. P01, 301 Rev. P00, 302 Rev. P00, 303 Rev. P00, 304 Rev. P00, 305 Rev. P00, 306 Rev. P00, 307 Rev. P00, 308 Rev. P00, 309 Rev. P00, 310 Rev. P00, 311 Rev. P00, 312 Rev. P01, 313 Rev. P00, 302 Rev. P00.

EPA 1US 05 SEC 100 Rev. P01, 101 Rev. P01, 111 Rev. P02 112 Rev. P02, 113 Rev. P01.

EPA 1US 05 ELE 101 Rev. P01, 102 Rev. P01, 103 Rev. P01, 104 Rev. P01, 111 Rev. P01, 112 Rev. P01, 113 Rev. P01, 114 Rev. P01.  
EPA 1US 05 DTL 001 Rev. P01, 010 Rev. P01, 020 Rev. P01, 025 Rev. P01, 030 Rev. P01, 061 Rev. P00, 062 Rev. P00, 063 Rev. P00.

EPA 1US 03 SK 420 Rev. P00.

TRN DEV 009 Rev. C, TRN DEV 010 Rev. C, TRN DEV 011 Rev. C, TRN DEV 012 Rev. C, TRN DEV 014 Rev. A, TRN DEV 015 Rev. A.

SUD DEV 001 Rev. A.

REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

## INFORMATIVES

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

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

a full pre application advice service has been offered;

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

- 2 The Mayoral Community Infrastructure Levy is set at a rate of £0 per sq.m on "chargeable development" and applies to all development over 100sq.m (GIA) or which creates a new dwelling.

The City of London Community Infrastructure Levy is set at a rate of £5 per sq.m for offices, £50 per sq.m for Riverside Residential, £5 per sq.m for Rest of City Residential and ?5 on all other uses on "chargeable development".

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

Relevant persons, persons liable to pay and owners of the land will be sent a "Liability Notice" that will provide full details of the charges and to whom they have been charged or apportioned. Please submit to the City's Planning Obligations Officer an "Assumption of Liability" Notice (available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil)).

Prior to commencement of a "chargeable development" the developer is required to submit a "Notice of Commencement" to the City's Section106 Planning Obligations Officer. This Notice is available on the Planning Portal website. Failure to provide such information on the due date may incur both surcharges and penalty interest.

- 3 This permission must in no way be deemed to prejudice any rights of light which may be enjoyed by the adjoining owners or occupiers under Common Law.
- 4 This permission is granted having regard to planning considerations only and is without prejudice to the position of the City of London Corporation or Transport for London as Highway Authority; and any temporary or permanent works affecting the public highway must not be commenced until the consent of the Highway Authority has been obtained.
- 5 Improvement or other works to the public highway shown on the submitted drawings require separate approval from the local highway authority and the planning permission hereby granted does not authorise these works.

- 6 The correct street number or number and name must be displayed prominently on the premises in accordance with regulations made under Section 12 of the London Building Acts (Amendment) Act 1939. Names and numbers must be agreed with the Department of the Built Environment prior to their use including use for marketing.
- 7 The Department of the Built Environment (Transportation & Public Realm Division) must be consulted on the following matters which require specific approval:
  - (a) Hoardings, scaffolding and their respective licences, temporary road closures and any other activity on the public highway in connection with the proposed building works. In this regard the City of London Corporation operates the Considerate Contractors Scheme.
  - (b) The incorporation of street lighting and/or walkway lighting into the new development. Section 53 of the City of London (Various Powers) Act 1900 allows the City to affix to the exterior of any building fronting any street within the City brackets, wires, pipes and apparatus as may be necessary or convenient for the public lighting of streets within the City. Early discussion with the Department of the Built Environment Transportation and Public Realm Division is recommended to ensure the design of the building provides for the inclusion of street lighting.
  - (c) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window sill, rainwater pipe, oil fuel inlet pipe or box, carriageway entrance, or any other projection beneath, over or into any public way (including any cleaning equipment overhanging any public footway or carriageway).

You are advised that highway projection licences do not authorise the licensee to trespass on someone else's land. In the case of projections extending above, into or below land not owned by the developer permission will also be required from the land owner. The City Surveyor must be consulted if the City of London Corporation is the land owner. Please contact the Corporate Property Officer, City Surveyor's Department.
  - (d) Permanent Highway Stopping-Up Orders and dedication of land for highway purposes.
  - (e) Connections to the local sewerage and surface water system.
  - (f) Carriageway crossovers.
- 8 The Markets and Consumer Protection Department (Environmental Health Team) must be consulted on the following matters:
  - (a) Approval for the installation of furnaces to buildings and the height of any chimneys. If the requirements under the legislation require any

structures in excess of those shown on drawings for which planning permission has already been granted, further planning approval will also be required.

(b) Installation of engine generators using fuel oil.

(c) 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 Environmental Health Team should be informed of the name and address of the project manager and/or main contractor as soon as they are appointed.

(d) Alterations to the drainage and sanitary arrangements.

(e) 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:

- provision for window cleaning (internal and external) to be carried out safely.

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

(g) Use of the premises for public entertainment.

(h) Approvals relating to the storage and collection of wastes.

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

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

(k) Methods of odour control.

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

Noise and Dust

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

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

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

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

#### Air Quality

(e) Compliance with the Clean Air Act 1993

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

#### Boilers and CHP plant

(f) The City is an Air Quality Management Area with high levels of nitrogen dioxide. All gas boilers should therefore meet a dry NO<sub>x</sub> emission rate of <40mg/kWh in accordance with the City of London Air Quality Strategy 2015.

(g) All gas Combined Heat and Power plant should be low NO<sub>x</sub> technology as detailed in the City of London Guidance for controlling emissions from CHP plant and in accordance with the City of London Air Quality Strategy 2015.

(h) When considering how to achieve, or work towards the achievement of, the renewable energy targets, the Markets and

Consumer Protection Department would prefer developers not to consider installing a biomass burner as the City is an Air Quality Management Area for fine particles and nitrogen dioxide. Research indicates that the widespread use of these appliances has the potential to increase particulate levels in London to an unacceptable level. Until the Markets and Consumer Protection Department is satisfied that these appliances can be installed without causing a detriment to the local air quality they are discouraging their use. Biomass CHP may be acceptable providing sufficient abatement is fitted to the plant to reduce emissions to air.

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

#### Standby Generators

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

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

#### Cooling Towers

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

10 Thames Water advises as follows:

#### Waste Comments

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

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to

contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

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

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

Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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

Fire precautions and certification:

London Fire Brigade, Fire Prevention Branch  
5-6 City Forum  
City Road  
London EC1N 2NY

Public houses, wine bars, etc.

City of London Corporation  
Trading Standards and Veterinary Service  
PO Box 270

Guildhall  
London EC2P 2EJ

(f) Inflammable materials (e.g., petroleum)

London Fire Brigade, Petroleum Department  
5-6 City Forum  
City Road  
London EC1N 2NY

(h) Works affecting a GLA road:

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

Works affecting water supplies, land drainage and flood defences:

Environment Agency,  
North London Planning Liaison Team  
9th floor, Eastbury House  
30-34 Albert Embankment  
London, SE1 7TL

- 13 Many species are protected under legislation such as the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. A contravention of those statutory provisions may constitute a criminal offence. The grant of this consent/planning permission does not override any statutory requirement to notify Natural England and/or obtain a licence prior to carrying out activities which may harm or disturb protected species such as bats.
- 14 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.
- 15 You are advised that unless otherwise agreed in writing by the Local Planning Authority, the archaeological post excavation work, publication and archiving must be carried out in accordance with the proposals and programme e-mail dated 17/09/2015 DP9.
- 16 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.

# Comments for Planning Application 16/00075/FULEIA

## Application Summary

Application Number: 16/00075/FULEIA

Address: 1 Undershaft London EC3P 3DQ

Proposal: Demolition of the existing buildings and construction of a ground plus 72 storey building (309.6m AOD) for office use (Class B1) [131,970sq.m GEA], retail (Class A1-A3) [2,145sq.m GEA] at lower ground floor, a publicly accessible viewing gallery (Sui Generis) [2,930sq.m GEA] at level 71-72 and a restaurant (Class A3) [1,220sq.m] at level 70. Public Realm improvement works, ancillary basement cycle parking, servicing and plant. [Total 154,100sq.m GEA] This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Copies of the Environmental Statement may be bought from DP9, 100 Pall Mall, London, SW1Y 5NQ (FAO Pippa Walden-Jones) at a cost of £250 (Vol I or III) or £350 (Vol II), and further electronic copies of the application can be purchased at a cost of £5 as long as stocks last.

Case Officer: Tony Newman

## Customer Details

Name: mr Peter Kelly

Address: 109, Armadale Close London

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Residential Amenity

Comment:It's quite hard to make design criticisms of City schemes when all comments have to fall within categories of 'noise', 'traffic of highways' or 'residential amenity'. As a highly prominent building that will affect the amenity of the City's visiting and working population for years to come, and the amenity on Londoners who will see it daily, I object to aspects of the design on the grounds of residential amenity (despite there being no actual residents anywhere near this scheme to legitimately lodge an objection).

Some effort has been made on the nearby Pinnacle tower, which I supported, to create a crown at the top of the tower which in many views brought the cluster to an attractive apex. 1 Undershaft completely negates the efforts of 22 Bishopsgate's architects to create a pinnacle to the skyline by placing a huge, flat topped mass next to 22's crown. Together, the cluster of 22, 1 Undershaft, Leadenhall and the other one on Bishopsgate, create an absolutely huge mass on the skyline with no sky visible between them. I object to the bulk of 1 Undershaft on design grounds. The tower needs to be more tapered, and slimmer than it is at present.

The lift core on the western side of the tower is clearly unresolved and is highly visible in views

from the south and south west (in visuals). Its effect is to detach the huge heavy and bulky top of the tower from the shaft. This just looks bad. Maybe the lift core needs to be hidden.

I also want to say that the current 1 Undershaft tower is considered one of the best towers, if not the best tower in the City. It also has historic significance as the City's first skyscraper. Obviously this doesn't matter in the City where history and newer buildings of quality are seen as an inconvenience, but I just wanted to say that this building will be missed.

I also object to the fact that the tower doesn't adhere to the geometric 90 degree alignment of the other City towers which brings order to the skyline.

# Comments for Planning Application 16/00075/FULEIA

## Application Summary

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Case Officer: Tony Newman

## Customer Details

Name: Mr Yarema Ronish

Address: Flat 5, 4-8 Creechurch Lane London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Residential Amenity

Comment: This is a holding objection on the grounds that there are anomalies in the sunlight and daylight assessment on the flats at 4-8 Creechurch Lane (identified as 4 Creechurch Lane and 6 Creechurch Lane in the EIA). The Leadenhall Building (aka the Cheesegrater) is visible from several of the lounges and bedrooms in this building, therefore the proposed development will be visible from these same rooms.

Discrepancies:

4 Creechurch Lane

This block of flats has a bedroom facing the development on 1st, 2nd and 3rd floors, but only one bedroom has been assessed in the EIA.

In the baseline scenario at Table 11-6 only 3 of 17 windows currently meet BRE VSC criteria, only 6 of 8 windows currently receive NSL in excess of 80% and only 7 of 9 windows currently meet APSH criteria.

However in the proposed daylight scenario at Table 11-7, all 17 of 17 windows meet BRE VSC criteria, and all 8 of 8 windows receive NSL in excess of 80%. In the proposed sunlight scenario at Table 11-8, all 9 of 9 windows meet BRE sunlight hours.

#### 6 Creechurch Lane

In the baseline scenario at Table 11-6 none of the 15 windows currently meet BRE VSC criteria, and none of the 8 windows currently receive NSL in excess of 80%.

However in the proposed daylight scenario at Table 11-7, all of the 15 windows meet BRE VSC criteria, and all of the 8 windows receive NSL in excess of 80%.

I would like to see an elevation or isometric drawing of 4 and 6 Creechurch identifying each of the windows used in the assessment.

# Comments for Planning Application 16/00075/FULEIA

## Application Summary

Application Number: 16/00075/FULEIA

Address: 1 Undershaft London EC3P 3DQ

Proposal: Demolition of the existing buildings and construction of a ground plus 72 storey building (309.6m AOD) for office use (Class B1) [131,970sq.m GEA], retail (Class A1-A3) [2,145sq.m GEA] at lower ground floor, a publicly accessible viewing gallery (Sui Generis) [2,930sq.m GEA] at level 71-72 and a restaurant (Class A3) [1,220sq.m] at level 70. Public Realm improvement works, ancillary basement cycle parking, servicing and plant. [Total 154,100sq.m GEA] This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Copies of the Environmental Statement may be bought from DP9, 100 Pall Mall, London, SW1Y 5NQ (FAO Pippa Walden-Jones) at a cost of £250 (Vol I or III) or £350 (Vol II), and further electronic copies of the application can be purchased at a cost of £5 as long as stocks last.

Case Officer: Tony Newman

## Customer Details

Name: Ms Catey Hillier

Address: St Pauls Cathedral School PTA 2 New Change London

## Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I would like to request more details be made available publically regarding the developers policy on public access to rooftop views of Number 1 Undershaft.

What provision will be made for free access to school groups? Disabled people using wheelchairs? to the roof top space

What public benefit will be assigned to these roof top areas? ie. I believe that roof top areas with immense value by the hour or evening (for corporate entertaining/events), should also be made available for community benefit/charitable events. Roof tops of new buildings should be assigned a measurable public benefit - so that local user groups in The City have access for charitable fundraising purposes.

I believe that ticketed roof top views are not the way forward: they do not allow the correct level of access for city dwellers and visitors.

So many days/year of high value corporate events could be used to offset the x days/year of free use by local interested groups across all rooftops of new developments in The City. This is a more

egalitarian way forward for our high rise city.

I look forward to hearing about the innovative ways that these issues regarding roof top views and revenue will be dealt with by 1 Undershaft.

126670

Development Manager (East)  
Department of Planning and Transportation  
City of London Corporation  
Guildhall  
London  
EC2P 2EJ

Date: 24 February 2016  
Your ref: 16/00075/FULEIA  
Our ref: GIBSONJW\NEW-NEW  
Direct: +44 20 7919 0691  
Email: jamesgibson@eversheds.com

**By Email and DX**

Dear Sirs

**Planning Application 16/00075/FULEIA – 1 Undershaft, London EC3 3DQ**

We have been instructed by The Wardens and Society of the Mystery or Art of the Leathersellers of the City of London in relation to the above named planning application.

Our client owns a number of substantial property holdings in and around St Helen's Place, including the following freehold interests within the immediate vicinity of the application site:

- 3, 5, 6, 7, 15, 16 and 17 St Helen's Place;
- 33 Great St Helens;
- 12/20 Camomile Street;
- 25-51 and 61 St Mary Axe;
- 52-68 and 88 Bishopsgate.

Our client has concerns regarding the potentially adverse impact that the proposed development could have on both its freehold interests, as well as on the surrounding built environment and public services. These concerns are listed below.

**Impact on the St Helen's Conservation Area and the settings of nearby world heritage site, conservation areas and listed buildings**

The proposed building has the potential to cause significant harm to the character of the St Helen's Conservation Area by virtue of its height and form and the increasing perception of the conservation area being hemmed in by tall buildings. Whilst changes to the scale, composition and urban form of the Eastern Cluster is not in itself contrary to local policy, it is evident that the cumulative effects of proposed development, along with the existing tall buildings, and those recently granted planning permission, will threaten the character and appearance of the conservation area.

In addition to the impact on the St Helen's Conservation Area, Volume II of the Environmental Statement (Townscape Heritage and Visual Impact Assessment) appears to underplay the impact of the proposed development on the setting of the following important heritage assets:

- The setting of the Tower of London World Heritage Site;
- The setting of St. Paul's Cathedral;
- The setting of Tower Bridge;
- The Church of St. Helen's Bishopsgate;
- The setting of views from Monument;

lon\_jlb1\13821564\1\gibsonjw



- The setting of the Royal Exchange;
- The setting of Gibson Hall, 15 Bishopsgate and the listed buildings on the west side of Bishopsgate;
- The setting of the listed buildings on the east side of Bishopsgate, including the church of St Ethelburga;
- The setting of St Andrew Undershaft, St. Mary Axe;
- The setting of the Leadenhall Conservation Area;
- The setting of Leadenhall Market.

The proposed development, which is even taller than the recently consented scheme at 22 Bishopsgate (reference: 15/00764/FULEIA) (a scheme that was sold to members as the 'apex' of the Easter Cluster just two months ago), risks diluting the special architectural qualities of these important heritage assets. Whilst the clash of large scale, modern development with the historic built environment is a classic feature of the Eastern Cluster, there is now a real risk of 'tipping the balance'; this area of the City can only accommodate a finite number of tall buildings before irreversible harm will be caused to important surrounding historic receptors.

We would, in particular, draw the applicant's attention to the recently published Tall Buildings (Historic England Advice Note 5, December 2015) which states that "...the existence of a built or permitted tall building does not of itself justify a cluster or additions to a cluster".

Section 66(1) of the of the Planning (Listed Building and Conservation Areas) Act 1990 is significant to the determination of this planning application. This provision requires that, in considering whether to grant planning permission for a development which affects a listed building or its setting, the local planning authority must have 'special regard' to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses.

NPPF is explicit in its terms that substantial harm to, or loss of, designated heritage assets of the highest significance, notably grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

The City Corporation's Local Plan also provides specific protection from high buildings that adversely affect the views and settings of heritage assets. Specifically, Core Strategy Policy CS12: Historic Environment states that, 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, planning applications for tall buildings must be determined in the context of safeguarding the City's listed buildings and their settings. Policy CS12 also highlights the importance of preserving and enhancing the distinctive character and appearance of the City's conservation areas.

Our client fully understands the growth agenda in the City and supports the need to address a shortfall in the supply of office accommodation. This is crucial to ensuring that London maintains its prized position as the world's foremost financial centre. However this should not displace the requirement to preserve important heritage assets. The construction of tall buildings must be focussed into sympathetic locations that still have capacity to accommodate their significant bulk and scale.

#### **Daylight, Sunlight, Overshadowing and Solar Glare**

Our client's properties at 33 Great St Helen's and 52-58 Bishopsgate have been identified as sensitive receptors under Chapter 11 of the Environmental Assessment (Daylight, Sunlight, Overshadowing and Solar Glare).

At 33 Great St Helen's, 50% of the windows and 43% of rooms are not expected to meet BRE Guidelines on daylight following the construction of the proposed development. Specifically in relation to the rooms, these parts of the property are expected to experience alterations beyond 40% of current daylight levels. In terms of sunlight impacts, 12% of the rooms are not expected to meet the BRE guidelines for both total and winter annual probable sunlight hours.

Our client is concerned that the Environmental Assessment concludes that the daylight impact on our client's property at 33 Great St Helen's is assessed as 'minor adverse', and the sunlight impact is assessed as 'negligible adverse'. In both cases, the impact is therefore considered to be 'not significant' in EIA terms.

There is a risk that our client's enjoyment of their property will be materially affected by these alterations. The findings in the EIA are unsubstantiated and must be considered with a marked degree of scepticism.

#### **Public Transport**

The Environmental Statement states that the existing local public transport network is excellent, with a high capacity that can accommodate significant volumes of passengers, and that trips generated by the proposed development will have a limited effect relative to flows and capacity so as to have a negligible impact on the network.

There is concern that this understates the significant impacts on the transport network that a development of this scale is likely to cause. The proposed development will result in a major uplift in trips across London Underground services, in particular the Central, Northern and Waterloo and City lines. In addition, an emerging area of concern is the growing reliance amongst developers in the Eastern Cluster as to the capacity of Crossrail to accommodate cumulative transport pressures.

The pedestrian and road network in the vicinity of the proposed development is also heavily congested during peak times, carrying very high volumes of people and traffic. The proposed development will put an additional burden on this infrastructure and further details as to how the applicant will fully address the increasing pressures on local highways, walkways and cycleways must be provided.

#### **Waste**

Chapter 16 of the Environmental Statement identifies that there will be a significant adverse effect on waste and recycling facilities, even once relevant mitigation has been applied. Specifically, we understand that the City of London Corporation does not have sufficient capacity in the local waste management structure to manage the operational waste generated by the proposed development.

Inadequate waste management arrangements risk blighting our client's substantial property holdings within the vicinity of the proposed development, potentially causing amenity issues and affecting their enjoyment of their property. Further details as to how this matter will be resolved should be provided before the determination of the planning application.

For the reasons above, our client objects to the planning application.

Yours faithfully

  
EVERSHEDS LLP

16 / 00075

**ST HELEN'S**  
BISHOPSGATE

Mr Tony Newman  
Department of the Built Environment  
City of London  
PO Box 270  
Guildhall  
LONDON  
EC2P 2EJ

26 February 2016

Subject: Comments on Planning Application 16/00075/FULEIA

Dear Tony

I am writing on behalf of the Parochial Church Council of St Helen Bishopsgate (PCC). The PCC is responsible for both the church of St Helen Bishopsgate and the church of St Andrew Undershaft.

We refer to your recent consultation letter on the development proposals for 1 Undershaft. This is a very significant scheme that will impact on the setting of these grade I listed churches and on the many and varied day-to-day activities that take place within them, serving the City community and beyond.

We have been through the application documents and have some serious concerns regarding the intensity of development being promoted in such close proximity to our buildings. The footprint of the new development is planned to be very much closer to St Helen's Church than the existing tower on the site, and it is also proposed to realign the highway known as Undershaft much closer to St Helen's Church. Both of these changes cause us great concern.

We are in contact with DP9 and EPA who are aware we have concerns and will be meeting them shortly to discuss the 1 Undershaft application in more detail.

Our key worries stem from the decision to service the proposed development from a small, narrow, realigned Undershaft and its ability to cope in practice with traffic movements to the four major buildings that it serves (The Leadenhall Building, the consented schemes of 6-8 Bishopsgate and 22 Bishopsgate, and the proposed major development at 1 Undershaft). These pressures will be exacerbated with the significant influx of pedestrian and cyclists passing through the area.

Address  
St Helen's Church Office  
Great St Helen's  
London  
EC3A 6AT

Phone  
020 7283 2231

Email  
st-helens@st-helens.org.uk

Website  
www.st-helens.org.uk

ST HELEN BISHOPSGATE  
Charity name - The Parochial Church  
Council of the Ecclesiastical Parish of  
St Helen, Bishopsgate

REGISTERED CHARITY NO  
1131501

We request further analysis to provide a more accurate representation of predicted and cumulative vehicular activity at different times of the day. Without this information it is not possible to demonstrate or understand if sufficient capacity and tolerance is being designed into the development. The Transport Assessment is based on trips during the conventional peak hours but this does not reflect servicing demands when consolidation specifically shifts traffic outside these times.

At the moment, we fail to see how Undershaft can possibly work. Based on the data currently available, outside the 'embargo' hours (agreed for 22 Bishopsgate and proposed for 1 Undershaft), there will be on average 30 service vehicles/hour accessing The Leadenhall Building, 6-8 Bishopsgate, 22 Bishopsgate and 1 Undershaft during the day. This results in 60 movements an hour along Undershaft i.e. a vehicle turning in or driving out on to St Mary Axe every minute. The traffic levels will be higher overnight when hourly servicing to 22 Bishopsgate doubles. In addition, this does not take account of vehicles visiting 1 Great St Helen's. These figures are based on averages. In practice, flows will not be regular, indeed the TA for 1 Undershaft suggests over 60 vehicles arriving around 9am i.e. one traffic movement every 30 seconds.

Even if all vehicles and servicing are operated in a coordinated manner - which we are sceptical can happen while each building is independently managed - the through flow of traffic will be relentless. With the exception of 6-8 Bishopsgate, the buildings rely on one vehicle lift in each direction, moving up/down every 4 minutes. There only needs to be a mechanical complication, a spillage in the lift, or additional manoeuvring, and the system will clog up.

We appreciate these are crude calculations but they illustrate the importance of extremely efficient turnaround times, enforceable management regimes and coordination between the buildings. There is very little provision to hold vehicles off the highway, or scope for those arriving outside booked times to turn around at grade. Some of the larger vehicles to 1 Undershaft need to cross the carriageway to enter the lifts, blocking the passage for vehicles heading the opposite way. Add to this - car parking at The Leadenhall Building, even more pedestrians and cyclists throughout the day (particularly with general trends for flexible working hours), the attraction of the new square as a social, meeting hub for the area - and the propensity for congestion and accidents is enormous. This could have serious ramifications for emergency access.

Will the City have the responsibility for managing Undershaft as part of the adopted highway? If so, will you provide assurances that the capacity of Undershaft is being robustly tested? The existing Undershaft is already heavily used by service vehicles with only one of the four planned redevelopments completed, far from the lightly trafficked cul-de-sac described in the application.

If vehicles are constantly backed up, perceived benefits from opening up views of St Helen Bishopsgate through to St Andrew Undershaft will not be achieved, as the only view will be of stationary traffic. The environmental impacts on our fragile historic fabric and ministry activities will increase - more noise, vibration, pollution, disturbance and so forth.

For the reasons set out above, and pending further information and assessment of the impacts of the development we wish to register an objection. We would be grateful if this letter could be regarded as our 'holding' position. We are hopeful we can have constructive discussions with the 1 Undershaft developer's team, and this will help inform a more detailed response in due course. There will be additional points we may wish to make. Please would you confirm that you will be prepared to receive further comments from the PCC in the coming weeks. In the meantime please do not hesitate to contact me should you have any queries regarding the PCC's position.

Yours Sincerely,

A solid black rectangular box redacting the signature of Brian O'Donoghue.

**Brian O'Donoghue**  
Church Manager



Mr Tony Newman  
City of London  
The Department of the Built Environment  
City of London  
PO Box 270  
Guildhall  
London  
EC2P 2EJ

9 March 2016

By email  
Tony.newman@cityoflondon.gov.uk  
let.005.EG.SW.23530002

Dear Tony,

**OBJECTION TO PLANNING APPLICATION AT 1 UNDERSHAFT, LONDON EC3 (REF: 16/00075/FULEIA)**

indigo Planning have been instructed on behalf of New Ireland Assurance Company Plc, to formally object in respect to the proposed development at 1 Undershaft. New Ireland Assurance Company Plc is the freehold owner of 1 Great St. Helens, which is currently occupied by Hiscox Insurance.

As you will be aware, the EIA Regulations (2011) as amended sets out the procedure for preparing an Environmental Statement (ES) for a development of this scale. The quality and completeness of assessment must be in line with the regulations. We consider that vital information is missing from the ES, and as such ask you to request "further information" under Article 22 (1) in order to make an informed decision. Details of what we consider to be lacking are detailed below in point 4 of this letter.

Our client would like to make it clear that they do not object to the principle of the sustainable redevelopment of 1 Undershaft ("the Proposed Development"). However, there are a number of procedural issues that need to be remedied as well as our significant concerns associated with the major adverse impacts upon our client's property. These concerns can be summarised as:

**Red line boundary**

Proposed basement plans EPA 1US 05 PLN 099 Rev P00 and EPA 1US 05 PLN 098 Rev P00 show areas of the proposed development extending beyond the red line boundary of the application site. As a consequence, the red line of the application site is incorrect. Accordingly, we would contest the validity of the application. If the basement drawings are indeed correct, then we request that the application is held in abeyance until the correct ownership certificates have been served under Article 13 of the Development Management Procedure Order (2015)

### **Consultation**

It is unacceptable that given the scale and impact of development proposed, our client had no prior knowledge of the proposed development, until receiving a neighbour consultation letter, dated 29<sup>th</sup> January 2016. Paragraph 188 of the NPPF encourages early engagement. The Statement of Community Involvement indicates that Hiscox Insurance has been involved in pre-application meetings with the developer. However, it should be noted that Hiscox have are not the freeholder. Our client, New Ireland Assurance Company Plc is the freeholder of the site and should have been involved in the pre-application process. As previously mentioned, as part of the development extends into our clients land, our client should also have been notified of the development by Article 13 notice.

### **Cumulative Impacts**

Due to the proximity of 1 Great St. Helens to both the site of the proposed development and the recently approved 22 Bishopsgate development, significant disturbance will arise as a consequence of the cumulative construction works. If approved, both developments could be under construction simultaneously. The proposed duration of these works are estimated to be in excess of five years that will have significant impacts on the occupiers of 1 Great St. Helens. This is particularly relevant as 1 Great St. Helens is fully occupied and in use during typical weekday hours of noisy construction works. As the basement works show development up to our client's property, 1 Great St. Helens would be directly affected by the proposal.

Moreover, the Environmental Statement that accompanies the proposed development (ES chapter 9, Table 9-16) states that there will be a predicted increase in ambient noise level of +12dB during demolition and substructure phase of 1 Undershaft. We consider this to be wholly unacceptable for a construction period which is predicted to take more than 2 years.

Further, no assessment in the Environmental Statement has been undertaken which considers the cumulative noise and vibration impacts of both '1 Undershaft' and '22 Bishopsgate' being under construction at the same time. This information is vital to assess the extent of impacts on the surrounding environment and adjacent occupiers and ultimately making a decision on this application. The omission of this information further increases our concern that the cumulative impacts of these developments could lead to significant permanent structural damage to our client's property.

### Impacts to 1 Great St. Helens

Our client's property is currently in use as B1 Office, which is classed as a low sensitivity receptor within the Environmental Statement (ES). As such, it has fallen outside the remit of several assessments, including: sunlight and daylight; demolition and construction; and wind microclimate, as per ES Chapter 2 (table 2-2). Where the property has been assessed, the cumulative impacts – particularly regarding noise and vibration and construction methods have

resulted in far from robust conclusions. With specific reference to ES chapter 5 points 9.154 – 9.157, more definitive conclusions should be provided. The conclusions appear to push responsibility for noise mitigation to a future Contractor who has not yet been appointed. This lack of commitment raises serious concern for our client and we would expect to see the impacts thoroughly assessed at application stage.

1 Great St. Helens is not referenced at all within the “Effect Interaction” chapter, which sets out the cumulative effects of the proposed development on nearby consented schemes. We consider this particularly concerning as noise of traffic along Undershaft is predicted to increase by +9.1dB overall (major adverse). We understand that this significant adverse impact will be mitigated by using a ‘low noise road surface,’ however no further information is provided on material type or load bearing weight. As such, we request that further robust consideration is given to 1 Great St. Helens and its proximity to two major development sites. Overall, the lack of clarity in the information suggests that there will be significant harm to our client’s property and this is demonstrated by the lack of communication pre-submission and the lack of assessment within the ES.

The combined impact of three 50+ storey towers (122 Leadenhall, 22 Bishopsgate and 1 Undershaft) on 1 Great St. Helens will result in an increased sense of enclosure. The front facade of our client’s property faces out onto Undershaft. If this application were to be approved, the visual prominence of our client’s site will be lost and any existing views through St. Helen’s Square will be obscured. As such, our client’s site will lose prominence and this could have a detrimental impact to our clients building and its occupiers business operations.

In addition to this, our client has significant concerns over the volume of expected deliveries to 1 Undershaft (200 deliveries a day). The ES indicates that Undershaft will receive at least 1,224 vehicle movements per day with 44.5% of these expected to be HGV’s. Whilst we welcome the developers commitment to avoid deliveries during peak hours and lunchtimes, this is a significant volume of traffic along Undershaft and when cumulatively considered alongside the proposed 22 Bishopsgate development will have significant adverse impacts to our client’s property. The servicing strategy fails to explain the servicing contingency, e.g. what will happen if a vehicle lift requires servicing or the number of direct deliveries fluctuates? This information should be provided before the application is determined.

Moreover, the visual quality of the pedestrian environment outside 1 Great St. Helens will be eroded due to the 3 servicing entrances opening onto our client’s site. The paved area between the entrances to 1 Great St. Helens and the Undershaft will be significantly reduced, which may increase the risk of pedestrian danger.

#### **Lack of Information**

Overall, there is a general lack of information which, if provided, may considerably reduce the concern that our client has with the proposed



development. For example, chapter 5 of the Environmental Statement indicates that piling is proposed within 10m of our client's structure. Yet the location and type of piles are not indicated; as such the structural stability of our client's site cannot be established or protected.

Other areas where insufficient information is provided:

- Details of the temporary servicing route for the duration of Undershaft closure and how will this relate to the construction vehicles arriving from St Mary's Axe;
- No confirmed information regarding the consolidation centre and how the vehicles will operate within the City, and on site;
- Restrictions on the use of Undershaft once reopened, e.g. who will have access and how will the servicing arrangement between the properties be managed effectively?;
- What procedure will be put in place in the event that the vehicle lifts require maintenance?
- No stopping/yellow lines on Undershaft and how this will affect the servicing on 1 Great St. Helens.
- No proposed location of site hoarding. Will hoarding be erected against our client's property for the full duration of works?

#### Cumulative Effects

Chapter 17 'Effect Interactions' highlights to the potential cumulative impacts of the neighbouring developments but fails to recognise 1 Great St. Helens as a sensitive receptor. As one of the closest properties to the boundary of the application site, 1 Great St. Helens will suffer significant adverse impacts that we consider have not been appropriately mitigated for. Notwithstanding this, there is limited, if any, acknowledgment of the property within the conclusions. This further increases our concerns that the application has insufficient regard and mitigation of the impacts to our 1 Gt St Helens.

#### No Construction Environmental Management Plan

There is indicative information regarding construction environmental management plans and construction logistics, however no draft construction environmental management plan or construction logistics plan have been submitted. The EIA Methodology (Chapter 2) sets out the information CoL requested, some of which has not been delivered, for example "a plan/method statement for the demolition and construction." Furthermore, TfL requested a "Delivery and Servicing Plan and Construction Logistics Plan" which have also not been submitted. We are concerned that vital information is absent, and that there is currently not enough comfort that the information supplied is robust enough to move this application toward a determination.

#### Logistics and Servicing Strategy

The language used within the ES and proposed logistics/ servicing strategy is vague and lacks commitment. No appropriate location has been established for



the proposed consolidation centre. The success of the whole application relies on the consolidation centre. Should the Servicing Strategy become an approved document, we would expect several stringent conditions which require further information to be submitted.

### **Conclusions**

We trust that you will give our concerns due consideration prior to forming a decision and we would request to be kept fully informed of the progress of the application. In our view, the current application fails to robustly consider the impacts of the proposed development will have to our client's property and wider surrounding area. In light of these deficiencies, we would expect our client's concerns to be carefully addressed. We reserve the right to make further representations should any other matters arise. If you wish to discuss any of the above matters, please do not hesitate to contact me.

Yours sincerely



Elisabeth Glover

cc: Michael Parker – Bircham Dyson Bell  
Andrew Lister – Bircham Dyson Bell  
Mark Challis – Bircham Dyson Bell

24 March 2016

The Assistant Director (Development Management)  
City of London  
PO Box 270  
London  
EC2P 2EJ

For the attention of Tony Newman



Historic Royal Palaces is the charity that looks after:

Tower of London  
Hampton Court Palace  
Banqueting House  
Kensington Palace  
Kew Palace  
Hillsborough Castle

We help everyone explore the story of how monarchs and people have shaped society, in some of the greatest palaces ever built.

We raise all our own funds and depend on the support of our visitors, members, donors, sponsors and volunteers.

Dear Mr Newman

**Town and Country Planning Act 1990  
16/00075/FULEIA 1 Undershaft, EC3P 3DQ - planning application**

Thank you for notifying Historic Royal Palaces of this application for the demolition of the existing buildings and construction of a ground plus 72 storey building (309.6m AOD) on the above site.

Two pre-application presentations were made to Historic Royal Palaces by the applicant's architects towards the end of last year and we saw illustrations of the revised scheme that was the subject of the public exhibition in December 2015. We also commented in December on the applicant's request for a Scoping Opinion, requesting that, given the very significant height of the proposed building and the potential visual impact it would have on the setting of the Tower of London World Heritage Site, two additional views should be provided, beyond those then proposed in the Scoping Report: LVMF view 11B.2 (downstream from the southern end of London Bridge); and *Local Setting Study* view 2, looking north-west from the Inner Curtain Wall, beside the Martin Tower. We note that the latter has been provided, but not the former.

Historic Royal Palaces' principal concern, as you will be aware, is the potential visual impact that the proposed development would have on the setting of the Tower of London World Heritage Site (WHS) and therefore on its 'Outstanding Universal Value' (OUV). The OUV is defined in the *Statement of Outstanding Universal Value* (SOUV) approved by UNESCO's World Heritage Committee in July 2013, which can be found on both UNESCO's and HRP's websites (we note that the introductory section of the applicant's ES Volume 2 Part 1:THVIA, under the heading 'Designated Heritage Assets', refers to the superceded *draft* SOUV reproduced in the GLA's *London World Heritage Sites - Guidance on Setting* SPG dated 2012).

The attributes of the Tower of London WHS' OUV, the features or relationships that express its OUV, are now defined in the updated WHS Management Plan, the final draft of which is available on Historic Royal Palaces' website and which will be submitted to UNESCO's World Heritage Committee for approval at the end of this month (we note that the applicant's ES Volume 2 Part 1: THVIA still refers to and quotes from the

**Historic Royal Palaces**

Hampton Court Palace, Surrey, KT8 9AU

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2008 Management Plan, which is now out of date). Many of the attributes of the OUV are related to the physical dominance of the White Tower, perception of it against open sky and the distinctive silhouette of the overall monument against a clear backdrop.

The proposed tall new building at 1 Undershaft would be sited within the City's 'Eastern Cluster' of tall buildings and is intended to form its highest point. Until recently, the highest point was expected to be 'The Pinnacle', a consented scheme for a tall, sculpted building on the site of 22 Bishopsgate. Construction of this scheme was abandoned at an early stage, however, and consent has recently been granted by the City Corporation for a replacement scheme, of very different design. 1 Undershaft would be located immediately to the south-east of this building.

Historic Royal Palaces' previous view was that the proposed Eastern Cluster as a whole was sufficiently distant from the Tower of London and 'permeable' in configuration (at the upper levels, against the sky), not to impinge visually on the western setting of the WHS. We therefore did not object to the 2006 planning application for The Pinnacle. As originally envisaged, the Cluster was to be a grouping of tall buildings (over 100m high) forming a distinctive element on the skyline, with visible sky between the buildings. The principle of the Cluster was, and remains, enshrined in the City's development plan (currently the *City of London Local Plan 2015*), although it is illustrated in the Plan only as an indicative area populated with existing and currently consented tall buildings.

The recently consented scheme for 22 Bishopsgate, while no taller overall than The Pinnacle, will be broad-shouldered, maintaining its width for much of its height, although stepping back from east to west towards the top: it will significantly change the emerging form of the Eastern Cluster as seen from the south-eastern side, particularly in the *London Views Management Framework* (LVMF) 2012 views 25A.3 (from City Hall/Queens Walk) and 10A.1 (Tower Bridge/North Bastion). The LVMF comments on the latter view, "Some visual separation should be retained between the upper part of the White Tower and the emerging cluster of buildings in the background" (paragraph 186); and "Any proposed building which would add to the skyline must take account of the way in which it relates to existing features" (paragraph 187). Historic Royal Palaces therefore objected to the proposal for 22 Bishopsgate in a letter dated 01 October 2015.

The proposed new building at 1 Undershaft, although in the form of a relatively slender shaft, would be taller than 22 Bishopsgate, an effect increased by perspective in views from the Queen's Walk and Tower Bridge and would stand in front (to the south) of it. It would shift the highest point of the Eastern Cluster closer to the Tower, taking it to a level never previously envisaged. It would also add to the densification of the Cluster and the extent to which the growing group of buildings would encroach on the skyline immediately to the west of the WHS, dwarfing the Tower in its setting and diminishing further the White Tower's once dominant scale in relation to the City, identified as one of the attributes of the OUV of the WHS. The new building would also be oppressively dominant visually in the view north-west from the Inner Ward of the Tower, above the roof of St Peter ad Vincula, as shown in ES Volume 2 - Part 14 THVIA view 23 (we note that only a summer view is shown, with the trees in leaf - the impact would be greater in winter-time). It would also be visually intrusive in the view from the Inner Curtain Wall north

(identified in the *Tower of London Local Setting Study 2010* as Local View 2), shown in THVIA view 25; and from the Byward Tower entrance to the Tower (Local View 5), which is not shown.

The proposed scheme for 1 Undershaft appears to signal a significant change from the earlier concept of the Cluster, which Historic Royal Palaces and the UNESCO World Heritage Committee accepted as being compatible with the OUV of the WHS. Coupled with, particularly, the approved scheme for 22 Bishopsgate and other consented projects, the Eastern Cluster is now affecting perceptions of the significance of the Tower of London, and will be of concern not only to Historic Royal Palaces, but also to the World Heritage Committee.

Historic Royal Palaces therefore objects to the current application for 1 Undershaft because of the irreparable harm it would do to the setting and the OUV of the Tower of London WHS, as set out above.

Yours sincerely



**John Barnes**  
Conservation & Learning Director  
020 3166 6363  
[john.barnes@hrp.org.uk](mailto:john.barnes@hrp.org.uk)

Mr Tony Newman  
 The Department of the Built Environment  
 City of London  
 PO Box 270  
 Guildhall  
 London EC2P 2EJ

PLANNING & TRANSPORTATION		
PSDD	CPO	PPD
TPD	31 MAR 2016	LTP
OM		SSE
No	126823	PP
FILE		DB

24 March 2016

Dear Tony

**Planning application 16/00075/FULEIA - 1 Undershaft, London EC3 (the "Development Site")**

Hiscox has a lease of the whole of 1 Great St Helen's, London, ("1GSH"), which we occupy for our insurance business. Our main UK head office is based at 1GSH and underwriters working from 1GSH are responsible for transacting a large part of our business. As such, occupation of the building is very important to us and we are concerned to protect our staff, business and the building itself.

Although we are supportive of the principle of development taking place in the City, we are concerned about the potentially serious impact which the demolition of the Aviva Tower and construction of a tall skyscraper on the Development Site may have on us.

1GSH is located very close to the Development Site. The main entrance to 1GSH faces onto the Development Site and 1GSH is separated from the Development Site by only Undershaft itself and the pavement. Demolition and construction activities on the Development Site, together with the associated traffic, could have a substantial negative impact on us. Our concerns are amplified by the fact that the works on the Development Site will be carried out at the same time as the construction of the 22 Bishopsgate tower very close by us on the opposite side.

We have seen a copy of the objection letter from our landlord, New Ireland Assurance Company Limited, dated 26 May 2015, and also echo the other concerns raised in that letter.

We trust that you will pay heed to our concerns and that the City will take full and effective steps to protect us. This should include (but not be limited to) imposing stringent conditions on the developer in any planning permission. We would also ask that you encourage the developer to engage with us, in order to listen to our concerns and seek to agree how they will carry out their works without causing a nuisance to us.

We hope that, as a responsible developer, they will be amenable to such discussions. As you may be aware from our correspondence with your colleagues, we have worked together very successfully thus far with the developer of 22 Bishopsgate in addressing our concerns in relation to that development through direct dialogue, and we consider this a very effective tool.



We look forward to working constructively with the City and the developer in the above manner. We do, however, reserve the right to make further objections to the planning application if it is not possible to resolve our concerns through direct discussions.

Yours sincerely



For Hiscox Syndicates Limited and Hiscox plc

Mr Tony Newman  
Department of the Built Environment  
City of London  
PO Box 270  
Guildhall  
LONDON  
EC2P 2EJ

1 April 2016

**Subject: Comments on Planning Application 16/00075/FULEIA**

Dear Tony,

I am writing on behalf of the Parochial Church Council of St Helen Bishopsgate (PCC). The PCC is responsible for both the church of St Helen Bishopsgate and the church of St Andrew Undershaft ('the Churches'). Further to Brian's letter of 26th February, I am writing in relation to the proposed development at 1 Undershaft. As you are aware from Brian's letter and also from our meeting with yourself and other officers on 23rd March, the PCC has serious concerns about the development.

The purpose of this letter is to highlight aspects of the planning application submission where we believe further information is required to enable a proper assessment and understanding of the effects of this development.

The level of development proposed along Undershaft is intense, including two major consented schemes not yet constructed, the proposed development, and the completed 122 Leadenhall St. It is crucial that local infrastructure and the immediate surroundings can cope with the influx of traffic, pedestrians and cyclists, and shifts in the local microclimate. We recognise that change is cumulative, with impacts attributable to different schemes, but the capacity of Undershaft and adjoining areas - including our churchyards - is finite. The capacity of Undershaft has not been fully addressed in the submission. Whilst the application is supported by the usual suite of technical documents, and follows the EIA process, there are areas where the circumstances of the site and its surroundings require more specific analysis.

Through DP9, we have been open and transparent with the applicant about our concerns and have met with DP9 on two occasions. We wrote to DP9 on 28th January and 2nd March, raising our concerns and requests for further information in a number of areas, also highlighting areas of the application materials that we feel are unclear. Unfortunately we have still not received any of this information. At our meeting last week, you asked us to provide you with a list of these points, and we have laid these out below.

ADDRESS  
St Helen's Church Office  
Great St Helen's  
London  
EC3A 6AT

TELEPHONE  
020 7283 2231

EMAIL  
st-helens@st-helens.org.uk

WEBSITE  
www.st-helens.org.uk

ST HELEN BISHOPSGATE  
Charity name - The Parochial Church  
Council of the Ecclesiastical Parish of  
St Helen, Bishopsgate

REGISTERED CHARITY NO.  
1131501



Document Reference	Query
DAS Page 14	It is surprising that the Churches are not included in the list of constraints that the scheme aims to address. These are listed buildings, opposite the site, with an active ministry and very specific requirements to provide a quiet and calm retreat.
"" Page 41	Refers to Undershaft and its northerly pavement, placed to maximise pavement widths and accommodate large pedestrian flows. However, the ES predicts comfort levels for pedestrians along this footway will worsen.
ES Vol I Ch 2 'EIA Methodology' Para 2.37	The Churches are not identified as specific Sensitive Receptors (although it is noted this is acknowledged elsewhere in the ES e.g. Chapter 9).
"" Para 2.79	Whilst Table 2-8 sets out the full list of cumulative schemes, it is not always clear which schemes have been specifically taken into account in each chapter of the ES.
ES Vol I Ch 5 'Demolition and Construction' Fig 5.9, 5.10	Potential for conflict between construction vehicles leaving/entering the northern site access gate, and traffic using Undershaft, has not been assessed.
"" Fig 5.11	The diagram shows no vehicular access to St Helens: such access needs to be maintained at all times. In addition, footway access between the two churches needs to be maintained which must be suitable for the elderly, infirm, and groups of young children.
"" Paras 5.3, 5.9, 5.17, 5.55, 5.56, 5.68, 5.89	No detail of mitigation has been provided for the impact from vibration of very heavy vehicles/machinery moving around the site in close proximity to the Churches.
ES Vol I Ch 6 'Socio-Economics' Para 6.70	Table 6-10 refers to Gross Direct Employment of 7,532 people whereas the TA refers to 8,498 workers (office, restaurant, retail).
"" Para 6.75	Refers to 7,961m <sup>2</sup> open space at street level but it is not clear how this has been measured. The assessment suggests this provides new open space to accommodate demand from 4,721 people. However, the wind assessment predicts varying comfort levels with large parts of the open space on site unsuitable for sitting in the summer. The development is expected to act as a hub for activity during lunchtimes and early evening, exacerbating demand for open space, which has not been taken in to account.
"" Para 6.76	Refers to the Gallery having capacity equivalent to the open space demand from 3,000 people, yet it can only accommodate 400 at any one time.
"" Para 6.77	Refers to existing open space having the capacity to accommodate additional workers but there is no assessment of this existing capacity. Concludes impact on open space will be minor but this outcome seems based on unrealistic assumptions and is questionable.

"" Para 6.90	Concludes cumulative impact on open space will be moderately adverse but no mitigation is proposed. This impact is at odds with a key strand of the justification for the development concept and its architectural rationale i.e. promoting improved open space and public realm around the site.
<i>ES Vol I Ch 7 'Transportation and Access' Para 7.238</i>	There is no assessment of proposed impacts on the cycle network and facilities.
"" Para 7.240	No capacity assessment has been undertaken for Undershaft. Yet, the percentage increase in traffic as a consequence of cumulative schemes will be significant, compounded by removal of the ramp, being a cul-de-sac, and the need for vehicles to cross the carriageway to access service yards. Assessing capacity during peak hours is misleading as Consolidation limits traffic at these times. The capacity of the road should be assessed outside peak hours when traffic flows will be greatest.
"" Para 7.269 "" Table 7-39	Refers to removal of an existing pinch point along Undershaft but the typical comfort level for pedestrians along this footway will worsen, and also along Great St Helen's. In addition, the pinch point worsens in the cumulative situation (Table 7-43).
"" Para 7.281	Refers to potential CIL funds being used for public transport improvements and additional cycle hire facilities but there is no certainty this would happen, and has limited weight as specific mitigation.
"" Para 7.285	Refers to flexibility scheduling deliveries during periods of cumulative construction activities; it is questionable how realistic this would be in practice.
"" Para 7.287	Refers to negligible effects on the network during demolition and construction but this will not be the case along Undershaft.
"" Para 7.288	The peak periods do not take account of typical traffic flows generated by the development, or by other schemes using Consolidation. An assessment outside these periods would be more representative of typical conditions along Undershaft.
"" 7.292	It is not clear why the consented scheme at 6-8 Bishopsgate is not included in this assessment.
<i>ES Vol I Ch 10 'Wind Microclimate' General</i>	No assessment has been undertaken of the impact of wind pressure on the fabric of the Churches. The Churches date from the 12 <sup>th</sup> and 16 <sup>th</sup> centuries and are constructed from soft stone which is prone to erosion at a much more extensive rate than other nearby properties.
"" Para 10.74	It is not clear if the cumulative schemes assessed include 6-8 Bishopsgate and 22 Bishopsgate.
<i>ES Vol I Ch 11 'Daylight, Sunlight, Overshadowing and Solar Glare'</i>	No window maps have been provided for the Churches in Appendix F of ES Volume III so it has not been possible to verify the conclusions drawn in Chapter 11 of the ES.

<p>"" Para 11.38</p>	<p>The cumulative scenario considers the proposed development and surrounding cumulative schemes together, against a baseline of existing properties. In view of the very close proximity to the Churches, it would help to have a study showing the proposed development against a baseline of existing and cumulative schemes so that the specific effect of the proposed development can be assessed.</p>
<p><i>ES Vol I Ch 9 'Noise and Vibration' General</i></p>	<p>No assessment has been undertaken of noise levels inside the Churches, which are public spaces for quiet contemplation. The Churches have large single-glazed windows which readily transmit noise from outside.</p>
<p>"" Para 9.143</p>	<p>The noise impact during demolition and construction has been assessed as having a major adverse impact on St Helen Bishopsgate and a moderate adverse impact on St Andrew Undershaft. The ES states that this can be reduced to minor adverse significance by limiting noisy works so that these are not done when the Churches are sensitive to noise, but there are no details of how this would be achieved when the Churches are in operation throughout the week with ministry frequently taking place during the early morning, lunchtime and evening.</p>
<p>"" Para 9.145</p>	<p>Construction traffic is estimated to cause a moderate adverse impact on the Churches. The ES states that this can be reduced to minor adverse significance by limiting construction deliveries when the Churches are sensitive to noise, but there are no details of how this would be achieved when the Churches are in operation throughout the week with ministry frequently taking place during the early morning, lunchtime and evening.</p>
<p>"" Para 9.146. Tables 9-21, 9-24</p>	<p>Upon completion of the development, road traffic on Undershaft is estimated to cause a major adverse impact by increasing noise levels by 9.1dB. It is not clear if this is due to increased numbers of vehicles and/or the relocation of Undershaft. If both have not been taken into account then the impact will be even greater still. Implementation of a 'low noise road surface' on Undershaft is proposed but there is no explanation of how this will reduce the impact to minor adverse significance and it is acknowledged that this would only reduce noise levels by 1-3dB. An assessment with proposed mitigation should be undertaken to demonstrate negligible impacts can be achieved.</p>
<p><i>ES Vol I Ch 12 'Ground Conditions' Para 12.10</i></p>	<p>Buildings Regulations 2010 requirements are referenced yet the assessment does not explain measures to ensure the Grade I listed Churches are not put at risk from piles that will be deeper than foundations of nearby buildings.</p>
<p><i>Para 12.81, Table 12-9</i></p>	<p>The Churches are not specifically identified as sensitive receptors despite being located next to the boundary of the site and being Grade I listed buildings with extremely limited foundations.</p>
<p>"" Para 12.102</p>	<p>Refers to changes in land stability being negligible and of low sensitivity but this outcome is not substantiated in relation to the historic and fragile fabric of the Church buildings.</p>
<p>"" Table 12-12</p>	<p>The basis for concluding negligible risks is unclear.</p>

"" Para 12.112	Refers to cumulative impacts of development being negligible but this has not been assessed. The Church buildings are particularly vulnerable to change in ground conditions.
<i>ES Vol I Ch 17 'Effect Interactions' Paras 17.21, 17.22</i>	The projected improvements along Undershaft will not be experienced in practice. This will be an extremely busy service route, with a constant flow of traffic. The 'benign' images are misleading.
<i>ES Vol III Appendix D 'Transport Assessment' Para 4.5.3</i>	See ES Transport comments above.
"" Para 6.2.10	No allowance has been made for school trips by coach to the viewing gallery.
"" Para 6.3.2	Projected levels of cycle use (449-474 in peak period) seems low based on parking provision (1664), general trends and Travel Plan objectives to increase cycle trips.
<i>Appendix H Swept paths Figure 3-7</i>	The impact of vehicles crossing the carriageway and blocking flows has not been assessed. The combined effect of vehicles accessing all developments along Undershaft and needing to cross the carriageway has not been assessed.
<i>ES Vol III Appendix D Space Syntax Study Page 44</i>	Query why the analysis does not also consider 6-8 Bishopsgate.
"" Page 50, 51	A Major potential conflict area is identified on St Mary Axe but no specific measures are proposed to mitigate this. Page 51 refers to reducing traffic flows, whereas the conflict is between cyclists and pedestrians. No cumulative assessments have been undertaken with 6-8 Bishopsgate and 22 Bishopsgate also using Undershaft. The analysis should also consider cumulative modes of travel: pedestrians, cyclists and traffic movements along Undershaft, and potential conflicts with vehicles manoeuvring to access service yards.
"" Case Studies	The case studies to which the proposed development is compared, have considerably lower levels of pedestrian and cycle movements than predicted along Undershaft. In addition, in the locations described in the case studies, cyclists and pedestrians do not share these routes with traffic, especially not with HGVs.

We expect to comment further on the application once we have received additional information from the applicant's consultant team and will keep you informed going forward. In particular, we expect to write to you again soon regarding cumulative traffic movements in Undershaft, including vehicles, pedestrians and cyclists. If you wish to discuss any of the above matters, please do not hesitate to contact me.

Yours Sincerely,



**Mike Burden**  
Facilities Manager

cc Pippa Walden-Jones, DP9



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**BY POST AND EMAIL**

Our ref: TMF/PAR203.7

PLANNING & TRANSPORTATION		
PSDD	GPO	PPD
TPD	22 APR 2016	LTP
OM		SSE
No	12696	PP
FILE		DD

20 April 2016

Dear Sirs

**OBJECTION TO PLANNING APPLICATION AT 1 UNDERSHAFT, LONDON EC3  
 (REF:16/00075/FULEIA)**

We act for the Rector of St Helen Bishopsgate with St Andrew Undershaft. We also act for the Parochial Church Council (the PCC). As you may know, the Rector is the freehold owner of St Helen Bishopsgate and St Andrew Undershaft; and the PCC is responsible for the maintenance of both buildings.

We have been instructed in connection with the application submitted on behalf of Aroland Limited (Aroland) for a proposed substantial development at 1 Undershaft, London EC3.

We understand from our clients' planning consultant, Ms Claire Treanor, that your current intention is to write your report on Aroland's planning application by 29 April 2016 in order to meet internal deadlines for the Planning and Transportation Committee meeting on 24 May 2016, albeit this will depend on further information being submitted by the applicant. We refer in this regard to Ms Treanor's email to you dated 13 April 2016, confirming a conversation she had with you on 12 April 2016.

We write to express our concerns about this proposed timetable for essentially the following reasons:

- (1) Aroland has failed to provide all necessary information to our clients (or seemingly the City) in a timely fashion;
- (2) Aroland has failed to consult adequately with our clients, thereby hindering our clients in responding to the application;
- (3) our clients are intending to submit further written materials for your consideration in relation to the application, but this will not be possible until very shortly before your proposed report completion date and will itself be dependent on the timely provision of outstanding information from the applicant;

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TERRALEX



- (4) Aroland has indicated that some information will only be provided in a timescale which will make it impossible for our clients to evaluate the information and make any written submission to you in advance of your proposed report deadline.

For these reasons, which we elaborate below, your proposed timetable creates a real risk of (i) inadequate (if any) consideration being given by the City to the materials which you ought to and/or will receive from Aroland and/or from our clients; and/or (ii) to the planning decisions being taken without any or any adequate evaluation of the relevant stakeholders' valid and relevant concerns.

You will appreciate that all our clients' rights must therefore be reserved.

We make the following points:

1. Our clients have substantive concerns in relation to the proposed siting and inevitable impact of the proposed development on St Helen Bishopsgate and St Andrew Undershaft as Grade 1 listed heritage assets.
2. In addition, our clients have substantive concerns in relation to the hindrance to the current ministry which these churches provide to the community of the parish which would be caused by the proposed siting of the proposed development and the proposed re-routing of Undershaft – these concerns relate not only to the build period, but to the situation of the churches after the proposed development (if permitted) is completed.
3. You are already aware from its detailed letters dated 26 February 2016 and 1 April 2016 that our clients have already identified a number of the significant impacts which this development, if constructed, would cause.
4. Our clients intend to submit further written materials by way of justification and explanation of the fact and extent of these impacts, and to do so in advance of the date on which you intend to complete your report. However, as indicated above and for the reasons explained below, you will not receive these materials until very shortly before your proposed report completion date and, of necessity, they will not be as fulsome as they would be if a proper process had been followed.
5. The difficulties of timing which this may create for you are not difficulties of our clients' making, but are the consequence of a combination of Aroland's regrettable approach to consultation and the timetable you have indicated the City intends pursuing. Nevertheless, any and all materials submitted by our clients will require proper, careful and reasoned consideration by the City of London if decisions on the application are to be made on a proper basis.
6. We elaborate below on the reasons why we say that the consultation with the Rector and the PCC (both generally and specifically as a 'sensitive receptor') that took place ahead of the submission of the application, and the papers submitted in support of it (particularly the Environmental Statement), were and are inadequate.
7. The concerns raised by the Rector and the PCC in respect of these two churches are heightened given their importance as heritage assets. Crucially, the church buildings are not solely structures whose settings must be protected but also heritage assets within which an important, active and vibrant church community operates, and which makes a valuable contribution to City life.

8. Put simply, appropriate regard has not been given to the detrimental impact which the proposed development would cause to the church buildings and ministry in terms of (i) heritage significance, and (ii) the community/ministry significance.

#### **Heritage Assets and policy context**

9. Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose clear duties on decision makers when making decisions on planning applications that affect a listed building or its setting. A planning authority must 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.
10. We also refer to two elements of policy which underpin the importance of proper regard being had to the impact on these churches.
11. The NPPF gives clear guidance to local planning authorities as to the care that needs to be taken when considering the impact of proposed development on designated heritage assets.
12. Paragraph 132 directs that "*great weight*" should be given to the asset's conservation. The more important the asset the greater the weight should be. In particular it states that:  
  
*"Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments.....grade I and II\* listed buildings.... should be wholly exceptional" (emphasis added).*

#### **The City of London Local Plan**

13. The City's own policy with regard to heritage assets is also of note. Policy CS 12 addresses the historic environment. Paragraph 3.12.3 places particular emphasis on the importance of the many church buildings within the City. It notes that  
  
*"The City can claim to have one of the greatest concentrations of church buildings of outstanding architectural quality in the country, with 42 places of worship, all but one of which are listed"*
14. Policy CS 12 itself then confirms at paragraph 1 that, in order to conserve or enhance the significance of the City's heritage assets and their setting, the City will:  
  
*"[Safeguard] the City's listed buildings and their settings while allowing appropriate adaptation and new uses".*
15. CS 14 sets out the City's policy in respect of tall buildings. Paragraph 3 provides that the City will only permit proposals for tall buildings on:  
  
*"....those sites which are considered suitable having regard to: .....the character and amenity of their surroundings, including the relationship with existing tall buildings; the significance of heritage assets and their settings; and the effect on historic skyline features".*
16. Given the statutory and policy emphasis on the protection of heritage assets it is clear that a high degree of regard must be had to impact of this proposal on the churches and that the harm caused must be subject to very detailed scrutiny.



## Heritage

17. Our clients will also shortly be submitting an explanatory note on the heritage value of these two churches and, in particular, of St Helen Bishopsgate. The Grade I listing does, of course, speak for itself, although in this case it does not say everything that needs to be said under the heading of the heritage significance of the church buildings.
18. We consider it important, however, given the statutory and policy protection afforded to heritage assets, that the Committee has a detailed understanding of the particular significance of St Helen's and that this issue is fully and properly taken into account in considering the other specific impacts and concerns which are raised.
19. In short, the impact of a given change on a significant listed heritage asset may be far greater than the impact of the same change on a modern commercial building.
20. We mention above the City's reference (in CS 12) to the 42 churches within its boundary. For the reasons the PCC will explain in its separate note, St Helen's is one of the very foremost in that group.
21. Our client is particularly concerned that the assessment of the impacts of the proposed development on heritage assets is viewed in the correct ways.
22. First, there are the visual impacts of setting. Even visual impacts of setting will differ depending on whether the visual impact is assessed from nearby or from further away. For example, even if (which is debatable and is not accepted by the Rector and PCC) the distant visual impact on St Helen's from Leadenhall Street were somehow enhanced by the proposed development,<sup>1</sup> the near visual impact will be impaired – looking north from Undershaft; and looking east from Great St Helen's and west from St Mary Axe, from all of which perspectives the proposed re-location of the road northwards and the proposed siting of the oppressive new tower northwards of the existing tower will crowd the church to the detriment of its current setting.
23. Secondly, as the NPPF makes clear, the setting of a heritage asset is the surroundings in which that asset is experienced. That experience may be auditory as well as visual, creating ambience; and that experience may be derived from being inside the heritage building and not just outside it. This has a particular relevance to St Helen's, where the opportunity for quiet contemplation, prayer, solace and ministry are integral to the functioning of the building and have been throughout its use as a church since there was a worshipping community on the site continuously from the eleventh century. These are therefore important aspects of its significance as a heritage asset.
24. Together with the use of Undershaft to service the proposed new building, the proposed relocation of Undershaft will (both during the development period and, after its completion, on an ongoing basis) have a material effect on noise (and possibly vibration) levels and on emission levels within the church by reason of the anticipated flow of traffic. The significance of this has not been adequately assessed in terms of the statutory duty or national policy on the protection of heritage assets. The PCC does not accept that the predicted impacts will be mitigated by road surfacing and the proposed servicing regime.

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<sup>1</sup> This is disputed by our clients in circumstances where the distant visual impact will itself be impaired by (i) the unsightly traffic flow along the proposed re-sited and over-loaded Undershaft; and (ii) the shadow created by the partially open area proposed underneath the new 1 Undershaft.

### **Highway and transport issues**

25. The impact of the proposed relocation of Undershaft and the impact of the proposed servicing arrangements for 1 Undershaft (whether the road itself is moved or not) have been identified by our clients as one of a small number of key issues for St Helen Bishopsgate.
26. Our clients have already voiced their concerns about this issue to Aroland and requested further information. The developer has recognised the need to respond to those requests, but to date it has failed to do so in any adequate, let alone timely, fashion. The only response which our clients have received to date in relation to the highway and transport issues was only provided (by way of a note from WSP) on 6 April 2016, almost six weeks after the PCC's letter to the City dated 26 February 2016. It is inadequate as a response, because it does not address the key concerns raised.
27. The issues related to highways and transport cannot simply be approached with reference to the present volume of traffic using Undershaft. At present, Undershaft is not used for servicing the proposed and approved major new developments (i) on the corner of Leadenhall Street/Bishopsgate, and (ii) at 22 Bishopsgate, both of which are intended to be serviced via the existing Undershaft.
28. Consequently, the impact of the servicing traffic for 1 Undershaft being brought onto Undershaft (where at present the Aviva Tower is serviced underground with separate access off St Mary Axe) and of Undershaft being re-located and carrying this greater volume of traffic must be assessed on the assumption that approved developments have been constructed looking at the cumulative impacts of traffic, pedestrians and cyclists at different times of the day/night, taking in to account intermittent flows with Consolidation and access into each building.
29. Nothing proposed by Aroland will increase the capacity of Undershaft or mitigate its inherent shortcomings: it will remain a dead end road with no turning area and no means of easing congestion.
30. The impact on St Helen Bishopsgate of the proposed 1 Undershaft development and of the re-location of Undershaft must therefore be considered with reference to (i) the volume of traffic, but also (ii) the nature and extent of the noise, congestion, traffic and inconvenience caused by delivery vans, couriers, taxis and other vehicles which are not only delivering, but waiting, reversing and otherwise competing with each other for a very limited area of road space; and (iii) the associated emissions and similar environmental concerns immediately adjacent to a significant heritage building. Our clients are not aware of any or any proper investigation or assessment having been undertaken of the nature or extent of these impacts on existing properties, let alone their enhanced impact on so important a heritage asset as St Helen Bishopsgate.
31. The PCC has now instructed its own transport consultant to consider the WSP response and the broader traffic issues. They and their consultant plainly require appropriate time within which to review the material and advise. We simply note, on the question of timing, that the specialist transport consultant for the developer required a period of almost six weeks to respond to the issues raised in the PCC's letter to the City dated 26 February 2016. This is indicative of the time needed to consider these issues even by the developer's own consultant.
32. Unless your current proposed timetable is relaxed, our clients and the City will have significantly less time to consider these issues and findings than the applicant's professional team who have been working on this proposed scheme for many months. As

indicated above, this would be as unsatisfactory for the City as it is for our clients, but if this is to be the position, then our clients will expect to see that any interim findings it provides are given the due attention and careful consideration which they will obviously require in your report.

#### **Sunlight and Daylight**

33. The PCC's light surveyors have advised them that the ES is unclear on the additional impact that the proposed 1 Undershaft building would have if it were constructed after the surrounding consents were implemented. The PCC's light surveyors therefore requested a technical study be undertaken with existing and consented buildings (6-8 Bishopsgate and 22 Bishopsgate) in the baseline.
34. This was requested on 26 February and no information has yet been provided. Further to this, The ES fails to provide a windows map which enables a proper assessment to be undertaken of the impact of the proposed scheme on the lighting of the churches. This was also requested from the developer's light surveyors on 26 February and no information has yet been provided. The PCC will need an appropriate opportunity to consider this material with its advisers in order to be able to understand the impacts.

#### **Objections from other neighbours**

35. The PCC is not alone in raising these concerns. We note that, to date, very similar objections have been raised by the following major neighbouring owners/occupiers:
- 35.1 New Ireland Assurance Company plc the freehold owner of 1 Great St Helens.
- 35.2 Hiscox Syndicates Limited and Hiscox plc as sole tenants of 1 Great St Helens.
- 35.3 The Leathersellers' Company

#### **Inadequacy of consultation**

36. Aroland's approach to consultation highlights that the difficulties created for our clients (and the City) are not of our clients' making, any more than they are of the City's. For this reason, we briefly set out below the salient facts relating to the inadequacy of consultation so that you have some understanding of the background to this matter and the reasons why our clients have now instructed us to write to you in these terms.
37. You will not be surprised to learn that given the scale of the proposed development, the PCC was dismayed by the limited extent of consultation during the formative stage of this application. This is particularly the case with regard to the proposal to realign Undershaft.
38. The salient facts, shortly stated, are these:
- 38.1 The Church was first contacted about the development of a tall tower on this site in June 2015. DP9, the planning consultants for the developer, informed the PCC of the proposed application and invited dialogue.
- 38.2 A meeting took place on 1 July 2015 between the PCC and the applicant's team, with Eric Parry and Pippa Walden-Jones in attendance. Our clients have confirmed to us that at that meeting Eric Parry presented images as to the indicative form of the scheme and that:
- (a) at that stage no indication was given as to the significant proximity of the new building to St Helen Bishopsgate nor, critically, the proposal to relocate Undershaft significantly closer to the church; and indeed

- (b) It was put to Eric Parry at that meeting that the PCC would be keen for the proposed development to include a much wider paved area along the South elevation of St Helen Bishopsgate to enhance its setting and keep the church back from Undershaft and the 1 Undershaft servicing ramp. He said nothing to indicate that this was impossible by reason of what was planned, even though the suggestion provided a natural opportunity for him to explain the proposed relocation of Undershaft to a point hard up against the southern face of the church. Indeed we are told he welcomed the suggestion and agreed it would be better.

38.2.2 The PCC were invited to a presentation at the public exhibition on 7 December 2015. It was at that point, for the first time, that the PCC were alerted to the fact of the proposed significant relocation of Undershaft and the bringing forward of the proposed new building line.

38.2.3 The PCC contacted DP9 two days later to request a meeting with the applicant's team and a meeting was arranged and held on 17 December 2015. The PCC voiced their strong concerns about the relocation of Undershaft towards St Helen Bishopsgate and the impact this would have on the church. The planning application was submitted just 27 working days after this meeting.

39. It was as a consequence of that meeting on 17 December that the PCC gave immediate consideration to the likely impact the proposed development would have on the churches. This led to the subsequent initial correspondence both with the City and DP9 in which the Church set out its concerns.
40. For the reasons given below, the PCC has yet to be provided with the information it needs properly to understand the impacts so that it can provide a more considered response. Inevitably that information is likewise not yet before you for the City of London to do the same.

#### **Inadequacy of the environmental statement**

41. The PCC has set out in detail, in its letter to the City dated 1 April 2016, a number of specific concerns in respect of the Environmental Statement. A copy of that letter is attached for ease of reference. These are points our clients raised with DP9 on 2 March. We do not repeat those detailed observations here.
42. One of the key purposes of the EIA process is to facilitate the participation of the public in order to ensure that the decision-making process is properly informed. However, that public participation is only possible if the Environmental Statement contains (in an accessible form) the information which is needed for the public to make meaningful comment on the likely effects of a proposal. In this case, the Environmental Statement does not do this.
43. There are three key issues on which our client has sought additional information from the developer. First, the impact of the proposed relocation of Undershaft with particular emphasis on the servicing and access along/across the road. Second, impacts on the physical integrity of the church buildings and the impact of noise and vibration and, third, additional information as to the likely sunlight and daylight effects on the church buildings themselves.
44. We have touched on each of these key issues above. We simply reiterate that Aroland has not provided the requisite additional information. Even if it were to be provided today,

neither our clients (nor the City) would be in a position properly to evaluate the additional information prior to the date on which you currently intend to complete your report.

**Timing**

45. In light of these important issues, the incomplete information yet available as to the impact of the scheme on the churches, and the scale of the development we share our clients' deep concern that this application may nonetheless be taken to committee in May.
46. It seems clear to us that, in the absence of due consideration having been given to these key matters of concern, it would not be appropriate for the Committee to consider this application until such further information has been provided on the impacts identified and that the PCC (and the City) has been given a proper opportunity for consideration and comment.

We invite your formal response as to whether, notwithstanding the points we have made and the concerns we have set out, you nevertheless intend to adhere to the timetable indicated to Ms Treanor in your conversation with her last week.

The view of our clients, which we share, is that in the circumstances the only reasonable approach for the City of London to take is to await the provision of further information by Aroland and to adopt a timetable thereafter which allows for an orderly and considered determination of Aroland's application.

We await hearing from you.

Yours faithfully

RPC

RPC

CC: Pippa Walden-Jones, DP9



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**BY HAND**

Our ref: TMF/PAR203.7

28 April 2016

Dear Sir,

**OBJECTION TO PLANNING APPLICATION AT 1 UNDERSHAFT, LONDON EC3  
(REF:16/00075/FULEIA)**

We act, as you know, for the Rector of St Helen Bishopsgate with St Andrew Undershaft and also for the Parochial Church Council ("the PCC").

This letter follows our detailed objection letter dated 20 April 2016 sent on our clients' behalf. In that letter we set out our clients' significant concerns in relation to the application for planning permission, submitted on behalf of Aroland Limited, for the proposed redevelopment of 1 Undershaft, London EC3.

1. Our clients' primary concerns were (and remain) the following:
  - 1.1 It is proposed to re-route Undershaft to the north, close up to the southern elevation of St Helen Bishopsgate. In addition, the re-routed road will carry more traffic by reason of the scale of the proposed 1 Undershaft development and the removal of the existing ramp and associated underground servicing. Taken separately and together, these changes will have a significant, detrimental and long term impact on the setting and use of this important heritage asset.
  - 1.2 The existing and extensive Christian ministry activities conducted in and from St Helen Bishopsgate are precisely what the building was built for many hundreds of years ago and precisely what the building has been used for over centuries. The existing use of the building for Christian ministry is therefore directly related to the building's heritage significance. The assessment of harm is not simply a question of setting and physical fabric; it is also a question of impact on that use. Yet no, or no adequate, regard has been had to this fact or to the extent of the impact which would be caused to St Helen Bishopsgate and its ongoing ministry.
  - 1.3 Based on the information available to them, our clients have received independent professional advice that

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- 1.3.1 the noise impact of the proposed development would be untenable (both during and after construction); and
  - 1.3.2 the proposed servicing regime via the re-located and re-configured Undershaft will be unworkable in practice.
- 1.4 Not only have these issues been disregarded in the formulation of the current proposed scheme, but there has been inadequate consultation with our clients prior to the submission of the application. Our clients' ability to respond fully, and reasonably, in relation to these substantive issues has been, and continues to be, hindered by the developer's failure, to date, to provide responses to many outstanding requests for key information.
2. In our letter dated 20 April 2016, we confirmed that our clients would be submitting further material to you, particularly in relation to the heritage and highway issues. We expressed our concern that, given the inadequacy of the material provided by the developer and the late production of additional material by them, there was a clear risk of there being insufficient time for our clients (and the City) to give these matters the due consideration they plainly require. We recorded our concern as to the resulting risk of planning decisions being taken without due regard having been had to the material concerns of relevant stakeholders.
3. No substantive response has been received to our letter dated 20 April 2016 (which was copied to DP9) and only limited further information has been received from the developer.
4. In these circumstances, our clients must continue fully to reserve their position and all their legal rights in relation to any report you may write and any planning decision which may be taken on the strength of it.
5. For the reasons set out in this letter and in the detailed accompanying materials (and in particular the detrimental impact on an important heritage asset, in existing and longstanding use, of the proposed re-routing of Undershaft and the proposed servicing regime), the current planning proposal should be rejected. Alternatively, at the very least, it should be deferred pending (i) provision by the developer of the outstanding additional data and information; and (ii) a proper opportunity for our clients to consider and to respond fully to such materials.
6. It is not in anyone's interests for the major development cluster around Undershaft, Leadenhall Street and Bishopsgate to be permitted to proceed in a manner which proves unworkable in practice and detrimental to the longest standing and most important heritage asset in that part of the City.

#### Outstanding Information

7. We attach to this letter a schedule listing the information requested from the developer's representatives. This lists the information that was formally requested on various dates since 26 February 2016 with the majority requested in the form of a note attached to an email from our clients dated 2 March 2016 to DP9. We refer, in particular, to the many outstanding requests for key information in respect of:
  - 7.1 Analysis regarding vehicles, cyclists, pedestrians and servicing; and
  - 7.2 Noise and vibration.
8. Notwithstanding the continuing absence of this material, and doing the best they can (as a Church and not a commercial organisation):

- 8.1 Our clients have prepared a detailed note on the historical importance and the community significance of St Helen Bishopsgate, together with 8 supporting appendices.
- 8.2 Our clients have obtained technical advice from external consultants on the matters of key concern to them, namely (i) acoustic and noise impacts; and (ii) highways – traffic/servicing.
9. These materials are contained in the bundle accompanying this letter. They require close consideration.
10. Although these materials are, of necessity, interim in nature the reports from external consultants are independent technical reports which undoubtedly identify matters to which the City must have regard when considering this application. Indeed, as regards the heritage issues, the City has a statutory duty to do so.

### Heritage

11. In our 20 April 2016 letter we confirmed the importance, and sensitivity, of St Helen Bishopsgate and that this would be explained in a follow on report; this we now enclose in the form of a paper signed by Jeremy Anderson CBE (as senior warden of St Helen Bishopsgate) attesting to the historical importance and the community significance of St Helen Bishopsgate.
12. This report sets out in detail the great significance of St Helen Bishopsgate (and, in less detail, St Andrew Undershaft), as well as the scale and vibrancy of the ministry provided by the church to the community in which it is located. The same report also highlights (based on the information available to date) some of the significant harmful effects which the proposed development would have, both on these grade 1 listed buildings and on the ministry conducted in them and from them.
- 12.1 The heritage issues at stake must be approached with reference to paragraph 131 of the NPPF. 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"*. Here, there is an existing, important and long term use of the church buildings which is inextricably linked to their heritage significance. Material, long term harm to the ministry at these churches must plainly be resisted.
13. We ask that this report is reviewed and reported in full, but the key issues to be emphasised are these:
  - 13.1 St Helen Bishopsgate is one of the most important church buildings in Greater London, only out-rated in terms of importance by Westminster Abbey, Southwark Cathedral, St Bartholomew the Great and the Temple Church;
  - 13.2 A functioning church, with an active ministry, has been located on the site of St Helen Bishopsgate for the best part of a thousand years;
  - 13.3 St Helen Bishopsgate with St Andrew Undershaft is, in terms of ministry activities and size, one of the largest Church of England churches in London and, indeed, in the UK.
  - 13.4 Any material impact on the church's ministry and community activities would inevitably constitute a material and harmful impact on its heritage significance.



## Acoustics

14. We enclose a copy of the initial report our clients have received from acoustics consultants, Hann Tucker Associates. The Report identifies in summary form the significant harmful effects that noise generated by the proposed development (both during the construction phase and thereafter) would have on the conduct of the ministry at St Helen Bishopsgate in particular. Once again, we emphasise that this is the advice our clients have been able to obtain so far on the limited information available to them. We also refer again to the attached schedule which identifies the requests for information regarding noise and vibration which have remained outstanding since 2 March 2016.
15. The most striking observations in the report are as follows:
  - 15.1 The Environmental Statement itself acknowledges that the proposed redevelopment of 1 Undershaft would have up to a major adverse noise impact on St Helen Bishopsgate and St Andrew Undershaft, both during the construction/demolition phase and following completion during the operational phase due to road traffic – Hann Tucker report, paragraph 1.1.
  - 15.2 The predicted internal noise levels within the churches have been demonstrated to be unacceptable by some distance during both demolition/construction and following completion during the operational phase. The subsequent acoustic environment would not be suitable as a place of worship – Hann Tucker report, paragraph 1.3.
  - 15.3 The predicted vibration levels are likely to be of less significance than the noise, but the vibration levels at St Helen Bishopsgate will still be moderate adverse – Hann Tucker report, paragraph 4.1.2.
  - 15.4 Separate engineering advice will be required on the risk of structural damage to these ancient buildings due to vibrations – Hann Tucker report, paragraph 4.1.2. Our clients reserve the right to submit an engineering report once available.
  - 15.5 The predicted noise levels due to construction/demolition would render the church unusable as a place of worship, where the noisy demolition and construction works would (according to chapter 5 of the ES) continue for several years – Hann Tucker report, paragraph 5.4.
16. The extent of the anticipated adverse impact on St Helen Bishopsgate would be potentially devastating to its existing and long-standing use. This is plainly unacceptable.
17. Even post development, the proximity of the proposed realigned Undershaft would give rise to predicted noise levels which would have a significant, permanent and harmful effect on the conduct of the church's ministry.
18. It cannot be right that an existing and long-standing use of an important historical asset should be required, at best, to suffer substantial detrimental impact or, at worst, to cease its activities altogether in order to accommodate those aspects of the proposed development which would cause these detrimental impacts to occur.
  - 18.1 Such a decision could at best diminish and at worst irreparably damage the existing use of St Helen Bishopsgate which has operated as a parish church on the site for nearly a thousand years.
  - 18.2 The developer has not demonstrated an absence of alternative approaches without these adverse impacts on St Helen Bishopsgate. It is inconceivable that such alternative approaches do not exist and, by the rejection of the existing proposal, the developer should be required to bring forward adequate alternative approaches.

### Highway – re-location of Undershaft; and traffic/servicing

19. Our clients have instructed Motion, an experienced firm of highways and transportation consultants, to analyse the material submitted by the developer to date in connection with the proposed realignment, and future usage (both mode and extent), of Undershaft.
20. A copy of the report is enclosed. Inevitably this will need to be updated and expanded once the outstanding material requested from the developer has been received. Subject to this point, this report endorses the practical concerns raised by our clients about the impact of the Aroland proposals – not just in terms of impacts on the church buildings themselves but also the potential risks to pedestrians and cyclists as a consequence of the conflict with the proposed servicing regime.
21. Again, we ask that the report is reviewed and reported in full but we draw particular attention to the following:
  - 21.1 The full implications of the proposed development together with the cumulative impact of servicing access to other existing, or approved schemes have not been fully assessed.
  - 21.2 No, or no adequate, assessment has been made as to whether the delivery strategy will be workable in practice.

### Sunlight and daylight

22. Aroland's rights to light surveyors, GIA, responded to our clients' requests for further information on sunlight and daylight impacts by a report letter dated 20 April 2016. In that letter they sought to grapple with our clients' concerns that the analysis submitted to date failed to take account of the true cumulative effect of other neighbouring consented schemes.
23. GIA have provided an analysis for those schemes (on 20 April 2016) and conclude that, in their view, the daylight enjoyment to the church buildings would not be unduly compromised as a result of the implementation of the proposed scheme.
24. Our clients have, within the very limited time available, obtained advice from their own rights to light consultants (Point 2).
25. Their advice differs markedly from that given by GIA. Point 2 have assessed the position with regard to the additional effect 1 Undershaft would have above and beyond the impacts caused by the consented schemes within the immediate vicinity of the site. Point 2 have advised that:
  - 25.1 3 windows in the southern elevation of St Helen Bishopsgate would experience reductions in visible sky component (VSC) which would be in breach of the BRE VSC criteria; and
  - 25.2 With regards to sunlight, the windows within the element of St Helen Bishopsgate overlooking 1 Undershaft will experience a material reduction in sunlight. The main window in this elevation would, for example, have its existing sunlight levels reduced by 90%.

### Conclusions

26. It is apparent from the matters referred to above, and the detailed (interim) technical reports our clients have been able to produce in the limited time available, that the concerns expressed in our letter to you dated 20 April 2016 are entirely borne out.

27. The key points are:

- 27.1 St Helen Bishopsgate is a heritage asset of very great significance and being put to a significant existing use which has lasted many years. Appropriate regard has simply not been had to its setting and its vulnerability to impacts (both physical and operational) to the church building itself and its thriving ministry and community.
- 27.2 The transport and servicing strategy for the proposed development is ill thought through and unlikely to operate successfully, or safely, in practice. No due regard has been had to the potential conflict between operation of the servicing regime in practice and the greatly increased number of pedestrians and cyclists predicted to use this locality. Equally, no due regard has been had to its impact on the setting and ministry activity of St Helen Bishopsgate.
- 27.3 The acoustic impact on the church during demolition and construction phases will be so severe as to render both St Helen Bishopsgate and St Andrew Undershaft unusable as a place of Christian ministry and worship. Even post development, the increased level of noise from the actual practical operation of the proposed servicing regime on Undershaft will be so severe as to render St Helen Bishopsgate unsuitable as a place of worship and therefore to have an ongoing and permanent harmful impact on the conduct of the church's ministry.
- 27.4 The sunlight and daylight impact on St Helen Bishopsgate is significant, with some windows in the southern elevation of the church losing all winter sunlight.

In light of these matters, our clients have inevitably concluded that the proposals as they currently stand, with particular regard to the proposed realignment of Undershaft, the proposed servicing regime and the acoustic/noise consequences of the proposal, would have a long-term, significant and harmful impact on St Helen Bishopsgate (and, to a lesser but still significant extent, on St Andrew Undershaft) and that consent to the scheme in its current form should not be given.

Accordingly, our clients object to planning permission being granted for the existing proposed scheme and invite the City to reject the application which has been made by the developers of 1 Undershaft.

Yours faithfully

RPC

RPC

Enc.

**Requests for Information from DP9**

Category	Request	Date Requested	Date Received
Vehicles, Cyclists, Pedestrians & Servicing	Assessment of vehicular capacity of Undershaft	02/03/16	06/04/16
Vehicles, Cyclists, Pedestrians & Servicing	Explanation of how traffic will be managed including swept paths	02/03/16	Partial 05/04/16
Vehicles, Cyclists, Pedestrians & Servicing	Consideration of conditions outside AM and PM peaks	02/03/16	OUTSTANDING
Vehicles, Cyclists, Pedestrians & Servicing	Has the City accepted responsibility for enforcement of the adopted highway?	02/03/16	OUTSTANDING
Vehicles, Cyclists, Pedestrians & Servicing	Future pedestrian flows that include cumulative effect of 6-8BG.	02/03/16	OUTSTANDING
Vehicles, Cyclists, Pedestrians & Servicing	Analysis of anticipated Impacts of cycle trips	02/03/16	OUTSTANDING
Vehicles, Cyclists, Pedestrians & Servicing	Combined effect of pedestrians and cyclists and cumulative assessment with 6-8BG, 22BG and 122LS	02/03/16	OUTSTANDING
Miscellaneous	Additional views of the development	25/02/16	OUTSTANDING
Microclimate	Wind pressure study to include changes in wind pressure on the surface of church buildings at mid level and at roof level	02/03/16	OUTSTANDING
Microclimate	Window maps for church buildings	26/02/16	20/04/2016
Microclimate	Technical daylight/sunlight study with consented properties in the baseline	26/02/16	15/04/2016
Noise & Vibration	Predicted internal noise levels for church buildings during demolition/construction.	02/03/16	OUTSTANDING
Noise & Vibration	Details of mitigation for impact of noise during demolition/construction	02/03/16	OUTSTANDING
Noise & Vibration	Predicted internal noise levels for church buildings following completion of development.	02/03/16	OUTSTANDING
Noise & Vibration	Details of mitigation for impact of noise following completion of development.	02/03/16	OUTSTANDING
Noise & Vibration	Has noise analysis in ES taken into account increase in vehicles using Undershaft and proposed relocation of Undershaft closer to St Helen's?	02/03/16	OUTSTANDING
Structural	Further evidence of various assertions in ES	18/03/16	22/04/16

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Tab	Document
1.	Historical Importance and community significance paper
2.	Appendix 1 to the Historical importance and community significance paper dated 27 April 2016:  Statement of Architectural Significance, by MRDA (2015)
3.	Appendix 2 to the Historical importance and community significance paper dated 27 April 2016:  St Helen Bishopsgate City of London – Historical Report (1993), by Andrew Saint and Richard Lea of English Heritage
4.	Appendix 3 to the Historical importance and community significance paper dated 27 April 2016:  Proof of Evidence of Dr Gordon Higgott BA, MA, PhD of English Heritage, London Region (1993)
5.	Appendix 4 to the Historical importance and community significance paper dated 27 April 2016:  Preface to Vol IX of the London County Council's Survey of London – The Parish of St Helen, Bishopsgate (by Minnie Reddan and Alfred W. Clapham, as part of the series under the General Editorship of Sir James Bird and Philip Norman)
6.	Appendix 5 to the Historical importance and community significance paper dated 27 April 2016:  London: The City Churches, by Simon Bradley and Nikolaus Pevsner (Penguin Books, 1998) – extract about St Helen, Bishopsgate
7.	Appendix 6 to the Historical importance and community significance paper dated 27 April 2016:  Judgment of the Chancellor of the Diocese of London, sitting in the Consistory Court of the Diocese of London

8.	Appendix 7 to the Historical importance and community significance paper dated 27 April 2016:  Ministry: weekly timetable – St Helen Bishopsgate
9.	Appendix 8 to the Historical importance and community significance paper dated 27 April 2016:  Ministry: weekly timetable – St Andrew Undershaft
10.	Motion – Highways and Transportation Report, April 2016
11.	Hann Tucker Associates – Noise Impact Review, 27 April 2016
12.	Copy RPC Objection letter dated 20 April 2016

6 / 00075

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1 Bartholomew Lane,  
London EC2N 2AX

Mr A Newman  
Department of the Built Environment  
City of London  
PO Box 270  
Guildhall  
London EC2P 2EJ

PLANNING : TRANSPORTATION		
PSDD	CPO	PPD
TPI	05 MAY 2016	ITP
ON		SSE
Nr	177028	DP
		DD

4<sup>th</sup> May 2016

Dear Mr Newman

**Proposed development at 1 Undershaft**

I write to express my deep concern about the effect of the proposed development at 1 Undershaft on St Helen Bishopsgate.

Between 1992 and 2012 I was a Churchwarden of St Helen Bishopsgate and I was closely involved in the work to restore the damage to the church after the IRA bomb in 1993. I regularly attend its weekly lunchtime services, to which I take colleagues from the London Metal Exchange.

I can personally attest to the important work of St Helen Bishopsgate in its local community. It is a matter of grave concern if its ministry could be harmed by the proposed new development at 1 Undershaft.

St Helen Bishopsgate is obviously an important historic asset. But it is also renowned for its vibrant ministry: it is unusual for a historic City church to be continuously used by so many people every week.

**Moving the road, Undershaft, closer to the church, where it will be used by very many more delivery vehicles operating in a tight area, can only cause a serious increase in noise within the church and disturbance to all that it does. These are matters of common sense.**

**There must be an alternative approach. It only requires the City to invite the developers to come up with it. I invite you the City to require the developers to do so, by declining to approve the present application.**

**I shall follow this matter closely.**

**Yours sincerely,**

A solid black rectangular box redacting the signature of Lord Farmer.

**Lord Farmer**





**Mr A Newman**  
Department of the Built Environment  
City of London

PO Box 270  
Guildhall  
London EC2P 2EJ

May 5<sup>th</sup> 2016

Dear Mr Newman

**Proposed development at 1 Undershaft**

I have been a senior Exec in the Lloyd's market for the past 42 years, including being Chairman of one of the Lloyd's brokers and I remain actively involved in the market today as both a consultant and Chairman of one of the reinsurance businesses. Throughout that time I have attended St Helen's Church, Bishopsgate and am now involved in meeting many CEO's and senior executives from the market at St Helen's Church. I write, supported by other senior executives as attached, to express what is a very great concern about the proposed development at 1 Undershaft and especially its impact on the church of St Helen Bishopsgate.

We can all testify to the involvement and service to many insurance firms provided by St Helen's Church. This is a highly active and vibrant ministry, providing hugely important input to the London insurance community as well as so many other business sectors. The ministry of St Helen's Church literally operates every day of the week, from buildings of major historic significance to the City of London. In addition, I can assure you that the ministry of St Helen's Church is of international significance.

In short, you will soon discover that this ministry and the buildings that support it are of both local and international importance, positioned in the heart of the city and dating back to the twelfth century!

It is therefore a matter of great surprise and unease to prominent members of the Insurance community that this important heritage asset and community building is in danger of having its setting and local, regional, national and international ministry adversely affected by the proposed grossly over large development at 1 Undershaft. It is not that we do not understand the redevelopment of the city, actually the staff of St Helen's Church are delighted at the ever increasing numbers of people on the doorstep, but the scale of the proposed development is out of proportion

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and far too threatening to a historic building of such significance and the huge number of people that the ministry serves.

In particular, moving the cul-de-sac, Undershaft, closer to the church, with the expected volume of supply traffic that it envisages, is simply impractical. I often arrive at St Helen's Church early in the morning, only to witness the regular confusion that now can occur with just a fraction of the volume anticipated. More delivery vehicles, more pedestrians, ever increasing cyclist numbers added by a building of such volume will, without question, generate both a material increase in noise and serious congestion outside. This development can only seriously impair all that is going on at St Helen's Church.

We urge the City of London to reject this application until the developers have devised a proposal that reduces the size and maintains Undershaft away from the church, for the safety of all and the use of these historic buildings by a local and internationally recognised active ministry. This is an important heritage and community building which needs to be protected for the benefit of so many who work, live, study, and visit London.

We shall follow this matter closely.

Yours sincerely,



Richard Borgonon

Chairman

Capsicum Re Bermuda

and BORGONON & CO LTD

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I write supported by and on behalf of

**Max Taylor (Retired Chairman of Lloyds)**



**Mark Wheeler (CEO Ironshore International Ltd)**



**Martin Hudson (CEO Old Mutual Specialty Insurance)**



**John Lloyd (Director JLT Speciality Ltd)**



**Gordon Marsh (Partner JLT Reinsurance Brokers)**



**Bob Stuchbery (President International Operations The Hanover Group, Deputy Chairman of Chaucer Syndicates Ltd)**



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Development Manager (East)  
 Department of Planning and Transportation  
 City of London Corporation  
 Guildhall  
 London  
 EC2P 2EJ

Date: 9 May 2016  
 Your ref: 16/00075/FULEIA  
 Our ref: GIBSONJW\303118-000003  
 Direct: +44 20 7919 0691  
 Email: jamesgibson@eversheds.com

By Email and DX

PLANNING & TRANSPORTATION		
PSDD	CPO	PPD
TPD	11 MAY 2016	LTP
OM		SSE
No	127051	PP
FILE		DD

Dear Sirs

Planning Application 16/00075/FULEIA – 1 Undershaft, London EC3 3DQ

We act for The Wardens and Society of the Mystery or Art of the Leather Sellers of the City of London in relation to the above named planning application.

We refer to the letter dated 5 April 2016 from the applicant's planning agent, DP9 Limited, which has sought to address the following matters raised in our client's letter of objection dated 24 February 2016:

1. The impact of the proposed development on the St Helen's Conservation Area and the setting of surrounding heritage assets;
2. The daylight, sunlight, overshadowing and solar glare impacts of the proposed development on our client's property holdings;
3. The impact of the proposed development on the public transport network;
4. The impact of the proposed development on the capacity of the local waste management structure.

Our client maintains that it has serious concerns regarding the above issues and does not consider that these matters have adequately addressed by the applicant in the preparation of its Environment Statement, upon which the letter from DP9 Limited has sought to rely.

For the avoidance of doubt, our client sustains its objection to the planning application.

Yours sincerely



EVERSHEDS LLP

lon\_fib1\14141148\1\gibsonjw

**Newman, Tony**

---

**From:** Catherine Hillier <[REDACTED]>  
**Sent:** 08 June 2016 14:18  
**To:** Newman, Tony  
**Subject:** Re: 1 Undershaft (16/00075/FULEIA)

Dear Mr Newman,

This sounds a truly brilliant, and original initiative, and thank you for keeping me in the loop.

I am really excited to start to imagine the possibilities of this unique resource on our doorstep.

It will be a landmark scheme, and an important legacy for visitors to consider The City, our city that is London, and the urban environment.

I will circulate the information about the scheme to teachers and parents.

Please do note us down in your file, and draw on the school and parents of the PTA as a resource if this is at all helpful in the numerous stages of development that lie ahead.

Sending best wishes to you and your team.

Many thanks for harbouring a brilliant idea and bringing it to life !

Catey Hillier  
PTA Chairman,  
St Paul's Cathedral School, 2 New Change

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

**From:** Newman, Tony <Tony.Newman@cityoflondon.gov.uk>  
**To:** cateyhillier <[REDACTED]>  
**Sent:** Wed, 8 Jun 2016 12:31  
**Subject:** 1 Undershaft (16/00075/FULEIA)

Dear Ms. Hillier,

Further to our previous correspondence, I am now able to provide more information in respect of the potential use/curation of the proposed Public Viewing Gallery at 1 Undershaft (please see the link below).

<http://www.cityam.com/242452/could-new-city-skyscraper-1-undershaft-host-londons-highest-museum>

Of course, nothing is certain at this early stage but I believe the work we have done with both the developer and MoL is positive and highlights our aspirations for the viewing gallery.

Kindest regards

Tony Newman  
Senior Planning Officer  
Department of the Built Environment  
020 7332 3149  
[www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk)

Mr Tony Newman  
Department of the Built Environment  
City of London  
PO Box 270  
Guildhall  
London  
EC2P 2EJ

5 July 2016

Dear Mr Newman

**ONE UNDERSHAFT REDEVELOPMENT (REF: 16/00075/FULEIA)**

Prior to the planning meeting on July 26th, I am writing on behalf of the Parochial Church Council of St Helen Bishopsgate with St Andrew Undershaft ("the PCC") to update you on our latest evaluation of the potential impact of the proposed 1 Undershaft development on the ministry and buildings of St Helen Bishopsgate and St Andrew Undershaft, following additional work from our external experts.

We are asking for specific consideration of the likely noise impact on St Helen Bishopsgate to ensure there is no detrimental impact on the operation and setting of a unique and busy heritage asset.

**Our approach to surrounding developments**

We have always sought to work co-operatively with adjacent developers to accommodate the needs of both the developers and the PCC. In practice this has been achieved through a combination of noise and environmental protection measures, including agreement to specific "quiet periods", and temporary protection measures during construction.

However, the potential impact of 1 Undershaft is of a different order of magnitude in the way it will impact a significant heritage asset. This applies during the deconstruction and construction phase but, even more importantly, *it may damage the environment and work of the heritage asset even after construction is complete.*

We hope that, as the most significant sensitive receptor close to the development (the south wall of St Helen Bishopsgate will be adjacent to the repositioned Undershaft), the City of London will give particular weight to our request that the planned development not be given formal approval until the developer has agreed with the City and the PCC workable arrangements so that during the development phase, and post completion, *the noise levels inside the church will not be appreciably higher than they are today.*

**Additional information since we last wrote**

Since we last wrote to you the PCC has commissioned additional work from acoustic experts and traffic consultants to assess the proposals further.

In relation to the noise impact of the scheme:

- Our advisors have taken additional noise readings inside and outside the building and done further analysis; they have repeated to us their conclusion that the proposed development will have a *significant detrimental impact*;

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EMAIL:  
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WEBSITE:  
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ST HELEN BISHOPSGATE  
Charity name – The Parochial Church  
Council of the Ecclesiastical Parish of  
St Helen Bishopsgate

REGISTERED CHARITY NO:  
1131501

- The response from DP9 has been limited to restating their previous position, that they will use best practice mitigation techniques and that all will be well. They have provided no explanation of these mitigation techniques and whether they would work and be approved for a heritage asset.

#### **Why the noise impact inside the church should be given thorough consideration**

Our correspondence at the end of April included a substantial paper setting out in detail the heritage significance of St Helen Bishopsgate, as well as the scale and vibrancy of the ministry provided by the church to the community in which it is located. We will not repeat these facts in full, but in summary that heritage paper explained that:

- St Helen Bishopsgate has been assessed as one of the most important church buildings in Greater London, only slightly behind Westminster Abbey, Southwark Cathedral, St Bartholomew the Great and the Temple Church in terms of heritage importance;
- A functioning church, with an active ministry, has been located on the site of St Helen Bishopsgate for the best part of a thousand years. Today, in terms of ministry activities and size, it is one of the largest and most active Church of England churches in London and, indeed, in the UK. It has a church electoral roll in excess of 1,000 people. It is in use for services, study and contemplation *throughout the day almost every day*. A weekly schedule of activities has previously been provided to both DP9 and the City of London to show the busy pattern of activities

So a workable solution to the noise impact must be found. Any material impact on the church's ministry and community activities would inevitably constitute a *material and harmful impact on its heritage significance*.

#### **The noise impact**

A fuller analysis of the acoustic implications has been provided by our legal advisors, RPC, in a separate letter of today's date. In summary

- Our acoustic consultants (HTA) recommend a background noise level of 30-35dB as appropriate for a place of worship (in accordance with BS 8233: 2014)
- The current noise levels in St Helen Bishopsgate, measured mid-morning in May, was 38dB with the doors shut and 46dB with doors open (necessary for cooling on warm days)
- So we are already in a situation where external noise leads to an internal noise level above the expected threshold. This is before the increased traffic of the 22 Bishopsgate and 6-8 Bishopsgate developments have been added. The proposed re-routing of Undershaft adjacent to the church's south wall, plus the additional traffic for Undershaft, will only exacerbate this (the church has 40 metres of frontage onto Undershaft comprised of medieval walls, so there is considerable noise transmission)
- The developer's Environmental Statement indicates a major adverse impact on noise levels inside the building, with an increase of 9.1dB (Table 9-24, chapter 9 of ES Volume I)

- Since a change in noise level of 10dBA represents a **doubling of subjective loudness** this would take the *internal noise levels inside the heritage asset to a level that would compromise its effective operation and potentially leave it unusable at certain times and for certain activities*
- Furthermore, during the construction phase the impact is even more alarming with an estimate of up to **81dB** noise levels at the exterior of St Helen Bishopsgate (receptor R5, Table 9-18, chapter 9 of ES Volume 1)

Since the building is in constant use, at least 6 days a week and often 7 days, this needs to be addressed before the development is given formal approval.

#### **Mitigating the impact during the construction phase**

Previous developments in close proximity to the church have involved mitigation measures within the church, during the *construction phase*, such as: internal and external boarding up of windows, internal protection of historic monuments, maximum noise and vibration levels, specific "quiet periods" (uniquely for the churches) when major meetings and services take place, temporary wall buttressing, relocation of office activities and other compensating measures. We recognise that there may have to be similar intrusions into the church and its ministry to cope with the additional noise increase during the *deconstruction and construction phase* of the development (to be detailed in a Neighbourly Matters Agreement). This has been outlined to DP9 previously. However, any such intrusions themselves require careful thought and planning, since they must be sympathetic to the heritage importance of the building (and would themselves require faculty approval) and they must be of a nature and quality which reflects the ongoing use of the building during construction and the length of the proposed construction period. To date, the developer has brought forward no proposals in this regard. In saying this, any such arrangements would, of course, be subject to our property rights, all of which we continue to reserve.

#### **The ongoing noise impact**

Looking beyond the construction phase, none of the other nearby schemes recently approved by the City have had significant noise impacts post-completion; *this is a unique situation.*

Given the permanency of these consequences on a heritage asset (Undershaft will remain re-routed for the foreseeable future and the building will presumably have a life of 50+ years), we are asking the City to delay formal approval until the developer has provided evidence as to how they will ensure *a workable noise level is achieved inside St Helen Bishopsgate after the development is completed and with the full impact of the re-routing of Undershaft and additional traffic taken into account.*

#### **Current status of the developers' proposals**

To date we have not achieved agreement on either the scale of post-completion noise impact, nor on acceptable permanent mitigating actions:

- DP9 declined our proposal (March 2nd) that they should take noise readings inside our buildings to better understand the noise transmission characteristics of the buildings and agree a set of baseline readings (instead we undertook our own survey).
- DP9 has not yet convincingly addressed the significant heritage concerns addressed in our 28 April 2016 letter. Their response, which ran to two



paragraphs, referred us to Parts 28-32 of the Townscape, Heritage and Visual Impact Assessment, which only comments on the visual *setting* of the heritage asset and not on the usability and community aspect, which is a fundamental component of the heritage asset and its setting.

- Neither DP9 nor its advisers have undertaken any inspections inside the buildings in order to inform what permanent measures could be suitable, effective and or appropriate for a Grade 1 listed building.

*In summary DP9 has not provided (at least to the PCC) sufficiently detailed, fact-based proposals to allow an assessment of whether and how they can mitigate the impact of their current proposals on the ongoing operation and ambience of this heritage asset, as well as its visual setting. This is a matter of immense importance for the PCC.*

Since the noise impact assessments were not available to Historic England when they evaluated the potential impact on heritage assets we have now provided them with DP9's noise assessments and our own impact analysis.

#### **Alternative proposals**

We are not in a position to assess which mitigation options would be appropriate, best suit the proposed development, and meet the needs of the heritage asset.

However, as well as evaluating detailed mitigation options we would like a solution to be evaluated which does not move Undershaft north but routes Undershaft traffic away from the heritage asset.

This could mitigate some of the additional noise impact inside the building during the operational phase, improve air quality in the environs of the building, keep traffic (which could inevitably back-up if there are disruptions to logistics) away from the building and therefore enhance the visual setting of the heritage asset, reduce noise and congestion during the construction phase and potentially mitigate some of the other traffic management issues relating to the impact of mixing pedestrians, traffic and pedestrians in the same space

Given the proposed lifetime of this development, allowing time for detailed proposals to be put forward to deal with these issues seems a sensible approach for both the current and future users of this space.

Yours sincerely



**Jeremy Anderson CBE**  
Vice Chairman of the Parochial Church Council

cc. Melanie Wykes, DP9  
cc. Nigel Barker, Historic England



Mr Tony Newman  
Department of the Built Environment  
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Our ref: TMF/PAR203.7

5 July 2016

Dear Sirs,

**OBJECTION TO PLANNING APPLICATION AT 1 UNDERSHAFT, LONDON EC3  
(REF:16/00075/FULEIA)**

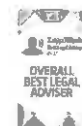
1. We act, as you know, for the Rector of St Helen Bishopsgate and St Andrew Undershaft and also for the Parochial Church Council ("the PCC"). St Helen Bishopsgate and St Andrew Undershaft ("the Churches") are both Grade I listed with active Christian communities operating within them each week (and for large parts of most days each week) throughout the year.
2. St Helen Bishopsgate is recognised as one the most important churches in London. It has been a place of worship in the City since the 12<sup>th</sup> Century. Together with St Andrew Undershaft it is, in terms of ministry activities and size, one of the largest Church of England churches in London and, indeed, the UK. Details of the regular services, small group meetings and informal ministry that take place each week are set out in paragraphs 18-30 of our client's paper on Historical Importance and Community Significance submitted with our letter dated 28 April 2016.
3. In that letter (and the PCC's letters prior to that) we set out our client's significant concerns as to the impact the proposed 1 Undershaft development would have on the Churches and, in particular, on St Helen Bishopsgate.
4. Our client's main concerns were, and remain, as follows:-
  - 4.1 The harmful impact the proposed development would have on the conduct of the ministry at the Churches as a result of the significant increase in noise during both the construction and operational phases. The PCC's acoustic consultants (Hann Tucker Associates) have advised that the subsequent acoustic environment would render St Helen Bishopsgate unusable as a place of worship;
  - 4.2 The harmful impact the development would have on these important Grade I Listed heritage assets; and
  - 4.3 The viability of the proposed servicing regime.

**ADVISORY | DISPUTES | TRANSACTIONS**

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A list of members' names is open to inspection at the office.

London Bristol Hong Kong Singapore



5. DP9 responded to our 28 April 2016 letter (which was copied to them) on 3 June 2016. Their letter enclosed a schedule of technical responses but they have not adequately answered the concerns which our client raised. Although the information DP9 present appears to be new, much of it is a restatement of material in the planning application which is the basis of our client's concerns and queries. Accordingly, our client's significant concerns have not been addressed and its objection to the proposed development stands.
6. **Noise**
  - 6.1 Increased noise caused by the proposed development, and its permanent harmful impact on the Churches' ministry, remains our client's primary and most serious concern.
  - 6.2 The proposed development would result in (a) the closure of the existing underground ramp used to service the Aviva Tower (b) the realignment of Undershaft to within 2-3 metres from the southern elevation of the St Helen Bishopsgate as opposed to the current separation of c. 10-11 metres and (c) the subsequent use of the realigned Undershaft for the servicing needs of 4 major new buildings (122 Leadenhall Street, 6-8 Bishopsgate, 22 Bishopsgate and (if permitted) 1 Undershaft) with the resulting very significant increase in traffic.
  - 6.3 The key points from our client's perspective are:
    - 6.3.1 The applicant itself has confirmed that (subject to any, as yet unspecified, mitigation which might be achieved having regard to the unique features of the building) there will be a significant permanent harmful impact on St Helen Bishopsgate and St Andrew Undershaft as a consequence of increased noise resulting from the development. We emphasise that this harmful impact would be suffered permanently and not simply during construction.
    - 6.3.2 The applicant has identified a permanent 9.1 dB increase in noise levels on Undershaft upon completion of the development. Our client has been advised by its noise consultants (Hann Tucker Associates) that a 9.1 dB increase in noise outside St Helen Bishopsgate is likely to result in the same level of increase within the church. They have also been advised that a 9.1 dB change will be experienced as roughly equivalent to a doubling in volume. As noted above, in Hann Tucker's view this would render St Helen Bishopsgate unusable as a place of worship.
    - 6.3.3 Our client has repeatedly asked the applicant to confirm whether this increase relates solely to the projected increase in the number of vehicles using Undershaft or whether it also reflects the proposed movement of Undershaft much closer to St Helen Bishopsgate (2-3 metres from the church's south wall). This was first queried by our client on 2 March 2016. No answer has been provided to this question. If the increase is simply reflecting increased volume of traffic then the movement of Undershaft closer to St Helen Bishopsgate would inevitably increase the noise impact, and the detrimental effect, further still.
    - 6.3.4 The removal of the service ramp that currently sits between St Helen Bishopsgate and Undershaft will introduce more vehicular noise onto Undershaft (currently vehicles on the ramp are below ground level and so much less audible). Further, it is proposed that Undershaft will be moved to within 2-3 metres from the southern elevation of St Helen Bishopsgate from its current position 10-11 metres away. This will bring all traffic on Undershaft (not just that servicing the proposed development) much closer to St Helen Bishopsgate. In addition, it will bring the traffic servicing the proposed development up to ground level. These impacts, separately and together, would undoubtedly increase noise within St Helen Bishopsgate.

- 6.3.5 In the DP9 letter of 3 June 2016, the applicant states that the current ambient noise level would mean a current internal noise level at St Helen Bishopsgate significantly in excess of the 30-35 dB level recommended for places of worship (BS 8233). This is incorrect. On 2 March 2016, our client invited the applicant to take noise levels inside St Helen Bishopsgate; the applicant did not do so. Our client has, therefore, arranged for its own acoustic consultant to measure the current internal noise level within St Helen Bishopsgate and this was found to be 38 dBA  $L_{Aeq,T}$  (measurements taken on 10th May 10.30-10.35am) and, therefore only marginally above the recommended level. A doubling in noise levels (assuming the 9.1 dB increase stated by the applicant) would plainly cause significant harm.
- 6.3.6 Our client's consultant has also queried the soundness of the applicant's analysis. The applicant has recently stated (DP9 letter dated 3 June 2016) that existing ambient noise levels outside St Helen Bishopsgate are 67 dB. This conflicts with the applicant's own assertion in their ES that the 2015 baseline is 57 dB. Our client is therefore concerned that the data that has been put before the City in this part of the application is unreliable and provides no or no adequate basis on which the planning decision can be taken.
- 6.3.7 The applicant infers that the staggered completion of developments will improve the position in terms of noise impact as it will undergo an "*incremental increase*". The fact that a harmful impact is imposed in stages makes it no less harmful. The issue here is the impact of the realignment of Undershaft (bringing all Undershaft traffic much closer to the church) coupled with the expected increase in traffic caused by the 1 Undershaft development and the other consented schemes. None of the other consented developments are proposing to move Undershaft to within 2-3 metres of St Helen Bishopsgate. In any event, in practice, the change in noise levels is likely to be experienced more dramatically at the point of construction of the proposed development given the realignment of Undershaft towards St Helen's.
- 6.3.8 In addition, the applicant suggests that they are responsible for only a small part of the 2022 projected baseline noise level because they will only increase road traffic on Undershaft by 20%. This does, however, disregard the fact that it is the applicant who is proposing to relocate Undershaft significantly closer to St Helen Bishopsgate as a result of which the entirety of the servicing traffic travelling along Undershaft will pass in close proximity to its southern elevation.
- 6.3.9 Clearly the question of mitigation then arises. The suggested mitigation measures proposed by the applicant are either flawed or inadequate.
- (a) At an early stage, it was suggested by the applicant that a low noise road surface would be a key part of the mitigation measures. It has been accepted by the applicant that low noise surfacing of this kind in this particular situation will be of little, if any, benefit. The projected road speeds are simply too low – it is engine noise rather than tyre noise which will be the key factor. As a consequence, it is not clear how the applicant's further suggestion of speed reduction measures would be of any assistance either.
- The applicant proposes to schedule deliveries so as to reduce noise impacts, but the ministry timetable is extensive (the applicant has been aware of this since 2015) and it seems unlikely that the applicant would in reality be able to arrange all deliveries around the ministry.
- (b) No detailed mitigation proposals have been brought forward by the applicant. This is of great concern to our client given the acknowledged detrimental

impact of the proposed development on the Churches and the applicant's recognition that the one specific measure proposed (low noise road surfacing) will simply not assist.

- (c) The approach to mitigation is not straight forward given the heritage nature of the church buildings (and the attendant need to have regard to the heritage setting of the asset and formal consents, including faculty consents, for any changes to the church building itself).
  - (d) If it is the case that no suitable measures could be proposed by the applicant to mitigate the effect of the development on the Churches, then consent for the development should be refused on the ground that it would cause a significant detrimental impact on the Churches which the applicant cannot mitigate.
  - (e) If it is the case that there are or might be mitigation measures which might (subject to faculty consents etc) be appropriate and in keeping with the heritage setting, significance and use of the church buildings, then such proposals should be worked up and agreed with relevant parties before a decision is made on the planning application.
- 6.4 Our client fails to see, therefore, how this application can properly be considered by the Committee in the absence of robust noise assessment and appropriate consideration as to how the accepted significant harm might be mitigated.
7. **Heritage**
8. We were concerned to see that DP9's response, in relation to the very significant heritage concerns which our client raised (see detailed heritage paper included with our 28 April 2016 letter), runs to just two short paragraphs.
9. They suggest that their client has adequately dealt with any impact on both the "significance and setting" (emphasis added) of the Churches in their Townscape, Heritage and Visual Impact Assessment (THVIA). The only sections of that assessment which appear to relate to St Helen Bishopsgate and St Andrew Undershaft are contained in Parts 28-32.
10. An examination of those sections is revealing. Contrary to the assertion that the developer has adequately assessed the impact on these important heritage assets, the entire focus has (as we have previously identified) been on the visual setting of the Churches. Sole emphasis is placed on how the church buildings may appear, or be visible, to others in the locality; no consideration has been given to the impact the proposed development will have on the experience and use of these heritage assets by the significant Christian community that operates within them. That community is an inextricable, and fundamental, component of these heritage assets. The Churches are also places of quiet sanctuary for all members of the public for which the peaceful ambience is key.
11. The approval of a scheme, which would lead to material harm to the use and operation of these heritage assets, would conflict with the City's duties under Statute and policy to protect them. The ministry conducted within these church buildings is directly related to their heritage significance.

**12. Traffic Assessment and Servicing Plan**

13. Our client has taken additional specialist transport and servicing advice from Royal Haskoning ("RH"). This firm has particular experience in dealing with traffic and transport issues affecting major development including consolidation regimes.

14. RH have identified important aspects of the Transport Assessment undertaken by WSP-PB where additional analysis is required. Their concerns relate to the approach the applicant's consultants have taken in relation to pedestrian and cycle movements. They have drawn our attention, in particular, to the following:-

14.1 It is not clear whether the pedestrian and cycle movements study undertaken by Space Syntax (appendix F, Transport assessment) has been undertaken in the context of all committed development at table 1-4 of the TA. This is an issue that was raised by our client in its letter to DP9 dated 1 April 2016 and still remains unresolved. The developer needs to confirm what methodologies have been deployed in deriving their baseline flows and which committed developments have been included in the assessment.

14.2 Given the scale of the proposed development, it was surprising that the only assessment in respect of pedestrian impact that appears to have been undertaken is a TFL Level of Service assessment for the existing situation. RH would have expected a full modelling exercise to have been undertaken in respect of the Undershaft area. Indeed, this was an issue specifically raised by our client in their letter to the City dated 1 April 2016.

15. You are already aware of the practical concerns our client has as to the viability of the proposed consolidation regime and servicing arrangements. Those concerns are all the more heightened if inadequate pedestrian and cyclist assessments have been undertaken given the risk of conflict with the significantly increased level of servicing traffic. Proper assessment of cyclist numbers is particularly important given the emphasis being placed on this mode of transport in the Travel Plan.

16. The proposed time restrictions on deliveries, precluding deliveries during peak office hours but permitting deliveries outside those hours and especially at weekends, fail to have regard to the hours the Churches operate. By its very nature, a significant part of the Churches' ministry is conducted outside of normal office hours. Accordingly, a regime which concentrates deliveries in the evening and at weekends will exacerbate the harm to the ministry rather than reduce it.

**17. Conclusions**

18. Our client remains of the view that inadequate consideration has been given to the impact on St Helen Bishopsgate and St Andrew Undershaft and that there has been inadequate assessment of critical matters such as noise and pedestrian flows. In terms of heritage, the applicant's focus has been on the impact on views of the Churches from outside as opposed to any real regard being had to the important ministry conducted from within (and even so, the applicant's focus fails to take into account the detriment to the view of St Helen Bishopsgate which the realignment much closer to the church of a very heavily used service road will cause).

19. At the very least, the application ought to be deferred so that the applicant can undertake the required further analysis and provide appropriate additional reports to the City and to our client, to include any detailed proposals in terms of mitigation.
20. If, notwithstanding these concerns, the City were nonetheless minded to grant consent for this scheme it is clear that robust conditions would be needed, together with appropriate provisions in the planning obligations, to ensure that the protection of the Churches and their ministry is properly secured.
21. Much is made by the applicant (in the DP9 3 June 2016 letter) of the protective measures they say can be included, for example, in the Construction Management Plan. Those assurances will be of limited comfort to the PCC unless it is able to take an active part in the formulation of the arrangements and mechanisms intended to afford them protection.
22. To assist you to understand our client's stance in relation to conditions (if consent were to be granted) we attach a summary of the main provisions our client would reasonably expect to see. We should emphasise that these are simply the conditions on matters where we would expect our client to have an active involvement and not intended as an exhaustive list of all the conditions that would be required for a scheme on this scale to be acceptable. We also formally record that these points are made solely in the context of the planning application and are not referable to our client's property rights which we expressly reserve.
23. In this regard, our client notes the confirmation given by DP9 (3 June 2016 letter) that they anticipate that "*full details*" of mitigation measures will be secured by condition. They also confirm the applicant's agreement to enter into a neighbourly agreement if planning consent were to be granted. That said, however, the applicant ought to be expected to produce robust noise analysis and robust noise mitigation proposals at this stage, and before a decision is made on the planning application. For the reasons given above, any such mitigation measures would have to be viable both in terms of noise reduction and in the context of Grade I listed heritage assets.

We look forward to receiving your comments on the above and we confirm that a copy of this letter has also been sent to DP9.

We confirm that, if this application is brought to Committee on 26 July 2016, then it is our client's intention to attend and to speak to the key points of concern set out above.

Yours faithfully

*RPC*

RPC

CC: DP9

## Proposed development at 1 Undershaft: planning application 16/00075/FULEIA

This Note should be read in conjunction with the letter dated 5 July from RPC, which sets out the Parochial Church Council of St Helen Bishopsgate and St Andrew Undershaft (PCC's) position on this planning application. It seeks to protect the interests of the PCC, its ministry and the churches, important community and heritage assets that will be heavily impacted (short term and long term) should development go ahead. These impacts are acknowledged in the planning application submission.

The Note is intended to be constructive notwithstanding the PCC's objection to the planning application.

Should officers recommend that planning permission is granted, the PCC believes it is essential robust planning conditions and obligations are imposed to mitigate impacts of the development during demolition, construction and once the building is occupied.

The PCC has reviewed the recent planning permissions granted at 6-8 Bishopsgate and 22 Bishopsgate. The majority of conditions would be equally relevant, and necessary, should the proposed 1 Undershaft scheme be developed.

The PCC commented on some of these conditions when they were issued in draft. The committee report for 22 Bishopsgate confirms that where appropriate, officers will consult with the PCC on further detailed submissions (para 60) – this commitment was welcomed by the PCC and it requests a similar undertaking in relation to 1 Undershaft.

Additionally, in view of the scale of the development at 1 Undershaft, its proximity to the two churches and the significance of predicted impacts, the PCC requests draft conditions and obligations specifically reference consultation with the PCC/ churches, being the closest sensitive receptor to the development.

A requirement to involve the PCC while relevant mitigation measures are being worked up encourages collaboration and is more likely to achieve a satisfactory solution for all parties. It is preferable as compared with consultation once a scheme is finalised and submitted for approval.

The topics of particular concern are listed below, for the reasons set out in the RPC letter. The PCC trusts these points will be taken in to account in preparing the officer report to committee.

### **S106 obligation to put in place specific measures to mitigate long term impact on the noise environment inside St Helen's**

Impose a requirement to:

- Undertake further surveys to assess and agree predicted changes to noise environment within St Helens.
- Agree in consultation with PCC, CoL and other relevant parties a scheme of mitigation to achieve a noise environment that is no worse than currently exists.
- The scheme of mitigation to include any associated works to address consequential effects.
- Agree a programme for scheme of works to be approved and put in place.
- Developer to be responsible for funding the approval process and funding implementation

As a scheme of mitigation may well involve physical works to PCC buildings, it is essential the PCC is a party to actual drafting of such an obligation.

### **Hours of servicing condition**

- The PCC notes and agrees the restrictions recommended by the City Transport Section – no servicing between 0600 and 0900, 1200 and 1400, 1700 and 1900 other than Saturdays, Sundays, public and bank holidays.
- The PCC requests the following restrictions are also imposed on Sundays, to take account of the busiest period for church services – no vehicular servicing between 1030-1200 and 1600-1930.



- The PCC is in strong support of a requirement that all deliveries and collections take place within the curtilage of the building.

#### **S106 obligation to undertake highway works**

- The PCC notes and agrees the terms recommended by the City Transport Section.
- The PCC strongly supports proposals for loading and unloading restrictions on Undershaft, CCTV to monitor and enforce the prohibition, and costs to be borne by the Developer. The PCC urges these restrictions are imposed before any works start on site.
- Include a requirement that details of the highway works, specifications and maintenance arrangements to be proposed on Undershaft are prepared in consultation with the PCC.
- Include an obligation on the CoL to investigate ways of enhancing the pedestrian environment and public realm around the Eastern Cluster to accommodate growth, a commitment given in relation to 22 Bishopsgate (para 251 of the committee report).

#### **S106 obligation to agree Delivery and Servicing Management Plan**

- The PCC notes and agrees the terms recommended by the City Transport Section.
- The PCC is in strong support of a cap on the number of deliveries Monday to Friday and requests the same cap is imposed on Saturdays and Sundays.
- The PCC supports strongly prescribed hours for vehicular servicing and restrictions on the numbers of vehicles that can be brought in to the curtilage of the building. The PCC requests no vehicular servicing takes place between 1030-1200 and 1600-1930 on Sundays to take account of the busiest period for church services.
- The obligation needs to be worded to impose restrictions on all occupiers, rather than the Developer.
- Include a requirement that the Plan is prepared in consultation with the PCC.

#### **Deconstruction and Construction Logistics Plan condition**

- It is important the Plan relates to demolition works as well as construction works.
- Include a requirement that the Plan is prepared in consultation with the PCC. Ministry activities will be directly affected.

#### **Construction Management Plan condition**

- The standard wording refers to submission of a scheme for protecting "nearby residents and commercial occupiers". In this instance, the churches should also be referenced.
- Include a requirement that the Plan is prepared in consultation with the PCC.

#### **Crane Operation Plan condition**

- Include a requirement that the Plan is prepared in consultation with the PCC. It is highly probable that a crane oversailing agreement will be required.

#### **Hard landscaping details condition**

- Include a requirement that the scheme for hard landscaping along Undershaft is prepared in consultation with the PCC. Please also see comments relating to S106 highway obligations.

#### **S106 obligation to put in place specific measures to mitigate long term impact on the church garden at St Andrew**

Impose a requirement to:

- Undertake further surveys to assess added pressure on open space in the vicinity of the development, in particular the garden at St Andrew due to increased population on site and the draw of visitors, particularly during the lunchtime period.
- Agree in consultation with the PCC measures to mitigate the impact.
- Developer to be responsible for funding the approval process and funding implementation.

5 July 2016