

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	28 November 2016
<b>Subject:</b> 22 Bishopsgate London EC2N Amendments to planning permission ref 15/00764/FULEIA (for construction of a building arranged on three basement floors, ground and 61 upper floors plus mezzanines and plant comprising floorspace for use within Classes A and B1 of the Use Classes Order and a publicly accessible viewing gallery and facilities (Sui Generis); hard and soft landscaping works; the provision of ancillary servicing and other works incidental to the development (200,714sq.m GEA.) comprising changes to the layout and configuration of the basement and base of the building, including; relocation of the retail units; changes to the proposed wind mitigation measures; changes to the cycle parking provision and facilities; changes to the Bishopsgate elevation at lower levels; changes to the art street; and changes to the proposed land use distribution and floor area (201,863sq.m GEA).	<b>Public</b>
<b>Ward:</b> Lime Street	<b>For Decision</b>
<b>Registered No:</b> 16/00849/FULEIA	<b>Registered on:</b> 22 August 2016
<b>Conservation Area:</b> St Helen's Place	<b>Listed Building:</b> No

### Summary

This planning application proposes amendments to an approved 62 storey tower which is under construction.

The building would provide offices, retail at ground level, a viewing gallery with free public access at levels 58 and 58M (mezzanine) and a public restaurant and bar at levels 59, 60 and part 61. It includes a new covered publicly accessible east-west pedestrian route through the site linking Bishopsgate to Crosby Square.

An Environmental Statement accompanies the application.

Changes are proposed to the lower part of the approved building. These are intended to improve the visual appearance of the building and enhance the public realm experience. They do not affect the height and massing, overall design, proposed activities, public viewing gallery and restaurant at the top of the building or servicing. The public realm benefit of a free public viewing gallery remains unchanged and servicing of the building will use a freight

consolidation operation as previously agreed.

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

The Mayor of London supports the scheme in strategic planning terms subject to further consideration of cycle parking and the Bishopsgate public realm.

The changes to the approved building do not affect the impact of the scheme on the setting of conservation areas and listed buildings, strategic views, the settings of St Paul's Cathedral and the Tower of London, or the previous conclusions in respect of the development as a whole. The assessment of these matters remains as before and is considered acceptable.

The proposed changes are generally acceptable and, in most respects, would improve the visual appearance of the building. However, some changes would impact on the quality and space of the public realm as approved. The proposed height over the "art street" and Crosby Square and the zigzag plan form of frontages were recognised as positive features of the approved development, making a contribution to the character of the public realm. The height has been reduced from three to two stories and the zigzag simplified. The new form of the frontages to the "art street" is considered acceptable in design terms and, whilst the reduced height of the public way and the size of Crosby Square are retrograde steps, the loss is considered acceptable in the context of the scheme as a whole.

Wind mitigation measures have been changed and now include trees on neighbouring land and the public highway. The public lift between Crosby Square and Undershaft is now proposed to be partly on neighbouring land. A separate application has been submitted which includes these works on neighbouring land. A report on this application is before you today. No objection is raised to these changes provided that measures are included to ensure the trees and lift are provided and maintained for the life of the building.

There would be changes to the stopping-up of public highway to achieve the development and also the release of land back to public highway.

It is concluded that the changes in the context of a building of this scale and character would be acceptable, that the proposal continues to accord with the development plan as a whole, that it would preserve the setting of listed buildings and preserve or enhance the character or appearance of the St Helen's Place Conservation Area.

### **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

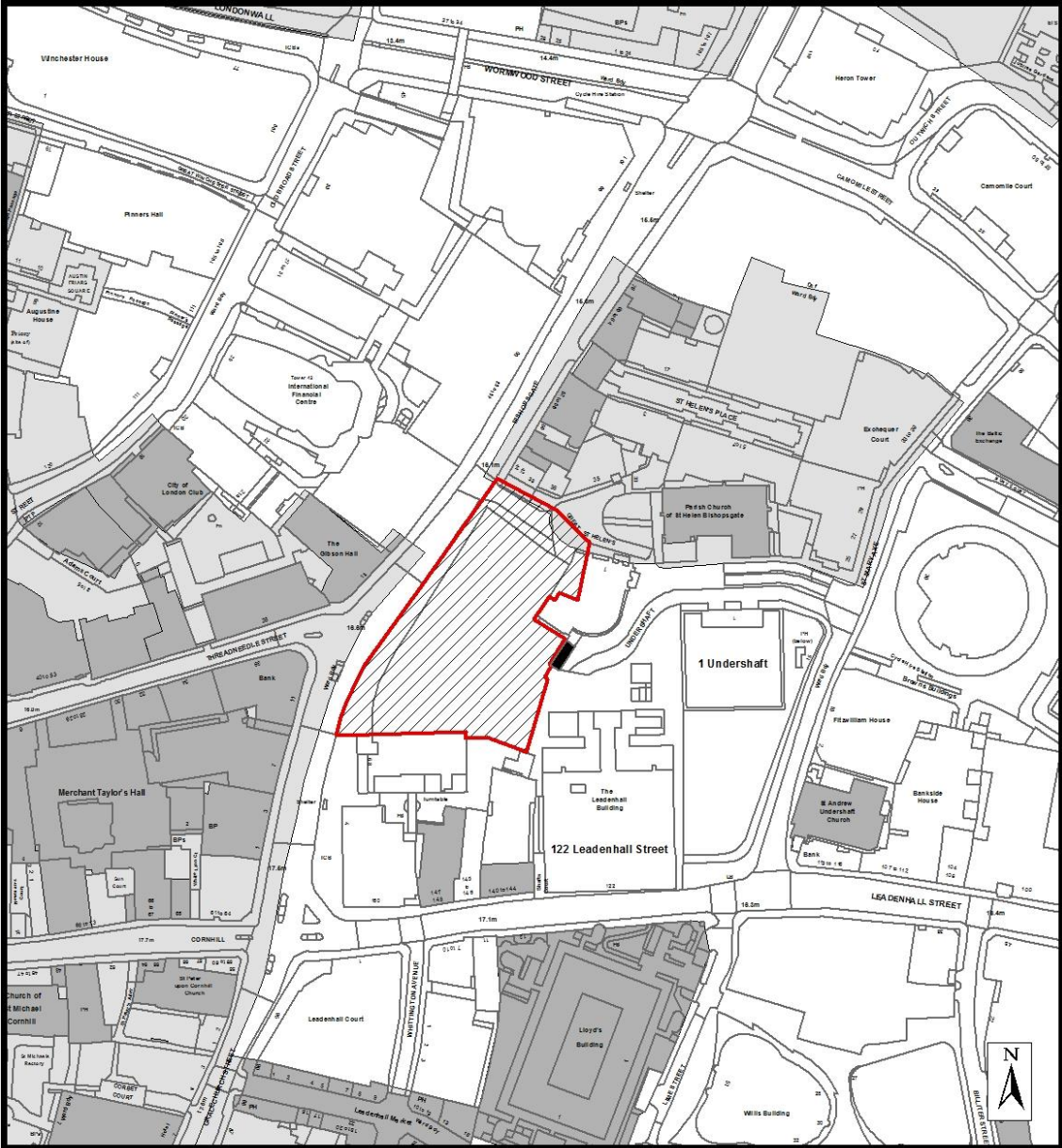
refusal, or to determine the application himself (Article 5(1)(a) of the Town & Country Planning (Mayor of London) Order 2008);

(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 is 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.

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

# Site Location Plan



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ADDRESS:

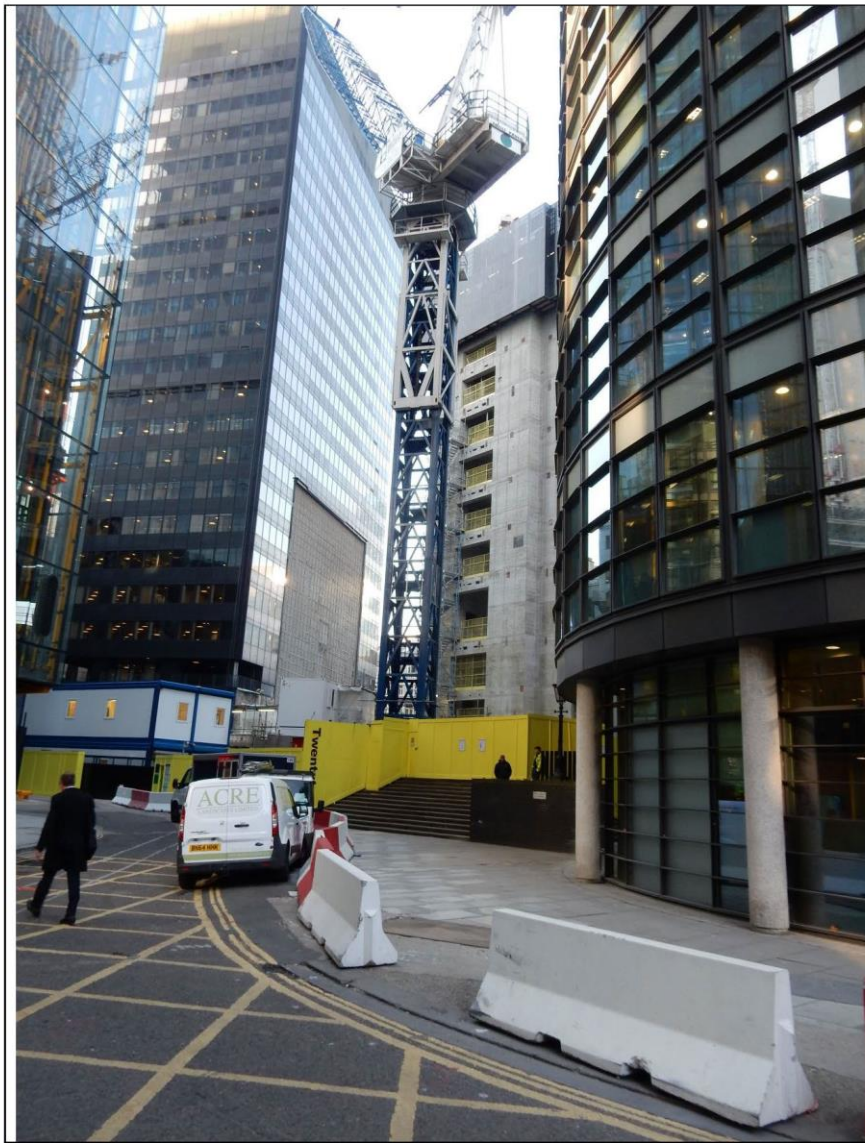
22 Bishopsgate

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

CASE No.  
16/00849/FULEIA

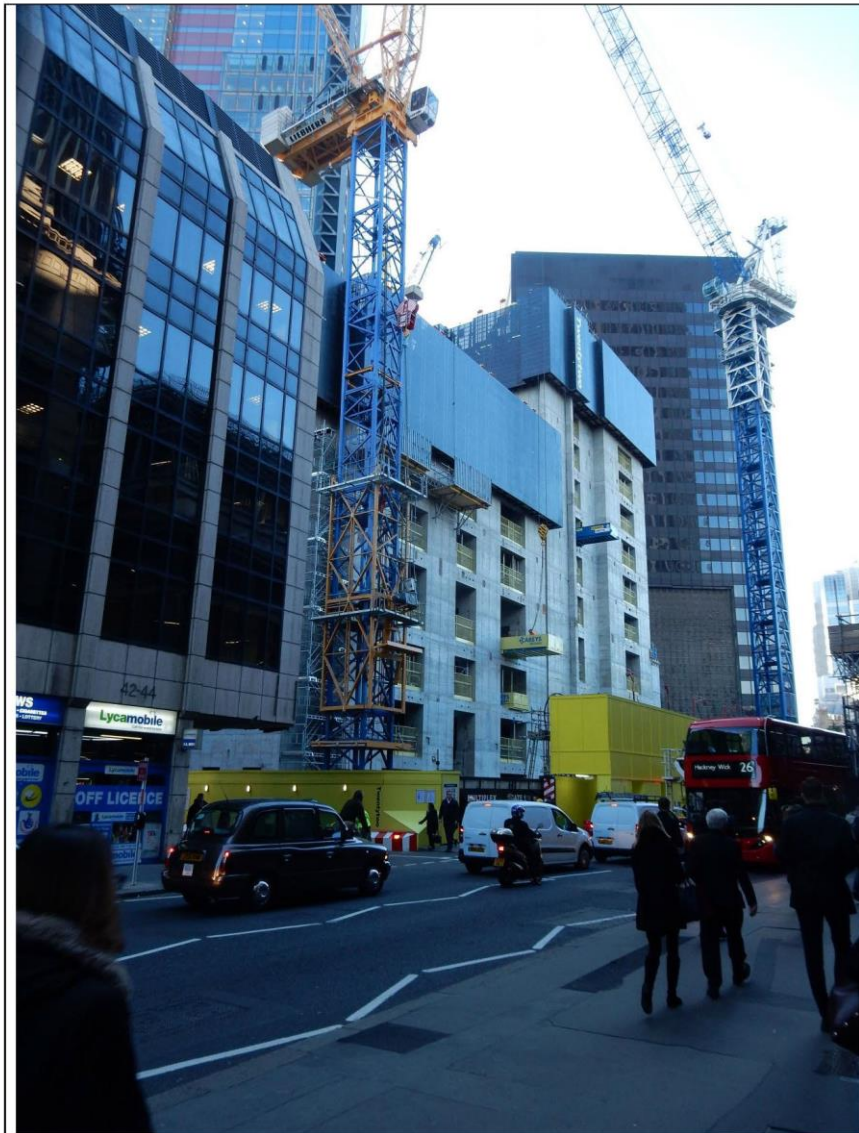


DEPARTMENT OF THE  
BUILT ENVIRONMENT



View of Crosby Square Steps 08/11/2016

16/00849/FULEIA 22 Bishopsgate



View from Bishopsgate 08/11/2016

16/00849/FULEIA 22 Bishopsgate

## **Main Report**

### **Background**

1. The site was previously occupied by Crosby Court (38 Bishopsgate), 22-24 Bishopsgate and 4 Crosby Square. These were demolished and works were begun to implement a planning permission granted in 2007 (06/01123/FULEIA) for a 63 storey building which became known as the 'Pinnacle.' Foundations, three basements and the first 9 floors of the core were built before construction stopped in early 2012.
2. On 27 July 2015 planning permission was granted for the deconstruction of the core, part demolition of the floor slabs at ground and basement levels built under the 2007 permission and the installation of new piling and transfer structures (15/00221/FULL). This work has been carried out.
3. On 16 June 2016 planning permission was granted for a building with three basement floors, ground and 61 upper floors plus mezzanines and plant for office and retail uses and a publicly accessible viewing gallery and facilities, hard and soft landscaping, ancillary services and other works incidental to the development. (294.94m AOD)
4. Work has started on construction of the building permitted in June 2016.
5. The current application relates to amendments to the base of the building which are intended to improve the visual appearance and enhance the experience of the base of the building for visitors, occupiers and the public.
6. There is a related planning application to alter the steps between Crosby Square and Undershaft (16/00847/FULL). The works to the steps include a public lift and wind mitigation measures required as part of the amended proposals.
7. A separate planning application for changes to the top of the building without further changes to the lower levels was submitted on 4th November 2016 (06/01150/FULEIA).

### **Site**

8. The site is bounded by Bishopsgate to the west, 42-44 Bishopsgate and Great St Helen's to the north, Undershaft and the building at 1 Great St Helen's to the east and 6-8 Bishopsgate to the south. The site includes Crosby Square, an area of public highway accessed from Great St Helen's and by steps from Undershaft.
9. The site context is varied in character comprising a number of significant listed buildings including St Helen's Church (Grade I), Gibson Hall (Grade I), 1 Lime Street - Lloyd's Building (Grade I), St Andrew Undershaft Church (Grade I), St Peter upon Cornhill Church (Grade I), and a number of Grade II listed buildings on Bishopsgate and Threadneedle Street to the north and west of the site. A small part of the site falls within the St Helen's Place Conservation Area to the north. Bank Conservation Area lies immediately to the west.

10. Great St Helen's contains a church, office buildings, small hotel and overnight accommodation for a livery company.
11. The site falls in the Eastern Cluster and is in the immediate vicinity of prominent buildings at 30 St Mary Axe, 122 Leadenhall Street, 1 Undershaft, Tower 42 and the proposed development at 6-8 Bishopsgate.
12. There is a planning application before you today to replace 1 Undershaft with a 73 storey office and retail building including a public viewing gallery at levels 71-72 and public realm improvements (16/00075/FULEIA). This would have a height of 304.94m AOD and a floorspace of 154,100sq.m (GEA).
13. Bishopsgate is a Local Distributor Road in the TLRN, a Red Route and is managed by Transport for London.

### **Proposal**

14. The amendments to the approved development comprise the following that are material to the planning permission:
  - a. Two prominent external escalators on the Bishopsgate frontage (serving levels 1 and 2) are omitted to increase visibility into and from the office lobby. The escalators are replaced by an 'art box', providing a focal point for the building when approached from Threadneedle Street. The "art box" would be a projecting glass structure in the centre of the Bishopsgate frontage, extending from level 01 to the underside of level 03.
  - b. The design of wind mitigation measures, such as the canopy on the north west of the building, has been refined to integrate them with the overall design of the base. A 50m sculpture replaces wind vanes on the southwest corner. Two additional trees are proposed adjacent to the steps between Crosby Square and Undershaft (the subject of separate application 16/00847/FULL) and one tree on the level 02 terrace. Previously approved trees on the public highway in Great St Helen's are required to ensure wind conditions are acceptable.
  - c. Columns on the Bishopsgate frontage that were previously faceted are now round and their concrete finish is to be moulded and of architectural quality. One column at the northwest entrance will have a perforated fin at high level and another fin engaged with the façade to improve pedestrian wind comfort.
  - d. The diameter of the perimeter columns has increased.
  - e. The glazing line in the public way under the building (the "art street") is simpler, with fewer zig zags and the frontage to Crosby Square follows a slightly different line.
  - f. Level 01M is enlarged to provide additional plant and ancillary office accommodation circulation around the floor. Previously circulation was cut off by the public route to the high level restaurant. As a consequence the headroom over the art street, Crosby Square and the access road from Great St Helens is reduced from three storeys



(approx. 9.75 above ground) to two storeys (approx. 6.25m above ground). The headroom under a link bridge over the art street is reduced from 3.3m to 3.0m.

- g. The central entrance on Bishopsgate to the office lobby is omitted to simplify wayfinding and improve security once inside the building. Space inside the lobby may now be used for a coffee kiosk and small bookshop for building occupiers.
  - h. The viewing gallery exit is relocated from Great St Helen's to Crosby Square, where it will be closer to the dedicated lifts from the top and adjacent to the internal mobility impaired (MIP) lift.
  - i. Three small retail units fronting Crosby Square and the access road from Great St. Helen's are replaced by enlarged entrances to the office lobby, addressing comments from potential insurance sector tenants. A single replacement retail unit is proposed on the southern side of Crosby Square. There is no reduction in retail area.
  - j. The new retail unit is raised above the level of Crosby Square and includes an external terrace. A series of steps and seating plateaus are included to overcome this difference in level. MIP access is achieved via the MIP lift providing access to Undershaft.
  - k. As a consequence of the change to the retail unit location and reconfiguration of the steps between Undershaft and Crosby Square, the public MIP lift between Undershaft and Crosby Square is moved and the entrance/exit to the cycle parking in B1 is reconfigured.  
  
Note: The steps providing access between Undershaft and Crosby Square are not within the site boundary of the current application. A separate application proposes to reconfigure the steps to tie in with the wider public realm. The revised design incorporates additional landscaping/planting, two trees required for wind mitigation, MIP lift and potential seating.
  - l. Cycle parking space provision is reduced from 2,320 to 1,725. Additional facilities related to cycling are introduced in the space freed up on levels B2 and B1 to improve cyclist experience and promote cycling as a transport mode. Shower facilities are removed from levels 07M, 25M, 41M and added to level 01M. The space freed up on levels 07M, 25M, 41M will be used to provide amenity space for the office occupiers.
  - m. Additional excavation of Crosby Square to provide easier access for construction vehicles from Undershaft.
15. Other minor changes are proposed to the interior including the access routes to the viewing gallery and restaurant.
16. As a result of the amendments, the floor areas within the proposed development are changed as set out below.
17. Amended Scheme Area Schedule

Land Use	Area (sq.m) GIA		Area (sq.m) GEA	
	Approved	Proposed	Approved	Proposed
Retail (A1)	158	170	166	180
Restaurant / bar (A3/A4)	3,763	3,676	3,908	3,816
Offices (B1)	189,240	190,811	193,955	195,577
Viewing gallery (sui generis)	1,813	1,807	1,891	1,896
Shared circulation (sui generis)	500	374	530	394
Total	195,474	196,838	200,449	201,863

### **Consultations**

18. The views of other City of London departments have been taken into account in considering the amended scheme and detailed matters will be covered under conditions and the Section 106 agreement.
19. No objections or comments were raised as a consequence of consultation with statutory bodies.
20. The GLA states that *the “Mayor of London considers that the scheme is strongly supported in strategic planning terms and would provide a major investment within the City of London. Notwithstanding this, a number of minor transport issues require resolution prior to the Mayor’s decision making stage.”* These are that, *“The proposal does not comply with London Plan cycle parking standards (policy 6.13). Noting the particular constraints in this case, the demonstration of a pragmatic compromise is sought in order to achieve the best overall package for cyclists in line with London Plan Policy 6.10. Further discussion is sought with respect to proposals for the public realm at Bishopsgate in line with London Plan Policy 6.10”* (Comment attached)
21. A resident in St Michael’s Alley has requested that restrictions are placed on night time working generating external noise between the hours of 11pm and 8am. (Letter attached)
22. The Leathersellers Company objected to the previous application, expressing serious concerns regarding the impact of the proposed development on the St Helen’s Conservation Area and the setting of surrounding heritage assets, and about daylight, sunlight, overshadowing and glare impacts as well as a negative impact on the surrounding public transport network. They have objected again, saying that the current application “has the same significant adverse effects upon their (clients) interests as those identified in relation to the original planning application.” (Letters attached)

## **Policy Context**

23. 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.
24. There is relevant City of London supplementary planning guidance in respect of: Protected Views, Bank and St Helen's Place Conservation Areas, Open Spaces Strategy and Tree Strategy, Planning Obligations and the City of London Community Infrastructure Levy Charging Schedule.
25. 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.
26. 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.

## **Environmental Impact Assessment**

27. The original application in 2015 was 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.
28. An Environmental Statement Addendum has been submitted with the revised scheme. This considers whether the amendments are likely to alter the conclusions of the 2015 ES. The Addendum includes consideration of changes of circumstances since 2015, such as the proposed building at 1 Undershaft. The conclusions are that the degree of change would have a minor or negligible effect.
29. 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.

30. 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.

### **Considerations**

31. Your Committee resolved to grant planning permission for the approved building in November 2015, subject to the Mayor of London's direction and to planning obligations and other agreements being entered into. The permission was issued in June 2016 upon completion of the legal agreements. There have been no changes to policy since your consideration of the scheme.
32. The one significant change of circumstances since November 2015 is a proposal to replace 1 Undershaft with a 73 storey office and retail building, with a public viewing gallery at levels 71-72 and public realm improvements (16/00075/FULEIA). This would have a height of 304.94m AOD and a floorspace of 154,100sq.m (GEA).
33. The 1 Undershaft building proposed (not approved) would be 11 storeys greater than 22 Bishopsgate, although the difference in height above datum is only 10 metres. This proposal for 1 Undershaft would be the tallest building in the cluster and view studies demonstrate that there would be an acceptable relationship between these two tall buildings.
34. The changes currently proposed to the lower part of the approved building at 22 Bishopsgate do not affect the approved height and massing, overall design, proposed activities, public viewing gallery and restaurant at the top of the building or servicing. The public realm benefit of a free public viewing gallery remains unchanged and servicing of the building will use a freight consolidation operation as previously agreed.
35. There have been no changes of policy and the consideration given to these matters (15/00764/FULEIA) apply as they did when approval was given.

### **Design Changes**

36. The proposed changes to the exterior of the lower floors, involving omission of prominent escalators on Bishopsgate, installation of an "art box" and changes to the shape of the columns are considered to simplify the appearance and improve the design. This would have a beneficial effect on the public realm.
37. The projecting canopies have been amended and are now in a different position, height and design approach than the approved scheme partly as a result of refinement in the wind mitigation assessment.
38. The wind mitigation canopy on Bishopsgate near the entrance of the art street is now of a more vertical sculptural element with three fin structures as opposed to the series of projecting horizontal fins of the approved scheme. This change is considered acceptable and creates a feature signifying the entrance to the art street and entrance to the public

viewing gallery reception. This element will be a commissioned art piece and further details are conditioned.

39. Canopies are proposed projecting beyond the overhanging soffit between levels 2 and 3 on the Bishopsgate frontage. The canopies are some 17m above pavement level and would sit between the columns rather than being a continuous canopy, which would reduce their visual impact. The canopies would be solid with glazed perforations and are intended to be an artwork commission. Although the size and height of the canopies are considered acceptable in design terms, there is concern over the solidity of their appearance which may cause them to be overbearing. Consequently a condition will require details of the canopies and artwork with a view to maximizing the perforations and producing a lightweight, more transparent design.
40. The perimeter of the ground floor is proposed to be modified by replacing a ziggurat plan form with parallel frontage walls in the “art street” and by extensions into Crosby Square. The area available for public use through the “art street” is similar to the approved space but where it joins Crosby Square the new plan form results in a reduced area.
41. Crosby Square is similarly reduced in area, although the retail terrace helps compensate for this. Crosby Square would be approximately three meters shorter than previous approved (15m v 18m), which is shorter than Crosby Square before development started. This reduction is caused by the provision of space at ground level on the eastern elevation to create dedicated office entrances and the exit from the public viewing gallery.
42. The new form of the frontages to the “art street” is considered acceptable in design terms and, whilst the reduced size of Crosby Square is a retrograde step, the loss is considered acceptable in the context of the scheme as a whole.
43. A consequence of enlarging level 01M to provide additional plant, ancillary offices and circulation around the whole floor is that the headroom over the art street, Crosby Square and the access road from Great St Helens would be reduced from three storeys (approx. 9.75 above ground) to two storeys (approx. 6.25m above ground).
44. The generous height of the “art street” and Crosby Square was recognised as a positive feature of the development, which along with the plan form, would have made a contribution to the character of the public realm. Reducing the height will reduce the quality of the public realm under the building, as will the headroom under the link bridge over the art street.
45. The applicants consider that accommodation is needed to provide circulation all around the floor which was formerly cut off by the public access to the high level restaurant/bar. The additional space is proposed to be used for plant, ancillary offices and an additional amenity area for occupiers. Previously approved office space on this level has been omitted.

46. The exit from the public viewing gallery is proposed to be moved from Great St Helen's to Crosby Square. The new location would reduce the potential for the church, hotel and livery hall overnight accommodation in Great St Helen's to be affected by noise generated by visitors exiting the premises. In this location it would be adjacent to the disabled persons viewing gallery exit lift and closer to the entrance to the viewing gallery, which may assist way finding.

#### Retail

47. There are four small retail units in the approved scheme. Three are on the western side of Crosby Square and the roadway to Great St Helen's and one is on the north east corner of that road. It is proposed to omit the three on the west side of the road to enlarge the office reception space on the east side of the building. The applicants advise that this is important for improved access to Lloyds and the insurance market. The unit on the NE corner of the road would remain.
48. A replacement shop unit is proposed on the southern side of Crosby Square. This unit would have an external terrace and be raised above the level of Crosby Square by one metre. Steps and a public lift would provide access to the unit and terrace. The two shop units now proposed would have a floorspace of 180sq.m (GEA), which is 14sq.m larger than the four units previously approved.
49. The omission of the three small retail units would reduce the animation of Crosby Square and the roadway to Great St Helen's. However, the new unit and its terrace would animate the southern side of the square and, by combining the floorspace of the three approved units, produces a usefully sized unit.

#### Steps between Crosby Square and Undershaft

50. There is a two metre difference in level between Crosby Square and Undershaft. A flight of steps provides public access between these areas. These steps are on the edge of, but not within, the development site.
51. The developer has submitted a planning application to modify the steps, create planted terraces on each side and integrate them into the improvements to the public realm and security measures. The report on this application before you today concludes that there is no objection to these changes and recommends that the application be dealt with under delegated powers following the expiration of the consultation period.
52. A public lift between these levels was included in the approved development to enhance facilities for all and because of the large increase in the working population on the site. The public lift is now proposed to be partly on the application site and partly on the site of the steps. In this position it would serve the retail terrace also.
53. The lift could not be constructed in this location unless planning permission is granted to both applications and both are implemented. The developer has submitted a drawing for information demonstrating that the lift could be installed in a similar position within the site to that

previously approved if they fail to agree terms with the owner of the steps. This would require a planning permission.

54. The conditions of this permission and a legal agreement would require details of the lift and that it is provided and in operation before the building is occupied and is fully operational for the life of the building. The Steps application would contain a similar condition

#### Wind impact

55. The changes to the “art street”, building design and refinements to the design of wind mitigation features such as the canopy on the north west of the building and a 50m sculpture on the southwest corner, have created a need to review the wind environment. In addition, the proposal for a tall building at 1 Undershaft has been factored into the cumulative wind assessments.
56. The report on the wind tunnel test for the revised scheme states that various mitigation measures were required and contains a list of these measures in 10 bullet points. It concludes, “*With these measures in place wind conditions at all locations in and around the amended scheme are acceptable for their intended use.*”
57. The wind tunnel test took into account six existing and three new trees on public highway on Bishopsgate and two trees on private land in Great St Helen’s, all of which were shown on the approved scheme. The two trees on Great St Helen’s are an essential part of the wind mitigation scheme.
58. There are two additional trees on the steps between Crosby Square and Undershaft, one on the level 02 terrace and low level planting in Crosby Square. Without these trees and the low level planting the wind conditions would be unsuitable for the intended use in the public realm.
59. The use of trees to provide wind mitigation is not ideal because they need to be transplanted as mature trees, can have a limited life and are faced with extremes of weather whilst becoming established. However, they are effective as wind breaks and the developer has accepted that they will need to be replaced from time to time.
60. In this case all but one of the trees are on land outside the applicant’s control. Where they are on public highway trees may be subject to changes required by the highway authority. TfL has agreed the trees on Bishopsgate and their removal at a later date would not have a significant effect on wind conditions.
61. The two trees in Great St Helen’s are on City owned land. Without these trees the wind conditions would exceed the required wind conditions and pose a safety risk to pedestrians.
62. The two trees adjacent to the steps to Undershaft are not within the application site. Without these trees or some other similar measures, wind conditions in part of Crosby Square would be windier than appropriate for the intended use.

63. All the trees will need to be replaced from time to time by trees of similar size and species to maintain their effectiveness. The developer will provide and maintain the trees on and off the site for the life of the building. This will be secured by legal agreement.

#### Solar Glare

64. Assessment of the potential for reflected solar glare or dazzle in the approved scheme concluded that the development would result in minor to moderate adverse impacts at certain times of the year at 19 locations, although these assume a worst case scenario whereby the sun shines all the time. Many of the instances of reflection occur in the evening period during which the probability that the sun is shining is reduced to 10%.
65. In order to verify the assessment of the extent of the impact at street level and to inform the type and extent of measures which might be necessary to mitigate this impact, it was agreed that an independent solar glare assessment would be undertaken. This and any mitigation works are a requirement in the S106 agreement.
66. An assessment has been carried out of the changes which predominantly affect the design of the western facade. Therefore, the viewpoint reassessed is to the west in Threadneedle Street. As a consequence of the design changes the impact from this point would be improved as there would be less reflection and the impact would change from “moderate adverse” to “minor adverse”. The independent solar glare assessment and mitigation in the Section 106 agreement would apply to these amended proposals.

#### Cycle Parking

67. The current application proposes the provision of 1,649 long-stay and 76 short-stay cycle parking spaces, a total of 1,725 spaces. The 76 short-stay spaces would consist of 26 spaces provided at Sheffield stands adjacent to Great St Helen’s and a concierge service to a basement store which would hold 50 folding bicycles. This would be for visitor’s bicycles and be accessed from the offices reception via a dumb waiter. This total of 1,725 spaces is 595 spaces less than the 2,320 spaces in the consented scheme.
68. The Local Plan policy on cycle parking refers to the standards set out in Table 6.3 of the London Plan. This indicates that the development should provide a minimum of 2,200 long-stay and 177 short-stay cycle parking spaces, a total of 2,377 spaces. The proposed 1,649 long-stay and 76 short-stay spaces are therefore only 75% of the required long-stay provision and 43% of the required short-stay provision.
69. The approved cycle parking was slightly less than the minimum standard. This number was agreed because the space available for cycle parking is constrained by fact that the below ground structures and basements for the Pinnacle scheme, which have been constructed, are being reused and cannot be substantially changed. There was little space in the basements to accommodate the required changing



facilities, showers and lockers also. Most of these facilities were distributed on three upper floors (7M, 25M and 41M).

70. The reduction in the number of cycle parking spaces is caused by moving the showers and lockers so that they are more convenient for cyclists, being near to the cycle parking in the basements. The space now to be used as showers etc. reduces the space available for parking. The accommodation at levels 7M, 25M and 41M that was to be used for showers etc. is now to be used for alternative amenities for building occupants such as a gymnasium. The shower and locker facilities for cyclists are now all contained within the basements and level 1M.
71. The Mayor of London noted the particular constraints in this case and sought the demonstration of a pragmatic compromise to achieve the best overall package for cyclists in line with London Plan policy. The proposal has been reviewed by Transport for London, who undertook the technical work and evidence base on cycle parking demand that underlies the London Plan standards and TfL is content with the changes. They acknowledge the benefits in the shower provision being closer to the cycle parking and do not consider that the proposals will set a precedent.
72. The proposed 76 short-stay cycle parking spaces are considered acceptable as the provision of a policy compliant short-stay (visitor) parking would be difficult to achieve within the curtilage of the building. The proposed concierge service for visitors using folding bicycles is an excellent innovation that has potential to make cycling for business visits in the City more realistic.
73. The 25% shortfall in long-stay cycle parking is significantly less than in the permitted scheme. However, locating cycle parking, showers and lockers near to each other is recognized as being best practice and Transport for London's support for the amendments to enabling this to be achieved is important. On balance, it is considered that the additional 551 long-stay cycle parking spaces to meet the London Plan's standard should not be insisted upon in this case.

#### Other Changes

74. It is proposed to excavate Crosby Square to provide an additional route for construction vehicles to access the site at 22 Bishopsgate. The land would be back-filled after construction vehicles no longer need this access route. Approximately half of Crosby Square was archaeologically recorded and excavated during work for the Pinnacle. The current proposal would reduce the level of the remaining area of the square and steps.
75. The steps to Undershaft would be removed to provide this access route.
76. An archaeological assessment has been submitted with the application which confirms that Roman and medieval remains survive below the steps and Crosby Square. The proposals to reduce the level would have a limited impact on the surviving remains. An archaeological watching brief is proposed to record any remains revealed and to ensure protection

of the remains that would remain in situ. There are no objections to this work.

77. Other proposed minor changes are internal, would improve circulation within the building and would not have a detrimental impact on the public access to the viewing gallery and restaurant.

#### Stopping-up & dedication of land as public highway

78. Crosby Square is public highway and a stopping-up order has been granted in respect of the approved scheme, including land on the frontage to Bishopsgate and part of Crosby Square. A further stopping-up order will be required for the additional change to Crosby Square and changes on other parts of the perimeter of the site. Some changes to the building lines, particularly on the corner with Great St Helen's and on the Bishopsgate frontage, would result in stopped-up land being rededicated for highway use. A stopping-up plan is attached to this report. The area to be stopped-up is 29.22sq.m and the area to be dedicated as public highway is 31.11sq.m. This reduced area of stopped-up public highway is acceptable in the context of these revised proposals.
79. The change to the shape of the columns on Bishopsgate provides a minor improvement (200mm) in the width of footway available for pedestrian use between the kerb line and the columns.
80. The Mayor of London's request for further discussion on proposals for the public realm in Bishopsgate in line with London Plan Policy 6.10 would be a matter for negotiation between the developer and TfL in dealing with works on a TLRN road. This would be included in their joint agreement under Section 278 of the Highways Act.

#### Neighbour comments

81. Restrictions were imposed on the existing development to prevent night time working that generates external noise. Under the Construction Method Statement they have agreed to comply with the City's Code of Practice. The approved scheme precludes noisy operations between 20.00 and 8.00 unless specific variations are agreed with the City.
82. The issues raised by the Leathersellers Company in relation to the previous application were considered in detail at that time and it was considered that the proposal did not cause unacceptable harm such as to warrant refusal. The current application does not change those aspects of the scheme to which the Leathersellers Company previously commented and they do not raise new issues.

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

83. A section 106 agreement was entered into before the existing planning permission was issued. This covered the following matters:
  - a. Mayoral CIL contribution of £9,769,700 (indexed);
  - b. Mayoral Planning Obligations of £16,712,290 (indexed);
  - c. City CIL contribution of £14,654,550 (indexed);
  - d. Affordable Housing Contribution of £3,870,385 (indexed);

- e. Local Training, Skills and Job Brokerage Contribution of £580,558 (indexed);
- f. Cycle Hire Contribution of £213,408 (indexed);
- g. Provision of the Public Viewing Gallery;
- h. Viewing Gallery Management Plan;
- i. Pedestrian route from Bishopsgate to Crosby Square;
- j. Crosby Square Works, S278;
- k. St Helen's Churchyard Improvements Contribution of £100,000 (indexed);
- l. Wind Audit and mitigation;
- m. Solar Glare audit and mitigation;
- n. Carbon Off-Setting;
- o. Counter-Terrorism evaluation, measures and costs;
- p. Utility Connections;
- q. Freight Consolidation and Delivery and Servicing Management Plan;
- r. Travel Plan;
- s. Highways reparations works and costs and obligations under Section 278 of the Highways Act;
- t. TV Interference Survey and mitigation;
- u. Local Training, Skills and Job Brokerage Strategy;
- v. Local Procurement;
- w. Business Incubator Space within the building;
- x. Amenity Areas within the building for occupiers use;
- y. Works to adjoining flank walls;
- z. Monitoring and Administrative Costs;
- aa. Payment of the City of London's legal costs incurred in the negotiation and execution of the legal agreement;
- bb. City Planning Officer's administration costs in respect of the same
- cc. Crossrail administration and monitoring costs;
- dd. Servicing monitoring costs.

84. The amended scheme is similar in land use to the consented scheme and all of these remain necessary with changes to reflect the amendments to the proposals and uplift in floorspace over the permitted scheme. A deed of variation to the existing Section 106 agreement is proposed to be used to cover these changes.

### Mayoral CIL Obligations

85. At the time of preparing this report the additional Mayoral CIL has been calculated in relation to the uplift to be £68,200.

### Mayoral Planning Obligations

86. The additional Mayoral planning obligation has been calculated to be £213,190 but this would be reduced to £144,990 after deduction of the Mayoral CIL. It should be noted that these figures may be subject to change should there be a variation in the CIL liability at the point of payment and should therefore only be taken as indicative at this point.
87. Under the CIL regulations the City Corporation is able to retain 4% of the Mayoral CIL income as an administration fee; the remainder will be forwarded to the Mayor of London. The developer will also be liable to pay an additional £3,500 Mayoral administration and monitoring charge to the City Corporation. The total additional contributions due in accordance with the Mayoral CIL and Mayoral planning obligation policies are summarised below:

<b>Liability in accordance with the Mayor of London's policies</b>	<b>Contribution £</b>	<b>Forwarded to the Mayor</b>	<b>Retained by City Corporation</b>
Mayoral Community Infrastructure Levy payable	£68,200	£65,472	£2,728
Mayoral planning obligation net liability*	£144,990	£144,990	Nil
Mayoral planning obligation administration and monitoring charge	£3,500	Nil	£3,500
<b>Total liability in accordance with the Mayor of London's policies</b>	<b>£216,690</b>	<b>£210,462</b>	<b>£6,228</b>

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

### City CIL

88. At the time of preparing this report the additional City CIL has been calculated to be £102,300 in relation to the uplift in floorspace. It should be noted that these figures may be subject to change should there be a variation in the CIL liability at the point of payment and should therefore only be taken as indicative figures at this point.
89. Under the CIL regulations the City Corporation is able to retain 5% of the CIL income as an administration fee. The contributions collected will be

used to fund the infrastructure required to meet the requirements of the City's Development Plan.

City S106 Planning Obligations

90. The proposed net increase in floorspace would be 1,364sq.m. On the basis of the figure indicated in the Supplementary Planning Document, the additional planning obligation figure would be £31,372. 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.
91. 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	£102,300	£97,185	£5,115
City Planning Obligation Affordable Housing	£27,280	£27,007	£273
City Planning Obligation Local, Training, Skills and Job Brokerage	£4,092	£4,051	£41
City Planning Obligation Administration and Monitoring Charge	£750	Nil	£750
<b>Total liability in accordance with the City of London's policies</b>	<b>£138,236</b>	<b>£128,243</b>	<b>£8,993</b>

Affordable Housing Contribution

92. 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 affordable housing contribution due under the proposed scheme is based on an uplift of 1,364sq.m and has been calculated to be an additional £27,280. The applicant will be required to pay this contribution on or before the implementation of the planning permission.

Crossrail Contribution

93. The Crossrail Contribution is a financial payment calculated in accordance with the Crossrail SPG towards the costs of implementing the Crossrail Scheme required as result of the Implementation of a planning permission for the Development at the Site, the principles of which have been adopted by the Mayor of London in the Crossrail SPG and which in this case is an additional sum of £213,190, indexed to be paid by the Owner to the City Corporation (or such other sum as the City

Corporation may determine following the issue of the liability notice or revised liability notice pursuant to the Mayor of London's CIL).

#### Wind Mitigation

94. The amended scheme proposes trees for wind mitigation on land not within the application site. These trees will need to be replaced from time to time by trees of similar size and species. The developer will provide and maintain the trees for the life of the building, or alternative measures required by legal agreement to achieve the same effect and subject to any necessary planning permissions.

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

95. 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 Local Training Skills and Job Brokerage Contribution due under the new proposed scheme will be based on an uplift of 1,364sq.m and has been calculated to be an additional £4,092. The applicant will be required to pay this contribution on or before the implementation of the planning permission.
96. The cost of any reparation works required as a result of the development will be the responsibility of the Developer.

#### Monitoring and Administrative Costs

97. A 10 year repayment period would be required where by any unallocated sums would be returned to the developer 10 years after practical completion of the development. Some funds may be set aside for future maintenance purposes.
98. The applicant will pay the City of London's legal costs incurred in the negotiation and execution of the legal agreement and the City Planning Officer's administration costs in respect of the same. 1% of the total financial contribution (secured under the City's SPG) will be allocated to the monitoring of the agreement and £250 per non-financial head of term.
99. Separate additional administration and monitoring fees will be applied in relation to the Crossrail Contribution.

#### Conclusion

100. The proposed changes do not affect the height and massing, overall design, proposed activities, public viewing gallery and restaurant at the top of the building or servicing. The public realm benefit of a free public viewing gallery remains unchanged and servicing of the building will use a freight consolidation operation as previously agreed.
101. The building would provide a significant increase in flexible office accommodation, supporting the strategic objective of the Corporation to promote the City as the leading international financial and business centre.

102. The Mayor of London supports the scheme in strategic planning terms subject to further consideration of cycle parking and the Bishopsgate public realm.
103. The changes to the scheme do not affect the impact of the scheme on the setting of conservation areas and listed buildings, strategic views, the settings of St Paul's Cathedral and the Tower of London, or the previous conclusions in respect of the development as a whole. The assessment of these matters remains as before and is considered acceptable.
104. The proposed changes are acceptable and, in most respects, would improve the visual appearance of the building. However, some changes would impact on the previously approved quality and space of the public realm. The proposed height over the "art street" and Crosby Square and the zigzag plan form of frontages were recognised as positive features of the approved development. The height has been reduced from three to two stories and the zigzag simplified. The new form of the frontages to the "art street" is considered acceptable in design terms. The small reduction in the size of Crosby Square to provide space at ground level for dedicated office entrances and the exit from the public viewing gallery is a loss but is considered acceptable in the context of the scheme as a whole.
105. Wind mitigation measures have been changed and now include trees on neighbouring land and the public highway. The public lift between Crosby Square and Undershaft is now proposed to be partly on neighbouring land. A separate application has been submitted which includes these works. A report on this application is before you today. No objection is raised to these changes provided that measures are put in place to ensure wind mitigation measures and a lift are provided and maintained for the life of the building.
106. There would be changes to the stopping-up of public highway to achieve the development and also the release of land back to public highway.
107. It is concluded that the changes in the context of a building of this scale and character would be acceptable and that the proposal continues to accord with the development plan as a whole, that it would preserve the setting of listed buildings and preserve or enhance the character or appearance of the St Helen's Place Conservation Area.

## **Background Papers**

### Internal

Email 18.09.2016 Department of Markets and Consumer Protection

Emails 05.09.2016 & 31.10.16 Cleansing Services

Letter 14.09.2016 Access Adviser to DP9

### External

Letter 10.10.2016 GLA

Letter 06.10.2016 Eversheds

Letter 16.09.2016 Transport for London

Letter 16.09.2016 London Borough of Southwark

Letter 14.09.2016 London Borough of Westminster

Letter 31.08.2016 London Borough of Camden

Letter 01.09/2016 Historic England

Letter 13.09.2016 Environment Agency

Letter 05.09.2016 Peter Rose

Email 18.09.2016 Network Rail

Email 07.09.2016 Natural England

Email 05.09.2016 London City Airport

Email 01.09.2016 Network Rail

Email 30.08.2016 Crossrail

Environmental Statement Addendum, August 2016 AECOM

Design & Access Statement Addendum, August 2016 PLP Architecture

Pedestrian and Cycle Movement Assessment, October 2016 Space Syntax

Pedestrian Comfort Level Assessment, October 2016 Space Syntax

Transport Assessment Addendum, August 2016 WSP Parsons Brinkerhoff

Flood Risk, Surface and Foul Water Drainage Assessment – Statement of Change, August 2016 WSP Parsons Brinkerhoff

Sustainability Statement - Statement of Change, 09.08.2016 WSP

Energy Statement - Statement of Change, 02.08.2016 WSP

Cycle Parking Review 4<sup>th</sup> July 2016 WSP

Schedule of cycle parking spaces dated 12.10.16 WSP[

Stopping-up drawings SUO-SK-113F and 114C WSP

Illustration of Crosby Square steps Version 161017 Miller Hare

Historic Environment Assessment Addendum October 2016 MOLA

Archaeology report November 2016 MOLA



Letter 22.08.2016 DP9

Letters 14th and 21st October 2016 RWDI to Lipton Rogers Developments

Planning application number 16/00847/FULL 19/08/2016

## **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 6.10 Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space by reference to TfL's Pedestrian Design Guidance.

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.

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

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

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

### ***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.

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

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

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

### ***DM11.1 Visitor, Arts and Cultural***

- 1) To resist the loss of existing visitor, arts and cultural facilities unless:
  - a) replacement facilities are provided on-site or within the vicinity which meet the needs of the City's communities; or
  - b) they can be delivered from other facilities without leading to or increasing any shortfall in provision, and it has been demonstrated that there is no demand for another similar use on the site; or
  - c) it has been demonstrated that there is no realistic prospect of the premises being used for a similar purpose in the foreseeable future.
- 2) Proposals resulting in the loss of visitor, arts and cultural facilities must be accompanied by evidence of the lack of need for those facilities. Loss of facilities will only be permitted where it has been demonstrated that the existing floorspace has been actively marketed as a visitor, arts or cultural facility at reasonable terms.

### ***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.

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

1. For development with a peak heat demand of 100 kilowatts or more developers should investigate the feasibility and viability of connecting to existing decentralised energy networks. This should include investigation of the potential for extensions of existing heating and cooling networks to serve the development and development of new networks where existing networks are not available. Connection routes should be designed into the development where feasible and connection infrastructure should be incorporated wherever it is viable.

2. Where connection to offsite decentralised energy networks is not feasible, installation of on-site CCHP and the potential to create new localised decentralised energy infrastructure through the export of excess heat must be considered

3. Where connection is not feasible or viable, all development with a peak heat demand of 100 kilowatts or more should be designed to enable connection to potential future decentralised energy networks.

4. Other low and zero carbon technologies must be evaluated. Non combustion based technologies should be prioritised in order to avoid adverse impacts on air quality.

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

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

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

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

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

1. Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.
2. Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.
3. Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for Sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NOx).
4. Developers will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.
5. Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.

6. Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest building in the development in order to ensure maximum dispersion of pollutants.

### ***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.

***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.

## SCHEDULE

APPLICATION: 16/00849/FULEIA

### 22 Bishopsgate London EC2N

**Amendments to planning permission ref 15/00764/FULEIA (for construction of a building arranged on three basement floors, ground and 61 upper floors plus mezzanines and plant comprising floorspace for use within Classes A and B1 of the Use Classes Order and a publicly accessible viewing gallery and facilities (Sui Generis); hard and soft landscaping works; the provision of ancillary servicing and other works incidental to the development (200,714sq.m GEA.) comprising changes to the layout and configuration of the basement and base of the building, including; relocation of the retail units; changes to the proposed wind mitigation measures; changes to the cycle parking provision and facilities; changes to the Bishopsgate elevation at lower levels; changes to the art street; and changes to the proposed land use distribution and floor area (201,863sq.m GEA).**

## CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from 16 June 2016.  
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 The development shall not be carried out other than in accordance with the Construction Logistics Plan to manage all freight vehicle movements to and from the site approved on 27 October 2016 (application number 16/00656/MDC) 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.
- 3 The construction of the early phases of the development shall not be carried out other than in accordance with the Construction Method Plan approved on 12 October 2016 (application number 16/00657/MDC) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.  
Construction shall not be carried out on any phases of the development not covered by the documents approved on 12 October 2016 until a Construction Method Plan relating to those phases has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include a scheme for protecting nearby residents and commercial occupiers from noise, dust and other



environmental effects. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the development process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include a scheme to show that construction works do not endanger the safe movement of aircraft or the operation of Heathrow Airport. The development shall not be carried out other than in accordance with the approved scheme.

REASON: To protect the amenities of nearby residents and commercial occupiers in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3 and to ensure that the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through penetration of regulated airspace. These details are required prior to any work commencing in order that the impact on amenities and safe air operations is minimised from the time that development starts.

- 4 A public lift shall be constructed to provide access between Crosby Square and Undershaft as shown on the drawings hereby approved or on such amended drawings as may be approved in writing by the Local Planning Authority. This lift shall be completed prior to occupation of the building hereby approved and shall be maintained in operation for the life of the building.

REASON: To ensure that an accessible route is available for people with disabilities in accordance with the following policies of the Local Plan: DM10.1, DM10.8, DM16.2.

- 5 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 shown on the details approved on 16 August 2016 (16/00655/MDC) pursuant to condition 4 of planning permission 15/00764/FULEIA 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.

- 6 Unless otherwise agreed in writing by the local planning authority the agreed scheme for the provision of sewer vents hereby approved 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.

- 7 The development shall not be carried out other than in accordance with the details approved under application number 16/00656/MDC or any approved amendments thereto as may be agreed in writing by the Local Planning Authority (in consultation with Lead Local Flood Authority).

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.
- 8 No construction of basements shall take place other than in accordance with the details demonstrating that there would be no unacceptable risk to below ground utilities infrastructure approved on 16 August 2016 (16/00646/MDC), or any approved amendments thereto as may be agreed in writing by the Local Planning Authority (in consultation with Thames Water).

REASON: To ensure that below ground utilities infrastructure is protected in accordance with the following policy of the Local Plan: DM2.1.
- 9 No construction work involving the erection of permanent structure above a datum height of 126m AOD 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 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 and of NATS En-route PLC.
- 10 No construction work involving the erection of permanent structure above a datum height of 126m AOD shall be carried out other than in accordance with the Crane Operations Plan to manage all freight vehicle movements to and from the site approved on 12 October 2016 (application number 16/00645/MDC) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority in consultation with the Radar Operator (National Air Traffic Services).

REASON: In the interests of the safe operation of Heathrow Airport and of NATS En-route PLC.
- 11 No construction work involving the erection of permanent structure above a datum height of 126m AOD shall commence on site until a technical assessment of the impact of the Development on air traffic services for the airspace around London City Airport has been submitted to and approved in writing by the local planning authority in consultation with London City Airport and the licensed provider of air traffic services in the area which includes the Development and the

Airport. If the technical assessment demonstrates that the Development would have an adverse impact on air traffic services the assessment shall identify the appropriate mitigation measures that need to be undertaken to prevent or remove any adverse impacts which the construction and operation of the Development will have on safe and efficient air traffic services during the lifetime of the Development, in respect of which all necessary stakeholder consultation has been completed and all necessary approvals and regulatory consents have been obtained.

REASON: To ensure that the Development does not adversely affect the ability of the licensed provider of air traffic services in the area of the Development and London City Airport to provide safe and efficient air traffic services by means of air traffic control radar.

- 12 No construction work involving the erection of permanent structure above a datum height of 126m AOD shall commence on site before the arrangements for securing any appropriate mitigation measures identified in the approved technical assessment under condition 11 of this permission have been submitted to and approved in writing by the local planning authority in consultation with London City Airport and the licensed provider of air traffic services in the area which includes the Development and the Airport. Such arrangements must ensure that the appropriate mitigation measures are implemented before the Development gives rise to any adverse impact on air traffic services and are maintained for the lifetime of the Development.  
REASON: To ensure that the Development does not adversely affect the ability of the licensed provider of air traffic services in the area of the Development and London City Airport to provide safe and efficient air traffic services by means of air traffic control radar.
- 13 No structures or plant which exceeds 309m AOD shall be erected on the site during the period of construction without the prior written authority of the Local Planning Authority in consultation with National Air Traffic Services.  
REASON: To ensure that the proposal is acceptable in relation to aircraft safety in accordance with the following policies of the Local Plan: CS14
- 14 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. Trees and shrubs forming part of the wind mitigation which die or are removed, uprooted or destroyed or become in the opinion of the Local Planning Authority defective 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 order to ensure that the proposed development does not have a detrimental impact on environmental conditions or the amenities of the area in accordance with the following policies of the Local Plan: DM10.1, DM16.1, DM16.2.

- 15 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.
- 16 Before any construction works thereby affected are begun details of the public lift between Crosby Square and Undershaft shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented before first occupation of the development at 22 Bishopsgate and shall be so maintained in operation for the life of the building.  
REASON: To ensure that the development will be accessible for people with disabilities in accordance with the following policy of the Local Plan: DM10.8.
- 17 A. No CHP plant in the thermal input range 50kWth to 20MWth with NOx emissions exceeding that specified in Band B of Appendix 7 to the GLA Sustainable Design and Construction Supplementary Planning Guidance published April 2014 (or any updates thereof) shall at any time be installed in the building.  
B. Prior to any CHP plant coming into operation the following details must be submitted to and approved in writing by the Local Planning Authority:  
1. The results of an emissions test demonstrating compliance with Part A of this condition and stack discharge velocity carried out by an accredited laboratory/competent person; and  
2. An equipment maintenance schedule demonstrating that the emission standard would always be met.  
C. The CHP plant shall at all times be maintained in accordance with the approved schedule.  
REASON: To comply with policy DM15.6 of the Local Plan and policies 7.14B a and c of the London Plan.
- 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 projecting canopies incorporating artwork which shall include revisions to maximize the perforations and ensure an appropriately light and transparent character;
- (d) details of all other wind mitigation measures;
- (e) details of how rainwater will be drained from the canopies;
- (f) details of ground floor elevations including entrances;
- (g) details of escape doors, gates, doors to the vehicular lifts and bicycle entrance;
- (h) details of soffits, hand rails and balustrades;
- (i) details of junctions with adjoining premises;
- (j) details of ground level surfaces including materials to be used;
- (k) details of external lighting attached to the building including anti-collision lights, lighting to the soffits and lighting to the new pedestrian route;
- (l) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level;
- (m) details of plant and ductwork to serve the Class A1, A3 and A4 uses and any kitchens ancillary to the Class B1 offices;
- (n) details of ventilation and air-conditioning for the Class A1, A3 and A4 uses;
- (o) details of bird boxes.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the 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 artwork strategy and details of the size and location of artwork installations, structures and street furniture in the open space, 'art corridor', "art box" and office reception shall be submitted to and approved by the Local Planning Authority. The approved scheme must be implemented prior to the occupation of the building unless otherwise approved in writing by the Local Planning Authority and any changes thereto thereafter shall be submitted to and 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; DM10.5; DM10.8; DM11.2.

- 22 Before any works thereby affected are begun details of the entrance, street frontage and 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.

- 23 Unless otherwise approved in writing by the Local Planning Authority the ground level retail premises shall be used for Class A1 and for no other purpose (including any other purposes in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

REASON: To support the provision of Class A1 retail uses in the area in accordance with the following policy of the Local Plan: DM20.3

- 24 The green roof(s) indicated on the drawings hereby approved shall be designed to achieve at least the number of BREEAM credits indicated in the pre-assessment in relation to flood risk/water run-off and enhancing ecological value of the site. Details of the position and size of the green roof(s), the type of planting and the contribution of the green roof(s) to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.

REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in

accordance with the following policies of the Local Plan: DM15.1, DM18.2, DM19.2.

- 25 (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.
- 26 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.
- 27 The proposed office development sharing a party element with non-office premises in the building 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 in the building 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.
- 28 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. 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.

- 29 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. 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.
- 30 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.
- 31 A detailed facade maintenance plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London 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
- 32 The commemorative RNLI plaque on the former building on the site and proposed Crosby Hall plaque shall be installed and retained for the life of the building on the new building in accordance with detailed specifications including location, position and fixing details which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the works affected thereby. REASON: In the interest of visual amenity and to maintain the historic and cultural interest of the site in accordance with the following policy of the Local Plan: DM12.1.
- 33 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.

- 34 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.
- 35 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.
- 36 No doors or gates shall open over the public highway.  
REASON: In the interests of public safety
- 37 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.
- 38 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.
- 39 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.
- 40 The loading and unloading areas must remain ancillary to the use of the building and shall be available solely for that purpose for the occupiers thereof and visitors thereto.  
REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Local Plan: DM16.5.
- 41 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.

- 42 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.

- 43 A minimum of 4 car parking spaces 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.

- 44 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.

- 45 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.

- 46 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 1,725 pedal cycles, details of which (including details of location and types of cycles) to be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. 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.

- 47 Unless otherwise approved in writing by the local planning authority, changing facilities and showers, including no less than 140 showers and 1,998 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.
- 48 Unless otherwise approved by the local planning authority, there shall be no building, roof structures or plant above the top storey, including any building, structures or plant permitted by the Town and Country Planning (General Permitted Development) Order 2015 or in any provisions in any statutory instrument revoking and re-enacting that Order with or without modification.  
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, CS10
- 49 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.
- 50 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.
- 51 The development shall not be carried out other than in accordance with the following approved drawings and particulars or in accordance with the conditions of this planning permission:  
Drawings submitted under application number 16/00849/FULEIA: 1348-PL-A-001 Rev P09; 020 Rev P01; 021 Rev P01; 025 Rev P04;

026 Rev P07; 027-01 Rev P06; 027-02 Rev P04; 030 Rev P04; 098 Rev P04; 100 Rev P07; 101 Rev P07; 101M P06; 102 Rev P05; 103 Rev P04; 107 Rev P02; 125 Rev P03; 141 Rev P03; 162 Rev P05; 200-01 Rev P04; 201-01 Rev P04; 202-01 Rev P04; 203-01 Rev P04; 204-01 Rev P05; 205-01 Rev P03; 206 Rev P04; 207 Rev P03; 208 Rev P05; 209 Rev P04; 250 Rev P02; 251 Rev P02; 252 Rev P02; 257 Rev P03; 258 Rev P02; 259 Rev P04; 260 Rev P03.

Drawings and details approved under application number 15/00764/FULEIA: 1348-PL-A-022; 023; 096 Rev P03; 108; 126; 142; 144; 148; 150; 152; 158; 159; 161; 254; 255; 300; 301; 302; 303; 304; 305; 306; 22B-WSP-00-XX-520-5009; 5001; 5005; 22B-WSP-00-XX-PL-520-5098; 22B-WSP-00-XX-PL-520-5099; 22B-WSP-02-00-PL-520-5100; 22B-WSP-02-01-PL-520-5101; 22B-WSP-02-M1-PL-520-5101M; 22B-WSP-03-02-PL-520-5102; 22B-WSP-00-B2-PL-520-5004; 22B-WSP-00-B2-PL-520-5003; Email 30.10.2015 - J Smith DP9; Email 05.11.2015 - D Graham DP9; Responses to City of London Access Team's Comments.

## INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:  
detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;  
a full pre application advice service has been offered;  
where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.
  
- 2 The Mayoral Community Infrastructure Levy is set at a rate of £50 per sq.m on "chargeable development" and applies to all development over 100sq.m (GIA) or which creates a new dwelling.  
The City of London Community Infrastructure Levy is set at a rate of £75 per sq.m for offices, £150 per sq.m for Riverside Residential, £95 per sq.m for Rest of City Residential and £75 on all other uses on "chargeable development".  
The Mayoral and City CIL charges will be recorded in the Register of Local Land Charges as a legal charge upon "chargeable development" when development commences. The Mayoral CIL payment will be passed to Transport for London to support Crossrail. The City CIL will be used to meet the infrastructure needs of the City.  
Relevant persons, persons liable to pay and owners of the land will be sent a "Liability Notice" that will provide full details of the charges and to whom they have been charged or apportioned. Please submit to the City's Planning Obligations Officer an "Assumption of Liability" Notice

(available from the Planning Portal website:  
[www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil)).

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

- 3 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 as freeholder of part of the site; works must not be commenced on that part until the consent of the City of London Corporation as freeholder and ground landlords has been obtained.
- 5 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; any temporary or permanent works affecting the public highway must not be commenced until the consent of the Highway Authority has been obtained.
- 6 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.
- 7 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.
- 8 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.

9 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.

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

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

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

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

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.

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

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.

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

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

#### Food Hygiene and Safety

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

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

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

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

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

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

#### Terraces and Open Space

The location of outside space is an important consideration with regard to the exposure of air pollutants. The applicant is reminded to consider the location of existing and planned combustion plant termination points relative to any terrace, general access areas or openable windows, etc. In addition to any building control; or planning requirements, the third edition of the Chimney Height Memorandum



(1987) requires that certain types of combustion plant terminates at least 3m above any area to which there is general access.

11 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 (approx. 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.

- 12 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.
- 13 Where tree pits are to be dug for the new tree(s), there should be an archaeological 'watching brief' to monitor groundworks and record any archaeological evidence revealed before replanting and the tree pit(s) should be lined to indicate the excavated area.
- 14 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

Inflammable materials (e.g., petroleum):

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

Works affecting a GLA road:

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

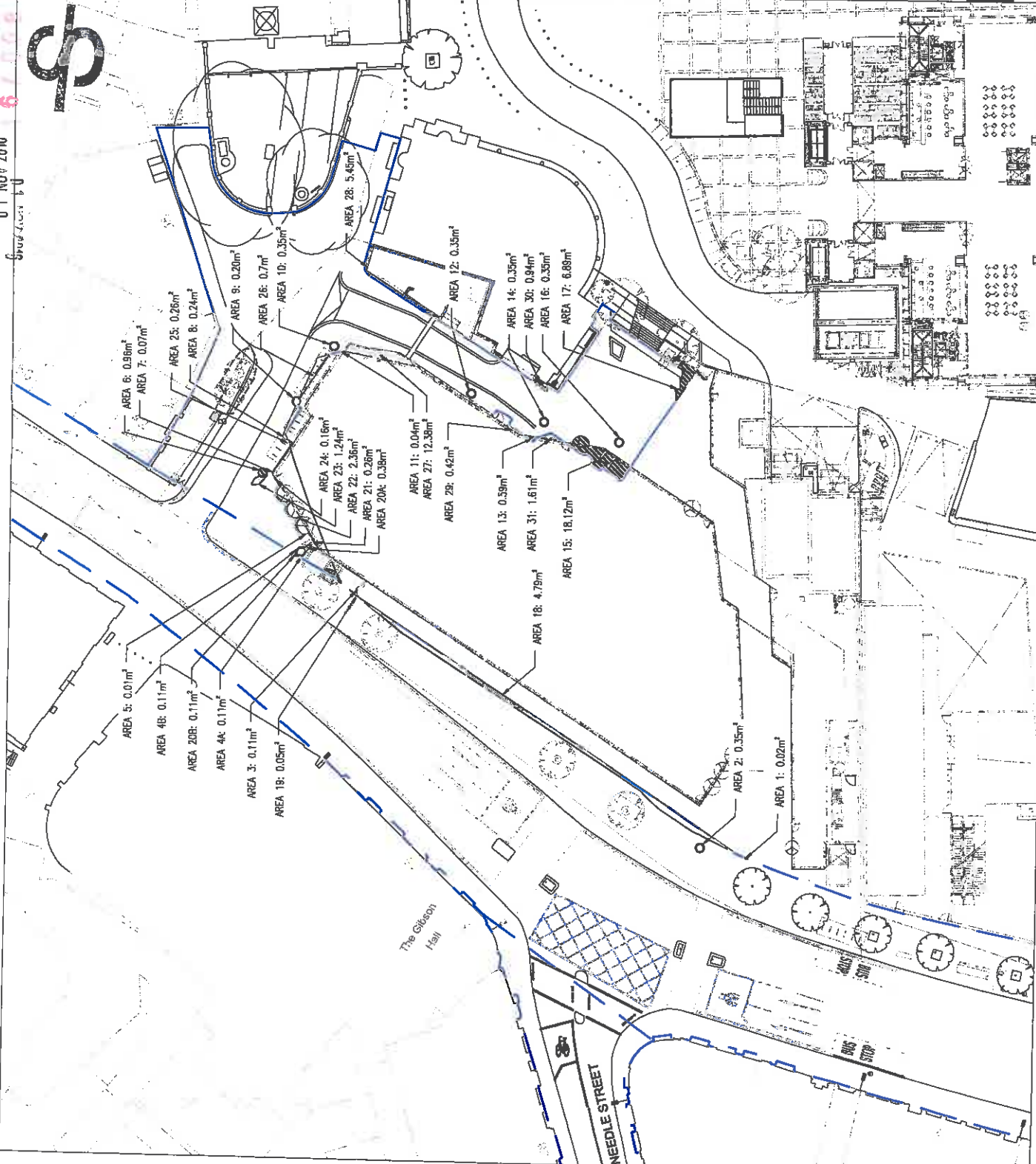
Works affecting water supplies, land drainage and flood defences:

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

- 15 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.
- 16 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.
- 17 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 Email from DP9 dated 17/09/2015 in respect of application number 15/00764/FULEIA.
- 18 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.

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**DO NOT SCALE**

- KEY**
- EXISTING COL. HIGHWAY BOUNDARY
  - EXTENT OF TLRN HIGHWAY BOUNDARY
  - ▨ HIGHWAY TO BE STOPPED UP
  - ▭ LAND TO BE DEDICATED TO HIGHWAY AUTHORITY
  - AREA (1-17) AREA TO BE STOPPED UP
  - AREA (18-31) AREA OF NEW HIGHWAY

REV	DATE	BY	DESCRIPTION
F	13/10/16	MC	AMENDMENTS TO AREA 15
E	20/09/16	MC	MINOR AMENDMENTS
D	12/09/16	MC	MINOR AMENDMENTS
C	09/09/16	MC	MINOR AMENDMENTS
B	30/08/16	MC	MINOR AMENDMENTS
A	23/08/16	MC	FIRST ISSUE

**FOR INFORMATION ONLY**

**WSP** | **PARSONS BRINCKERHOFF**

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CUSTOMER:	LIPTON ROGERS DEVELOPMENT LLP		
PROJECT:	PLP		
TITLE:	22 BISHOPSGATE		
SCALE @ A3:	1:500	CHECKED:	PJ
DATE:	October 2016	DESIGNED BY:	MC
PROJECT NO.:	70002983	PROJECT NAME:	SU0-SK-113-F
ISSUE NO.:	F	ISSUE DATE:	01 NOV 2016

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GREATER LONDON AUTHORITY  
Development, Enterprise and Environment

**Sonia Williams**  
Senior Planning Officer  
City of London Corporation  
PO Box 270  
Guildhall  
London EC2P 2EJ

**Our ref:** D&P/3704a/GC/02  
**Your ref:** 16/00849/FULEIA  
**Date:** 10 October 2016

GREATER LONDON AUTHORITY		
TRANSPORTATION		
RSD	C-O	PPD
REF	13 OCT 2016	LTP
OFF		SSE
NO	127516	PP
FILE		DD

Dear Ms Williams,

**Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008**  
**22 Bishopsgate, London EC2N**  
**Local Planning Authority reference: 16/00849/FULEIA**

I refer to the copy of the above planning application, which was received from you on 31 August 2016. On 10 October 2016, the Mayor considered a report on this proposal, reference D&P/3704a/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Mayor considers that the scheme is strongly supported in strategic planning terms and would provide a welcome major investment within the City of London. Notwithstanding this, a number of minor transport issues require resolution prior to the Mayor's decision making stage. These are summarised within paragraph 34 of the above mentioned report.

The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The environmental information made available to date has been taken into consideration in formulating these comments.

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



Please note that the Transport for London case officer for this application is Mark Day, e-mail mark.day@tfl.gov.uk, telephone 020 3054 7025.

Yours sincerely,



**Colin Wilson**

Senior Manager – Development & Projects

cc Unmesh Desai, London Assembly Constituency Member  
Tony Devenish, Chair of London Assembly Planning Committee  
National Planning Casework Unit, DCLG  
Lucinda Turner, TfL  
David Graham, DP9 Ltd., 100 Pall Mall, London SW1Y 5NQ

*From GLA report to the Mayor of London:*

34 Notwithstanding the above, the following issues require resolution prior to the Mayor's decision making stage:

- **Transport:** The scheme is broadly acceptable in strategic transport terms, and an appropriate contribution to Crossrail will be secured. However, the proposal does not comply with London Plan cycle parking standards (Policy 6.13). Noting the particular constraints in this case, the demonstration of a pragmatic compromise is sought in order to achieve the best overall package for cyclists in line with London Plan Policy 6.9. Further discussion is also sought with respect to proposals for the public realm at Bishopsgate in line with London Plan Policy 6.10.

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

Date: 6 October 2016  
Your ref: 16/00849/FULEIA  
Our ref: GIBSONJW\303118-000002  
Direct: +44 20 7919 0691  
Email: jamesgibson@eversheds.com

**By Email and Post**

Dear Sirs

**Amendments to planning permission ref:15/00764/FULEIA (ref: 16/00849/FULEIA)  
22 Bishopsgate London**

We act for the Wardens and Society of the Mystery or Art of the Leather Sellers of the City of London.

We refer to the correspondence received from the City of London Corporation dated 1 September 2016 confirming receipt of an application under Section 73 of the Town and Country Planning Act 1990 to amend the planning application carrying reference 16/00075/FULEIA.

Our client objected to the original application by way of a letter to the Corporation dated 21 October 2015. The letter raised serious concerns regarding the impact of the proposed development on the St Helen's Conservation Area and the setting of surrounding heritage assets. The letter also highlighted serious concerns regarding the daylight, sunlight, overshadowing and glare impacts of the proposed development as well as its negative impact on the surrounding public transport network.

We have now had an opportunity to review the content of the new planning application including the updated environmental information. We remain of the view that the development proposed as shown in the new planning application has the same significant adverse effects upon our client's interests as those identified in relation to the original planning application. Furthermore, no satisfactory measures have been identified to mitigate such effects.

Accordingly, our client objects to the new planning application on the same grounds as the original planning application and, for ease of reference, we attach a copy of those earlier representations for your file.

We would be grateful if you would acknowledge receipt of this correspondence.

Yours faithfully

EVERSHEDS LLP

ACKNOWLEDGED

Jon\_Ilb1\14944951\1\gibsonjw

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

Date: 21 October 2015  
Your ref:  
Our ref: GIBSONJW\303118.000001  
Direct: +44 20 7919 0691  
Email: jamesglbson@eversheds.com

Dear Sirs

**Planning Application 15/00764/FULEIA - 22 Bishopsgate, 38 Bishopsgate (Crosby Court) and 4 Crosby Square, London EC2N 4BQ**

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

Our client's initial view is that the bulk and massing of the proposed development is highly inappropriate in this location. It looms to such an extent over the buildings in St Helen's Place that the latter's amenity and light will be materially prejudiced. Our client has yet to conclude its impact assessments of the scheme due to the lateness of the notification of the proposal.

As explained in our client's letter of objection to the City of London Corporation dated 4 September 2015 (Appendix A), our client owns a number of substantial property holdings in and around St Helen's Place, within very close proximity to the boundary of the application site.

Given both the location and scale of its freehold interests, as well as their existing relationship with the applicant, our client wishes to express its disappointment that there has been no attempt by the applicant to engage in any form of consultation exercise prior to the submission of the planning application on 17 July 2015.

It would have been a matter of good planning practice and courtesy to have made arrangements to discuss proposals with owners and occupiers within the immediate vicinity of the development. It is also obvious from our review of the documents submitted with the planning application that this deficiency in the consultation process has had a significantly detrimental impact on our client's ability to comment on the design concept and associated environmental impacts of the proposed scheme.

The City Corporation's Statement of Community Involvement (SCI) (adopted November 2012) states:

*"The City Corporation attaches considerable importance to providing applicants with advice prior to an application being submitted. Advice and discussions held prior to an application being submitted speed up the process, ease understanding of planning considerations and reduce the likelihood of planning permission being refused."*

The SCI highlights new measures introduced by the Localism Act 2011 and encourages applicants to adopt practices that bring proposals for major development to the attention of people who live in or occupy nearby premises in the vicinity before submitting the planning application. The SCI states that the City Corporation **"...must be satisfied that this**

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*requirement has been met before determining the application and the developer is required to demonstrate what account has been taken of the views received".*

It is important to point out that the developer did not contact our client before the planning application was submitted on 17 July and that communication from the planning authority only commenced following our client's letter of objection on 4 September.

Whilst reserving our client's position regarding the issues raised above, we have undertaken a preliminary review of the information available in relation to the planning application and have identified a number of concerns regarding the planning merits of the proposed development. These concerns are listed below and, for the avoidance of doubt, should be read in conjunction with the letter dated 4 September 2015, that was submitted by our client to the City Corporation.

**1. Design**

- 1.1 Whilst the principle of a tall building in this location has been established, it is apparent from the Environmental Statement and the Design and Access Statement that the design of the proposed development will bring significant new planning impacts.
- 1.2 English Heritage and CABE joint guidance on tall buildings stresses the importance of achieving the highest architectural quality in prominent tall buildings. In contrast to the previous proposals at the site, which included a building of lower density and more sympathetic design, the revised proposals do not relate satisfactorily to surrounding historic assets or other existing and approved buildings in the Eastern Cluster. Furthermore, the building is not of a distinctive or iconic design so as to merit its prominent location.
- 1.3 The applicant has sought to justify their proposals, and assert that there is a precedent for a high building in this location, simply by applying a favourable comparison on height between the new building and the old 'Pinnacle' scheme. This fails to take account of the material differences in density between the two buildings and, as acknowledged by the applicant's Environmental Statement, the significant impact that this will have on the amenity of occupants within the surrounding properties through loss of views and changes in daylight and sunlight levels.
- 1.4 The application also fails properly to consider the differences in architectural merit and quality of design between the two proposals, their contribution to London's architecture and their appropriateness in the context of their location.
- 1.5 This is contrary to local plan policy, which dictates that tall buildings should only be allowed where the building is of 'world class' architecture and sustainable and accessible design in suitable locations, and where the proposals take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm.
- 1.6 We also refer to NPPF core principles which include the need always to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
2. **Impact on the Tower of London World Heritage Site and settings of nearby listed buildings and conservation areas**
  - 2.1 The proposed building will significantly alter the scale, composition and urban form of the Eastern Cluster. Whilst this is not in itself contrary to local policy, it is apparent that a building of this density creates an unsatisfactory relationship with the Tower of London World Heritage Site and other important landmarks, including St Paul's Cathedral and, within the immediate vicinity of the development, the Church of St Helen's Bishopsgate. Furthermore it is considered that the proposed building would 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.

2.2 The ES underplays the significant adverse effects on the setting of important heritage assets including the following:

- 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;
- 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 Leadenhall Market;
- The setting of St Helen's Place and its cluster of historic buildings – either retained or built within retained historic frontages.

2.3 Section 66(1) of the of the Planning (Listed Building and Conservation Areas) Act 1990 is of major importance to consideration of this 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.

2.4 Recent case law in connection with this statutory test has reinforced the need for decision makers to consciously acknowledge any harm to heritage assets and then apply 'considerable weight' to their preservation. Only then can an assessment be made as to whether there are circumstances that outweigh the harm identified that would allow the grant of planning permission.

2.5 The City Corporation's Local Plan provides specific protection from high buildings that adversely affect the views and settings of the Tower of London World Heritage Site and conservation areas. 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, tall buildings must be determined in the context of the following planning considerations:

- Safeguarding the City's listed buildings and their settings, while allowing appropriate adaptation and new uses;
- Preserving and enhancing the distinctive character and appearance of the City's conservation areas, while allowing sympathetic development within them;
- Preserving and, where appropriate, seeking to enhance the Outstanding Universal Value, architectural and historic significance, authenticity and integrity of the Tower of London World Heritage Site and its local setting.

2.6 Policy DM12.2 states that development in conservation areas will **only be permitted** if it preserves and enhances the character or appearance of the conservation area.

2.7 Paragraph 132 of NPPF also requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight that should be attached.

2.8 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.

2.9 In the current circumstances, where the design of the building and its impact on historic assets is so materially adverse, our client considers that the balancing exercise to be undertaken by the local planning authority must weigh heavily in favour of refusal.

3. **Impact on Strategic Views and the London Skyline**

3.1 The proposed building will materially detract from the setting of the Cathedral and, in contrast to the previous proposals, will do nothing to enhance the relationship between St Paul's and the Eastern Cluster.

3.2 Local planning policy dictates that local view areas defined by policies on the 'St Paul's Heights' and within strategic viewing corridors of St Paul's Cathedral will be inappropriate for the siting of high buildings. Core Strategy Policy CS13: Protected Views provides protection to such assets through the implementation of the Mayor's London View Management Framework SPG to manage designated views of strategically important landmarks including St. Paul's Cathedral and the Tower of London.

4. **Public Transport**

4.1 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.

4.2 This underplays the significant likely impacts on transport of the proposed development which will result in a major uplift in journeys across London Underground services, in particular the Central, Northern and Waterloo and City lines. Our client is aware that a financial contribution has been sought by TfL, however there is still very limited clarity as to what the nature and scale of any mitigation will include. The impact on the transport network is a material consideration in the determination of this application and our client is concerned that a financial contribution has been agreed without any evidence base as to how this will make the development acceptable in planning terms.

4.3 During peak times, the pedestrian and road network in the vicinity of the proposed development are already heavily congested carrying high volumes of people and traffic. The proposed development will put further considerable pressure on the surrounding transport infrastructure. Details as to how the applicant will address the increasing pressures on local highways, walkways and cycleways must be provided before the application is determined.

For the reasons above, our client wishes to sustain its objection and it considers that the planning application should be refused.

We look forward to hearing from the City Corporation in early course.

Yours faithfully

  
Eversheds LLP

**Weils, Janet (Built Environment)**

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**From:** PLN - Comments  
**Subject:** FW: 22 Bishopsgate 16/00849/FULEIA- FAO Sonia Williams

**From:** Peter Rose  
**Sent:** 05 September 2016 13:32  
**To:** PLN - Comments  
**Subject:** 22 Bishopsgate 16/00849/FULEIA- FAO Sonia Williams

I have received this latest notification.

The purpose of this note is to repeat my earlier statement regarding construction and allied noise at night. As we live at the below address we ask that restrictions are placed on night working generating external noise between the hours of 11pm and 8am.

Kind Regards,

Peter Rose

Jamaica Buildings,  
St. Michael's Alley  
London  
EC3V 9DS

