

Committee:	Date:
Planning and Transportation	21 March 2017
Subject: 117 - 121 Bishopsgate London EC2M 3UJ External alterations to the shopfront, installation of two Automated Telling Machines (ATMs) to the shopfront and associated works.	Public
Ward: Bishopsgate	For Decision
Registered No: 17/00062/FULL	Registered on: 27 January 2017
Conservation Area: Bishopsgate	Listed Building: No

Summary

The application is for the installation of modern glazed shopfronts at 117-121 Bishopsgate.

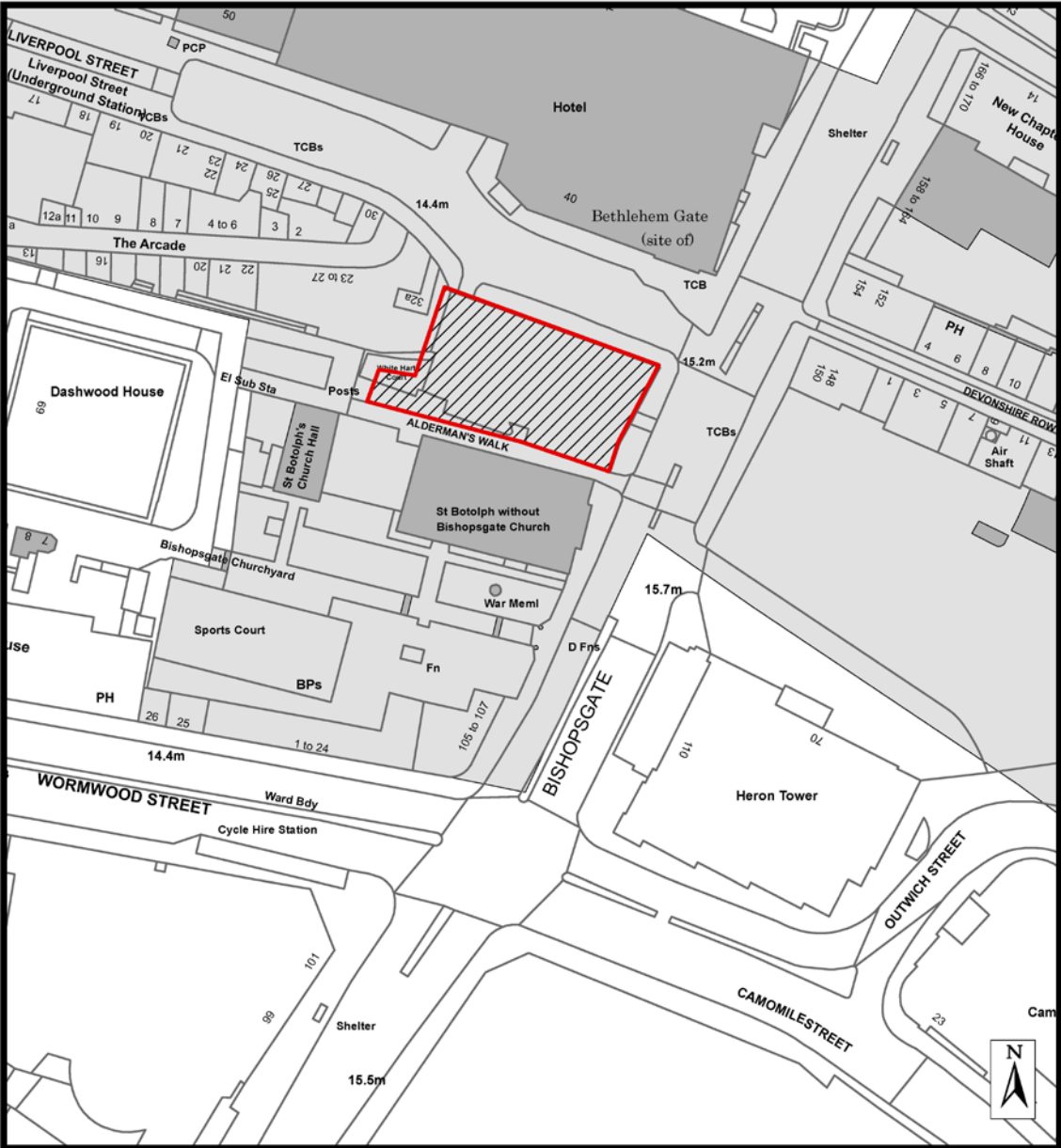
117-121 Bishopsgate occupies a large and prominent corner site at the junction of Bishopsgate and Liverpool Street, opposite Liverpool Street Station, the 'gateway' to the City from the north and east. The site is in the Bishopsgate Conservation Area and in a Principal Shopping Centre. It is adjacent to and within the immediate setting of two listed buildings, St Botolph's Without Bishopsgate (grade II*) and grade II listed Great Eastern Hotel.

It is considered that the unsympathetic alterations to the shopfront, incorporating substantial elements of glazing and removing the attractive architectural features of the stallrisers, pilasters and transoms and installation of large, open, glazing, the proposed shopfront would detract from the appearance of the two buildings and thereby the character and appearance of the Bishopsgate Conservation Area and the setting of St Botolph's Church (grade II*) and the former Great Eastern Hotel (grade II), contrary to London Plan Policies 7.6 and 7.8, Local Plan Policies CS 10, CS 12, DM 10.1, DM 10.5, DM 12.1, DM 12.2 and DM 12.3 and policies contained in the National Planning Policy Framework.

Recommendation

It is therefore recommended that the planning application be refused for the grounds set out in the attached schedule.




City of London Site Location Plan



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ADDRESS:
117-121 Bishopsgate

CASE No.
17/00062/FULL

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT

117-121 Bishopsgate

17/00062/FULL



View of site from Bishopsgate looking west



View of site from Bishopsgate looking south-west

Main Report

Site

1. 117-121 Bishopsgate occupies a large and prominent corner site at the junction of Bishopsgate and Liverpool Street, opposite Liverpool Street Station, the 'gateway' to the City from the north and east. The site is in the Bishopsgate Conservation Area and in a Principal Shopping Centre. It is adjacent to and within the immediate setting of two listed buildings, St Botolph's Without Bishopsgate (grade II*) and grade II listed Great Eastern Hotel.
2. Planning permission was approved on 28 March 2012 (and amended on 23 June 2014, Ref. 13/01199/FULMAJ)) for:
Redevelopment behind partial retained facades on Bishopsgate and Liverpool Street to provide retail (A1) use at ground and basement and office (B1) at (part) ground and 1st to 8th floors.
3. This permission is now largely implemented.
4. 117 and 119-121 Bishopsgate are notable buildings which make a positive contribution to the character and appearance of the Bishopsgate Conservation Area and are considered to be undesignated heritage assets. 117 Bishopsgate, in the south eastern corner of the site, is opposite the Church of St Botolph's Without Bishopsgate, with elevations to Alderman's Walk and White Hart Court. Originally early 18th Century, it is four storeys plus attic above a basement with a ground floor retail unit and ancillary office above. 119-121 Bishopsgate, dating from 1829, is four-storeys (above basement) stucco-fronted building which until recently housed the White Hart Public House (A4 use) which occupied part of the basement and ground, with office uses above.
5. The buildings were previously considered for listing in 2006 and although not listed, are of historic and aesthetic significance because of the early 19th century frontage buildings which retain their classical proportions and many of their original details. As such, they make a positive contribution to the traditional historic streetscape, particularly to Bishopsgate and have group value with grade II* listed St Botolph's Church to their south and the grade II listed Great Eastern Hotel to the north.

Relevant Planning History

6. Planning permission and a subsequent amendment application was granted for redevelopment behind partial retained facades on Bishopsgate and Liverpool Street to provide retail (A1) use at ground and basement and office (B1) at (part) ground and 1st to 8th floors. (Ref 09/00192/FULMAJ and 13/01199/FULMAJ). These works are currently under construction and almost complete.

7. The decision included condition 15 which required details of shopfronts (and other specific design details) Two applications relating to the shopfront design and proposed materials have been approved (Refs. 15/00930/MDC and 16/00070/MDC).
8. A non-material amendment and a S73 variation of condition application have recently been approved to enable the use of the ground and basement as flexible A1/A2 (Refs. 17/00047/NMA and 17/00041/FULL), to enable use of the premises as a bank.
9. A concurrent application for express advertisement consent (Ref. 17/00063/ADVT) is before your committee for determination.

Proposals

10. Planning permission is sought for external alterations to the shopfront, installation of two Automated Telling Machines (ATMs) and associated works.

Consultations

11. The application has been publicised on site and in the press. No comments were received as a consequence of this consultation.
12. The Conservation Area Advisory Committee objected to the proposal considering that:
Losing the stall risers and pilasters would be detrimental to the Conservation Area, radically changing the original character of this former restoration project.

Policy Context

13. The Development Plan consists of the London Plan and the City of London Local Plan. The London Plan and Local Plan policies that are most relevant to this case are set out in Appendix A of this report.
14. Government policy is contained in the National Planning Policy Framework (NPPF) and guidance in the National Planning Practice Guide (NPPG).

Considerations

15. The Corporation, in determining the planning application has the following main statutory duties to perform:-

to have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations. (Section 70 Town & Country Planning Act 1990);

to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6))

of the Planning and Compulsory Purchase Act 2004).

In considering whether to grant planning permission for development which affects a conservation area, to apply considerable weight and importance to the need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. (S71 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).

In considering whether to grant planning permission for development which affects a listed building or its setting, to apply considerable weight and importance to the need to have special regard for the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990). In this case the duty is to the desirability of preserving the setting of listed buildings;

16. The principal issues in considering this application are:
- Design and Conservation: The impact of the proposal on the host buildings; the impact on the character, appearance and heritage significance of the Bishopsgate Conservation Area and; the impact on the setting of nearby listed buildings.
 - Access: The accessibility of the building to all users.

Design and Conservation

17. In assessing this application, special attention should be paid to preserving or enhancing the character and appearance of the Conservation Area. The Bishopsgate Conservation Area covers Bishopsgate and its environs and contains buildings that display an exceptional richness and variety in architectural styles and age. The significance of the Conservation Area is therefore architectural and historical.
18. In determining the previous applications (09/00192/FULMAJ and 13/01199/FULMAJ), significant weight was afforded to the retention of the facades of the historic buildings on the site, to ensure the site's architecture remained contextual, particularly when viewed at street level and this is noted at Page 16 of the Bishopsgate Conservation Area Character Summary and Management Strategy SPD (adopted September 2014). This describes the buildings as:

Forming a small group with St Botolph's Church, 117 and 119-121 are the earliest buildings on the west side of the street in the conservation area. The White Hart Inn, 119-121, was rebuilt in 1829 to replace its 16th century predecessor, in a simple neoclassical regency style with a

stuccoed exterior and an entrance to the remaining section of White Hart Court. Although very different in style, the group is linked by the use of pale coloured materials: stone for the church and cream painted stucco for the row of adjacent buildings. These buildings contrast strongly with the use of red brick at the former Great Eastern Hotel across the junction to Liverpool Street, where the built scale changes significantly too.'

19. The site is identified in local views within the Conservation Area Character Summary. View 4 explicitly identifies the view north towards St Botolph's and the former White Hart Inn as being important.
20. The current application for the installation of a new shopfront proposes significant alterations to the shopfront design as approved by applications 15/00930/MDC and 16/00070/MDC by removing pilasters, transoms and stallrisers in order to install large modern glazed areas in order to improve visibility into the bank. The applicant states in their supporting documents that they take an individual design approach to each building. Despite detailed pre-application discussions and further discussions and negotiations throughout the course of this application no satisfactory resolution has been reached. The negotiations sought to reach a suitable design approach, which would have continued to provide a high level of visibility into the bank but which would be in-keeping with the building, Conservation Area and setting of nearby listed buildings and thereby be considered to be in accordance with policies. However, the applicant has chosen not to amend their design, in favour of providing large elements of glazing which they describe as easy to clean, low maintenance and easy to replace if damaged. These considerations do not address the architectural significance of the buildings and their location within the Conservation Area.
21. Policy DM 10.5 of the Local Plan relates specifically to shopfronts and requires their design to be consistent with the upper floors of the corresponding building and compatible in scale and appearance with the surrounding streetscene. The proposed alterations are considered to be inappropriate to the building as they fail to have regard to the historic character of the attractive historic, retained facades and would appear incongruous within the streetscene.
22. The shopfront does not respect the differing character of the two distinct but complementary historic buildings that make up the site and would undermine the architectural significance and integrity of the buildings, eroding their relationship with nearby buildings, particularly the neighbouring St Botolph's church which is one of the most important buildings in the Conservation Area and thereby detract from the character and appearance of the wider Conservation Area.
23. The National Planning Policy Framework, at paragraph 132, states that great weight should be afforded to the conservation of heritage assets. Paragraph 134 states that where such harm is caused to the

significance of designated assets then this should be weighed against the potential public benefits. In line with the Court of Appeal judgement in *Barnwell Manor Wind Energy Ltd v East Northants DC* [2014] EWCA Civ 137 when special attention is to be paid pursuant to a statutory duty under sections 66 or 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is to be given “considerable importance and weight” by the decision-maker when carrying out the balancing exercise, whether the harm is substantial or less than substantial.

24. The harm that would be caused by the shopfront to the significance of the undesignated heritage asset, the wider Conservation Area and the setting of nearby listed buildings is considered to be significant. This harm should be weighed against the public benefits of the proposal.
25. The public benefit of the scheme, identified by the applicant are that the bank actively employs staff from the local community, hosts events for local businesses, Chambers of Commerce, Town Centre Managers, charities and schools and that they present themselves by conceptually being a retailer rather than a bank. The bank would therefore have economic benefits which provides some weight in favour of the development. However, these benefits arise from the use and a shopfront which would be acceptable in design terms would not prevent these benefits from being realised and in this case, with the proposed design, the public benefits of the shopfront do not outweigh the harm caused to the Bishopsgate Conservation Area and Officers are of the view that this public benefit could continue to be provided with a revised shopfront design. The quality of the City’s historic environment contributes to its status as a ‘World Financial Centre’ and the balance between the new and safeguarding the old is a significant planning balance that needs to be made.
26. Suitably design ATMs within an appropriate shopfront would be acceptable.

Access

27. The proposed shopfront would be accessible to all users in accordance with policy DM 10.8

Conclusions

28. Due to the unsympathetic alterations to the shopfront, incorporating substantial elements of glazing and removing the attractive architectural features of the stallrisers, pilasters and transoms and installation of large, open, glazing, the proposed shopfront would detract from the appearance of the two buildings and thereby the character and appearance of the Bishopsgate Conservation Area and the setting of St Botolph’s Church (grade II*) and the former Great Eastern Hotel (grade II), contrary to London Plan Policies 7.6 and 7.8,

Local Plan Policies CS 10, CS 12, DM 10.1, DM 10.5, DM 12.1, DM 12.2 and DM 12.3 and policies contained in the National Planning Policy Framework.

29. The application is therefore recommended for refusal.

Background Papers

Internal

Letter 14th February 2017 from the Access Adviser to Deloitte Real Estate

External

Planning Statement January 2017 Deloitte

Covering Letter 26th January 2017 Deloitte

Letter 25th February 2017 City of London Conservation Area Advisory Committee.

Appendix A

London Plan Policies

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

Policy 7.6 Buildings and structures should:

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

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

Relevant Local Plan Policies

CS10 Promote high quality environment

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

CS12 Conserve or enhance heritage assets

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

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.

DM10.5 Shopfronts

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

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

DM10.8 Access and inclusive design

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

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

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.

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

DM12.2 Development in conservation areas

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

DM12.3 Listed buildings

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

SCHEDULE

APPLICATION: 17/00062/FULL

117 - 121 Bishopsgate London EC2M 3UJ

External alterations to the shopfront, installation of two Automated Telling Machines (ATMs) to the shopfront and associated works.

REASONS FOR REFUSAL

- 1 Due to the unsympathetic alterations to the shopfront, incorporating substantial elements of glazing and removing the attractive architectural features of the stallrisers, pilasters and transoms and installation of large, open, glazing, the proposed shopfront would detract from the appearance of the two buildings and thereby the character and appearance of the Bishopsgate Conservation Area and the setting of St Botolph's Church (grade II*) and the former Great Eastern Hotel (grade II), contrary to London Plan Policies 7.6 and 7.8, Local Plan Policies CS 10, CS 12, DM 10.1, DM 10.5, DM 12.1, DM 12.2 and DM 12.3 and policies contained in the National Planning Policy Framework.

INFORMATIVES

- 1 The Plans and Particulars accompanying this application are: drawings numbered ES0; ES0.1;E0.0; E1.0; E1.1; E3.0; E3.1; E3.2. A0.0; A1.0 Rev 2; A1.1 Rev 2; A3.0; A3.1; A3.2; A4.0; A4.1; A5.0; A5.1; A5.2; A7.1.
- 2 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.

However, notwithstanding the above, it has not been possible to achieve solutions to the problems as the proposals are contrary to planning policies, do not demonstrate other over-riding material considerations, and negotiations could not overcome the problems.

City of London Conservation Area Advisory Committee

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

25th February 2017

Dear Sir,

At its meeting on 23rd February 2017 the City of London Conservation Area Advisory Committee considered the following planning application and reached the decision given below:

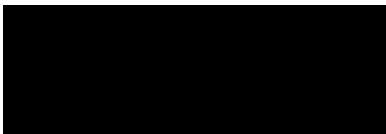
C.26 17/00062/FULL - 117 - 121 Bishopsgate, London EC2M 3UJ
Bishopsgate Conservation Area/Bishopsgate Ward. Ward Club rep. Peter Luscombe.

External alterations to shopfront, installation of two Automated Telling Machines (ATMs) to shopfront, display of advertisements and associated works.

The Committee objected to the proposal considering that losing the stall risers and pilasters would be detrimental to the conservation area, radically changing the original character of this former restoration project.

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

Yours faithfully,



Mrs. Julie Fox
Secretary