

Committee:	Date:
Planning and Transportation	23 May 2017
Subject: Bernard Morgan House 43 Golden Lane London EC1Y 0RS Demolition of existing building, retention of existing basement and construction of new residential building to provide 99 dwellings, together with ancillary car parking, hard and soft landscaping and associated works (Total Floorspace 11,113 sq.m. GIA).	Public
Ward: Cripplegate	For Decision
Registered No: 16/00590/FULL	Registered on: 5 July 2016
Conservation Area:	Listed Building: NO

Summary

Planning permission is sought for the redevelopment of the site for 'Demolition of existing building, retention of existing basement and construction of new residential building to provide 99 dwellings, together with ancillary car parking, hard and soft landscaping and associated works (Total Floorspace 11,113 sq.m. GIA).'

The development comprises the demolition of the existing building and the construction of a new residential building. The height of the proposed building would range from ten storeys opposite Cripplegate House to six/eight storeys opposite Bowater House, and would reduce in height along Brackley Street from ten storeys to four storeys in the south-west corner. Of the 99 private flats proposed ten would be studio flats, 41 would be one-bedroom flats (including two duplex flats), 38 would be two-bedroom flats (including ten duplex flats) and ten would be three-bedroom flats (including two duplex flats).

A total of 182 representations have been received across the three rounds of consultations objecting to the application. The objections are summarised in a table in the body of the report with responses provided in respect of the various issues raised. The issues raised include the lack of on-site affordable housing; design and the impact on listed buildings and non-designated heritage assets; the impact on residential amenity including daylight and sunlight, overlooking, dominance and loss of outlook; noise; congestion; loss of trees and the impact on biodiversity; air pollution; and the impact on public

services, A petition has been received from Cobalt Building residents objecting to the application. The petition contains 51 signatures. A petition, in the format of identical letters has been received objecting to the application. The petition contains 18 letters. 16 representations have been received in support of the application.

The site is appropriate for residential development, in principle, as it is adjacent to existing residential areas, the Golden Lane Estate, the Barbican Estate and other residential buildings at the Cobalt Building and Tudor Rose Court. The density of the proposed development is higher than the density recommended in the London Plan's Density Matrix but this density is considered to be acceptable in this instance.

It is proposed that a cash-in-lieu payment towards affordable housing of £4.5m is paid by the developer. This level of contribution is below the target set by the Local Plan but it is the maximum feasible and viable contribution that could be made and therefore is acceptable under Local Plan policy CS21 and the London Plan. The cascading height, bulk and mass of the proposed building responds to its context, transitioning the height between Cripplegate House and the Barbican podium, and the Golden Lane Estate. The appearance of the building would complement those buildings, without seeking to mimic or detract from them. The proposal would preserve the setting of the Barbican (listed building and registered landscape), Cripplegate House and the Jewin Chapel, and cause limited less than substantial harm to the setting of the Golden Lane Estate, which would be outweighed by the public benefits.

The City Corporation appointed BRE to independently review the applicant's daylight and sunlight assessment. Whilst there will be some impact on daylight and sunlight to neighbouring properties, these impacts are generally minor in nature and acceptable given the densely developed urban nature of the site. Similarly, although sunlight to existing open spaces and shadowing of these spaces would worsen as a result of this scheme, these impacts are overall minor. Whilst many rooms within the proposed development fall below the BRE guidance, this is due to existing structures and surrounding buildings. The proposed pocket park would be poorly sunlit in March and June principally because of large obstructions to the south.

The building has been designed to take account of its impact on neighbouring residential properties in relation to overlooking, dominance and enclosure and loss of outlook is considered to be acceptable.

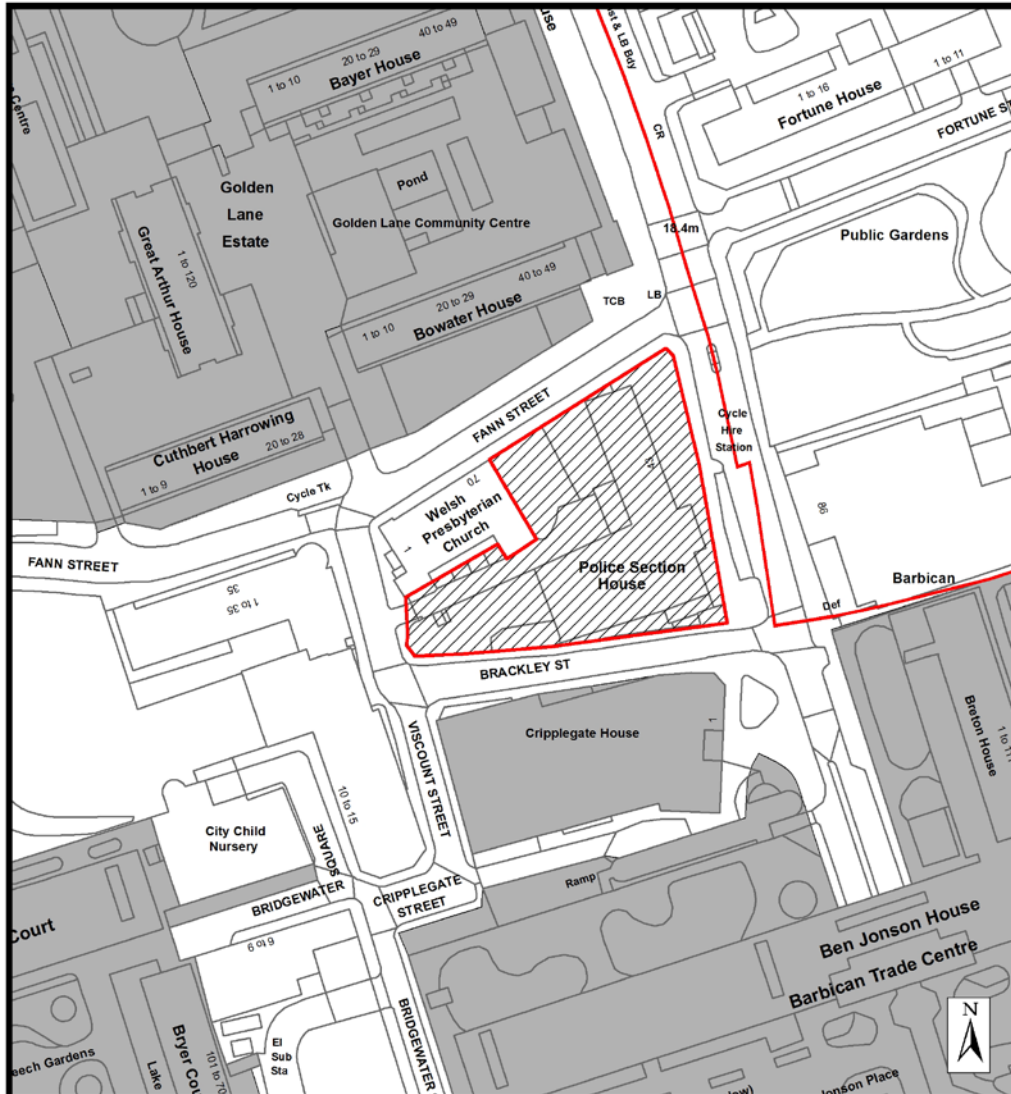
The proposal complies with the standard for new residential accommodation outlined in the London Plan Housing Supplementary Guidance.

It is considered that the development complies with the Development Plan as a whole and is appropriate subject to conditions, and a Section 106/Section 278 Agreement being entered into and complied with.

Recommendation

- (1) That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule subject to: planning obligations and other agreements being entered into in respect of those matters set out in the report, the decision notice not to be issued until such obligations have been executed
- (2) That your Officers be delegated authority to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106
- (3) 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 (subject to consideration of consultation responses) making of a Stopping-up Order for the area shown marked on the Stopping-up Plan annexed to this report under the delegation arrangements approved by the Court of Common Council.


Site Location Plan



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ADDRESS:
Bernard Morgan House

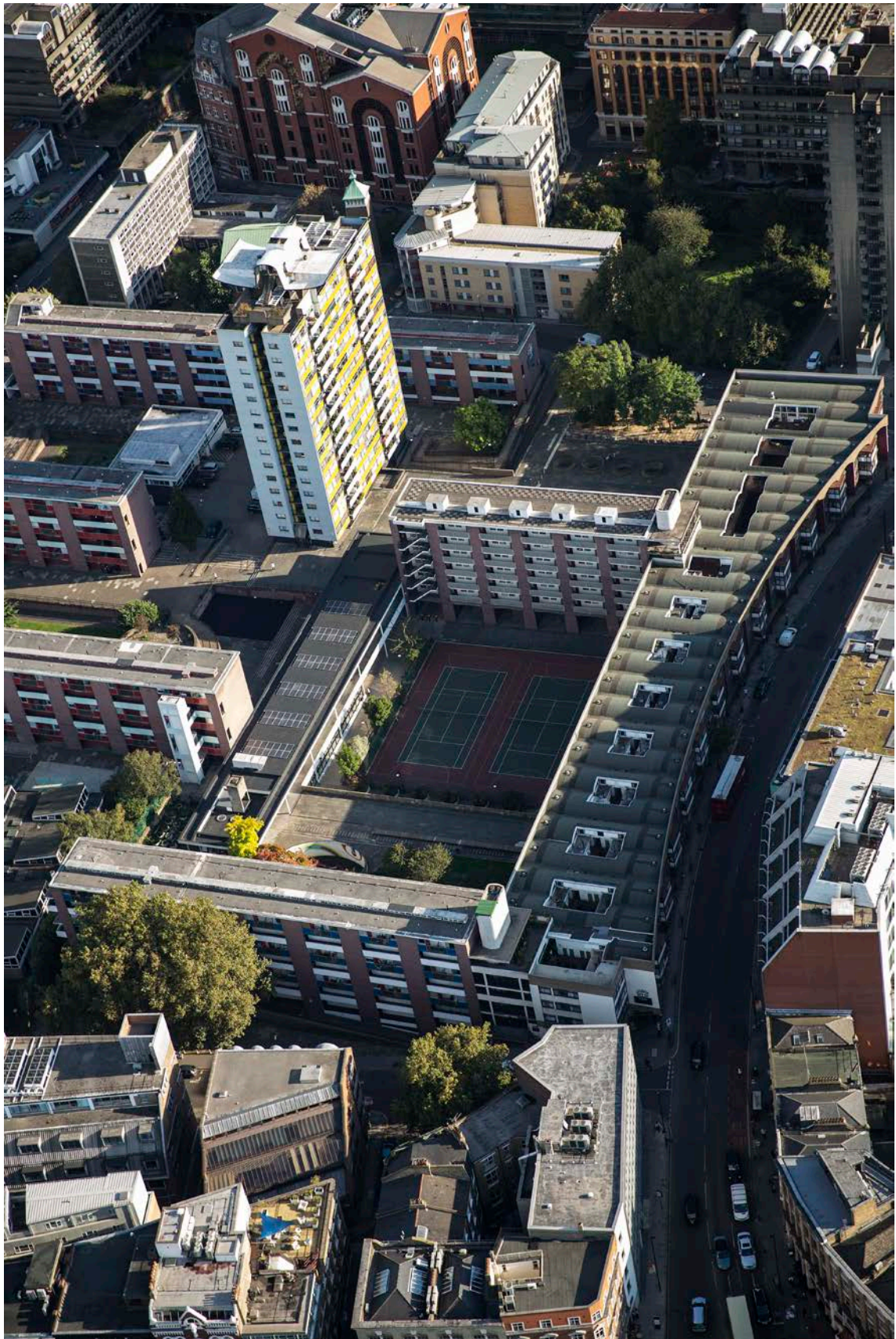
CASE No.
16/00590/FULL

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



DEPARTMENT OF THE BUILT ENVIRONMENT





Main Report

Site Location and Current Buildings

1. The site is approximately 0.2125 hectares in size and is positioned between Golden Lane to the east, Viscount Street to the west, Brackley Street to the south and Fann Street to the north.
2. The surrounding area is mixed in terms of character and uses, with the residential properties of the Golden Lane Estate to the north, the Barbican Estate to the south, the Jewin Welsh Presbyterian Church, and the residential properties of the Cobalt Building and Tudor Rose Court to the west, Prior Weston Primary School to the east and Cripplegate House, which is in commercial use to the south.
3. The site contains an existing six storey building with a two storey basement, known as Bernard Morgan House ("BMH"). The building was constructed and used as a Police Section House (sui generis use) and has been vacant since 31st March 2015. The site is not within a Conservation Area. There are a number of listed buildings in close proximity including Bowater House and Cuthbert Harrowing House (part of the Golden Lane Estate), Cripplegate House (also known as 1 Golden Lane) and Breton House (part of the Barbican Estate), which are Grade II listed. The Barbican is also listed Grade II* in the Register of Historic Parks and Gardens.
4. The site has a Public Transport Accessibility Level (PTAL) rating of 6a (Excellent).

Proposal

5. Planning permission is sought for the redevelopment of the site for:
Demolition of existing building, retention of existing basement and construction of new residential building to provide 99 dwellings, together with ancillary car parking, hard and soft landscaping and associated works (Total Floorspace 11,113 sq.m. GIA).
6. The height of the proposed building would range from ten storeys opposite Cripplegate House to six/eight storeys opposite Bowater House, and would reduce in height along Brackley Street from ten storeys to four storeys in the south-west corner.
7. Of the 99 flats proposed ten would be studio flats, 41 would be one-bedroom flats (including two duplex flats), 38 would be two-bedroom flats (including ten duplex flats) and ten would be three-bedroom flats (including two duplex flats).
8. The hard and soft landscaping proposals for the site create a publicly accessible 'pocket park' at the south-eastern corner of the site bordering Brackley Street and Viscount Street. Communal private open space for

the use of the residents to the rear of the building bordering Fann Street as well as private terraces and balconies on Golden Lane and at the rear of the building are proposed.

9. The main pedestrian access to the building would be from the south-eastern corner of the site at the junction of Golden Lane and Brackley Street, which would be managed by a concierge. There would also be an access point from Fann Street. Servicing and deliveries would be via an internal service yard, which would be accessed from Brackley Street.
10. The development would provide one disabled parking space within the servicing bay and a minimum of 153 cycle parking spaces at lower ground floor level.

Consultations

11. 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.
12. The Twentieth Century Society object to the application expressing concern that the demolition of Bernard Morgan House would result in the loss of a non-designated heritage asset, and would constitute harm to the character of an area that is defined by its high calibre listed and non-listed post-war architecture. The design of the new development takes little heed of this context due to its increased footprint, height and plan form, which in combination would result in the new building wrapping and dominating the church. (Letter attached).
13. TfL has raised concern about the continuing operation of the adjacent cycle hire docking station on Golden Lane during construction. TfL have requested an informative to notify the developer that approval would be required prior to any temporary closure of the docking station and that it would not approve a temporary closure of more than two calendar weeks due to high demand,
14. The Assistant Parks Manager at the London Borough of Islington has raised concern about loss of sunlight to Fortune Street Park and increased wear and tear due to additional usage from an increased local population. The London Borough of Islington do not currently have funding to make large scale improvements to the park
15. Following pre-application discussions with residents there have been three rounds of formal consultation as follows:
 - Original application;
 - Amended application to overcome the concerns raised by Officers regarding the poor levels of daylight and sunlight experienced in the proposed flats. This resulted in changes to the internal layout of the

building (including an additional entrance to the building on Fann Street) and increasing the size of windows;

- Amended application to address comments received from City Transportation. The corner of the building on Golden Lane/Brackley Street which accommodates the entrance lobby including an overhang. As this corner of the site is public highway, this overhang would have required a projection licence, which would not have been forthcoming as the overhang was less than 5.7m above the highway. To overcome this, the ground floor of the building was extended to remove the overhang. This area of public highway would be stopped up.

16. A total of 182 representations have been received across the three rounds of consultations objecting to the application. The objections and the responses to these issues are summarised in the table below:

Representations received	Consultation			Response
	1 st	2 nd	3 rd	
It is not necessary or appropriate for the entire annual requirement for housing to be provided on this single site.	1	0	0	Addressed in paragraph 30-31.
No affordable housing	16	12	1	Addressed in paragraphs 36-42 and CIL.
Viability Assessment is not available online.	0	1	0	Taylor Wimpey's Financial Viability Assessment remains commercially confidential, as does Gerald Eve's advice to the Corporation as it contains confidential information within the Taylor Wimpey Assessment.
Damage to the community.	3	2	0	Addressed in paragraph 43.
The proposed building is too large.	74	19	1	Addresses in paragraphs 40-43.
The proposal should be no larger than the existing building.	7	1	0	Addressed in 42-45 and 92-103.
The proposed building is out of character.	42	15	1	Addressed in 46-50, 92-103, 107-110, 116-119 and 125-127.
Object to the demolition of the building as it is a non-designated heritage asset. The existing	18	10	3	Addressed in paragraphs 63-77

building should/could be refurbished and converted				
The proposal has a detrimental impact on listed buildings. The Listed Building Guidelines for Golden Lane have been ignored.	42	13	0	Addressed in paragraphs 78-99
The decorative tiles on the existing building should be incorporated into the new development.	3	3	0	Addressed in paragraphs 74
Proposed materials are not in character with the surroundings.	5	1	0	The quality of materials, texture, colour, finish and depth of modelling would be important to delivering a successful scheme. A high quality material finish would be confirmed via conditions requiring details and samples of facing materials, junctions, reveals and balconies.
The Local Authority have not taken into consideration the special architectural interest of Bernard Morgan House	2	0	0	Addressed in paragraphs 61-75.
The proposal is much larger than the building proposed in the sales brochure for the site	10	0	0	The proposal cannot be assessed against any indications made at the time the site was sold. The application must be assessed on its own merits.
The building should not extend beyond the current footprint along Brackley Street.	3	1	0	Addressed in paragraphs 44-47 and 53-61.
The Jewin Welsh Chapel should be an undesignated heritage asset.	2	2	0	Addressed in paragraphs 112-120.
Should be a Conservation Area.	0	3	0	This is addressed in a separate report to this Committee.

Brackley Street - The upper floors should recede evenly to mirror the Fann Street Elevation or the height should be reduced by one-two floors.	1	0	0	Addressed in paragraphs 48-52.
Tudor Rose Court was carefully controlled	1	0	0	All applications must be determined on their own merits.
Loss of light to and overshadowing of neighbouring buildings, Fortune Street Park and Prior Weston School.	86	27	8	Addressed in paragraphs 125-142 and 146-151.
Daylight/sunlight assessment must include the impact on the Jewin Welsh Chapel.	0	0	1	Addressed in paragraph 137.
The proposed flats would be overshadowed.	1	0	0	Addressed in paragraphs 143-151.
The Bowater House flats will lose heat as there will be less absorption from sun	1	0	0	There will be a reduction in sunlight but this is within the BRE guidelines. The loss of heat will not be significant.
Light pollution.	3	0	0	It is unlikely that the light emitting from the proposed development will be noticed in the context of the surrounding area.
Overlooking.	31	7	0	Addressed in paragraphs 152-154.
The windows have been increased in size which worsens overlooking.	0	2	0	Addressed in paragraphs 152-154.
Dominance and enclosure.	23	3	0	Addressed in paragraphs 152-154.
Loss of outlook and loss of views.	14	6	0	Addressed in paragraphs 152-154.
Impact on Prior Weston School play area in terms of loss of light, overlooking and noise and disturbance during demolition/construction.	1	1	0	Addressed in paragraphs 136-140 (loss of light), 152-154 (overlooking), and 155 (noise and disturbance) and conditions 4-6 and 12-14.

The Hatching Dragons Nursery should be relocated. The impact on the Nursery is not fully understood	1	0	1	The developer and the Hatching Dragons Nursery School are discussing the relocation of the nursery, which could be secured through the S106 agreement.
An entrance on Fann Street is proposed. Residents were promised by the developers that there would not be an entrance on Fann Street.	0	10	0	This is a secondary entrance and is not considered to have a significant detrimental impact on neighbours.
Impact of building works (noise/dust/traffic).	15	4	2	Addressed in paragraph 155 and conditions 4, 5, and 7.
Noise from proposed flats and servicing.	12	0	0	Addressed in paragraphs 156.
Noise from the proposed 'pocket park'.	4	0	0	Addressed in paragraph 157 and the S106 agreement.
Most of the flats will be single aspect.	1	1	0	Addressed in paragraph 166.
The hours of opening of pocket park should be controlled to prevent anti-social behaviour.	1	0	0	Addressed in paragraph 157 and the S106 agreement.
Security problems and anti-social behaviour from the proposed 'pocket park'. The 'pocket park' should be private	7	3	0	Addressed in paragraph 157 and the S106 agreement.
When the flats are unoccupied there will be no way of maintaining private gardens on Golden Lane. They will become unsightly.	1	0	0	This would be a matter for the building management to address.
The 'pocket park' will be dark and will become a dumping ground.	1	0	0	This would be addressed through the management plan secured through the S106 agreement.
Congestion and lack of parking spaces.	21	7	0	Addressed in paragraphs 169-171.
Increased pressure on pay and display and disabled parking spaces,	2	0	0	Addressed in paragraph 171. One disabled parking space would be provided within the

and the TFL bikes on Golden Lane				service area. This is considered to be an appropriate level of provision for a residential development in this location and meets the requirements of the London Plan and the Local Plan. A minimum of 153 cycle parking spaces would be provided for which exceeds the London Plan and is acceptable
Lack of service area.	1	1	0	All servicing would take place within the designated off-street servicing area within the building, accessed from Brackley Street.
Ideally the site access should be from Golden Lane.	1	0	0	This is to be agreed through conditions 4, 6, 12 and 14.
The servicing bay would be situated opposite the servery of Cripplegate House and lorry use during office hours could be a nuisance.	1	0	0	As the building would be in residential use it is anticipated that the servicing requirements would be low and the impact on Cripplegate House would be minor.
Loss of trees.	3	1	0	Addressed in paragraphs 176-178 and by condition 2.
Additional trees should be planted	1	0	0	Addressed in paragraphs 176-178 and condition 22.
Impact on biodiversity and the wildlife garden and loss of open space.	8	4	1	Addressed in paragraphs 179-182 and conditions 18 and 23.
Amenity value of Fortune Street Park would be reduced and there would be increased wear and tear on the park.	12	4	1	The London Borough of Islington could request CIL money for improvements to the park but not for maintenance.
Air pollution	3	1	1	Addressed in paragraphs 190-192.
Impact on Infrastructure and public services especially the local GP surgery.	26	5	0	The developers will be making a payment towards the City CIL and the infrastructure facilities including public health care facilities could be funded by City CIL if felt appropriate.

The occupants of the new flats may insist on the imposition of controls on Cripplegate House such as controlling lighting or screen use as the building operates outside normal working hours.	1	0	0	The Department of Markets and Consumer Protection have received several complaints from Golden Lane residents about the Cripplegate House lights but have not established a statutory nuisance. If a nuisance is established the Department of Markets and Consumer Protection could insist on controls being put in place to abate the nuisance.
The Church Hall will be unusable in the construction/demolition phase and it is an important source of income.	1	0	0	The impact on the Church has been considered and conditions have been recommended to mitigate the impact (conditions 4-6 and 12-14). Loss of income is not a planning matter.
The consultation period took place in the summer when a lot of neighbouring residents were away and could not comment.	7	1	0	Local Planning Authorities cannot control when applications are received and must determine all applications in accordance with the timeframe laid out by the Government.
The public exhibitions held by the developer were misleading and the comments made have been ignored.	15	5	0	Developers are not obliged to hold public exhibitions but it is recommended. The Local Planning Authority has no control over how or when they are held.
Conflict of interest due to sale.	3	1	0	The City of London Corporation has retained the freehold of the site and sold a 154 year lease to the applicant. The ownership is not a material planning application. the statutory arrangements provide for a Local Planning Authority to determine applications relating to buildings or sites owned by it. The Local Planning Authority must determine all applications in accordance with national and local planning policy. See also under "Legal Issues" at end of report.

17. A petition has been received from Cobalt Building residents objecting to the application. The petition contains 51 signatures. The issues raised are:
- The public consultation carried out by the developer has been deficient in due process;
 - The redeveloped Bernard Morgan House will extend towards the Cobalt Building, which gives rise to major concerns about daylight and sunlight obstruction, change of view, lack of privacy, increased noise levels, potential risk of vagrants and anti-social behaviour;
 - Negative impact on the neighbourhood and the Cobalt Building, including construction noise, traffic and pollution; and in the longer term there would be a loss of light, increased traffic noise and pollution, congestion from servicing, increased demand on local services, noise, anti-social behaviour and security problems;
 - Bernard Morgan House should be rebuilt within its current footprint;
 - The new building should not affect the light and views of the Cobalt Building flats and of the surrounding buildings;
 - The quietness, tidiness and security of the neighbourhood should be respected and maintained during the redevelopment and in the longer term.
18. A petition, in the format of identical letters has been received objecting to the application. The petition contains 18 letters. The issues raised are:
- Excess strain on existing public infrastructure amenity;
 - Daylight, sunlight and overlooking; and
 - Design, character and appearance.
19. 16 representations have been received in support of the application. The following issues have been raised:
- The site is a security risk now.
 - The proposals would bring more people to the area, which means more trade for the local area.
 - The site is currently an eyesore and would benefit from redevelopment.

Policy Context

20. The development plan consists of the London Plan 2016 and the City of London Local Plan 2015. The London Plan sets out the Mayor's vision for London up to 2036, and includes policies aimed at delivering housing.
21. The London Plan requires that new development should not adversely affect the safety of the transport network and should take account of cumulative impacts of development on transport requirements. New development is required to be of the highest architectural quality and not to cause harm to the amenity of surrounding land and buildings, in respect of overshadowing, wind and micro climate.

22. 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.
23. There is relevant City of London supplementary planning guidance in respect of: Planning Obligations, the City of London Community Infrastructure Levy Charging Schedule. There is relevant Mayoral supplementary planning guidance in respect of Sustainable Design and Construction, Control of Dust and Emissions during Construction and Demolition, and Use of Planning Obligations in the funding of Crossrail and the Mayoral CIL.
24. Government Guidance is contained in the National Planning Policy Framework (NPPF) and the NPPF Practice Guide. Chapter 12 of the NPPF sets out key policy considerations for applications relating to designated and non-designated heritage assets. Other relevant guidance is provided by English Heritage including the documents Conservation Principles, and The Setting of Heritage Assets. Building in Context (EH/CABE) and the PPS5 Practice Guide in respect of the setting of heritage assets.
25. 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: housing delivery, requiring good design, ensuring buildings function well and add to the overall quality of an area; meeting the challenge of climate change and addressing the potential for flooding; conserving and enhancing the natural environment; conserving and enhancing the historic environment, attaching great weight to the conservation of heritage assets of the highest significance.

Considerations

26. The City Corporation, in determining the planning application has the following main statutory duties to perform:-
 - To have regard to the provisions of the development plan, so far as material to the application, any local finance considerations so far as material to the application, and other material considerations. (Section 70(2) Town & Country Planning Act 1990); and
 - 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).
27. In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990); in this

case the duty is to have special regard to the desirability of preserving the settings of listed buildings.

28. The effect of the duties imposed by section 66(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings.
29. In respect of sustainable development the NPPF states at paragraph 14 that 'at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision taking... for decision taking this means: approving development proposals that accord with the development plan without delay...'. The NPPF also provides guidance on the conservation and enhancement of the historic environment at paragraphs 126 to 141.

Principal Issues

30. The principal issues in considering this application are:
 - The principle of residential development;
 - The contribution towards the provision of affordable housing;
 - Design: Height, Bulk, Massing, Form, Architectural Expression, Urban Grain, Streetscene and Landscaping;
 - Impact on Heritage Assets:
 - Principle of the Demolition of Bernard Morgan House;
 - Impact on the Setting of the Golden Lane Estate;
 - Impact on the Setting of Cripplegate House;
 - Impact on the Setting of the Barbican; and
 - Impact on the Setting of the Jewin Chapel;
 - Servicing, Transport and impact on public highways;
 - The impact of the proposal on neighbouring residential and commercial buildings and spaces, including loss of daylight and sunlight, wind microclimate, air pollution, overlooking, dominance and enclosure, loss of outlook/views, noise, and security;
 - Energy and sustainability; and
 - The extent to which the proposals comply with Government policy advice (NPPF) and with the relevant policies of the Development Plan.

Principle of the provision of residential development

31. Policy CS21 of the Local Plan explains that the City Corporation aims to exceed the London Plan's minimum annual requirement by guiding new housing development to and near identified residential areas...and refusing new housing where it would prejudice the primary business function of the City or be contrary to Policy DM1.1 (protection of office accommodation).
32. Policy DM21.1 of the Local Plan states that *new housing should be located on suitable sites in or near identified residential areas*. The site is

adjacent to the Golden Lane and Barbican residential areas, and the Cobalt Building and Tudor Rose Court, and is an appropriate location for residential development. The proposal would provide a substantial contribution to the City's housing quota.

33. Policy DM21.1 of the Local Plan further states that *new housing will only be permitted where development would not: prejudice the primary business function of the City; be contrary to policy DM1.1 (protection of office accommodation); inhibit the development potential or business activity in neighbouring commercial buildings and sites; and result in poor residential amenity within existing and proposed development, including excessive noise or disturbance*. The proposed development would not prejudice the primary business function of the City, it does not involve the loss of office accommodation, and would not impact on the development potential of neighbouring commercial buildings (Cripplegate House). The impact the proposal on residential amenity will be addressed in the relevant sections of this report.

Density

34. London Plan policy 3.3 recognises the need to provide additional housing in London and sets a minimum annual target for the City of London of 141 additional dwellings during the plan period (2015-2025). Policy DM21.5 of the Local Plan states that all new housing must be designed to a standard that facilitates the health and wellbeing of occupants and takes account of the London Plan's space standards and complies with the London Plan's Density Matrix standards.
35. The site is within a 'central setting', which is defined as 'an area with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800m walking distance of an International, Metropolitan or Major town centre. The site has a Public Transport Access Level (PTAL) of 6a (excellent), which recommends that the site is developed at a density of 650-1100 habitable rooms/hectare or 215-405 units/hectare considering the size of the dwellings proposed. The proposed development is at a density of 465 units/hectare (1134 habitable rooms/hectare) which is higher than recommended. However, paragraph 3.28 of the London Plan explains that the density matrix should not be applied mechanistically '*enabling account to be taken of other factors relevant to optimising potential – local context, design and transport capacity are particularly important, as well as social infrastructure, open space and play*'. The London Plan Housing Supplementary Planning Guidance further explains that *in appropriate circumstances it may be acceptable for a particular scheme to exceed the ranges in the density matrix, providing important qualitative concerns are suitably addressed*'. To be supported, schemes which exceed the ranges in the matrix must be tested against the following considerations: design, local context and character, public transport connectivity, the quality of the proposed accommodation and its compliance with the housing quality standards (found in the London

Plan Housing Supplementary Planning Guidance), and the management of refuse storage and cycle parking facilities. When these considerations are satisfactorily addressed the London Plan provides sufficient flexibility for such higher density schemes to be supported. It is common for new development in central London to exceed the ranges in the density matrix and as it is considered that the proposal satisfactorily addresses the detailed issues outlined in the London Plan Housing Supplementary Guidance, the proposed density is acceptable in this instance.

36. The units proposed would range in size from 43.75sqm. to 126.14sqm. (GIA), which complies with Core Strategic Policy CS21 and the London Plan's minimum space standards for new residential development.

Contribution towards the provision of affordable housing

37. Local Plan Core Strategic Policy CS21 requires new housing development to provide 30% affordable housing on-site or, exceptionally, 60% affordable housing off-site or equivalent cash-in-lieu where a viability study demonstrates to the City Corporation's satisfaction that on site provision is not viable. These targets are applied flexibly, having regard to individual site circumstances and viability. The Planning Obligations Supplementary Planning Document indicates that, where provision is made in the form of a cash-in-lieu payment, the payment will be calculated on the basis of £165,000 per unit of affordable housing required. London Plan Policy 3.12 similarly seeks the maximum reasonable amount of affordable housing on private residential schemes taking account of individual circumstances including development viability.
38. The application, as originally submitted in June 2016 proposed 104 private residential flats, with a proposed cash-in-lieu contribution towards affordable housing of £1.5m. The Local Plan policy compliant requirement for a scheme of this size would be £9,735,000. The offered cash-in-lieu contribution was equivalent to an affordable housing contribution of 9 units, or 8.7% of the total number of residential units proposed.
39. The affordable housing offer was supported by a financial viability assessment undertaken on the basis of a residual valuation approach and in accordance with RICS 2012 guidance 'Financial Viability in Planning'. The assessment compared the Gross Development Value of the scheme (residential sales values and other income) against the Gross Development Costs (land value, build costs, fees, marketing, finance and legal costs, s106 and CIL contributions) and assessed the outcome against a benchmark level of profit. The assessment concluded that the scheme would be unable to make a contribution to affordable housing on current day values, but taking account of potential future value growth a contribution of £1.5m would be viable.

40. The assessment included an affordable housing delivery statement which considered the merits of providing affordable housing on-site in line with the requirements of Local Plan policy CS21, or making a cash in-lieu contribution to support affordable housing provision elsewhere. The delivery statement indicated that a maximum of 2 units of on-site affordable housing could be provided, whereas an equivalent cash in-lieu payment would permit the provision of 9 units elsewhere on City Corporation owned-sites.. Therefore a cash-in-lieu contribution was proposed.
41. As the contribution was subject to viability the City Corporation appointed an independent consultant to review the applicant's viability appraisal and provide advice on the maximum feasible and viable contribution that could be made towards affordable housing.
42. The City Corporation's consultant concluded that the applicant had underestimated the potential sales value of the flats and overstated potential build costs. All other inputs to the model were considered to be reasonable, including the proposed benchmark profit and land value. The land value in particular was assessed and considered to be reasonable given current market conditions and the requirement on the City Corporation (as previous land owner) to achieve best value. A sensitivity analysis was also undertaken to look at the potential for value growth over the projected build period of the scheme. The City Corporation's consultant concluded that the scheme could support an off-site cash-in-lieu contribution of £4.5m.
43. In November 2016, the applicant submitted a revised scheme with a reduced number of units (99) and an updated build cost schedule. This revised information was considered by the City Corporation's consultant who concluded that changes to the sales value and build costs of the scheme did not materially affect the scheme's viability and that a contribution of £4.5m remained viable. This level of provision would be equivalent to an affordable housing contribution of 27%. Although the level of contribution is below the target set in the Local Plan, it is the maximum feasible and viable contribution that could be made and is therefore compliant with Local Plan policy CS21 and the provisions of the London Plan. The contribution would assist the City Corporation in meeting its corporate target to deliver up to 700 additional affordable homes on City Corporation housing estates by 2026. The applicant has agreed to pay this contribution.

Impact on the community

44. Concern has been raised by objectors that the proposed flats would be purchased by investors who would not contribute to or be part of the community, which is strong in this part of the City. Occupation of the proposed flats as full time homes cannot be insisted on. However, Section 25 of the Greater London Council (General Powers) Act 1973 stipulates that use of a permanent residential property for the purposes

of short-term lets (less than 90 consecutive nights) is a material change of use requiring planning permission. Therefore, if someone wishes to use their property in this way planning permission is required.

Design: Height, Bulk, Massing, Form, Architectural Expression, Urban Grain, Streetscene and Landscaping.

Height, Bulk, Massing and Form

45. Local Plan Policy DM 10.1, New Development, states that *proposals should be of a bulk and massing appropriate to their surroundings, having regard to general scale, height, building lines, character, historic interest and urban grain.* The site context is the Golden Lane Estate (GLE), Cripplegate House and the Barbican Estate, which are grade II listed buildings as well as the other buildings and open spaces, which adjoin the site.
46. The height, bulk and massing arrangement seek to form a transitional bridge between the height of Cripplegate House and the Barbican podium level, with their strong urban scale, to the more human/domestic scale of the GLE. The height would reduce in height from ten storeys, opposite Cripplegate House, to six/eight storeys opposite Bowater House (6 storeys).
47. The height would reduce sharply along Brackley Street from ten storeys at the junction with Golden Lane, to four storeys in the south west corner, approximately to the height of the Jewin Chapel. The four storeys opposite the proposed 'pocket park' at the junction with Viscount Street, would better define the scale of these secondary streets.
48. The stepping in height is accompanied by a pulling back of the building line on Golden Lane from where it abuts the footway at the junction with Brackley Street to the eastern building line of Bowater House. The effect is that the main bulk and mass of the proposed building bridges the scale of the Golden Lane and Barbican Estates. Whilst this stepping is less articulated on the rear elevation, this is considered secondary and less important.

Detailed Design

49. The architectural expression would pay deference to its neighbours and would follow a common architectural language which unifies the whole. The style is often termed "New London Vernacular", which borrows architectural features and materials embedded in London's architectural history, using them in a stripped contemporary manner. The facade treatment would comprise brick-cladding with 'punched' fenestration, the latter accentuated by expressed pre-cast concrete implying 'architraves' forming a regular pattern. It would be topped by metal clad roofs; with over sailing soffits and jambs with the massing recessed and broken by mottled metal 'baguette' cladding.

50. In a contemporary manner the proposal seeks to “cloak” the main bulk and massing which forms the design narrative, the diminishing massing, to form a skin, of vernacular brick, which is a unifying material in this context, with punched fenestration appearing stretched around that mass. This stretching effect would be articulated in the returning of the corners in pre-cast concrete reveals, splayed and brought proud of the elevation, creating strong edges and returns.
51. The building would have an implied base or plinth, in common with the existing building, delineated by a more rustic ‘chequerboard’ pattern, reflecting a fenestration pattern used on an ad-hoc basis in the elevations. Further animation would be generated, in particular on the Golden Lane frontage, via balconies which provide depth and a three-dimensional playfulness to the principle facade.
52. The roof storeys would set back so as to appear more recessive in the immediate and wider townscape.
53. The quality of materials, texture, colour, finish and depth of modelling would be important in delivering a successful scheme. A high quality material finish would be confirmed via conditions requiring details and samples of facing materials, junctions, reveals and balconies.

Urban Grain, Streetscene and Landscaping

54. The proposal would result in a significantly higher density, and site cover than currently exists.
55. The scheme would return, in part, the front sunken garden, setting the building line back from Golden Lane, echoing the garden in front of Bowater House and giving the building a softer interface with the junction at Fann Street. Similarly, albeit significantly smaller, the sunken amenity space to the rear and the proposed ‘pocket park’ would make a contribution to the network of private/public spaces which defines the urban grain of the adjacent Golden Lane Estate.
56. Policy DM 10.1 states that all development should have attractive and visually interesting street elevations, provide active frontage, servicing entrances which assimilate with the architecture and appropriate hard/soft landscaping and boundary treatments.
57. The current Bernard Morgan House and Golden Lane share a common ‘grain’ or urban layout: of low-slung horizontal blocks, set back from the plot boundary and rising above a generous landscape. The proposed scheme would, whilst continuing to provide some open space, bring built development to the site boundaries in a denser reinterpretation of the Victorian urban grain prior to the Blitz. This will result in a more direct interface with the street.

58. Viscount and Brackley Street are historic streets which prior to the Blitz comprised smaller streets off which ran alleys and courts in a tight urban grain built to form continuous building lines. It is important that the character of this street does not become a dark service street, and continues to have interest at street level. It is considered that the quality of the brickwork, fenestrative pattern and detailed entrance panel, which could accommodate retained decorative tiles from the current BMH, or an alternative artistic treatment, would sufficiently animate the street frontage
59. The character of Brackley Street and, to a lesser extent, Viscount Street, would change in terms of scale, light and openness, as the proposal would create somewhat of a 'canyon' effect, placing more emphasis on delivering an active and attractive street frontage. A condition has been recommended requiring details to be submitted for an artistic treatment of the service entrance, UKPN room, bin store and residential entrance to ensure a treatment which sufficiently animates the public realm and does not merely read "back of house" and creates a sufficient 'sense of arrival' delineating the entrance door.

Pocket Park

60. A stepped entrance and a separate ramped entrance, compromise the usability of the space whilst discouraging inclusive access, especially for less ambulant people and cyclists. When clearing the site the access should remain step-free, as at present, unless it can be demonstrated that this is not feasible. It is also noted that the applicant is proposing two sets of gates, one into the pocket park, and another to control access to the private amenity space. In order to fully realise the public benefit of the pocket park it is considered that this should be accessible and welcoming. The treatment of the railings has been reserved for condition, but this should provide an attractive boundary treatment and highlight the entrance. The segregation of ambulant and disabled persons on the opposite side of the proposed pocket park, is unacceptable. A single entrance defining the junction between Viscount/Brackley Street should be explored. This would resolve the awkward proximity of the current proposed ramp with the adjacent ground floor flat.
61. The proposal would result in the loss of a number of trees within the site boundary, including two semi-mature trees in the south west part of the site which are of some stature and contribute to the amenity of Viscount and Brackley Street. It is proposed that these are replaced by trees which could reach a similar stature, the details of which are reserved for condition. Similarly, a lighting scheme should accompany a detailed Landscaping Strategy and should seek to make the pocket park welcoming, attractive and adverse to potential anti-social behaviour whilst taking opportunities to enhance the significance of the Jewin Chapel.

62. Details of the proposed site levels, landscaping (including tree planting) and boundary treatments are reserved by condition.

Impact on Heritage Assets

Context

63. The site is opposite the Golden Lane Estate ("GLE") which is grade II listed, with the exception of Crescent House, which is grade II* listed. Opposite, to the south is Cripplegate House, listed grade II. Nearby to the south and east are Breton House and Ben Jonson House which form part of the Barbican Estate, listed grade II, with associated landscaping which is a grade II* registered landscape. A map showing the designation context is attached.

Demolition of the existing building

64. The National Planning Policy Framework states that a building could have a degree of heritage significance meriting consideration in planning decisions if it is of sufficient heritage interest. It states that heritage interest may be architectural, artistic, historic and/or archaeological. This significance can derive from the physical asset itself and from its relationship with its setting. Such a building/landscape is termed a "non-designated heritage asset". The Historic England guidance document, "Conservation Principles, Policies and Practice", make reference to the potential for a building or a landscape to be of 'communal' (or community) significance to a local community.
65. Paragraph 135 of the NPPF requires account to be had to the effect of an application on the significance of a non-designated heritage asset, and a balanced judgement made having regard for the scale of any harm or loss and the significance of the asset.
66. Objections, including those from the Twentieth Century Society, have been raised to the demolition of the current Bernard Morgan House. These state that the building should be considered a non-designated heritage asset, that it is a good quality piece of architecture which complements its setting, and its loss is unjustified.
67. It should be noted that there is normally no additional legislative control over the demolition of a building deemed to be a non-designated heritage asset, as demolition usually benefits from permitted development rights. However, prior approval of the method of demolition is required to demolish a building if a planning permission for redevelopment has not been granted. An application for prior approval was submitted and withdrawn. The assessment process for an application for prior approval does not include a consideration of the heritage significance of the building in determining the application.

68. Historic England (HE) assessed the current Bernard Morgan House for inclusion on the national List of Buildings of Special Architectural or Historic Interest in 2015. In its report dated 26 June 2015 HE determined that the building was not of sufficient interest for inclusion on the national List.
69. In summary, the report concluded that the building lacked the architectural distinction and intactness of a building of its type for inclusion on the national list. It noted that BMH is a “noteworthy example of Modern Movement thinking (applied) to this particular building type”. It noted positively that the seriousness of its exposed structural frame is tempered by a broad palette of materials and the extensive landscaping of its sunken gardens. In support of the listing proposed the Twentieth Century Society remarked on the use of traditional materials such as knapped flint, pebbles and slate, and the distinctive glazed tile scheme and the carefully-considered interiors. Public comments received to the application state that the building is of ‘communal’ or community heritage significance, which it has accrued over time.
70. Bernard Morgan House is a former Police Section House, designed by J. Innes Elliot, architect to the Metropolitan Police, and built in 1959-60 contemporaneous with the adjacent GLE. The exposed modular geometric grid of reinforced fair-faced concrete expresses the internal cellular plan and is a bold statement relieved by equally hardy yet reassuringly traditional materials; including Staffordshire engineering brick spandrel panels, knapped flint ‘base’, quarry-finished stone, slate and decorative ceramic tiles. Its Modern Movement expression, with a long rectilinear horizontality, architectural form as a low-slung slab block rising above a generous landscape, and mix of robust traditional and modern materials, share a communality with the adjacent Golden Lane Estate and Jewin Chapel.
71. Bernard Morgan House is not by the same architect as the Golden Lane or Barbican Estates. There is no evidence known of direct discussions between Innes and Chamberlain Powell and Bon (architects of the Barbican) regarding the development of Bernard Morgan House. Bernard Morgan House, whilst in a ‘Modern Movement’ style, does not share an explicit architectural relationship with the architecture of Chamberlain, Powell and Bon. The synergy in materials is more superficial than explicit.
72. It is known that “town planning requirements” at the time stipulated that the height of Bernard Morgan House had to respect the height of the (then emerging) GLE. They share some common characteristics: principally both were raised above generously landscaped sunken gardens, built into the basements of the former Victorian warehouses, maximising light and views through.

73. There is no clear relationship between the architecture and urban design of the Barbican and BMH. The Barbican follows later 'High Brutalism' modernist principles incorporating raised pedestrian podiums above street level and vehicular traffic in an all-encompassing concrete finish. It is a clear departure from the scale and urban design of BMH and the GLE.
74. The importance of the building to the local community has been raised in the consultation process. It has been stated that the former police cadet occupiers engaged with other local residents and, occasionally, opened up the site to the public. It is said that this included the recent use of the sunken garden at the front as a community wildflower garden which returned specimens to the Natural History Museum. Whilst acknowledging that it may form part of a familiar local scene, many buildings facilitate local relationships and associated memories. The site as an operational police section house was not regularly open to public use and the garden was closed in the main to public access.
75. In terms of artistic significance, it is not considered that BMH is of sufficient interest to warrant consideration. However, on the north and south elevations there are decorative tile scheme displaying abstract regular patterns and some striking use of colour which are interesting, if not exceptional, pieces of post-war art. It is considered that these can be re-used and this will be ensured by condition.
76. In summary, the architectural expression, style, materiality and good quality detailing of Bernard Morgan House make it a high quality building of its time, with a contemporaneous relationship with the listed Golden Lane Estate.
77. Bernard Morgan House is considered to be of a degree of heritage significance, because of its architectural and historic interest, stemming from its architecture and relationship with the adjacent GLE and Jewin Chapel. The proposal is to demolish and redevelop the site which would result in the total loss of that significance.
78. Under paragraph 135 of the NPPF the total loss of significance would still need balancing against the wider public benefits the scheme would deliver, when considered against this material consideration.

Impact on the Setting of the Golden Lane Estate

Significance and Setting

79. The Golden Lane Listed Building Management Guidelines Supplementary Planning Document (the Guidelines) (September 2013) identify the nature and extent of the special architectural and historic interest of the Estate, in order to inform decision-making on planning applications. The Guidelines are a material consideration in assessing the current planning application.

80. The GLE is an exemplar of post-war comprehensive redevelopment following the Blitz, executed on a pioneering and cohesive scale under the auspices of a single ambitious landowner, the City of London Corporation. The Guidelines acknowledge that much of the character and special interest derives from the architects' pursuit of a modern exemplar of high-density urban living. This expresses itself on a macro-level through the meticulously planned townscape and generous open landscape and on micro-level through the detailing and layout of individual flats. It should, as acknowledged in the Guidelines, be viewed in its entirety as an ensemble: a piece of architecture, urban design and townscape. The qualities of light, space, transparency, function and communality run through the Estate, from the (unique) large curtain wall landscape window of the community centre raised above the ornamental sunken garden to the finely detailed 'picture frame' curtain wall principle aspects of the flats providing views over generous landscaping.
81. The height and disposition of the blocks was meticulously considered to create varied public/private space, delivering a comfortable sense of enclosure while also feeling open and permeable. The pioneering use of glass curtain walls, in striking primary colours, add light and energy, while the overarching use of a pleasant pink brick ties the architectural whole together.
82. The blocks are disposed to maximise daylight, sunlight, privacy and a sense of spaciousness and transparency. These spatial qualities continue inside where all flats are defined, where possible, by a principal south-aspect, dual aspect, floor-to-ceiling glazing overlooking well-landscaped courts and private balconies on flats which are orientated to avoid direct overlooking from directly facing principle aspects, revolutionary at its time. This openness and the extensive glazing creates a seamless transparency between inside and out, creating internal spaces defined by the relationship with the landscape outside.

Contribution of Setting to Significance

83. The NPPF states that elements of the setting of a heritage asset can make a positive, neutral or negative contribution to its heritage significance and a viewer's ability to appreciate that significance.
84. There is no specific section in the Guidelines dedicated to the Estates' setting, or which seeks to identify particular elements of setting which are deemed to make a positive, negative or neutral contribution to it. However, in Part 2 (section 1.2.1), "Key conclusions and recommendations", under Holistic Significance, it states:

The views from – as well as into – the estate have become important. Part of the special architectural interest of the estate lies in its relationship with adjacent buildings, their height, scale, mass, form, materials and detailing could, for example, have an impact on that

special interest.

85. Part 1.2.1.2 of the Guidelines continues:

The estate should be appreciated in its entirety: not only its various components – residential, community, recreational, commercial and the external spaces between buildings – but also its setting within the surrounding urban fabric. The views from and into the estate have become important, and part of its special architectural interest lies in its relationship to adjacent buildings. Any developments on the immediate boundaries of the listed area should take into account the significance of the estate's setting.

86. The Guidelines acknowledge that the Estate was planned with a strong sense of enclosure and, in the words of the architect, was “inward looking”, given the bleak wasteland setting following WWII. However, this should not be interpreted as reducing the importance of its current setting.
87. It should be acknowledged that the setting of the Estate has changed significantly since the 1950s, and will continue to change. The Peabody Towers, Braithwaite Tower, Cripplegate House (as extended), Blake Tower and 121-167 Roscoe Street are all visible above the perimeter blocks from views within the Estate, placing it in an evolving and dynamic urban context. To the south it can be viewed with the backdrop of the Barbican tower and podium composition; reflecting continuity in architect and the development of Modernism, which is inherent in the view identified in the Guidelines from Goswell Road incorporating Crescent House with the Barbican towers.
88. In this regard, the only specific setting reference in the Guidelines to an important aspect of setting is reference to the view along Goswell Road of Crescent House with the backdrop of the Barbican Towers, identified as being of (fortuitous, if not intended) interest, given the continuity in architect and an appreciation of the development of Modernism. The Barbican towers and podium dominate the skyline to the south, providing an important visual reference and transition, contributing to the significance of GLE.
89. It is considered that the following elements of the setting of the GLE contribute to its significance :
- The visual relationship with the Barbican to the south; in particular in the north-south axis view from the Bastion through the central piazza towards the tower of the Jewin Chapel and on alignment with the Shakespeare Tower;
 - The strong sense of enclosure and unity felt in the sunken gardens, on a whole unfettered by looming development in the immediate vicinity;

- The retention of open diagonal views across the whole site with limited bulky development in the immediate setting to break up the unity and inter-visibility of the enclosing residential blocks;
 - An ability to appreciate the Estate from outside views in, the dominance of Great Arthur House, in contrast to the more humble scale of the perimeter blocks;
 - An ability to appreciate the interrelationship between the interior of the maisonette flats and the external spaces.
90. Whilst not identified in the Guidelines, it is considered that the current Bernard Morgan House, due to its architectural expression, form and contribution to the urban grain, contributes positively to the setting of the GLE.

Impact on Significance

91. It is considered that the proposed scheme would preserve those positive elements of the setting so as not to adversely impact on the setting or heritage significance of the GLE. It is considered that the boldness, distinctiveness and unity of the GLE as an architectural whole is robust enough to accommodate change in its setting without significant harm to its essential significance.
92. From the majority of views in the Estate, the proposed scheme would not be visible. It would not be visible from Basterfield Lawn, from the Bastion, from the sunken ornamental garden or the community centre overlooking it, or from the tennis courts. From these spaces an unfettered sense of enclosure allows an appreciation and understanding of the Estate as an architectural whole.
93. Where it would become visible, in fleeting transient views, mainly from circulation routes, it would not rise significantly above the main ridge of Bowater or Cuthbert Harrowing House. Where it would, and where it has the potential of affecting the significance of the GLE, is from the 'piazza' west of Great Arthur House, and from the high level walkway adjacent to the leisure centre. Here the bulk of the proposed scheme would appear, in some views, above the roof ridges. It would be appreciated in the same context as current buildings, in particular Cripplegate House. The juxtaposition with the Barbican tower composition would remain pre-eminent.
94. Where the proposed scheme would be visible in more open, distant oblique views above the ridge of Bowater House, the breach of ridge would be minimal and the bulk would step away from the GLE, such that these views would remain open, and the layout of the estate would still be readily appreciated.
95. In the important north-south axis view, between the bastion and the Jewin Chapel and Shakespeare Tower, the proposal, by stepping down

to the 'pocket park' in the south west corner of the site, would remain out of view, not harming it.

96. The principal architectural 'narrative' of the proposed scheme is the stepping of the height and staggering the building line in order to respect the setting of the Estate in views from Golden Lane, Fann Street and Fortune Street Park.
97. The applicant has submitted a Townscape, Visual Impact and Heritage Assessment (and addendum) which undertakes an assessment of surrounding views. Views 2, 8 and 4 assess the dynamic view on approach to the Estate, with the Barbican in the backdrop, travelling south along Golden Lane. The proposed scheme would be significantly bulkier than BMH. This additional bulk and mass would be viewed in contrast to the more pedestrian scale of Bowater House. However, the clear stepping of the height with the aim of transitioning the height from the Estate to that of Cripplegate House and the Barbican podium level, in addition to the staggering of the building line so that the north block respects the orthogonal building line of Bowater House, mitigate the impact on Bowater House and the setting of the GLE. Indeed these features would preserve an appreciation of the sunken garden on Golden Lane, and assist in assimilating the proposed scheme with the urban design of the GLE.
98. The transient view from Fann Street, between the junction with Aldersgate Street and the site, is represented in Views 1 and 5. The main narrative is of a tripartite stepping in height and massing from the northern block, the main eaves of which would be approximately the same height as Bowater House, to the southern block, representing the scale of the extended Cripplegate House. The rear facade and roof levels would contain a degree of modelling and depth to reduce the impact of the increase in bulk when viewed in contrast to Cuthbert Harrowing and Bowater House.
99. The Golden Lane Estate can also be viewed from Fortune Street Park in the context of the proposed scheme, together forming the western backdrop to the Park. The Views 9 (wireframe) and 3 (rendered) broadly represent views of GLE from the park, with the proposed scheme in place. Once again, there would be a significant increase in height and bulk. However, given the apparent separation distance between Bowater House and the proposed scheme, and the continued prevalence of Bowater House and Cuthbert Harrowing House in the context of Great Arthur House, it is not considered that the proposed scheme would cause harm.

The approach to the GLE from Beech Street would significantly change, but it is not considered that harm would be caused to the setting or significance of the GLE. At present, the height of BMH provides a degree of continuity with the perimeter blocks of the GLE, whilst Great Arthur House is visible on the skyline. The proposed scheme, in

stepping back the building line, would preserve a glimpse of Bowater House whilst the height of the southern block would respond to that of Cripplegate House.

100. Overall, it is considered that the proposed development would result in less than substantial harm to the special architectural or historic interest and heritage significance of the Golden Lane Estate, by reason of the increased bulk and mass apparent in views of GLE when approached from the north along Golden Lane. Whilst we have had special regard for the desirability of preserving the setting of the listed building, in accordance with section 66 of the Town Planning (Listed Buildings and Conservation Areas) Act 1990, it is not considered that the harm would outweigh the wider benefits of the proposal.

Impact on the Setting of Cripplegate House

Significance and Setting

101. Built in 1893-96, and by architects Sidney R.J. Smith, it was built as a grand late-Victorian civic philanthropic venture for the betterment of the working poor of the Cripplegate Ward. It is an isolated remainder of Victorian Cripplegate that was altered following conversion to offices in 1987-92.
102. Though much altered, extended and stretched behind a part retained façade, it displays a handsome front facade of red brick with Portland stone dressings in an eclectic free-Jacobean manner with some good detail. The rear red brick 1980s part is of no architectural or historic interest.
103. Cripplegate House no longer derives significance from its setting. It's historic setting, as part of a cohesive Victorian townscape of warehouses, workshops, terraces, alleys and courts has been lost. In terms of height, architectural form, style and materials it has little relationship or dialogue with its neighbours. However, its prominent townscape position on Golden Lane assists in allowing an appreciation and understanding of its architectural and historic interest.

Impact on Significance

104. Cripplegate House can, at present, be viewed along much of Golden Lane when approached from the north. The view is mainly of the modern side return and 1980s extension. The front facade, which is of significance, splays away from these distant views, so as only revealing itself in its immediate setting. As a consequence, the proposed obscuring of Cripplegate House, on approach from the north, would not harm an appreciation of its significance.
105. When viewing the front elevation from Golden Lane and the junction with Beech Street, the height of the proposed southern block is no higher

than the crowning pediment of Cripplegate House, so that it doesn't challenge or overwhelm the front elevation. The height of the roof level is no higher than the main ridge of the mansard roof of Cripplegate House and, in a similar manner, would rake back and be massed in a recessive manner.

106. The use of a complementary brick and a 'punched masonry' elevational treatment complements the traditional architecture of Cripplegate House and echoes the former Victorian warehouses which once comprised its setting.
107. It is considered that the height, bulk and design would not dominate Cripplegate House, or detract from an appreciation of its significance, which with its bold detail and stone dressings, would retain a pre-eminence on Golden Lane. Its setting would be preserved.

Impact on the Setting of the Barbican and its Registered Landscape

Significance and Setting

108. The principal significance of the Barbican, including the associated landscape, is as a leading example of a Modernist project in the high Brutalist style, and is perhaps the seminal example nationally of a comprehensively planned Post-War, mixed-use, Modernist estate.
109. It comprises a series of long slab blocks at a raised podium level, separating pedestrians from vehicular traffic, and a composition of towers which encloses private and public landscaped open spaces centred on a canal which incorporates formal planting and ancient monuments in a Le Corbusian manner.
110. It is necessary to consider the contribution of setting to the significance of the Barbican. The Estate was designed to be like a modern 'fortress', defining its own setting, and whilst there had originally been planned relationships with its surroundings, these were never implemented.
111. Evidence has been submitted about the relationship between the current Bernard Morgan House site and the Barbican. Indeed the North Barbican redevelopment proposals came to the immediate boundaries of the BMH site, which is acknowledged on some of the original submission drawings. It shows slab blocks coming to the opposite site of Brackley Street (assuming the demolition of Cripplegate House); including a series of interconnected open spaces, including a swimming pool on the current site of Tudor Rose Court and the Colbalt Building. However, whilst there is clearly an acknowledged relationship between the Barbican development and the (nearing completion) Bernard Morgan House, there is no explicit architectural or townscape relationship cited or evident. Even so, as implemented, the Barbican, and the immediate setting to the north, morphed into something different with the connection between the Golden Lane and Barbican terminates at Beech

Street and an elevated podium level, with little visual or physical connectivity.

112. The Barbican has 'hard edges' with the surrounding townscape and, other than the Blake Tower, it does not form a strong architectural relationship with surrounding buildings or landscapes. However, as discussed, the clear juxtaposition between the Golden Lane Estate and BMH when viewed in the context of the Barbican tower and podium composition is an important relationship which contributes to the significance of the 20th Century landscapes. An appreciation of the Barbican, on approach from the north from Golden Lane and Goswell Road, is important.

Impact on Significance

113. In general terms, there is a limited architectural relationship in terms of continuity and development of Modernist aesthetic and thought. However, in terms of height, style and urban design, there is not a strong and meaningful connection. The loss of the current Bernard Morgan House, in itself, is not considered to cause harm to the setting of the Barbican (either listed building or registered landscape).
114. The approach from the north, along Golden Lane, would be affected. Only as the observer approaches the site, would the height obscure a small part of the Shakespeare Tower. This 'nibbling' at the tower, and a minimal obscuring of the podium, would allow the Barbican composition to retain its pre-eminence. The stepping narrative of the proposed scheme would allow the site to bridge the GLE and the Barbican.
115. The height, bulk, mass and design of the proposal would not harm the significance of and would preserve the setting of the Barbican.

Impact on the Setting of the Jewin Welsh Chapel

Significance and Setting

116. The Jewin Welsh Chapel is not listed but is considered a non-designated heritage asset as a result of its strong architectural and historic interest.
117. Built in 1956-61, contemporaneous with the adjacent GLE, by noted ecclesiastical architects Caroe and Partners, it replaced a former Gothic Revival church of 1879 bombed in the Blitz. It is an interesting example of Scandinavian-influenced Modernism termed "New Humanism", popularised during the Festival of Britain (1951). Of pink/brown brick (with matching neat flush pointing) with Portland stone dressings and a copper-clad roof.
118. The brick (colour and finish) is a clear reference the opposing Golden Lane brick, suggesting communality, whilst the imposing west tower forms the southern termination to the principal north-south axis view

from the bastion garden through the central 'piazza', which was conceived as the social focus of the Estate: a townscape ploy which would seem deliberate, rather than fortuitous. It is known that Gordon Cullen, who was developing his concept of 'townscape' at the time, had advised on the Golden Lane. However, he could not of foreseen the fortuitous offsetting of the Shakespeare Tower with the church tower, adding a dramatic verticality and juxtaposition, and a visual bridge between the Modernism of the Golden Lane Estate and that of the Barbican. The tower is a relative local landmark and particularly unique; with a belfry stage gallery of deeply splayed slit windows crowned by a socketed copper roof with stylised urn finial, terminating one of the only 'closed' vistas in the GLE.

119. The Jewin Church is considered to be of local architectural, historic and communal heritage interest, inherently as a building and in its positive contribution to the setting of Golden Lane, especially in terminating the principal north-south axis view.

Impact on Significance

120. The scheme shares the same island site as the Jewin Chapel: forming an 'L' shape that wraps around it. The stepping down of the scheme to four stories on Brackley Street means that, in views from the Golden Lane Estate, in particular that terminating on the tower, the proposal would not be visible. In the dynamic views on approach from Fann Street, represented in the Townscape and Visual Impact Assessment, the stepped height of the Golden Lane frontage would be recessed to it, whilst in close range views, especially that at the junction of Fann and Viscount Street when the nave and tower reveal themselves, the Chapel would stand pre-dominant and screen the main bulk of the proposed scheme.
121. The pronounced and explicit stepping of the building, and incorporation of a small 'pocket park', in the south west corner of the site, would preserve the setting of the Chapel on approach from Viscount Street, allowing an openness which preserves the pre-eminence of the Chapel.
122. The use of brick and the dressing of the fenestration draw on the architectural character of the Chapel.
123. The proposal would not harm the significance or setting of the Jewin Chapel as a non-designated heritage asset.

Summary of Impact on Heritage Assets

124. The Golden Lane Estate, Bernard Morgan House, Jewin Welsh Chapel, Fortune Park and the Barbican Estate were all executed over approximately a 30 year period following war damage. Bernard Morgan House has some architectural and historic heritage interest. which would

be lost as a result of its demolition. However, this is considered to be outweighed by the wider public benefits of a scheme of equal merit, which brings a new use to the site.

125. The cascading height, bulk and mass of the proposal responds to its context, transitions the height between Cripplegate House/the Barbican podium and the Golden Lane Estate. Its appearance would complement those buildings, without seeking to mimic or detract from them. There would be no harm to the significance of any designated or non-designated heritage assets, and the settings of all surrounding listed buildings would be preserved, other than in respect of the effect of the increased height and bulk of the proposal on the setting and significance of GLE when viewed on approach from the north on Golden Lane, although the benefits arising from the re-use of the site and provision of new housing would outweigh this limited less than substantial harm.

Daylight and Sunlight

Policy Background

126. Local Plan Policy DM10.7 Daylight and Sunlight resists 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 (BRE) guidelines. The policy requires new development to provide acceptable levels of daylight and sunlight for occupiers. Paragraph 3.10.41 of the Local Plan indicates that BRE guidelines will be applied consistent with BRE advice that ideal daylight and sunlight conditions may not be practicable in densely developed city centre locations. Unusual existing circumstances, such as the presence of balconies or other external features which limit the daylight and sunlight that a building can receive, will be taken into account. Policy DM21.3 of the Local Plan requires development proposals to be designed to avoid overlooking and seek to protect the privacy, daylighting and sunlighting levels to adjacent residential accommodation.
127. BRE guidelines consider a number of factors in determining the impact of development on daylight and sunlight on existing dwellings:
- Daylight to windows: Vertical Sky Component (VSC): a measure of the amount of sky visible from a centre point of a window. The VSC test is the main test used to assess the impact of a development on neighbouring properties. A window that achieves 27% or more is considered to provide good levels of light, but if with the proposed development in place the figure is both less than 27% and reduced by 20% or more from the existing level (0.8 times the existing value), the loss would be noticeable.
 - Daylight Distribution: No Sky Line (NSL): The distribution of daylight within a room is measured by the no sky line, which separates the areas of the room (usually measured in sq. ft) at a working height

(usually 0.85m) that do and do not have a direct view of the sky. The BRE guidelines states that if with the proposed development in place the level of daylight distribution in a room is reduced by 20% or more from the existing level (0.8 times the existing value), the loss would be noticeable. The BRE advises that this measurement should be used to assess daylight within living rooms, dining rooms and kitchens; bedrooms should also be analysed although they are considered less important.

- Sunlight: sunlight levels are calculated for all main living rooms in dwellings if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are considered less important although care should be taken not to block too much sun. The BRE explains that sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours (APSH), or less than 5% APSH between 21 September and 21 March; and receives less than 0.8 times its former sunlight hours as result of a proposed development; and has a reduction in sunlight hours received over the whole year greater than 4% of annual probable sunlight hours.

128. Developers may also consider Average Daylight Factors (ADF). ADF is the ratio of internal light level to external light level. BRE advise that ADF is not generally recommended to assess the loss of light to existing buildings, but is appropriate to consider daylight and sunlight to new dwellings. Guidance on the levels of daylight to be provided are set out in the British Standard on daylight, which recommends minimum values for ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. The British Standard recommends that where a living room includes a kitchen, the higher minimum average daylight factor of 2% should apply.

Daylight and sunlight assessment

129. The application is supported by a daylight and sunlight assessment which considers its impact on neighbouring residential properties in Bowater House, Tudor Rose Court, the Cobalt Building, Ben Jonson House, Breton House, the Jewin Welsh Chapel, and Prior Weston School and five open spaces – Fortune Street Park, Prior Weston School playground, the amenity area in front of Breton House, the area in front of Bowater House and the courtyard area behind Bowater House. The assessment also looks at daylight and sunlight provision within the proposed development.

130. An initial daylight and sunlight assessment was submitted in June 2016. This identified a number of cases where residential properties in the vicinity of the development would suffer a reduction in daylight and/or sunlight, as well as raising concerns about the levels of daylight and sunlight within the development. The City Corporation commissioned BRE to independently review this assessment and provide advice on compliance with BRE guidelines. This review indicated significant

problems with daylight and sunlight levels in the proposed development and the applicant was asked to amend the scheme to improve the situation. Revised proposals and a revised daylight and sunlight assessment were submitted in November 2016 which were then further reviewed by BRE on behalf of the City Corporation. The detailed comments below relate to these latest proposals and not earlier iterations of the proposed development.

Daylight and Sunlight to Existing Neighbouring Buildings

a) Bowater House

131. Bowater House, to the north, faces the proposed development across Fann Street. The affected elevation contains duplex flats with living rooms on the ground, second and fourth floors and bedrooms on the first, third and fifth floors. Nearly all affected windows have overhangs above them, either projections or full balconies, which limit the light received from the sky. In such circumstances, BRE guidelines recommend an additional assessment assuming the balconies are not present.
132. An assessment was undertaken of the impact of the development on 114 windows in the affected facade. For 34 windows, the VSC would be below the BRE guideline figure of 27% and below 0.8 times the existing value. For many of the windows, visible sky reduction is only marginally below the 0.8 value – the worst affected living room having a VSC of 0.77 times its former value. When the assessment is undertaken assuming that the balconies are not present, the ratios of VSC and the area receiving direct sky light would be 0.8 or better, indicating that the presence of the balconies and projections is a major factor in limiting light to windows. Overall, BRE assess the loss of daylight to Bowater House as a minor adverse impact.
133. The applicant has also assessed the loss of sunlight to Bowater House. With the scheme in place the sunlight to all living rooms would be within the guidelines.

b) Tudor Rose Court

134. The applicant has considered the impact of the development on the 54 windows in Tudor Rose Court which face the development across Viscount Street. Reduction of VSC to all windows except for two would be within the BRE guidelines. These 2 windows light a kitchen and have an overhang immediately above them and would meet BRE guidelines without this overhang. Four other rooms are predicted to have an impact on their daylight distribution outside of BRE guidelines, but only marginally in 2 cases. BRE assess the loss of daylight to Tudor Rose Court as a minor adverse impact. Sunlight to these windows is not an issue as they face north of due east.

c) *The Cobalt Building*

135. The Cobalt Building abuts Tudor Rose Court and has windows facing the development across Viscount Street. Ninety nine windows in the Cobalt Building were assessed. These windows are currently heavily obstructed by Cripplegate House directly across Viscount Street. Loss of daylight to all but 5 out of 99 windows would be within the BRE guidelines. For these 5 windows, loss of light is only marginally outside the guidelines, the worst affected room has a VSC of 0.77 times its former value. One of the rooms lit by these windows and 6 other rooms are predicted to have an impact on their daylight distribution outside of the BRE guidelines, but the impact is marginal in 4 (out of 6) cases. Overall, BRE assess the loss of daylight to the Cobalt Building as a minor adverse impact. Loss of sunlight to these windows is not an issue as they face north of due east.

d) *Ben Jonson House*

136. This block lies within the Barbican Estate, some distance from the proposed development. Loss of daylight to all windows would be within BRE guidelines and is assessed as negligible. Loss of sunlight would not be an issue as the windows face north.

e) *Breton House*

137. This block lies within the Barbican Estate and would have an oblique view of the proposed development looking north west across Golden Lane. Loss of daylight to all windows would be within BRE guidelines and is assessed as negligible. Loss of sunlight would be within BRE guidelines, with a negligible impact.

f) *Jewin Welsh Chapel*

138. Policy DM10.7 of the Local Plan only applies to permanent residential buildings and not ancillary residential accommodation or non-residential buildings and it would not be reasonable to withhold planning permission due to the impact on this accommodation. The Chapel lies to the north west of the proposed development. It contains living accommodation and the applicant has assessed loss of daylight and sunlight to the affected windows in this accommodation. The loss of daylight and sunlight would be outside of the BRE guidelines for 2 windows. The worst affected window has a VSC of 0.69 of its former value and a reduction in sunlight of 51.9%. BRE assess the impact as a moderate adverse impact. The applicant has not considered loss of daylight and sunlight to the church itself, but it is likely that the windows on the south side of the church would lose a significant amount of light as a result of the proposed development.

g) Prior Weston School

139. The school faces the proposed development directly across Golden Lane. The impact of the development on 4 principal classrooms and 17 windows has been assessed. Fifteen of these windows satisfy BRE VSC guidelines. Loss of daylight and sunlight to 2 small windows at ground floor level would be outside BRE guidelines. It appears that these windows are secondary windows and the affected room has larger windows facing north across Fortune Street Park and would be largely unaffected by the development. Overall, BRE assess the effect on the school as minor adverse.

Sunlight to Gardens and Open Spaces

140. The applicant has considered the impact of the development on five open spaces. BRE guidelines recommend that at least half a garden or amenity area should receive at least 2 hours sunlight on March 21. For an existing open space, if the area receiving at least 2 hours sun is less than this and less than 0.8 times the former area, then the loss of sunlight is significant.
141. The applicant's analysis shows that all of the assessed open spaces would meet BRE guidelines.
142. Shadow plots have been provided showing the shadow cast by the proposed development at different times. These are particularly relevant to Fortune Street Park and Prior Weston School playground. On 21 March the shadow plots show that the Park would not be shadowed by the proposed development until after 1pm, with the extent of overshadowing increasing through the afternoon, although other areas of the park would remain in sunshine. After 5pm, there would be little extra shading compared to the existing building. On 21 September, the shadow of the new development would start to encroach between 2pm and 3pm (later due to British Summer Time). At lunchtime there would be no additional shading from the development. Overall, BRE assess the impact of shadowing on the park as minor adverse. There would be little or no extra shadowing in winter and midsummer and in the spring and autumn it would be possible to enjoy sunshine by moving out of the shadow area.
143. Shadowing of the school playground would be confined to the afternoon, with the shadow starting to encroach after 2pm on March 21 and after 3pm on September 21, generally outside of normal primary school break times. In summer months shadowing would occur later in the day and in winter the playground is shadowed for most of the day by existing buildings. Overall, BRE assess the impact on the playground as minor adverse.

Daylight and Sunlight Provision in the Proposed Building

144. Daylight and sunlight provision to flats in the proposed building have been assessed using ADF and British Standard recommendations and reviewed by BRE on behalf of the City Corporation. This review indicated that a significant proportion of the bedrooms and living rooms would not meet the British Standard minimum recommendations and that, overall, the development would result in a poor level of daylight provision.
145. The applicant was advised by officers that the levels of daylight and sunlight offered within the new development would be contrary to the requirements of Policy DM10.7. Discussions between the applicant's architects, daylight and sunlight consultants, City Corporation officers and BRE subsequently took place in order to arrive at design changes which delivered an acceptable level of internal daylight and sunlight without impacting on the daylight and sunlight of neighbouring properties and open space.
146. A total of 258 rooms in the proposed development, comprising 158 bedrooms and 100 living rooms have been assessed using ADF and the British Standard level of daylight. In total, 33 of these rooms do not meet the minimum British Standard (12 bedrooms and 21 living rooms). However, 13 of the failing living rooms would have an ADF between 1.5% and 2%, leaving 8 with an ADF below 1.5%, all of which are on lower floors. This situation represents a considerable improvement over the earlier submitted proposals, where 69 rooms failed to meet the British Standard.

Daylight and Sunlight Conclusions

147. Whilst there will be some impacts on daylight and sunlight to neighbouring properties, these impacts are generally minor in nature and acceptable given the densely developed urban nature of this site. Similarly, although sunlight to existing open spaces and shadowing of these spaces would worsen as a result of this scheme, these impacts are overall minor. The daylight and sunlight implications for neighbouring properties and open spaces is therefore considered to be in accordance with the requirements of Local Plan Policy DM10.7 and DM21.3.
148. Refinements to the scheme have reduced the scale of any breach of standards to the proposed flats and the scheme is now considered to be acceptable in terms of daylight and sunlight in a densely developed urban area, in line with the requirements of Local Plan policy DM10.7.
149. Overall, the advice from BRE is that daylight provision within the proposed development is average for a heavily obstructed urban area.
150. In terms of sunlight analysis, 18 of the living rooms would meet the recommended number of hours of annual and winter sunlight. A further 21 would meet the annual requirement, but not the winter one. The remaining living rooms would not meet either requirement, although some would be only marginally below the guideline, with the applicant

suggesting that 30 rooms would have annual probable sunlight hours above 15% and would therefore receive some sun.

151. Whilst many rooms within the proposed development fall below the BRE and British Standard sunlight assessment, BRE has advised that it would be difficult to improve the sunlight position on this site given its location and obstructions to sunlight from surrounding buildings, including Cripplegate House and the Barbican.
152. Sunlight to the open space within the proposed development has been considered by the applicant, showing that it would be poorly sunlit between March and June, principally because of large obstructions to the south.

Overlooking and dominance and enclosure and loss of outlook

153. Policy DM21.3 of the Local Plan states that all development proposals should be designed to avoid overlooking. The existing building has high level windows on the Fann Street elevation and there has therefore been no or limited direct overlooking experienced by the residents of Bowater House. The proposed building includes full height windows on the Fann Street elevation, and this relationship would therefore alter. At its closest point the proposed building would stand 19m from Bowater House, which is not an unusual separation distance across a street in an urban area. Whilst residents have expressed concern in this regard it is considered to be acceptable in planning terms.
154. The Fann Street elevation of the proposed building would be 19.4m in depth, 11m deeper than the existing building. The proposed building would stand in line with the site boundary, bringing the proposed building closer to the street and increasing its dominance in the outlook from the flats in Bowater House. Considering the separation distance between the two buildings this is considered to be an acceptable relationship.
155. The main part of the existing building stands 59.64m from the Cobalt Building and Tudor Rose Court, with the single storey element at the rear bringing the building 38m from the Cobalt Building and Tudor Rose Court. The single storey element has high level windows so whilst direct overlooking was experienced from the existing building these windows are a significant distance away (59.64m) and would not have impacted on the occupiers of these neighbouring buildings. At its closest point the proposed building would stand 25m from these neighbouring buildings and includes balconies and terraces, making it different to the current situation. However, the separation distance between the proposed building and the neighbouring buildings remains significant and this is considered to be an acceptable relationship.

Noise

During the demolition and construction periods

156. In redevelopment schemes most noise and vibration issues occur during demolition and early construction phases. Noise and vibration during demolition and construction would be controlled through conditions. These would require the submission of a Construction Logistics Plan (CLP) to manage all freight vehicle movements to and from the site and, a Construction Management Plan (CMP) that includes a scheme for protecting nearby residents, the church and commercial occupiers from noise, dust and other environmental effects attributable to the development. It is recommended that the Hatching Dragons Nursery School, which occupies part of the Jewin Chapel, is temporarily relocated during construction at the cost of the developer through the S106 agreement.

From the proposed flats and pocket park

157. Local Plan policy DM15.7 states that ‘developers will be required to consider the impact of their developments on the noise environment. 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’. Concern has been raised about noise from the proposed flats and the pocket park, however, it is considered that whilst the proposed increase in the number of residents could lead to an increase in noise it is not considered that this would result in a significant detrimental impact on the occupiers of neighbouring properties. It would not be reasonable to restrict the use of private balconies or private terraces, which will to some degree be managed by the occupiers themselves. Environmental Health have raised no concerns.
158. Public access to the proposed pocket park would be secured through the S106 agreement, which would include the requirement for a management plan for the pocket park. Opening hours would be controlled as part of the management plan. Considering the limited size of the pocket park and its proximity to the proposed building it is unlikely that it would be heavily used or used by a large number of people at any one time. It is, therefore, considered that the public use of this open space would not have a significant detrimental impact on the occupiers of the Cobalt Building or Tudor Rose Court.

Quality of the proposed residential accommodation

159. Paragraphs 2.1.17-2.1.18 of the London Plan Housing Supplementary Planning Guidance explains that *'the standards set out the minimum level of quality and design that new homes should meet. The extent to which proposed developments depart from the standards should be taken into account in planning decisions. Application of standards through the planning system (as they are through this SPG) provides some flexibility. Consideration should be given to these standards alongside achievement of other policies of the London Plan. In particular, regard should be had on the one hand to overall viability and the need to ensure an appropriate level of housing supply in changing economic circumstances. On the other hand, consideration should be given to the fact that the homes and living environments we build today will frame the lives of those who live in new homes or use the neighbourhoods now and into the future. Failure to meet one standard would not necessarily lead to an issue of compliance with the London Plan, but a combination of failures would cause concern'*.

Space standards

160. The DCLG Technical Housing Standards sets out the requirements for the Gross Internal Area (GIA) of new dwellings at a defined level of occupancy. All of the proposed dwellings meet these technical space standards for internal space.
161. Standard 26 of the London Plan Housing Supplementary Planning Guidance states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. In exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. Enclosing balconies as glazed, ventilated winter gardens can be considered an acceptable alternative to open balconies. 16 of the proposed flats do not have private amenity space. 14 of these flats include an additional 5sqm of internal floorspace, but two do not. An additional S106 contribution would be required in lieu of this.

Communal open space and the pocket park

162. Standard 4 of the London Plan Housing Supplementary Planning Guidance states that where communal open space is provided, development proposals should demonstrate that the space is overlooked by surrounding development; is accessible to disabled people including people who require level access and wheelchair users; is designed to take advantage of direct sunlight; and has suitable management arrangements in place. The communal open space and the pocket park would be overlooked by the flats within the development and neighbouring flats in Bowater House and the Cobalt Building.

Entrances and Active Frontages

163. Standard 8 of the London Plan Housing Supplementary Planning Guidance states that all main entrances should be visible, clearly identifiable and directly accessible from the public realm. Standard 10 of the London Plan Housing Supplementary Planning Guidance states that active frontages should be maximised and inactive frontages minimised on the ground floor or buildings. The main entrances to the building are accessed from the street, and details of these entrances are required by condition to ensure that they are clearly identifiable. The frontages on Fann Street and Golden Lane would be activated by the residential windows on these elevations. The Brackley Street frontage would be less active as, with the exception of one flat at the south-western end, this frontage is more 'back of house' with the servicing bay, UKPN substation and refuse store. Details of the doors to the servicing bay, substation and refuse store are required by condition to ensure that this frontage is adequately animated.

Circulation Space

164. Standards 12-16 relate to the quality of the shared circulation space. The proposal meets these requirements as each core is accessible to no more than eight dwellings on each floor; a 24 hour concierge would be provided; the internal corridors would be naturally lit; all dwellings at the seventh floor and above would be served by at least two lifts; and every wheelchair user dwelling would be served by more than one lift.

Privacy and Outlook

165. Standard 28 of the London Plan Housing Supplementary Planning Guidance states that proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring properties, the street and other public spaces. At lower ground floor and ground floor each flat would have defensible space, in the form of a terrace which would provide privacy to these dwellings. The proposed flat at ground floor level on Brackley Street would be accessed from the flat's terrace, at the rear of the building. The pocket park would be 400mm lower than the building, which would provide some visual separation between the flat and the communal open space. A landscaped border would provide additional screening.
166. Standard 29 of the London Plan Housing Supplementary Planning Guidance states that development should minimise the number of single aspect dwellings. North facing single aspect dwellings and single aspect dwellings containing three or more bedrooms should be avoided. The design of single aspect ground floor dwellings will require particular consideration to maintain privacy and adequate levels of daylight.

167. 58 of the 99 proposed flats are single aspect, and six of these flats are on the ground floor. None of the single aspect flats are north facing or contain three or more bedrooms. The single aspect flats on the ground floor face onto Golden Lane and the closest windows to the Golden Lane pavement is 2.26m away. The levels of daylight experienced in these flats is considered to be satisfactory but further consideration needs to be given to the treatment of the windows to ensure adequate privacy. Details of this are required by condition.

Transport, Servicing, Parking and Impact on Public Highways

Highway Amendments and works

168. The boundary of the public highway encroaches into the south-eastern corner of the site. The built form is proposed within this area, and would regularise the highway line. City Transportation have raised no objection to this. The applicant will be pursuing a stopping-up application for this piece of land (5.15sqm) (plan attached).
169. There would be no projections over the highway below second floor level, taking the proposed projections above the City's minimum height clearance of 5.7m. The applicant will require a projection licence, which must be applied for after the granting of planning permission but prior to construction.

Servicing and Parking

170. All servicing would take place within the designated off-street servicing area within the building accessed from Brackley Street. The servicing area has been designed to accommodate small to medium sized vehicles, which would comprise the majority of residential servicing and delivery movements, including supermarket home delivery vehicles.
171. It is considered that the average duration of stay would be less than 10 minutes. The servicing area would be subject to a maximum duration of stay of 15 minutes, which would be enforced through signage in the service area and by monitoring by the concierge via CCTV. Vehicles that are required to attend the site for periods longer than 15 minutes (eg for maintenance work) would be advised to use local pay and display parking. These measures would prevent the servicing area from becoming congested and prevent queuing on the highway and illegal parking.
172. One disabled parking space would be provided within the service area. This is considered to be an appropriate level of provision for a residential development in this location and meets the requirements of the London Plan and the Local Plan. The demand for and supply of on-street disabled parking spaces is monitored by City Transportation and supply can be increased if deemed necessary. Pay and Display parking spaces have a four hour stay limit and it is likely that they would be used by

visitors and not residents themselves. This is likely to be in the evenings and on weekends when demand is lower.

Cycle parking and facilities

173. Policy DM 16.3 of the Local Plan requires cycle parking provision for residential development to meet London Plan standards. Policy DM 16.3 states that the City Corporation encourages these standards to be exceeded and encourage on-street cycle parking in suitable locations.
174. A minimum of 153 cycle parking spaces would be provided for residents within a dedicated area at lower ground floor level. This exceeds the London Plan and is acceptable. A Residential Travel Plan would be required through the S106 agreement.

Public Transport and Pedestrian Movements

175. The Public Transport Accessibility Level (PTAL) rating of the centre of the site is 6a, which means that the site achieves an 'Excellent' score in terms of public transport accessibility. The site is well served by public transport and is close to Barbican, Farringdon, Moorgate and Old Street stations.

Waste Management

176. The proposed development includes a centralised waste store located internally adjacent to the vehicular access on Brackley Street. Waste would be collected on-street. The Waste and Amenity Planning Manager is satisfied with the proposals and they comply with policy CS17 of the Local Plan.

Loss of trees

177. An Arboricultural Impact Assessment has been submitted as part of the application. The survey identified ten trees within and adjacent to the site, which could potentially be impacted by the proposed development.
178. To facilitate the development, five trees within the site boundary have been identified as requiring removal. These include five category B trees (trees whose retention is considered to be desirable and are of moderate quality and value): two silver birch trees, one tree of heaven, one common beech and one hawthorn. The landscaping proposals show tree planting across the site to include one common hornbeam and six silver birch trees. The proposed development would result in a net gain in tree numbers. A condition is proposed to ensure that if these trees do not survive they are replaced.

179. It is recommended that all retained trees are protected throughout the demolition and construction phase and the method of protection will be controlled by condition.

Biodiversity

180. A Preliminary Ecological Appraisal was submitted as part of the application, which provides details of a desk top study and site walkover. No impact upon designated sites of nature conservation importance are predicted as a result of the proposals.
181. There is confirmed presence of nesting birds within several of the mature trees on the site. No evidence of nesting birds was observed on the building. This is a seasonal constraint with breeding season running from March to September. Any clearance or pruning of shrubs, trees or dense vegetation should be undertaken outside of the breeding season or following confirmation of absence by a suitably qualified ecologist. This can be secured by condition.
182. Along the north-eastern frontage of the site (Fann Street) a small Wildlife Garden has been created, which although currently unmanaged continues to provide wildlife benefits. The Wildlife Garden includes a diverse floral community which has the potential to be of value to birds, foraging bats and invertebrates. There are also records of black redstart foraging in the Wildlife Garden. This species is rare in the UK and appears on the Red List of Birds of Conservation Concern, is a City of London BAP priority species and is afforded legislative protection under Schedule 1 of the Wildlife and Countryside Act. Any proposal on this site would need to ensure the protection of this species and should provide targeted ecological enhancements to help retain and enhance suitable habitat, meeting local conservation targets.
183. The proposed ecological enhancements include the provision of a green roof to compensate for the loss of the Wildlife Garden and other existing green space, which would be specifically designed to target locally important species including black redstart and provide suitable bat foraging and invertebrate habitats. Other recommended ecological enhancements include bird nest boxes, bird perches, bat boxes and invertebrate features. Suitable green roofs and ecological enhancements are secured by conditions.

Energy and Sustainability

184. London Plan Policy 5.2 (A) requires that development proposals should make the “fullest contribution” to minimising carbon dioxide emissions in accordance with the following hierarchy: 1) Be lean: use less energy 2) Be clean: supply energy efficiently 3) Be green: use renewable energy.
185. Targets are set in the London Plan and Mayor's Sustainable Design & Construction SPD for residential buildings to achieve a 35%

improvement over the 2013 Building Regulations requirements up to 1st Oct 2016 and zero carbon from Oct 2016. Since this application was validated before 1st Oct 2016 the 35% London Plan target applies, however every effort should be made to achieve zero carbon residential development at this site.

186. Local Plan policy CS15.2 requires development to “minimise” carbon emissions and contribute to a City wide reduction in emissions. Local Plan policy DM15.2 encourages the achievement of zero carbon ahead of national target dates.
187. The Energy Strategy demonstrates that this development has been designed to achieve a 55% improvement in carbon emissions compared with the 2013 Building Regulations requirements. This is achieved through a combination of energy efficiency measures and connection to the Citigen CHP network. Renewable technologies are not proposed. The Energy Statement concludes that the proposed connection to the local heat network would deliver emission savings greater than that required by London Plan policy.. As a consequence there is no requirement to install additional renewable technology.
188. The achievement of a 55% improvement over Building Regulations is welcomed, however the applicant is expected to demonstrate that carbon emissions will be minimised not purely that the target will be met. In demonstrating the “fullest contribution” to “minimising” carbon emissions, evidence should be presented to demonstrate whether photovoltaics or any other renewable technology could minimise carbon emissions further at this site. Further details are required by condition.

Flooding and drainage

189. A Flood Risk Assessment has been submitted as part of the application. The site is within Flood Zone 1 and has a low risk of flooding from groundwater, pluvial or sewers and has a low to negligible risk of flooding from all other sources. The report concludes that the development proposals should not increase flood risk on or off site.
190. The Flood Risk Assessment includes a Sustainable Urban Drainage (SuDS) Assessment, which sets out appropriate measures for the site. As the site is underlain by clay soils and has a basement it is not possible to infiltrate on site. Any permeable paving would need to be tanked. Permeable paving, soft landscaping and green roofs would reduce run-off rates, run-off volumes and would reduce the volume of water entering the sewers during low rainfall periods. However, these measures would not provide any benefit during high intensity storms and below ground storage is therefore necessary. Details of landscaping, SuDs components and measures to prevent flooding are required by condition.

Air Quality

191. The EIA includes an assessment of the likely changes in air quality as a result of the construction and operational phases of the development and has been considered having regard to Policies 7.14 of the London Plan and CS15 of the Local Plan. Section 7.14 of the London Plan requires that major developments are at least air quality neutral in terms of their overall impact on air quality. An Air Quality Neutral Assessment has been undertaken in accordance with the GLA's Sustainable Design and Construction SPG.
192. During construction dust emissions would increase and would require control through the implementation of good practice mitigation measures in the Construction Method Statements to be approved under conditions attached to the planning permission.
193. Due to limited traffic generation the impact of new vehicle emissions from the proposed development is considered to be negligible.

Archaeology

194. The site lies to the north of the Roman and medieval city of London, on a fertile gravel terrace close to nearby rivers. Evidence shows that a Roman road may have followed the alignment of Golden Lane, and it is most likely the area was used for agricultural and quarrying activities during the Roman period. There is evidence of settlement activity during the medieval period and by the mid-17th century historic maps show the site as fully occupied by buildings. An 18th century burial ground lay immediately to the north of the site, with human burials being archaeologically recorded during the excavation of a cable trench on Fann Street.
195. The current building comprises a lower ground floor and a basement surrounded by an open area at lower ground floor level. During the late 19th and early 20th century a building with a double basement occupied part of the site, and as a result there is expected to be a low likelihood of archaeological survival where deeper basements exist. Across the remainder of the site there is the potential for Roman, later medieval and post medieval evidence including burials to have survived.
196. The proposed development would lower the existing lower ground floor level and retain the existing basement level, replacing the floor slab and making the floor level consistent. It is anticipated that foundations would be piled; however, no detailed foundation design has been submitted. A Historic Environment Assessment has been submitted as part of the application. Planning conditions are recommended to cover a programme of archaeological work and foundation design.

Planning Obligations and Community Infrastructure Levy

197. The development would require planning obligations in a Section 106 agreement to mitigate the impact of the proposal and make it acceptable in planning terms and to contribute to the improvement of the City's environment and facilities. It would also result in payment of the Community Infrastructure Levy (CIL) to help fund the provision of infrastructure in the City of London.

198. These contributions would be in accordance with Supplementary Planning Documents (SPDs) adopted by the Mayor of London and the City.

199. The planning obligations and CIL contributions are set out below.

Mayoral CIL and planning obligations

Liability in accordance with the Mayor of London's policies	Contribution	Forwarded to the Mayor	City's charge for administration and monitoring
Mayoral Community Infrastructure Levy payable	£354,100	£339,936	£14,164
Mayoral planning obligation net liability*	N/A	N/A	N/A
Total liability in accordance with the Mayor of London's policies	£354,100	£339,936	£14,164

Net liability on the basis of the CIL charge remaining unchanged and subject to variation.

City CIL and S106 Planning Obligations

Liability in accordance with the City of London's policies	Contribution	Available for allocation	Retained for administration and monitoring
City CIL	£672,790	£639,151	£33,640
City Planning Obligation Affordable Housing	£4,500,000	£4,455,000	£45,000
City Planning Obligation Local, Training, Skills and Job Brokerage	£21,246	£21,034	£212

City Planning Obligation Monitoring Charge	£2,250	-	£2,250
Total liability in accordance with the City of London's policies	£5,196,286	£5,115,185	£81,102

City's Planning Obligations

200. The obligations set out below are required in accordance with the City's SPD. They are necessary to make the application acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development and meet the tests in the CIL Regulations and government policy.

- Highway Reparation and other Highways obligations
- Travel Plan
- Local Training, Skills and Job Brokerage Strategy
- Local Procurement
- Carbon Offsetting
- Television interference survey
- Utility Connections
- Open Spaces
- Any Site Specific Mitigation (if necessary)

201. The developer and the Hatching Dragons Nursery School are discussing the relocation of the nursery, which will be secured through the S106 agreement.

202. I request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations as necessary.

Monitoring and Administrative Costs

203. A 10 year repayment period would be required whereby any unallocated sums would be returned to the developer 10 years after practical completion of the development. Some funds may be set aside for future maintenance purposes.

204. The applicant will pay the City of London's legal costs and the City Planning Officer's administration costs incurred in the negotiation, execution and monitoring of the legal agreement and strategies.

Site Specific Mitigation

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

Legal Issues

206. Concern has been expressed, in some representations received, regarding the City's role as freeholder of the application site. Ownership details, whether pertaining to the City's ownership or another party's, are not normally referred to in reports on planning applications. This is because ownership information is not normally material since the Local Planning Authority ("LPA") must make its decision having regard to planning policy and material planning considerations (not to any non-planning considerations such as relating to ownership) (see Section 38(6) Planning and Compulsory Purchase Act 2006).
207. The statutory framework provides for planning applications on an authority's own land to be determined by the LPA. However, this is subject to the safeguard that any applications must NOT be determined by a committee or officer responsible for the management of the land at issue (see Regulation 10 Town and Country Planning Regulations 1992). The Planning and Transportation Committee has no remit in respect of the management of Bernard Morgan House, and may therefore determine this application.
208. The Planning Protocol advises as follows:
- Where a member of Planning and Transportation Committee is also a member of a City of London Corporation committee responsible for the site or building that is the subject of an application, this does not, by that fact, mean that the member has an interest that is disclosable under the Code of Conduct. Nor does the fact that they may have participated in the consideration of non-planning matters in relation to the site or building mean they would be regarded as biased or as having pre-determined consideration of planning matters in relation to the same site. However, if the Member's participation in a meeting of the other committee means his consideration of planning issues is not impartial (for example because he has already reached a decision about the planning merits of a planning application under consideration) then he must not participate in the decision of the Planning and Transportation Committee.
 - Particular care must be taken in determining planning applications for the development of land or buildings owned by the City of London Corporation so as to ensure that such an application is not subject to

preferential treatment but is subject to the same rigorous evaluation as other applications.

209. All other legal issues are dealt with in the body of the report.

Conclusions

210. The Bernard Morgan House site is appropriate in principle for residential development as it is adjacent to existing residential areas, the Golden Lane Estate, the Barbican Estate, the Cobalt Building and Tudor Rose Court. The density of the proposed development is higher than the density recommended in the London Plan's Density Matrix but this density is considered to be acceptable in this instance.
211. It is proposed that a cash-in-lieu payment towards affordable housing of £4.5m is paid by the developer. This level of contribution is below the target set by the Local Plan but is accepted as the maximum feasible and viable contribution that could be made and therefore is acceptable under Local Plan policy CS21 and the London Plan.
212. The height, bulk and mass of the proposed building, which varies across the site, responds to its context, transitioning the height between Cripplegate House and the Barbican podium, and the Golden Lane Estate. The appearance of the building would complement those buildings, without seeking to mimic or detract from them. The proposal would preserve the setting of the Barbican (listed building and registered landscape), Cripplegate House and the Jewin Chapel, and cause limited less than substantial harm to the setting of the Golden Lane Estate, which would be outweighed by the public benefits.
213. Whilst there will be some impacts on daylight and sunlight to neighbouring properties, these impacts are generally minor in nature and acceptable given the densely developed urban nature of this site. Similarly, although sunlight to existing open spaces and shadowing of these spaces would worsen as a result of this scheme, these impacts are overall minor. Whilst many rooms within the proposed development fall below the BRE guidance, BRE has advised that it would be difficult to improve the sunlight position on this site given its location and the obstruction to sunlight resulting from surrounding buildings. The proposed open space would be poorly sunlit in March and June principally because of large buildings to the south.
214. The building has been designed to take account of its impact on neighbouring residential properties in relation to overlooking, dominance and enclosure and loss of outlook is considered to be acceptable in an urban context. .

215. The proposal broadly complies with the standard for new residential accommodation outlined in the London Plan Housing Supplementary Guidance.
216. It is considered that the development complies with the Development Plan as a whole and is appropriate subject to conditions, a Section 106 Agreement and Section 278 Highway and other highway matters being entered into and complied with.

Background Papers

Internal

Email	02.08.2016	City of London Police
Email	16.08.2016	Head of Estates
Memo Protection	30.08.2016	Department of Markets and Consumer
Memo	21.09.2016	Lead Local Flood Authority
Memo	30.03.2017	City Transportation

External

Letter	11.08.2016	Twentieth Century Society
Letter	06.09.2016	London Borough of Islington
Letter	14.09.2016	London Borough of Islington – Assistant Parks Manager
Review of daylight, sunlight and overshadowing, 3 rd October 2016, BRE		
Review of revised daylight, sunlight and overshadowing assessment, 9 th December 2016, BRE		

Residents and interested parties

First consultation

Petition	19.06.2016	Cobalt Building Residents
Email	24.07.2016	Harish Pankhania
Online	05.08.2016	Andrew Harrison
Letter	08.08.2016	Cennydd John - Hatching Dragons Nursery
Online	08.08.2016	Peter Heavyside
Online	08.08.2016	Simon Towns
Online	08.08.2016	Norma Wee
Online	08.08.2016	Sonal Gadhvi
Online	08.08.2016	Ovijit Paul
Online	08.08.2016	Mai Le Verschoyle
Online	09.08.2016	Mai Le Verschoyle
Online	09.08.2016	Mitra Karvandi-Smith
Online	09.08.2016	Stephen Tromans
Online	09.08.2016	Thomas Hodson
Online	09.08.2016	Priya Shah

Online	09.08.2016	Mai Le Verschoyle
Letter	09.08.2016	Doreen Greenfield
Email	10.08.2016	Ian Dowsett
Online	10.08.2016	Gareth Quantrill
Online	10.08.2016	Julie Hudson
Email	11.08.2016	Heather Page
Online	11.08.2016	Elizabeth Jobey
Online	12.08.2016	Diana Souhami
Letter	12.08.2016	M Praag
Letter	12.08.2016	Brian Albert
Letter	13.08.2016	Christopher Petit
Letter	14.08.2016	Audrey and Clive Kirsch
Online	15.08.2016	Helena Twist
Online	15.08.2016	M Loosemore
Letter	15.08.2016	David Emerson
Letter	15.08.2016	Anthony Winter
Online	16.08.2016	Claire Fielding
Email	16.08.2016	Daniel Monk
Online	16.08.2016	Jane Norrie
Email	17.08.2016	Daniel Gerring
Letter	17.08.2016	Claudia Marciante and Daniel Davis
Letter	17.08.2016	Julian Vickery
Online	18.08.2016	Suresh Nair
Online	18.08.2016	Naren Joshi
Online	18.08.2016	Deborah Phillips
Online	18.08.2016	Naren Joshi
Online	18.08.2016	Richard McKeown
Online	18.08.2016	Tommy Johansson
Letter	18.08.2016	Richard Douglas - Colliers International
Letter	18.08.2016	David Gregory
Email	19.08.2016	Hazel Brothers
Online	19.08.2016	David Gregory
Online	19.08.2016	David Vickers
Online	19.08.2016	Eva Stenram
Letter	19.08.2016	John Whitehead

Letter	19.08.2016	Friends of Fortune Street Park
Email	19.08.2016	Clare Carolin
Online	20.08.2016	Jacqueline Swanson
Online	21.08.2016	Jacqueline Shearman
Online	21.08.2016	Harriette Ashcroft
Online	21.08.2016	Camille Brooks
Online	21.08.2016	Mark Lemanski
Online	21.08.2016	David Henderson
Email	21.08.2016	Nirmani Shah
Email	21.08.2016	J Shearman
Email	21.08.2016	Gill Kimber
Email	21.08.2016	Howard Sullivan
Email	21.08.2016	James Warriner
Email	21.08.2016	Mark Lemanski
Online	22.08.2016	Sophie Nielson
Online	22.08.2016	Helen Hulson
Online	22.08.2016	Sarah Marks
Email	23.08.2016	Fred Scott
Email	23.08.2016	Liz Davis
Email	23.08.2016	Simon Holt
Email	23.08.2016	Matilda Holt
Email	23.08.2016	Samantha Logan
Online	23.08.2016	Sarah Griffiths
Online	23.08.2016	William and Christine Clifford
Form	24.08.2016	Linda Stubbles
Form	24.08.2016	S Benschner
Form	24.08.2016	A Paveison
Form	24.08.2016	Guy Hayward
Form	24.08.2016	R Staldi and Venwzia Bacalo
Form	24.08.2016	Colin Toner
Form	24.08.2016	Mr Padda
Form	24.08.2016	Britesh Patel
Form	24.08.2016	Robert Pegg
Form	24.08.2016	Ida L'Erario
Email	24.08.2016	Tudor Rose Court Residents Association

Email	24.08.2016	Liz Paterson
Letter	25.08.2016	Iago Griffith
Letter	25.08.2016	Ruth Gee and Andrew Boyes – Prior
Weston School		
Letter	25.08.2016	Jacques Parry
Email	26.08.2016	Deborah Phillips
Online	26.08.2016	Dominic Bampton
Letter	26.08.2016	Golden Lane Residents Association
Online	27.08.2016	Marie Morley
Online	28.08.2016	Selina Robertson
Letter	29.08.2016	Golden Lane Residents Association
Online	29.08.2016	Christopher Makin
Online	29.08.2016	Martin Coomer
Online	29.08.2016	Andrea Kantor
Letter	29.08.2016	Emma Matthews
Letter	30.08.2016	Mark Campbell
Email	30.08.2016	Ben Jonson House Group
Form	30.08.2016	Victor A Giles
Online	30.08.2016	Susan Cox
Online	30.08.2016	Rita Mankanjee
Letter	30.08.2016	Fred and Joanna Rodgers
Letter	30.08.2016	Joseph Ruffles
Email	30.08.2016	Saskia Lewis
Email	31.08.2016	Stephen Morgan
Email	31.08.2016	Anna Curry
Online	31.08.2016	Bridget Andrews
Email	01.09.2016	J.P Masclet
Form	02.09.2016	Patricia Liu
Form	02.09.2016	P Cody
Form	02.09.2016	Robert Gittens
Form	02.09.2016	Michael Rawlins
Form	02.09.2016	Lorenzo Castricini
Form	02.09.2016	A Brown
Letter	04.09.2016	Anna Parkinson
Letter	06.09.2016	Mr and Mrs Bulman

Letter	06.09.2016	Barbican Association
Online	09.09.2016	Sue Pearson
Email	19.09.2016	Saskia Lewis
Online	20.09.2016	Gareth Randell
Online	20.09.2016	Isobel Goodrich
Online	20.09.2016	Angela Pistilli
Online	20.09.2016	David Archer
Online	21.09.2016	Russell Bell
Email	23.09.2016	Sarah Batty- Smith
Online	23.09.2016	Lewis Jackson
Letter	03.10.2016	Rosalie Bolt
Online	13.10.2016	Aya Sekine
Letter	21.11.2016	Deborah Cherry

Second consultation

Online	07.12.2016	Tom Fowler
Letter	08.12.2016	Ruth Gee and Andrew Boyes – Prior
Weston School		
Online	08.12.2016	Kirill Arakcheev
Online	11.12.2016	Ovijit Paul
Online	11.12.2016	Sonal Gadhvi
Online	13.12.2016	F Jackson
Online	13.12.2016	Eva Stenram
Online	13.12.2016	Vibeche Dart
Online	13.12.2016	Martha Cossey
Online	13.12.2016	P J Haben
Online	13.12.2016	Mark Waller
Online	13.12.2016	Hugo Groves
Online	13.12.2016	Edward Marchand
Email	14.12.2016	Mark Lemanski
Online	15.12.2016	Chamoun Issa
Online	15.12.2016	Roland Jeffery
Online	15.12.2016	Fred and Joanna Rodgers
Online	16.12.2016	Steven Malies
Online	16.12.2016	Mary Loosemore

Online	16.12.2016	Bruce Nockles
Online	16.12.2016	M King
Online	18.12.2016	Jacques Parry
Letter	19.12.2016	Mai Le Verschoyle
Online	19.12.2016	Nick Lee
Online	20.12.2016	Gareth Quantrill
Letter	20.12.2016	Claudia Marciante
Letter	20.12.2016	Dan Davis
Letter	21.12.2016	Marie Morley
Email	21.12.2016	John Whitehead
Email	21.12.2016	Deborah Phillips
Email	21.12.2016	Ben Jonson House Group
Letter	21.12.2016	Anna Parkinson
Letter	21.12.2016	Emma Matthews
Letter	22.12.2016	Mai Le Verschoyle
Online	22.12.2016	Greg Turner
Letter	22.12.2016	Bill and Christine Clifford
Email	26.12.2016	Saskia Lewis
Letter	28.12.2016	Mark Campbell
Email	05.01.2017	David Whitehead
Online	25.01.2016	D Browning

Third consultation

Email	06.02.2017	John Whitehead
Email	06.02.2017	John Whitehead
Email	06.02.2017	Cennydd John - Hatching Dragons Nursery
Email	06.02.2017	Fred Rogers
Email	06.02.2017	Emma Matthews
Email	08.02.2017	Hazel Brothers
Email	08.02.2017	Claudia Marciente
Online	10.02.2017	Cennydd John - Hatching Dragons Nursery
Email	11.02.2017	Mark Lemanski
Email	13.02.2017	Deborah Phillips
Email	15.02.2017	Fred Rogers
Online	16.02.2017	Dominic Brampton

Online	16.02.2017	Clare Carolin
Online	17.02.2017	Eva Stenram
Email	17.02.2017	Deborah Lambkin
Email	19.02.2017	Mai Le Verschoyle
Email	20.02.2017	Fred Rogers
Email	22.02.2017	Tim Chapple and Robert Mingrino
Online	28.02.2017	Rita Mankanjee
Email Committee	21.03.2017	Barbican Association Sustainability

Post 2nd May 2017 Planning and Transportation Committee

Email	26.04.2017	Tim Godsmark
Online	26.04.2017	Sonal Gadhvi
Email	27.04.2017	Sonal Gadhvi
Petition	24.04.2017 (received)	

Application Documents

Planning Statement, May 2016, DP9

Tree Survey and Arboricultural Impact Assessment, May 2016

Preliminary Ecological Appraisal and Living Roof Design Specification, May 2016, Greengage Environmental Ltd

Sustainability Assessment, May 2016, Dalen Group

Energy Statement, May 2016, BBS Environmental

Statement of Community Involvement, May 2016, Westbourne Engagement

Noise Impact Assessment, May 2016, the Equus Partnership

Daylight, Sunlight and Overshadowing Report, June 2016, Point 2 Surveyors

Design and Access Statement, June 2016, Allford Hall Monaghan Morris

Transport Assessment, June 2016, Caneparo Associates

Air Quality Assessment, June 2016, Hawkins Environmental

Flood Risk Assessment, June 2016, Walsh

Daylight, Sunlight and Overshadowing Addendum, November 2016, Point 2 Surveyors

Design and Access Statement, November 2016, Allford Hall Monaghan Morris

Appendix A

London Plan Policies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

provide parking for disabled people in line with Table 6.2

meet the minimum cycle parking standards set out in Table 6.3

provide for the needs of businesses for delivery and servicing.

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

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

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

Policy 7.5 London's public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and

incorporate the highest quality design, landscaping, planting, street furniture and surfaces.

Policy 7.6 Buildings and structures should:

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

Policy 7.8 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 7.13 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

CS10 Promote high quality environment

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

DM10.1 New development

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

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

DM10.2 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.

DM10.4 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.

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.

CS15 Creation of sustainable development

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

DM15.1 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.

DM15.5 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.

DM15.8 Contaminated land

Where development involves ground works or the creation of open spaces, developers will be expected to carry out a detailed site investigation to establish whether the site is contaminated and to determine the potential for pollution of the water environment or harm to human health and non-human receptors. Suitable mitigation must be identified to remediate any contaminated land and prevent potential adverse impacts of the development on human and non-human receptors, land or water quality.

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.

DM16.5 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.

CS18 Minimise flood risk

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

DM18.1 Development in Flood Risk Area

1. Where development is proposed within the City Flood Risk Area evidence must be presented to demonstrate that:

- a) the site is suitable for the intended use (see table 18.1), in accordance with Environment Agency and Lead Local Flood Authority advice;
- b) the benefits of the development outweigh the flood risk to future occupants;
- c) the development will be safe for occupants and visitors and will not compromise the safety of other premises or increase the risk of flooding elsewhere.

2. Development proposals, including change of use, must be accompanied by a site-specific flood risk assessment for:

- a) all sites within the City Flood Risk Area as shown on the Policies Map; and
- b) all major development elsewhere in the City.

3. Site specific flood risk assessments must address the risk of flooding from all sources and take account of the City of London Strategic Flood Risk Assessment. Necessary mitigation measures must be designed into and integrated with the development and may be required to provide protection from flooding for properties beyond the site boundaries, where feasible and viable.

4. Where development is within the City Flood Risk Area, the most vulnerable uses must be located in those parts of the development which are at least risk. Safe access and egress routes must be identified.

5. For minor development outside the City Flood Risk Area, an appropriate flood risk statement may be included in the Design and Access Statement.

6. Flood resistant and resilient designs which reduce the impact of flooding and enable efficient recovery and business continuity will be encouraged.

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.

DM18.3 Flood protection and climate

1. Development must protect the integrity and effectiveness of structures intended to minimise flood risk and, where appropriate, enhance their effectiveness.
2. Wherever practicable, development should contribute to an overall reduction in flood risk within and beyond the site boundaries, incorporating flood alleviation measures for the public realm, where feasible.

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.

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.

CS21 Protect and provide housing

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

DM21.1 Location of new housing

1. New housing should be located on suitable sites in or near identified residential areas. Within these areas a mix of appropriate residential and commercial uses will be permitted.
2. New housing will only be permitted where development would not:

- a) prejudice the primary business function of the City;
- b) be contrary to policy DM 1.1;
- c) inhibit the development potential or business activity in neighbouring commercial buildings and sites; and
- d) result in poor residential amenity within existing and proposed development, including excessive noise or disturbance.

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.

DM21.5 Housing quality standards

All new housing must be designed to a standard that facilitates the health and well-being of occupants, and:

- a) takes account of the London Plan's space standards and complies with the London Plan's Density Matrix standards;
- b) provides acceptable daylight to dwellings commensurate with a city centre location;
- c) meets standards for Secured by Design certification;
- d) maximises opportunities for providing open and leisure space for residents.

SCHEDULE

APPLICATION: 16/00590/FULL

Bernard Morgan House 43 Golden Lane London

Demolition of existing building, retention of existing basement and construction of new residential building to provide 99 dwellings, together with ancillary car parking, hard and soft landscaping and associated works (Total Floorspace 11,113 sq.m. GIA).

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 Prior to the commencement of any works on site, details shall be submitted to and approved in writing by the Local Planning Authority showing the means of protection of the trees which are to be retained including their root system and the approved details shall be implemented prior to and during the course of the building works as appropriate.
REASON: To ensure the protection of the adjacent trees in accordance with the following policies of the Local Plan: DM10.4, DM19.2. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated before the design is too advanced to make changes.
- 3 Prior to demolition, a method statement for the salvage and details of the reuse of the decorative tiles on the north elevation and south elevation of the existing building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
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 policy of the Local Plan: DM10.1.
- 4 Details of facilities and methods to accommodate and manage all freight vehicle movements to and from the site during the demolition of the building(s) hereby approved shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of work. The details shall include relevant measures from Section 4 of the Mayor of London's Construction Logistics Plan Guidance for Developers issued in April 2013, and specifically address the safety of vulnerable road users through compliance with the Construction

Logistics and Cyclist Safety (CLOCS) Standard for Construction Logistics, Managing Work Related Road Risk. No demolition or construction shall be carried out other than in accordance with the approved details and methods.

REASON: To ensure that demolition and construction works do not have an adverse impact on public safety and the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to demolition and construction work commencing in order that the impact on the transport network is minimised from the time that demolition and construction starts.

- 5 A scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during demolition shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition taking place on the site. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the demolition process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The demolition shall not be carried out other than in accordance with the approved scheme.

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

- 6 Demolition works shall not begin until a Deconstruction Logistics Plan to manage all freight vehicle movements to and from the site during deconstruction of the existing building(s) has been submitted to and approved in writing by the Local Planning Authority. The Deconstruction Logistics Plan shall include relevant measures from Section 3 of the Mayor of London's Construction Logistics Plan Guidance for Developers issued in April 2013, and specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Cyclist Safety (CLOCS) Standard for Construction Logistics, Managing Work Related Road Risk. The demolition shall not be carried out otherwise than in accordance with the approved Deconstruction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

REASON: To ensure that demolition works do not have an adverse impact on public safety and the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to demolition work

commencing in order that the impact on the transport network is minimised from the time that demolition starts.

- 7 Before any works including demolition are begun a site survey and survey of highway and other land at the perimeter of the site shall be carried out and 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. The development shall be carried out in accordance with the approved survey unless otherwise agreed in writing by the local planning authority.

REASON: To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.8, DM16.2. These details are required prior to commencement in order that a record is made of the conditions prior to changes caused by the development and that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

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

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

- 9 No work except demolition to basement slab level shall take place until:

a) An investigation and risk assessment has been undertaken to establish if the site is contaminated and to determine the potential for pollution in accordance with the requirements of DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

b) Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and to the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the remediation scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the Local Plan DM15.8. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 10 No works except demolition to basement slab level shall take place until the developer has secured the implementation of a programme of archaeological work to be carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. This shall include all on site work, including details of any temporary works which may have an impact on the archaeology of the site and all off site work such as the analysis, publication and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In order to allow an opportunity for investigations to be made in an area where remains of archaeological interest are understood to exist in accordance with the following policy of the Local Plan: DM12.4.
- 11 No works except demolition to basement slab level shall take place before details of the foundation design and piling configuration, to include a detailed method statement, have been submitted to and approved in writing by the Local Planning Authority.
REASON: In order to allow an opportunity for investigations to be made in an area where remains or archaeological interest are understood to exist in accordance with the following policy of the Local Plan: DM12.4.
- 12 Details of facilities and methods to accommodate and manage all freight vehicle movements to and from the site during the construction of the building(s) hereby approved shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of work. The details shall include relevant measures from Section 4 of the Mayor of London's Construction Logistics Plan Guidance for Developers issued in April 2013, and specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Cyclist Safety (CLOCS) Standard for Construction Logistics, Managing Work Related Road Risk. No demolition or construction shall be carried out other than in accordance with the approved details and methods.
REASON: To ensure that demolition and construction works do not have an adverse impact on public safety and the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to demolition and construction work commencing in order that the impact

on the transport network is minimised from the time that demolition and construction starts.

- 13 A scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during construction shall be submitted to and approved in writing by the Local Planning Authority prior to any construction work taking place on the site. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the construction process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme.

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

- 14 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The Construction Logistics Plan shall include relevant measures from Section 3 of the Mayor of London's Construction Logistics Plan Guidance for Developers issued in April 2013, and specifically address [driver training for] the safety of vulnerable road users through compliance with the Construction Logistics and Cyclist Safety (CLOCS) Standard for Construction Logistics, Managing Work Related Road Risk. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

REASON: To ensure that construction works do not have an adverse impact on public safety and the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to construction work commencing in order that the impact on the transport network is minimised from the time that construction starts.

- 15 Before any construction works hereby permitted are begun the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
- (a) Fully detailed design and layout drawings for the proposed SuDS components (as described by the Flood Risk Assessment Revision 5

29/06/2016 and Design Note - Surface Water Strategy 13/09/2016) including but not limited to: attenuation systems, pumps, green roofs, design for system exceedance, construction plan, cost etc. The surface water discharge rate should not exceed 5 l/s and the actual attenuation volume capacity should be no less than 50m³; unless otherwise agreed with the Lead Local Flood Authority;

(b) Full details of measures to be taken to prevent flooding (of the site or caused by the site) during the course of the construction works.

(c) Evidence that Thames Water have been consulted and consider the proposed discharged rate to be satisfactory.

REASON: To improve sustainability, reduce flood risk and reduce water run off rates in accordance with the following policy of the Local Plan: DM15.5, DM18.1, DM18.2 and DM18.3.

- 16 Before the shell and core is complete the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

(a) A Lifetime Maintenance Plan for the SuDS system to include:

- A full description of how the system would work, it's aims and objectives and the flow control arrangements;
- A Maintenance Inspection Checklist/Log;
- A Maintenance Schedule of Work itemising the tasks to be undertaken, such as the frequency required and the costs incurred to maintain the system.

REASON: To improve sustainability, reduce flood risk and reduce water run off rates in accordance with the following policy of the Local Plan: DM15.5, DM18.1, DM18.2 and DM18.3.

- 17 Before any piling or construction of basements is commenced a scheme for the provision of sewer vents at roof level within the building shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the local planning authority the agreed scheme for the provision of sewer vents shall be implemented and brought into operation before the development is occupied and shall be so maintained for the life of the building.
REASON: To vent sewerage odour from (or substantially from) the development hereby permitted and mitigate any adverse air pollution or environmental conditions in order to protect the amenity of the area in accordance with the following policy of the Local Plan: DM10.1. These details are required prior to piling or construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 18 Before any works thereby affected are begun the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- (a) particulars and samples of the materials to be used on all external faces of the building including external ground and upper level surfaces;
- (b) details of a typical bay of the development;
- (c) details of ground floor elevations;
- (d) details of the flank wall(s) of the proposed new building;
- (e) details of soffits, hand rails and balustrades;
- (f) details of plant, flues, fire escapes and other excrescences at roof level;
- (g) details of the entrances on Golden Lane, Fann Street and Brackley Street;
- (h) details of the doors to the service area, substation and refuse store;
- (i) details of the windows, including the reveals;
- (j) details of the treatment of glazing of the ground floor windows to ensure privacy;
- (k) details of balconies;
- (l) details of juliet balconies;
- (m) details of biodiversity enhancements (for birds).

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 policy of the Local Plan: DM10.1.

- 19 Before starting any brick work, a sample panel of approximately 1m high by 1m wide of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The sample panel shall include a reveal. The quality of finish and materials incorporated in any approved sample panel(s) shall be maintained throughout the development.
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 policy of the Local Plan: DM10.1.
- 20 Before any works thereby affected are begun a scheme for the avoidance of expansion joints in the elevation shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.
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 policy of the Local Plan: DM10.1.
- 21 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.

- 22 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. The landscaping scheme shall include details of lighting, materials, plant species, retaining perimeter walls, boundary treatment and gates. All hard and soft landscaping works shall be carried out in accordance with the approved details not later than the end of the first planting season following completion of the development. 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.

- 23 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: DM18.2, DM19.2.

- 24 All residential premises in the development shall be designed and constructed to attain the following internal noise levels:

Bedrooms- 30dB LAeq,T* and 45dB LAmax

Living rooms- 30dB LAeq, T*

*T- Night-time 8 hours between 23:00-07:00 and daytime 16 hours between 07:00-23:00.

A test shall be carried out after completion but prior to occupation to show that the criteria above have been met and the results must be submitted to and approved in writing by the Local Planning Authority prior to occupation of any part of the building.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the Local Plan: DM21.3 and D21.5.

- 25 Unless otherwise approved in writing by the Local Planning Authority, no fewer than 10% of the total number of residential units within the development shall be designed and constructed in accordance with the Building Regulations 2010, Part M4(3): Category 3 - Wheelchair user dwellings and the remainder of the residential units shall be designed and constructed in accordance with the Building Regulations 2010, Part M4(2): Category 2 - Accessible and Adaptable dwellings.
REASON: In the interest of inclusive design and to ensure that adaptable housing is provided in accordance with the following policy of the Local Plan: CS21/4.
- 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 No boilers that have a dry NO_x emission level exceeding 40 mg/kWh (measured at 0% excess O₂) shall at any time be installed in the building.
REASON: To comply with policy DM15.6 of the Local Plan and policies 7.14B a and c of the London Plan.
- 28 Any generator on the site shall be used solely on intermittent and exceptional occasions when required in response to a life threatening emergency or an exceptional event requiring business continuity and for the testing necessary to meet that purpose and shall not be used at any other time. At all times the generator shall be operated to minimise 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 minimise adverse air quality in accordance with policies DM15.6 and DM 21.3 of the Local Plan and policies 7.14 B a and c of the London Plan.
- 29 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.

- 30 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.
- 31 No servicing of the premises shall be carried out between the hours of 23:00 on one day and 07:00 on the following day from Monday to Saturday and between 23:00 on Saturday and 07:00 on the following Monday and on Bank Holidays. Servicing includes the loading and unloading of goods from vehicles and putting rubbish outside the building.
REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM15.7, DM16.2, DM21.3.
- 32 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 153 pedal cycles. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.
REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.
- 33 No development shall be carried out in advance of the building lines as shown on the deposited plans.
REASON: To ensure compliance with the proposed building lines and site boundaries in accordance with the following policies of the Local Plan: DM16.1, DM16.2.
- 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 Prior to the occupation of any part of the building, the land between the existing building lines and the face of the proposed new building shall be brought up to street level, paved and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall not be fenced or otherwise enclosed or obstructed.

REASON: To ensure compliance with building lines and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.1, DM10.8, DM16.2.

- 36 No doors, gates or windows at ground floor level shall open over the public highway.
REASON: In the interests of public safety
- 37 Unless otherwise approved by the LPA no plant or telecommunications equipment shall be installed on the exterior of the building, including any plant or telecommunications equipment permitted by the Town & 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 a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.
- 38 Notwithstanding the drawings hereby approved, there must be no building, roof structures or plant above the top storey, including any building, structures or plant permitted by the Town & 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 a satisfactory external appearance in accordance with the following policies of the Local Plan: DM10.1 DM12.1.
- 39 Provision shall be made for disabled people to obtain access to the building via the principal entrance 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.
- 40 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission: Location plan and dwg nos 121/03, 122/03, 123/04, 124/04, 125/03, 126/04, 127/04, 128/04, 129/03, 130/04, 131/04, 132/03, 133/03, 210/05, 211/05, 212/03, 231/03, 214/03, 310/03, 311/03, 312/02, 313/01, 314/02, 315/02, 400/03, 401/02, 402/03 and 403/02.
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

INFORMATIVES

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

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

a full pre application advice service has been offered;

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

- 2 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.
- 3 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.
- 4 If a new tree is to be planted in a different location to an existing tree, the tree should be felled to ground level only and the stump poisoned with an approved substance or solution in order not to cause damage to any archaeological remains.
- 5 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).

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

- 6 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.
- 7 This permission is granted having regard to planning considerations only and is without prejudice to the position of the City of London Corporation as ground landlords; and the work must not be instituted until the consent of the City of London Corporation as freeholders has been obtained.
- 8 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.
- 9 Prospective occupiers are advised that various activities are undertaken in the City throughout the night which include refuse collection, servicing, maintenance, street cleaning and highway works. In addition, on some sites there may be need for occasional night-time construction work.
- 10 Air Quality

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.

Terraces and Open Space

The location of outside space is an important consideration with regard to the exposure of air pollutants. The applicant is therefore minded 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 (1981) requires that that certain types of combustion plant terminate at least 3m above any area to which there is general access.

Combustion Plant

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

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.

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.

- 11 TfL has concerns relating to the continual operation of an adjacent cycle hire docking station Golden Lane, Barbican during construction. TfL reminds the developer that approval would be required prior to any temporary closure or suspension of the docking station. TfL would like to highlight from the outset that it would not approve a temporary closure of more than two calendar weeks due to high demand for the docking station generally. If a closure is agreed TfL would expect all lost revenue to be paid to TfL within 28 Working Days of TfL providing to the developer a statement detailing lost revenue as a result of the closure.

Stopping Up Order

