

Committee:	Date:
Planning and Transportation	8 May 2018
Subject: Broken Wharf House 2 Broken Wharf London, EC4 Change of use to create an apart-hotel (Use Class C1, 113 units) with ancillary gym, workspace and restaurant. Works to existing building to include conversion, extension to infill at ground floor to create new façade and entrance (46 sq.m), extension at sixth floor to extend roof level accommodation (60sq.m) and the insertion of a platform lift on High Timber Street.	Public
Ward: Queenhithe	For Decision
Registered No: 17/00712/FULL	Registered on: 26 July 2017
Conservation Area:	Listed Building: No

Summary

The application relates to Broken Wharf House and Gardner's Lane. High Timber Street abuts the north side of Broken Wharf House, Sir John Lyon House and Gardner's Lane are to the east, the River Thames is to the south and Broken Wharf is to the west.

Broken Wharf House dates from the mid-1970s. The building has seven storeys plus a basement.

The site benefits from an implemented residential permission which authorises demolition of the existing building and redevelopment of the site for 36 apartments with retail or office use at ground floor level (Use Classes A1, A2, A3 or B1, 190sq.m). However, the existing office building remains on the site, construction of the new building has not started, and residential occupation has not commenced. The site is therefore considered to be in office use (Class B1).

The site is not listed and not within a conservation area. It is within the St Paul's Heights Area, in Monument Views and the background assessment area of the Alexandra Palace, Parliament Hill and Kenwood protected vistas as defined by the London View Management Framework.

Planning permission is sought to convert the existing building to an apart hotel use (Class C1, 113 units) with ancillary gym, workspace and restaurant facilities. Associated external works include an extension at roof level to provide additional hotel accommodation (60sq.m), new glazing at ground and first floor level on the west elevation (Broken Wharf, 46sq.m), the insertion of

a platform lift on High Timber Street and replacement of certain windows, insertion of new fire doors and a ground floor entrance.

Objections have been received from local residents raising concerns over the servicing arrangements, impact of the scheme on residential amenity, highway impact and design. The applicant has revised the proposed servicing arrangements in response to the matters raised. The revised details have been consulted upon.

The non-delivery of the permitted 36 apartments would not have a detrimental impact on the City's housing trajectory. The applicant has demonstrated that the use of the site for offices is not viable. The proposed apart hotel would support the business function of the City. The loss of potential flexible retail/office use would be mitigated to a degree by the provision of ancillary retail space and work space within the apart hotel.

The matters raised by local residents have been given careful consideration. The submitted daylight and sunlight survey shows that the development would be BRE compliant. An Operational Management Plan would be required by condition in order to ensure that the premises would be managed to have minimal impact on local residents.

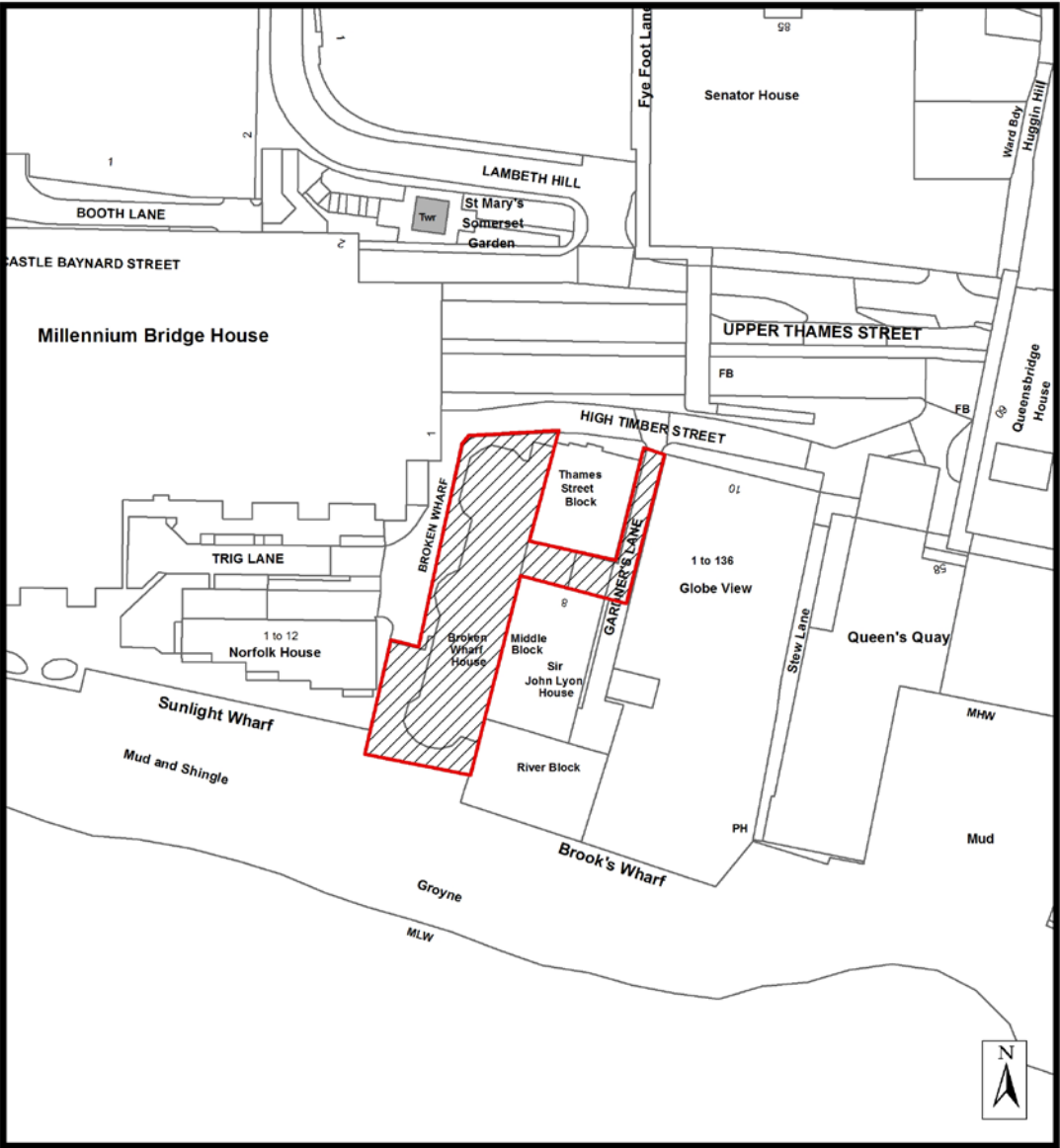
The proposed servicing would be from Gardner's Lane, Broken Wharf and High Timber Street. Details of a Delivery and Servicing Plan would be required to ensure that the servicing of the site as a whole is properly managed.

The scheme is acceptable in terms of access and sustainability.

Recommendation

That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule and for the reasons set out in this report.

Site Location Plan





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ADDRESS:

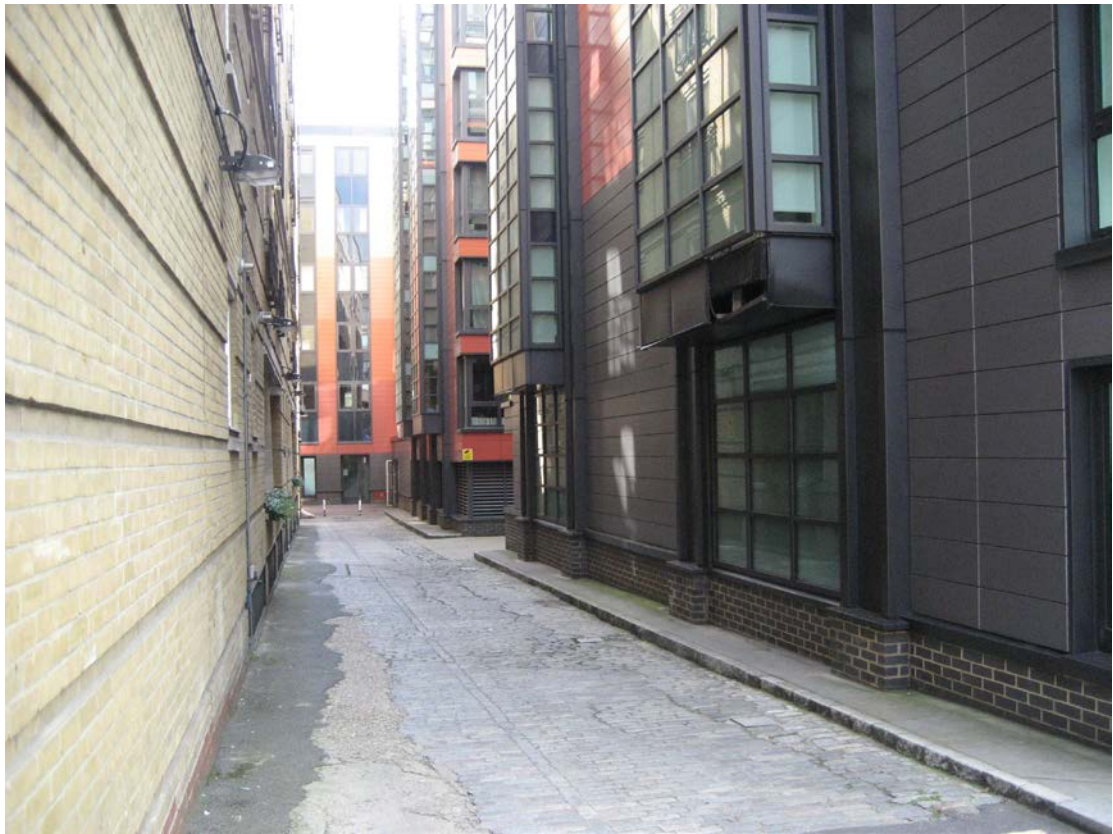
Broken Wharf House

CASE No.
17/00712/FULL

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



DEPARTMENT OF THE BUILT ENVIRONMENT



Main Report

Site

1. The application site comprises Broken Wharf House (5,216sq.m) and Gardner's Lane.
2. Broken Wharf House is a vacant office building (Use Class B1) that dates from the mid-1970s. The building has seven storeys plus a basement. Gardner's Lane is a private road that provides access to the rear of Broken Wharf House. It runs between the residential blocks of Globe View and Sir John Lyon House.
3. High Timber Street abuts the north side of Broken Wharf House, Sir John Lyon House and Gardner's Lane are to the east, the River Thames is to the south and Broken Wharf is to the west.
4. The site has planning permission for redevelopment for residential use comprising 36 apartments with retail or office use at ground floor level (Use Classes A1, A2, A3 or B1, 190sq.m). This permission has been implemented through commencement of demolition but neither construction of the new building nor residential occupation has commenced.
5. Whilst the 2012 permission has begun due to material development, there has been no change of use to residential. Therefore the lawful use of the site remains as offices (Use Class B1).
6. The site is not within a conservation area or near any listed buildings.
7. The site is within floodzone 3a as defined by the Environment Agency.
8. The residential blocks of Sir John Lyon House, Globe View and Norfolk House surround the site.

Relevant Planning History

9. An application for planning permission was approved on the 26th March 2012 (referred to as the 2012 permission, 11/00469/FULMAJ) for the demolition of Broken Wharf House and its redevelopment for an eight storey building for residential use (36 apartments, Class C3) and use of part of the ground floor for flexible use as retail or offices (Class A1, A2, A3 or B1) with servicing off Gardner's Lane. A section 106 contribution of J600,000 has been paid towards affordable housing pursuant to the section 106 Agreement linked to the permission.
10. Works have been undertaken to implement the 2012 permission. These include the removal of ducting and AC units, removal of 6th floor windows, stripping out of the 1st to 5th floors, removal of a 1st floor balcony, strip out and re-configuration of the basement, removal of the front portico and removal of selected glazing in the side elevation.
11. On the 28th April 2017 a Certificate of Lawful Existing Use or Development (CLEUD) was granted. It certifies that sufficient development works have commenced to constitute the implementation of the 2012 permission subject to the site being redeveloped in accordance with the terms of the 2012 permission.

12. No further works have been carried out to implement the 2012 permission. The existing building remains on site. The 2012 permission will remain extant.
13. There are other applications pertaining to the site but the works are not considered to be relevant to the determination of this application.

Proposals

14. Planning permission is sought to convert the existing building to an apart hotel use (Class C1, 113 units) with ancillary gym, workspace and restaurant facilities.
15. Associated external works are proposed. These include:
 - Extension works at roof level to provide additional hotel accommodation (60 sqm).
 - New glazing at ground and first floor level and the formation of a glazed entrance enclosure (46 sqm) in the west elevation. The enclosure would replace the former entrance enclosure.
 - The insertion of a platform lift on High Timber Street. The lift would be installed within an existing recess adjacent to a set of existing double doors.
 - Replacement of certain windows, insertion of new fire doors and a ground floor entrance door to the ancillary restaurant.
16. Refuse and recycling would be collected from Gardner's Lane as per the arrangements for the office use previously in operation on the site. All other deliveries and servicing would be carried out from High Timber Street or Broken Wharf.

Consultations

17. The application has been advertised on site and in the local press. The residential premises of Globe View, Sir John Lyon House, Norfolk House and Queens Quay have been individually consulted. The first round of resident consultation commenced on the 2nd August 2017 and 21 objections were received. This is in addition to a Technical Note and legal opinion prepared on behalf of Globe View Freehold Ltd which comment on the applicants initially submitted Transport Statement and Delivery and Servicing Plan and give a legal opinion on the use of Gardner's Lane.
18. The applicants subsequently revised the servicing arrangements in response to residents' concerns. It was confirmed that Gardner's Lane would only be used for the collection of refuse and recycling. All other servicing would take place from High Timber Street or Broken Wharf. A second round of consultation commenced on the 14th November 2017.
19. Two objections have been received in response to the second round of resident consultation. The objection from Globe View Freehold Ltd has

been withdrawn on the proviso that should planning permission be granted, it would be subject to a condition that only allows refuse and recycling to be collected from Gardner's Lane and all other deliveries and servicing would take place from High Timber Street or Broken Wharf.

20. The main concerns raised in the first and second rounds of resident consultation are summarised in the table below.

Issue	Number of Objections
<p>Servicing – Servicing along Gardeners Lane would result in:</p> <ul style="list-style-type: none"> • Noise and disturbance. • Traffic Jams. Extra traffic cannot be accommodated. • Vehicles damaging Sir John Lyon house. • Pollution. • Safety issues (access for the fire brigade and there is no footway for pedestrians). • Vehicles blocking Sir John Lyon House residents' garages, resident entrances and access along Gardner's Lane. • There is an agreement between Broken Wharf and Sir John Lyon House. It allows Broken Wharf House to pass over the lane but is silent regarding any rights in respect of stopping, parking or unloading on that land. In consequence unless the residents of Sir John Lyon House grant such rights access for servicing from Gardner's Lane the application is not feasible in practical terms. 	21
<p>Residential Amenity in terms of:</p> <ul style="list-style-type: none"> • Noise and disturbance from the servicing arrangements, refuse collection, comings and goings of users of the apart hotel, people standing outside smoking and the potential for tables and chairs on the river walkway. • Overlooking, particularly from the roof terrace • Impact on security • Loss of light from roof alterations • The site is in a residential area. • The new entrance should be acoustically sealed with lobbied doors to prevent noise transmission. • Privacy screens should be provided in conjunction 	18

<p>with the terraces at roof level.</p> <ul style="list-style-type: none"> Noise levels from plant and extraction equipment should be controlled. 	
<p>Highway Impact – The proposal would generate:</p> <ul style="list-style-type: none"> Increased taxi drop offs which would cause congestion along Gardner's Lane and High Timber Street. Increased congestion during and after construction. 	16
<p>Design</p> <ul style="list-style-type: none"> The proposal makes no attempt to improve the appearance of the building or enhance the public realm. The scheme is not sustainable development. The scheme is too high density for the site. External alterations should be high quality. It should be ensured that disabled access is not via Gardner's Lane. 	5
<p>Principle</p> <ul style="list-style-type: none"> The City does not need any more hotel development. 	1

21. The views of other City of London departments have been considered in the preparation of this scheme and some detailed matters remain to be dealt with under conditions and the Section 106 agreement.
22. The Port of London Authority (PLA) have no objection in principle to the proposed development but have the following observations to make:
 - The proposed Travel Plan should be updated to include reference to river based transport in accordance with the PLAs Thames Vision (July 2016) and Transport for London's River Action Plan (February 2013).
 - Careful consideration should be given to any changes to existing external lighting to ensure it would not cause a hazard to river users or have a detrimental impact on river ecology.
23. The applicant has since updated the Travel Plan and details of any new lighting or alterations to existing external lighting would be required by condition.
24. The Environment Agency raises no objection to the application.

Policy Context

25. The development plan consists of the London Plan and the City of London Local Plan. The London Plan and Local Plan policies that are

most relevant to the consideration of this case are set out in Appendix A to this report.

26. There is relevant City of London and GLA supplementary planning guidance in respect of Planning Obligations, Sustainable Design and Construction and London Views Management Framework.
27. Government Guidance is contained in the National Planning Policy Framework (NPPF).

Considerations

28. The Corporation, in determining the planning application has the following main statutory duties to perform:-
 - to have regard to the provisions of the development plan, so far as material to the application and to any other material considerations. (Section 70 Town & Country Planning Act 1990);
 - to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
29. 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...’
30. It states at Paragraph 7 that sustainable development has an economic, social and environmental role.
31. In considering the planning application before you, account must be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
32. The principal issues in considering this application are:
 1. The extent to which the proposals comply with Government policy advice (NPPF).
 2. The extent to which the proposals comply with the relevant policies of the Development Plan.
 3. The loss of office use (5,216 sq.m).
 4. The loss of a potential residential use (36 units)
 5. The loss of flexible retail/office uses.
 6. The site’s suitability for an apart hotel.
 7. The impact of the external alterations on design and local and strategic views.
 8. Impact on residential amenity.
 9. Highway matters including servicing and parking.

10. Acceptability of the scheme in terms of sustainability and access.

Loss of a potential Residential Use (Class C3)

33. A residential permission has been implemented on the site, though the related building has not been constructed and residential use has not commenced.
34. The site is within the Queenhithe residential area as defined in the Local Plan. Policy DM21.2 seeks to prevent the loss of existing housing. Given that the housing on the site does not exist, Policy DM21.2 is not applicable. Nevertheless, the loss of potential housing has been considered.
35. The City's housing trajectory indicates that new housing provision is running ahead of the Local Plan target and will continue to be above the target throughout the Local Plan period. The loss of 36 units of permitted, but not existing, housing would not have an adverse impact.

Loss of office use (Class B1)

36. The existing lawful use of the site is offices and policy DM1.1 of the Local Plan is relevant. Local Plan policies CS1 and DM1.1 seek to protect office accommodation where it is suitable for long term viable office use and there are strong economic reasons why loss of that accommodation would be inappropriate. The Office Use Supplementary Planning Document (SPD) sets out detailed criteria for evaluating the long term viability of office accommodation and requires the submission of a viability appraisal in support of an application for change of use.
37. A viability assessment has been prepared by BNP Paribas for the applicant which considers four potential office development scenarios:
 - Major refurbishment of the existing office accommodation for a single occupier;
 - Major refurbishment of the existing office accommodation for multiple occupation;
 - Redevelopment of the building to provide new build office accommodation for a single occupier;
 - Redevelopment of the building to provide new build office accommodation for multiple occupation.
38. The BNP Paribas appraisal has been prepared using an industry standard Argus Developer tool, which compares the estimated value of office development with development costs (including land value, construction costs, infrastructure costs, professional fees and required planning contributions), to derive an estimate of potential profit from the development. This potential profit is then compared with a benchmark profit assumption for the type of development and location. If the potential profit is significantly below the benchmark, then the scheme is considered to be unviable and unlikely to proceed. For this appraisal a

benchmark profit assumption of 20% on cost has been assumed. A key element in any viability assessment is the assumed land value. BNP Paribas considers that the appropriate land value for this site is J24 million, reflecting the implemented residential permission, which has the benefit of a CLUED and could be built out at any time. Overall, BNP Paribas conclude that none of the potential development scenarios would generate a positive return for a developer, with potential losses ranging from -23% for refurbishment as office for single occupation to -10% for redevelopment to provide new office accommodation for multiple occupation.

39. The City Corporation appointed Gerald Eve as independent consultants to undertake a review of the BNP Paribas viability appraisal. Their assessment has been undertaken in line with RICS Guidance 'Financial Viability and Planning' (2012) and having regard to national, London-wide and City of London planning policy. Both the BNP Paribas assessment and Gerald Eve's review are available on the City Corporation's website.
40. In considering the applicant's viability assumptions, Gerald Eve have had regard to their experience in the City market and commissioned advice on construction costs from an external consultancy. This has resulted in a number of variations in inputs to the viability models from those proposed by BNP Paribas, including marginally higher assumptions for office rental values, higher assumptions for build cost for all 4 scenarios, a reduction in the length of the construction programme for refurbishment scenarios and a lower allowance for professional fees. Gerald Eve consider that the benchmark return for refurbishment should be lower at 17.5%. In terms of an appropriate land value, Gerald Eve have reviewed the BNP Paribas assessment and concluded that an appropriate land value would be J20 million, 16.7% below that assumed by BNP. Gerald Eve comment that both their assessment and the BNP Paribas assessment are significantly below comparable residential transactions in the City, which exceed J30 million.
41. Using revised assumptions, including the lower land value, Gerald Eve have re-run the viability appraisals for the 4 scenarios tested by BNP Paribas. Those indicate that the potential profit on cost for the refurbishment options would be negative at -8.2% for single occupation and -0.1% for multiple occupation, both substantially below the target return of 17.5%. For the new build scenarios, the returns would be -7% for single occupation and +1.2% for multiple occupation, against the target return of 20%.
42. To further test the robustness of the review findings, Gerald Eve have undertaken sensitivity analysis of the 2 multiple occupation development scenarios, as these generate the highest returns in the original analysis, varying rental values and construction costs. In both cases, even with a 10% increase in rental value and a 10% reduction in build costs, neither scenarios generate the target level of developer return.

43. On the basis of the review undertaken by Gerald Eve, including the sensitivity analysis, none of the office development scenarios tested by BNP Paribas for the applicant would generate a sufficient return to a developer to enable the building to be retained or redeveloped for office use. The loss of office accommodation at Broken Wharf House is therefore acceptable in principle under the provisions of Local Plan policies CS1 and DM1.1.

Loss of flexible potential retail and office space (Class A1, A2, A3 or B1)

44. The extant 2012 permission would provide 190sq.m of flexible office or retail use at ground floor level. The potential loss of this space is a material consideration although the permission did not guarantee the use.
45. The site is not within a Principal Shopping Centre or along a Retail Link as defined by the Local Plan. Policy DM20.3 seeks to resist the loss of isolated retail units outside PSCs and Retail Links that form an active retail frontage particularly A1 units near residential areas unless it is demonstrated that they are no longer needed.
46. The proposed apart hotel would provide 245sq.m of ancillary workspace and meeting rooms and 204sq.m of ancillary restaurant space. Although primarily for guests of the apart hotel they would be available for use by non-guests. Such activity would contribute to enlivening the ground floor of the building. The provision and retention, of such space would be controlled by condition.

The Provision of an Apart Hotel with ancillary facilities (Class C1)

47. Policy DM11.3 of the Local Plan states that apart hotel accommodation will only be permitted where it would not prejudice the primary business function of the City; contribute to the balance and mix of uses in the locality; not have an adverse impact on amenity and be inclusive. The policy further notes that satisfactory arrangements must be provided for pick-up/drop off, service delivery vehicles and coaches. Impact on amenity, inclusive design and highway matters are dealt with in subsequent sections of the report.
48. The proposed use would support the function and needs of the business City and provide a service for businesses and workers in accordance with policy DM11.3.
49. The applicant states that the proposed apart hotel would be operated by SACO under their "Locke" brand which seeks to provide high quality accommodation alongside a high quality food and beverage offer and co-working and meeting space. It would be aimed at new corporates particularly within the TMT and FinTech sectors and would be designed to support businesses within the City.
50. SACO has confirmed that they target business travellers as opposed to tourists. In terms of usage across SACO's existing sites some 48% of its rooms are booked for business purposes through business agents such as travel management companies and corporate relocation specialists. A further 27% of rooms are booked for business purposes direct from

businesses. Of the remaining 25% of bookings that are taken directly or through booking platforms it is estimated that half are for business purposes. SACO holds accounts with a range of businesses including Deloitte and PwC. They have an existing premises on Cannon Street that runs at over 90% occupancy.

51. Conditions are recommended that require the submission of an Operational Management Plan in order to ensure that the management of the premises accords with these statements regardless of the occupier.

Design

52. Broken Wharf House was designed by David Lockhart Smith and dates from 1974. It features curved facades clad in brick and glass. The building occupies a prominent location on the river front.
53. The proposed roof extensions would match the appearance of the existing roof level in terms of scale, materials, window design and proportions. The new double height glazing and glazed enclosure with green roof at ground floor level would update the lower levels of the building. The detailed design of the new ground floor fire doors and entrance to the restaurant is required by condition.
54. The platform lift would be largely concealed within an existing recess on High Timber Street and it would not detract from the appearance of the building or the locality. The details of the lift would be required by condition.
55. The alterations are acceptable in design terms in accordance with policies CS10 and DM10.1 of the Local Plan which seek to ensure that alterations to existing buildings are of a high standard to avoid harm to the townscape.

Impact on Views

Local Views

56. The proposed roof alterations would not breach the St Paul's Heights development plane in accordance with policy CS13 of the Local Plan. Local views of St Paul's Cathedral and the towers of St Nicholas Cole Abbey and St Mary Somerset would not be adversely affected by the proposals.
57. The site lies within View 4 (West to Waterloo Bridge and Victoria Embankment) of the Monument Views as defined by the Core Strategy. The proposal would not impact upon this view from the Monument and is considered acceptable.

London View Management Framework (LVMF) Views

58. The site falls within the Background Assessment Areas for three of the Mayor's Protected Vistas, Alexandra Palace, Kenwood and Parliament Hill. The threshold planes for these three views would not be breached by the roof alterations and the development would not adversely impact upon the protected vistas.

59. The alterations would have minimal impact on local and longer distance views across and along the river, including the Mayor's river prospect views.
60. The proposals are therefore in accordance with policy CS13 of the Local Plan and the Mayors LVMF supplementary planning guidance which seek to protect and enhance significant City and London views of important buildings, townscape and skylines.

Impact on Residential Amenity

61. Policy DM21.3 of the Local Plan seeks to protect residential amenity. Concerns have been expressed regarding residential amenity.

Noise and Disturbance

62. The applicant states that the proposed apartments are intended for 'extended stay' guests. This would contribute towards reducing the number of comings and goings generated compared to hotels where guests stay for shorter periods. The applicant has advised that in the SACO Cannon Street apartments, guests stay for an average of 20 nights and in the SACO Lemn Locke apartments guests stay for an average of 10 nights. The proposed development is not designed for multi occupancy and SACO do not accept group bookings such as 'stag and hen dos'. In the event of a different operator using the site the Operational Management Plan and Delivery and Servicing Management Plan would be applicable.
63. Paragraph 3.21.15 of the Local Plan acknowledges that the City is predominantly a centre of business with activity taking place 24 hours a day, seven days of the week and that this can sometimes cause disturbance to residents. It further notes that while the City Corporation will endeavour to minimise noise and other disturbance to residents it is inevitable that living in such a densely built-up area will result in some disturbance from a variety of sources.
64. The applicant has submitted a draft Operational Management Plan which includes details of how the premises would be managed to minimise any potential noise and disturbance. For example, the building would be manned 24/7 and the front of house team would have responsibility for conducting regular patrols of the building to prevent littering, loitering, smoking and drinking outside the premises and people causing noise. A condition is recommended that requires the submission of a final Operational Management Plan.

Overlooking

65. The roof of the building would only be accessible for maintenance purposes. Roof terraces are not proposed.
66. To reduce potential overlooking between Broken Wharf House and Sir John Lyon House on the south side of the building selected glazing would be replaced with fritted glass.
67. Paragraph 3.21.16 of the Local Plan notes that "The avoidance of overlooking of residential accommodation is a consideration in the

design and layout of both new residential buildings and other development. However due to the density of development in the City avoidance of overlooking may not always be possible”.

68. Similar to a residential use, the occupants of the apart hotel are likely to seek privacy and as such the proposed apart hotel would be likely to lead to less overlooking of residents than the previous office use.

Daylight, Sunlight and Overshadowing

69. Policy DM10.7 of the Local Plan seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels taking account of the Building Research Establishment’s guidelines.
70. A daylight and sunlight assessment has been submitted which assesses the impact of the development on Norfolk House to the west of the site. The survey demonstrates that the proposal would be BRE compliant.

Transport, Servicing & Parking

Deliveries and Servicing

71. A new servicing entrance would be formed on High Timber Street. A platform lift would be installed adjacent to a set of existing double doors, which would allow goods to be brought up to pavement level. All linen deliveries and general supplies would be taken from this entrance via 8 metre box vans which would stop on the highway. The applicant envisages a daily maximum of three deliveries and this is considered realistic provided that there is careful management of the hotel’s supply chains.
72. A booking system would be used to ensure that only one van was delivering to High Timber Street at any one time and that any goods vehicles that were not booked in would be turned away. Courier deliveries would be accepted from the front of house via Broken Wharf.
73. An approved delivery and servicing plan would be required by condition. It would be required to prohibit the acceptance of any deliveries from unbooked goods vehicles and prohibiting the acceptance of any deliveries between 7.00 a.m. and 9.00 a.m. from Monday to Friday to reduce the potential for congestion. Compliance with the plan would be a requirement.
74. It is anticipated that refuse would be collected from a store off Gardner’s Lane four times a week by a private contractor. Objections regarding the applicants’ right to service from Gardner’s Lane are summarised at paragraph 22 and are attached. The objections were submitted in response to the first round of consultation. The servicing arrangement has since been revised to the arrangement set out in this report.
75. The applicant has carried out a health and safety assessment in respect of use of Gardner’s Lane and sought legal advice on its status. The opinion considers that vehicles associated with Broken Wharf House can pass and load/unload on the land. These are private rights which are not within the remit of the local planning authority. The legal opinion

indicates that there is a reasonable probability that the servicing requirements can be complied with such that the development can proceed.

76. The London Fire Brigade have been consulted on the proposal and do not consider that additional vehicle trips on Gardner's Lane would impede fire fighting operations.

Officers are satisfied that with appropriate management the servicing and refuse storage arrangements are acceptable and in compliance with policy DM16.5 of the Local Plan.

Pick Up and Drop Off and Car and Motor Cycle Parking

77. Taxi pick up and drop off to Broken Wharf House would be immediately outside the front entrance on Broken Wharf and this is not likely to result in traffic congestion. The management of taxis would be covered under the Operational Management Plan.
78. No car parking or motor cycle parking is proposed which meets the City's objectives to reduce traffic congestion and road dangers and to improve air quality.

Cycle Parking

79. The London Plan requires that a minimum of 6 long-stay and a minimum of 3 short-stay cycle parking spaces are provided for a 113-room apart hotel. Nine cycle parking spaces would be provided on site for guests and staff.

Energy and Sustainability

80. Policy CS15 of the Local Plan requires all developments to demonstrate the highest feasible and viable sustainability standards in the design, construction, operation and "end of life" phases of development. It seeks to avoid demolition through the reuse of existing buildings or their main structures.
81. The proposal would involve the re-use of the existing building on the site and would improve its sustainability and environmental performance through the use of energy efficiency measures, CHP for the generation of domestic hot water and air source heat pumps for space heating and cooling. It is anticipated that the proposed measures would result in a reduction in regulated CO2 emissions of approximately 61.9% against the existing building baseline.

Access

82. Local Plan Policy DM 10.8 Access and Inclusive Design requires developments to meet the highest standards of accessibility and inclusive design. The proposed development would provide level access via the main entrances.
83. 10% of the apart hotel units would be accessible for people with disabilities, which would be required by condition. 5% of the rooms would be wheelchair accessible and 5% would be adaptable.

84. A condition is included requiring the submission of an accessibility management plan prior to the occupation of the hotel including details of the availability of accessible off-site parking and accessible drop off and collection arrangements for disabled visitors given that accessible on-site parking would not be provided.

Planning Obligations and Community Infrastructure Levy

CIL

85. The increase in floorspace would result in payment of the Community Infrastructure Levy (CIL) to help fund the provision of infrastructure in the City of London and Crossrail.
86. The CIL levy sought is in accordance with Supplementary Planning Documents (SPDs) adopted by the Mayor of London and the City and are set out below.

Mayoral CIL

Liability in accordance with the Mayor of London's policies	Liability *	Forwarded to the Mayor	City's charge for administration and monitoring
Mayoral Community Infrastructure Levy payable	5,330	5,117	213

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

City CIL

Liability in accordance with the City of London's policies	Contribution	Available for allocation	Retained for administration and monitoring
City CIL	7,995	7,595	400

City's Planning Obligations

87. The uplift in floorspace is calculated in accordance with the City's Planning Obligations SPD. The uplift of 106sq m, would not trigger the City financial planning obligations therefore, contributions are not sought in this case.

Conclusions

88. The use of the site for offices has been shown to be not viable. The loss of 36 potential apartments would not have a detrimental impact on the City's housing trajectory. The proposed apart hotel would support the business function of the City. The loss of potential flexible retail/office use would be compensated for by the provision of ancillary retail space and work space within the apart hotel.

89. The matters raised by residents have been given careful consideration. The submitted daylight and sunlight survey shows that the development would be BRE compliant. An Operational Management Plan would be required by condition to ensure that the premises would be managed to have minimal impact on local residents.
90. The amended servicing arrangements are satisfactory. The Delivery and Servicing Plan would require the servicing of the site to be properly managed.
91. The scheme satisfies access and sustainability requirements and is of a satisfactory design.

Background Papers

Internal

07.08.2017 Memo Department of Markets and Consumer Protection

16.08.2017 Email Department of Markets and Consumer Protection

External

Existing and Demolition Drawing Numbers: 7611 L(26)01 rev. A; 7611 L(26)02 rev. B; 7611 L(26)03 rev. B; 7611 L(26)04 rev. B; 7611 L(26)05 rev. A; 7611 L(26)06 rev. A; 7611 L(26)07 rev. A; 7611 L(26)08 rev. B; 7611 L(26)09 rev. A; 7611 L(26)10 rev. B; 7611 L(26)11 rev. A; 7611 L(26)12 rev. A; 7611 L(26)13 rev. A; 7611 L(26)14 rev. A; 7611 L(20)15 rev. A; 7611 L(20)15 rev. A; 7611 L(20)16 rev. A; 7611 L(20)17 rev. A; 7611 L(20)18 rev. A; 7611 L(20)19 rev. A; 7611 L(20)20 rev. A; 7611 L(20)21 rev. A; 7611 L(20)22 rev. A; 7611 L(20)23 rev. A; 7611 L(90) 04

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09.09.2017 Email Ms Claire Durkin

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Appendix A

London Plan Policies

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

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

Policy 2.12 Identify, protect and enhance predominantly residential neighbourhoods within CAZ and develop sensitive mixed use policies to ensure that housing does not compromise CAZ strategic functions elsewhere in the zone.

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 will enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners.

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

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

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

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

Policy 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 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 7.5 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 7.12 New development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements identified in the London View Management Framework. It should also, where possible, preserve viewers' ability to recognise and to appreciate Strategically Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated Viewing Places.

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

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

Relevant Local Plan Policies

CS1 Provide additional offices

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

DM1.1 Protection of office accommodation

To refuse the loss of existing (B1) office accommodation to other uses where the building or its site is considered to be suitable for long-term viable office use and there are strong economic reasons why the loss would be inappropriate. Losses would be inappropriate for any of the following reasons:

- a) prejudicing the primary business function of the City;
- b) jeopardising the future assembly and delivery of large office development sites;
- c) removing existing stock for which there is demand in the office market or long term viable need;
- d) introducing uses that adversely affect the existing beneficial mix of commercial uses.

CS4 Seek planning contributions

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

CS9 Meet challenges of Thames/Riverside

To ensure that the City capitalises on its unique riverside location, sustaining the river's functional uses in transport, navigation and recreation, whilst minimising risks to the City's communities from flooding.

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.

DM10.7 Daylight and sunlight

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

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

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

DM10.8 Access and inclusive design

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

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

CS11 Allow hotels in suitable locations

To maintain and enhance the City's contribution to London's world-class cultural status and to enable the City's communities to access a range of arts, heritage and cultural experiences, in accordance with the City Corporation's Destination Strategy by (inter alia) allowing hotels that support the primary business or cultural role and refusing hotels where they would compromise the City's business function.

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.

DM11.3 Hotels

Proposals for new hotel and apart-hotel accommodation will only be permitted where they:

- a) do not prejudice the primary business function of the City;
- b) are not contrary to policy DM1.1;
- c) contribute to the balance and mix of uses in the immediate locality;
- d) do not result in adverse impacts on the amenity of neighbouring occupiers, including cumulative impacts;
- e) provide satisfactory arrangements for pick-up/drop-off, service delivery vehicles and coaches, appropriate to the size and nature of the hotel or apart-hotel;
- f) are inclusive, providing at least 10% of hotel rooms to wheelchair-accessible standards;
- g) ensure continuing beneficial use for historic buildings, where appropriate.

CS13 Protect/enhance significant views

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

CS15 Creation of sustainable development

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

CS16 Improving transport and travel

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

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.

CS17 Minimising and managing waste

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

DM17.1 Provision for waste

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

DM20.3 Retail uses elsewhere

To resist the loss of isolated and small groups of retail units outside the PSCs and Retail Links that form an active retail frontage, particularly A1 units near residential areas, unless it is demonstrated that they are no longer needed.

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.

DM21.2 Loss of housing

The net loss of existing housing units will not be allowed except where:

- a) they provide poor amenity to residents which cannot be improved;
- b) they do not have a separate entrance;
- c) large scale office development would be prejudiced by the retention of isolated residential units.

DM21.3 Residential environment

1. The amenity of existing residents within identified residential areas will be protected by:

- a) resisting other uses which would cause undue noise disturbance, fumes and smells and vehicle or pedestrian movements likely to cause disturbance;
- b) requiring new development near existing dwellings to demonstrate adequate mitigation measures to address detrimental impact.

2. Noise-generating uses should be sited away from residential uses, where possible. Where residential and other uses are located within the same development or area, adequate noise mitigation measures must be provided and, where required, planning conditions will be imposed to protect residential amenity.

3. All development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential accommodation.

4. All new residential development proposals must demonstrate how potential adverse noise impacts on and between dwellings will be mitigated by housing layout, design and materials.

5. The cumulative impact of individual developments on the amenity of existing residents will be considered.

SCHEDULE

APPLICATION: 17/00712/FULL

Broken Wharf House 2 Broken Wharf London, EC4

Change of use to create an apart-hotel (Use Class C1, 113 units) with ancillary gym, workspace and restaurant. Works to existing building to include conversion, extension to infill at ground floor to create new façade and entrance (46 sq.m), extension at sixth floor to extend roof level accommodation (60sq.m) and the insertion of a platform lift on High Timber Street.

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 Works shall not begin until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the development process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme.
REASON: To protect the amenities of nearby residents and commercial occupiers in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3. These details are required prior to any work commencing in order that the impact on amenities is minimised from the time that development starts.
- 3 Details of facilities and methods to accommodate and manage all freight vehicle movements to and from the site during the building works 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 construction shall be

carried out other than in accordance with the approved details and methods.

REASON: To ensure that the 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.

- 4 Refuse storage and collection facilities shall:(a) be provided within the curtilage of the site to serve each part of the development in accordance with details which must be submitted to and approved in writing by the Local Planning Authority prior to work commencing; and(b) thereafter be maintained as approved throughout the life of the building.

REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1. 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.

- 5 No construction works shall begin until plans and details of the extent of the ancillary restaurant and workspace have been submitted to the Local Planning Authority and approved in writing. The area shown on the approved plans and details for the ancillary restaurant area and workspace shall be laid out, provided and retained in accordance with the approved details and shall be so retained thereafter for the life of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the loss of retail and office space is compensated for in accordance with the following policies of the Local Plan: DM1.1 and DM20.3.

- 6 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 and so retained thereafter for the life of the building:

(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 new windows;

(c) details of any new external lighting;

(d) details of any new hand rails;

(e) details of the new ground floor windows and entrances; and

(f) details of the new platform lift

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1 and DM21.3.

- 7 Before any works thereby affected are begun, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the ancillary restaurant use. Flues must terminate at an agreed location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. The details approved must be implemented before the ancillary restaurant use takes place and so retained thereafter for the life of the building. REASON: In order to protect residential/commercial amenities in and around the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 8 The operation of the premises shall not take place until an Operational Management Plan has been submitted to and approved by the local planning authority detailing:
1. The duties of the staff employed at the premises to discourage, noise, disturbance and anti-social behaviour;
 2. A smoking control scheme relating to the supervision and/or control of any smoking patrons outside the premises;
 3. A dispersal scheme relating to the dispersal of patrons leaving the premises after 22:00;
 4. The management of taxis;
 5. Restrictions to exclude coach parties; and
 6. The circumstances and time periods, which trigger the need for a review of the operational management plan.
- The premises shall not be operated or occupied at any time other than in accordance with the Operational Management Plan.
REASON: To ensure the good management of the venue to protect residential amenity and to ensure compliance with the following policies of the Local Plan: DM15.7 and DM21.3.
- 9 At least 5% of the hotel rooms shall be wheelchair accessible and a further 5% shall be designed to be adaptable for wheelchair accessibility and all such rooms shall be so 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: CS10.
- 10 Prior to the occupation of the hotel an Accessibility Management Plan shall be submitted to and approved by the Local Planning Authority including details of access for disabled visitors to the building. Such provision shall thereafter be operated in accordance with the approved Accessibility management Plan (or any amended Accessibility Management Plan that may be approved by the Local Planning Authority) for the life of the building.
REASON: To ensure that adequate access arrangements are made for disabled users of the hotel in accordance with the following policies of the Core Strategy: CS10; CS11.

- 11 Details of a Servicing Management Plan demonstrating the arrangements for control of the arrival and departure of all vehicles servicing the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The Servicing Management Plan shall include the following: (i) prohibition of the use of Gardner's lane for servicing save for such collection of refuse/recycling as may be specified and agreed, and (ii) specify arrangements for all other deliveries and servicing to take place from High Timber Street and Broken Wharf. Thereafter the building and its facilities shall not be occupied or operated other than in accordance with the approved Servicing Management Plan (or any amended Servicing Management Plan that may be approved from time to time by the Local Planning Authority) for the life of the building.
REASON: To ensure that the development does not have an adverse impact on the free flow of traffic in surrounding streets in accordance with the following policy of the Local Plan: DM16.1.
- 12 (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.
(b) Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.
(c) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.
REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 13 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.
- 14 No doors, gates or windows at ground floor level shall open over the public highway.
REASON: In the interests of public safety

- 15 No live or recorded music that can be heard outside the premises shall be played.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 16 No part of the roof areas shall be used or accessed by occupiers of the building, other than in the case of emergency or for maintenance purposes.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 17 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.
- 18 Changing facilities and showers shall be provided for staff in conjunction with the bicycle parking and maintained throughout the life of the building for the use of occupiers of the building in accordance with the approved plans.
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
- 19 a. No CHP plant in the thermal input range 50kWth to 20MWth with NOx emissions exceeding that specified in Band B of Appendix 7 to the GLA Sustainable Design and Construction Supplementary Planning Guidance published April 2014 (or any updates thereof) shall at any time be installed in the building.
b. Prior to any CHP plant coming into operation the following details must be submitted to and approved in writing by the Local Planning Authority:
1. The results of an emissions test demonstrating compliance with Part A of this condition and stack discharge velocity carried out by an accredited laboratory/competent person; and
2. An equipment maintenance schedule demonstrating that the emission standard would always be met.
c. The CHP plant shall at all times be maintained in accordance with the approved schedule.
REASON: To comply with policy DM15.6 of the Local Plan and policies 7.14B a and c of the London Plan.

- 20 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, or as detailed in the air quality assessment, whichever is higher, in order to ensure maximum dispersion of pollutants.
REASON: In order to ensure that the proposed development does not have a detrimental impact on surrounding occupiers 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.
- 21 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.
- 22 No CHP with NO_x emissions exceeding 50mgNm³ at 5% O₂ (dry gas) 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.
- 23 No servicing of the premises shall be carried out between the hours of 19:00 on one day and 09:00 on the following day from Monday to Saturday and between 19:00 on Saturday and 09:00 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.
- 24 The ancillary restaurant use hereby permitted shall not be open to non-residents between the hours of (23:00) on one day and (07:00) on the following day.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 25 Customers of the ancillary restaurant must not be allowed to spill out on to Broken Wharf for any purpose other than emergency access at any time for the life of the building.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

- 26 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 9 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.
- 27 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: 7611 L(90)01; 7611 L(90) 02; 7611 L(90) 03 rev. C; 7611 L(20)01 rev.G; 7611 L(20) 02 rev.J; 7611 L(20)03 rev.K; 7611 L(20)04 rev.J; 7611 L(20)05 rev.H; 7611 L(20)06 rev.H; 7611 L(20)07 rev.H; 7611 L(20)08 rev.G; 7611 L(20)09 rev.D; 7611 L(20)10 rev.F; 7611 L(20)11 rev.H; 7611 L(20)12 rev.B; 7611 L(20)13 rev.B; 7611 L(20)14 rev.B; 7611 A(21)01 rev. E; 7611 A (21) 02 rev. B; 7611 A(21) 03 rev. D; 7611 A(21) 04 rev. B; 7611 A(21) 05; 7611 A (21) 06.
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 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.

- 3 This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the <watercourse>, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.