



Planning Applications Sub-Committee

ADDENDUM 2

Date: TUESDAY, 10 SEPTEMBER 2024
Time: 10.30 am
Venue: LIVERY HALL - GUILDHALL

4. **45 BEECH STREET, LONDON, EC2Y 8AD**
Report of the Director of Planning & Development.

For Decision
(Pages 5 - 14)

5. **CITY OF LONDON SCHOOL FOR GIRLS, ST GILES' TERRACE, BARBICAN,
LONDON, EC2Y 8BB**
Report of the Planning & Development Director.

For Decision
(Pages 15 - 20)

Ian Thomas CBE
Town Clerk and Chief Executive

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Addendum #2 to 45 Beech Street Committee Report

45 Beech Street

Representations

An additional late representation was received from a member of the public since the publication of the first Addendum (published on 6 September 2024). The representation is appended in full to this addendum.

Issues raised include fire safety; the possibility of road closures resulting from the Barbican, Bunhill and Golden Lane Healthy Neighbourhood Plan and how this would impact servicing of the development; suitability of the location for a café; number of tenants per room; affordable housing payment in lieu query; loss of office query; embodied carbon of the proposed roof design; design and heritage impact assessment queries; noise and disturbance from refuse collection arrangements. Spelling, grammar and stylistic issues have been raised.

Fire Safety

Fire safety is addressed in the report from paragraph 297. For clarity as the work is for a “Higher Risk Building” as defined by Building Safety Act 2022, the approving authority is the Building Safety Regulator and the proposal will need to go through Gateways 2 & 3 for approval. The proposals under Gateway 1 have been agreed by the Health and Safety Executive / Building Safety Regulator, in relation to land use to the extent it affects land use planning considerations. However, they have also given a steer on a number of items that the design team will need demonstrate compliance to gain approval at these stages.

For accessible units, the evacuation strategy must demonstrate adequate means of escape and the design team will need to fully demonstrate adequate Means of escape at Gateway 2. The comments by the HSE will need to be addressed before Gateway 2 when the applicant submits to the Building Safety Regulator.

As per the conclusion of the committee report the proposal is considered to be acceptable with regards to fire safety for the purposes of the current planning application.

Impact of possible road closures resulting from the Barbican, Bunhill and Golden Lane Healthy Neighbourhood Plan on servicing

Delivery and servicing is to be secured by condition 40. Officers can only consider the situation as it is now when determining the acceptability of the proposed servicing arrangements, and as this is conditioned it is subject to change at later design stages. Should the mentioned road closures become a reality before this condition is discharged, then alternative delivery arrangements would need to be considered and agreed between transport officers and the developer.

Number of tenants per room

Paragraph 116 of the report confirms there would be an obligation within the Section 106 agreement to ensure each room could only be occupied by a single tenant. This would be secured under the Co-Living Accommodation (Operational Management Plan Head of Terms).

Affordable Housing

The affordable housing issues are addressed in full in the officer report from paragraph 129. The proposal is policy compliant in this respect, and this element of the application has been reviewed by a third party.

Loss of office

The loss of the existing office floorspace is addressed from paragraph 60 of the report and is considered acceptable.

Embodied carbon in roof

The overall whole life-cycle carbon emission impact of the development is considered to be acceptable, as discussed from paragraph 154. The roof design is considered to be acceptable as discussed from paragraph 252.

Design

Officers have responded to the design points raised by the objector below, and numbered these to correspond with the objector's letter (refer to appendix for full objection):

No. 5

The café would add animation to the ground floor corner of the building, and through additional clear glazing, make it feel more welcoming and open, thereby enhancing the character of this section of the tunnel, which is a key pedestrian route.

No. 11

Officers have addressed the impact of the development in terms of carbon within paragraphs 182-184 of the report.

The contribution of the roofscape to the building, its local townscape, and its impact on surrounding designated and non-designated heritage assets is set out within paragraphs 220-223 and 252 of the report. Officers conclude that the proposals would comply with Local Plan Policies CS10 and DM10.1, Draft City Plan Policy S8, DE2, HL1, and London Plan Policy D3, and paragraphs 135 and 137 of the NPPF.

No. 14

The proposed extensions would result in a building of an *equivalent*, or *commensurate*, height and scale to its neighbours, including Bryer Court, Ben Jonson House and Bridgewater House. Overall, as concluded in paragraph 230, the proposal would be compatible with the existing context.

No.17

The Historic England criteria for identifying non-designated heritage assets (within Advice Note 7 on Local Heritage Listing) are identified within paragraph 236 of the report. An assessment of the existing building against these criteria is found within paragraphs 237-241 of the report.

No. 18

Officers have made a full assessment of the design of the roofscape and its impact on the relationship to the Barbican, against design and heritage Policies CS10.3 and CS12.1, through paragraphs 201 – 269 of the report. A full heritage and townscape and visual impact assessment has been produced, which illustrates the visibility of the proposals, and the relationship of the proposed development to neighbouring buildings. Officers do not consider the proposals to result in any harm to nearby Listed buildings and conclude that the design of the building, and its roofscape is acceptable.

No.20

Officers do not consider Bridgewater House to be of sufficient interest to be identified as a Non-designated heritage asset, as discussed in paragraph 268 of the report.

Noise and disturbance from refuse collection arrangements

Final details of the refuse and recycling conditions would be secured by Condition 38 and this would include details of moving the bins from the storage to the collection area. Officers would have to assess the details prior to approval, and would consider amenity impacts as part of this. Officers would not expect the bins to be moved from the storage to the collection area during unsociable hours, and details of timings would be expected to be submitted in support of Condition 38.

Daylight and sunlight

The submitted daylight and sunlight assessment has been independently reviewed by BRE as noted at paragraph 411. Breton House has not been included in the assessment as, due to its significant distance away from the host property, there would not be any impact to daylight or sunlight to this property.

Air Quality

As confirmed from paragraph 433, the air quality officer has been consulted and confirmed the proposal to be acceptable with regard to its impact upon air quality.

Conditions

It has been noticed that Rain and Greywater Harvesting Condition has been duplicated at Condition 4 and Condition 17. Condition 17 is deleted. The reason for condition 4 is amended to read:

REASON: To assist the environmental sustainability of the development and reduce flood risk by reducing potable water demands and water run-off, and its resilience and adaptation to climate change in accordance with the following policies of the Local Plan: CS18; CS15, DM15.1, DM15.5 and Draft City Plan 2040: DE3.

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Gwyn Richards
Director of Planning and Development
Environment Department
City of London Corporation
[REDACTED]

08 September 2024

Dear Mr Richards,

RE: 24/00176/FULL: Partial demolition, extension and change of use of existing office building to co-living accommodation with associated internal and external amenity spaces (sui generis) including cycle storage, landscaping, servicing and all other associated works. Please note this is a re-consultation following the submission of amendments comprising the following: - Addition of an accessible car parking space within the courtyard; and - Addition of a flue to the courtyard elevation, serving an emergency generator (“the Application”)

I read your report to the Sub-Committee after watching the live presentation of the second Grenfell Tower Inquiry Report. That, of course, made salutary viewing which should now be resonating around Guildhall.

In the light of the Inquiry’s recommendations, what guarantee is there that the Application and other applications, whether determined or in the “pipeline” don’t fall foul of any of those recommendations? Certainly, we know that there are significant problems with City Corporation’s HRA Black Raven Court – still unoccupied after planning permission was granted in 2018.

As you know, Black Raven Court is a multi-storey City residential tower adjoining the Golden Lane Estate but located in LB Islington. Even though consented after the Grenfell disaster and despite City Corporation’s former Town Clerk and Chief Executive, John Barradell, leading the aftermath response, that building only has one stairwell.

Building Research Establishment (BRE), whose daylight and sunlight guidelines have caused much distress and discomfort to City Corporation’s inconsiderate residents, features in the Inquiry Report. Below is an extract from The Guardian website on 04 September:

The Building Research Establishment, a now-privatised former government facility that runs full-scale fire tests, was involved in checking the insulation provided by Celotex and Kingspan. But the inquiry concluded its work on fire-testing walls had been “marred by unprofessional conduct, inadequate practices, a lack of effective oversight, poor reporting and a lack of scientific rigour”.

Its weaknesses “exposed it to the risk of manipulation by unscrupulous product manufacturers”, the inquiry found.

As far as fire safety is concerned, I appreciate that the consultants, Artec Fire, may well meet all the requirements of the Inquiry’s relevant recommendations, as well might HSE. In this respect, the location of the accessible flats in relation to the stair wells on each floor is concerning. It may be the intention to provide flats with 60-minute fire resistance but will it be the case in practice?

Fire safety in residential blocks is paramount, so prudence would demand that consideration of the Application be delayed until an independent third-party assessment of the proposals has been obtained and, if necessary, acted upon.

In the absence of prudence, I have the following comments on your report:

1. It is, of course, “Ben Jonson” and not “Ben Johnson” as appears four times. There is also a lack of knowledge of the Barbican Estate, and not just the residential blocks. Reliance on *Barbican Living* for details of the Estate blocks is concerning, however accurate the information may be. Beech Gardens may extend along the frontage of 45 Beech Street but all of it is the pre-listing planting and not the recent, world-renowned, Nigel Dunnett scheme.
2. Spelling, grammar, style and confusion of the compass points permeate your report.
3. Bridgewater House is both referred to as such and 5-9 Bridgewater Square. The Cobalt Building is referred to as 10-15 Bridgewater Square though.
4. There is no mention of the possibility of permanent road closures and/or restrictions which will affect deliveries, cabs, accessibility and waste collection. Yet the Barbican, Bunhill and Golden Lane Healthy Neighbourhood Plan is a live issue. The Plan will significantly affect the arrangements referred to in paragraphs 314 to 318. As previously mentioned, there is no mention either of cabs, which many residents will use, let alone the effect on that use of the Plan.
5. Although your report acknowledges the *dark and hostile tunnel along Beech Street* (paragraph 212) you don't comment on that location's suitability for the Application's proposed café. That it would both front and open onto the tunnel doesn't appear to concern you. Ironically, potential road closures/restrictions would improve the attraction of a café but at the cost of the other services. To claim, though, that a café would be “welcome” (paragraph 216) needs either evidencing or forgetting.
6. The Application proposes 174 flats but there doesn't seem to be any requirement for single occupancy despite the proposed s106 single tenant restriction (paragraph 117). Indeed, visitors are acknowledged (paragraph 118) although the use of “guests” instead of “tenants” is confusing. It is unlikely that there would be 348 occupants at any one time but meeting the proposed rents may require two incomes.
7. As far as Affordable Housing (paragraphs 129 to 149) is concerned, although you may give a high level of weight to securing a cash in lieu payment of £8,510,568, is this best value for both City Corporation and/or those on its housing waiting list? At a weekly rent of £525, a 60% social housing rent would see a weekly discount of £210. For 35% of flats (61) over 20 years the total discount would be £13,320,400. At 20% affordable housing discount, the total would be £6,660,200.
8. As we await the committed delivery of 750 new social housing units in 18 months, the benefits of onsite affordable/social housing should not be ignored. The immediate need for units, as opposed to cash is apparent from both the length of City Corporation's housing waiting list and its unspent s106 “Affordable Housing Schemes Total” as at 31 March 2023, this was £68,815,349.60.
9. According to paragraph 150, *Considering the location, the loss of office use (Class E) is not considered to prejudice the primary business function of the City.* This is seemingly

at odds with your recommendation, on 02 November 2022, to approve 22/00202/FULMAJ:

87. The office floorspace is considered to be well-designed, flexible office accommodation in a well-considered and sustainable building, further consolidating the nationally significant cluster of economic activity in the City and contributing to its attractiveness as a world leading international financial and business centre. This amount of floorspace would contribute towards meeting the aims of the London Plan for the CAZ and supports the aims of the Local Plan policy CS1, and draft City Plan 2036 policy S4. The office accommodation in accordance with policy DM1.3 of the adopted Local Plan and policy OF1 of the Proposed Submission Draft City Plan 2036, would provide flexible office floorplates for workers which are designed to meet the needs of a wide range of potential occupiers. In all therefore, we're not expecting a substantial drop-off in the terms of the need to plan for substantial additional office capacity over the long term.

This, of course, referred to 1 Golden Lane, which is located less than 50 metres from 45 Beech Street. Some Members, who supported your recommendation, were even more vociferous in their support for more office accommodation in this area.

10. In paragraph 159 in respect of *Option 3*, you use “demolition” but in paragraph 160, you use “deconstruction” in reference to reuse of materials. However, from paragraph 161, it is not clear what is to be “demolished” and what is to be “deconstructed” but the former would appear to be landfill as opposed to the latter which would appear to be recycled.
11. Previously, I have referred to the additional embodied carbon in the unnecessary roof treatment but this isn't mentioned in your report. The fact that the Application proposes the retention of the bulk of the existing building, other than facades, should not mask the need to minimise additional embodied carbon emissions. Although paragraph 183 refers to carbon reduction measures, it doesn't include a more sustainable roof treatment. Something like the Architects' Clarendon Court development, although in the originally consented colour, would be more sustainable as well as being less overpowering and not insulting Chamberlin Powell & Bon's architecture.
12. There would seem to be an error in paragraph 185. You have mixed up your “kgs” and “ts”.
13. Perhaps the applicant could be encouraged to invest in the additional greening proposed in Phase 2 of the Barbican podium waterproofing project. Certainly, the occupants of 45 Beech Street whose flats are at or above podium level will all both enjoy and benefit from views of that project's additional planting and increased investment there would make up for the non-complying UGF (paragraphs 188 and 189).
14. According to paragraph 299, *the greatest alterations to bulk and massing come from the upward extension at level 06 increasing the height of the building to +50.0m AOD. Paragraph 210 asserts the total increase in bulk and scale of the building would therefore be moderate and maintain its commensurate scale with the neighbouring Barbican blocks and Bridgewater House to the North.* How can any unilateral increase in height maintain an existing scale? Using a flat roof would reduce the *moderate* even further, as well as being more sustainable.
15. Refusing to identify 45 Beech Street as an NDHA follows the refusal to incorporate 45 Beech Street and neighbouring buildings in the Barbican and Golden Lane

Conservation Area. The needs of developers being paramount as can be seen from the minutes of the P&TC meeting on 08 October 2018:

The Deputy Chairman stated that any redevelopment would have to consider the character of the adjoining Conservation area and that the importance of these buildings could therefore be recognised without having to necessarily include them within the proposed conservation area and adjust the boundaries.

A second Member stated that she also felt that it was a mistake not to include these buildings within the conservation area and proposed an amendment seeking to adjust the proposed boundaries to include these. Another Member seconded this proposal and it was put to the vote. 9 voted in favour of the amendment and 10 against with 2 abstentions.

Previously, at the P&TC meeting on 17 November 2017:

Other Members considered that it would be wrong to include the area given that future planning applications would be affected, and also that it would be wrong to seek the views of people who wouldn't be affected.

16. According to the Buildings of England, London 1: The City of London, page 284:

The part [of the Barbican] N of Beech Street lacks a central “lung” and is inconsequence less satisfactory. It's not helped by the intrusion between the slabs of the N side by Frank Scarlett's MURRAY HOUSE, completed 1958, a stone-faced and curtain-walled office block on Beech Street, begun before the N area was incorporated into the [Barbican] plan.

17. Paragraph 241 refers to the seven criteria **suggested** (my emphasis) by Historic England for identifying [NDHA]. What are the seven and what obligation is there on City Corporation to adhere to any of them? Certainly, there is little evidence that identification has either been made following those guidelines.
18. Your argument in support of the proposed roof treatment (paragraph 252) is illogical. The building is mainly viewed above Barbican podium level and between Ben Jonson House and Bryer Court. As such, it cannot *sit comfortably within the setting of the Barbican and not be a starkly different or distracting presence*. What is the point of the roof treatment then if it isn't an *“inappropriate pastiche of the original Barbican estate?”* Of course, the existence of 45 Beech Street prior to the Barbican didn't challenge the significance of the latter – in fact defining its extent in that location - but the proposed development must, to some extent, at least, do so (paragraph 254).
19. As mentioned in paragraph 15 above, the decision not to include 45 Beech Street in the Conservation Area was purely political.
20. The alleged positive effect of the proposed development on Bridgewater House should not be allowed to ignore the claim of that building to be identified as an NDHA. Your predecessor was confused by Bridgewater House, taking some time to accept the building's “beauty” was original but whether or not she accepted that the arched windows of Bridgewater House influenced the Barbican roof treatment and, consequently, the proposed development is lost in time.
21. The enthusiasm for the accessible parking space (paragraph 276) should be tempered by its likely obstruction, when occupied, of the ramp for trundling bins. As to how an EV charging point can be accessed while keeping the ramp clear of additional obstruction when occupied will be interesting to see.

22. The Application includes the provision of an additional accessible parking space in Bridgewater Square but it's surprising to note the comment in paragraph 276. As I've previously mentioned, the location of this space is too far from 45 Beech Street to be of actual benefit.
23. The bus stop – east – for the 153 is less than 40 metres along Beech Street (paragraph 307).
24. *Noise and disturbance* (paragraphs 365 to 370) fails to even acknowledge the intention to trundle bins up and down the ramp, let alone the potential noise nuisance from doing so. How do you intend to address this potential problem?
25. *Daylight and Sunlight Impact Assessment* (paragraphs 371 to 416) relies on BRE guidelines. As mentioned above, this requires independent third-party review. That aside, the absence of consideration of the effect of the proposed development on the southern part of the western side of Breton House is surprising. Despite paragraph 382 referring to the loss of sunlight to gardens and making specific reference to the planting to the north of Ben Jonson House, the fact that Breton House is on that site line has been completely ignored.
26. I appreciate that *Air Quality* (paragraphs 433 to 436) refers to the proposed development but you should be aware of the significant current increase in particulate readings in Beech Street according to the AirAware website. PM10 readings in particular, have been at or above the 40µg/m³ DEFRA guideline over the last week or so.

Best regards,

Fred Rodgers

100 Breton House, EC2Y 8PQ



Bridgewater House northern elevation



Bridgewater House eastern elevation



Breton House on the eastern site line

Addendum to City of London School for Girls Report – Planning Application Sub-Committee, 10th September 2024

City of London School for Girls - 23/01066/FULL and 23/00825/LBC

Regulation 64(2) Handling Note

A handling note in line with Regulation 64(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations (2017) has been produced alongside this application, in line with procedural requirements related to the City of London acting as both Local Planning Authority and as Applicant.

Further context is provided within the note, appended to this addendum.

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CITY OF LONDON CORPORATION

TEMPLATE FOR REGULATION 64(2) HANDLING NOTE

Application Reference: 23/01066/FULL and 23/00825/LBC

Site Address: City of London School For Girls St Giles' Terrace Barbican London EC2Y 8BB

- 1. Proposal “(the Proposal)”: Retrospective application for removal of 3 fume cupboard discharge flues and installation of 3 new extract flues to existing roof plant enclosure.**
- 2. Background**

2.1 Regulation 64(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (“the EIA Regulations”) requires that where a proposal for EIA development is brought forward by the City of London Corporation and the City of London Corporation will also be responsible for determining that application for planning permission, they must make appropriate administrative arrangements to ensure that there is a functional separation, when performing any duty under the EIA Regulations, between the persons bringing forward the proposal for development and the persons responsible for determining that proposal.

2.2 This note sets out the arrangements which must be adopted to ensure compliance with the EIA Regulations.

2.3 This note also applies to applications for planning permission for development which is not EIA development made by the City of London Corporation as applicant (the “Applicant/Promoter”) to the City of London Corporation as local planning authority (the “Local Planning Authority”).

3. Overarching Principles to be observed in handling the Proposal

3.1 The Local Planning Authority must assess the Proposal in the same way as if it was submitted by any other applicant. It will be assessed and determined solely on the material planning considerations, disregarding any financial or other benefits to the City of London Corporation as Applicant/Promoter. If more information is required it will be sought from the Applicant/Promoter notwithstanding potential delay or cost consequences for the Applicant/Promoter.

3.2 The Local Planning Authority function will be undertaken wholly independently of the Applicant/Promoter functions, acting impartially and objectively.

3.3 There will be no discussion or communication about the Proposal between the officers and members carrying out the Local Planning Authority function in respect of the Proposal and the officers and members carrying out the Applicant/Promoter functions in respect of the Proposal, other than formal communications appropriate to the application process such as would occur with any other third party.

3.4 No officer or member carrying out the Applicant/Promoter function in relation to the Proposal may give any instructions to or put any pressure whether direct or indirect upon any person acting or assisting in the discharge of the Local Planning Authority function.

4. Arrangements for handling the Proposal

4.1 Local Planning Authority Functions

4.1.1 Gwyn Richards (Planning and Development Director) is the lead officer responsible for undertaking the Local Planning Authority functions arising in respect of the determination of the planning application including pre-application advice.

He is (or has been) assisted by the following officer team:

Officer	Name
Case Officer	Kieran McCallum
Design Officer	Joanna Parker
Access Officer	N/A
Archaeology Officer	N/A
Sustainability Officer	N/A
Transportation Officer	N/A
Policy Officer	N/A
Strategic Transport	N/A
Culture Mile	N/A
Chief Planning Officer	Gwyn Richards
Assistant Director Planning Development	David Horkan
Public Realm	N/A
Legal	Fleur Francis

4.1.2 The Local Planning Authority officer team will report to the Planning and Transportation Committee [or any Sub-committee appointed by it for the purpose], which will be responsible for making the decision on the planning application.

4.1.3 No Member of the Committee (or Sub-committee) noted at paragraph 4.2.2 who has participated in any decision relating to the promotion of the Proposal should sit on Planning & Transportation Committee (nor any Sub-committee) when it is considering the planning application for the Proposal.

4.1.4 Members who are appointed to the Committee (or Sub-committee) noted at paragraph 4.2.2 but who have not participated in any decision relating to the promotion of the Proposal prior to the date of the Planning & Transportation Committee (or any sub-committee) may sit to consider the planning application for the Proposal. However, any such Members should note that participation at the Planning & Transportation Committee (or any sub-committee) may affect their future involvement on the Committee noted at paragraph 4.2.2 if and when considering any future matters relating to the promotion of the Proposal and it is recommended that any such Member seek prior legal advice.

4.2 Applicant/Promoter (non-Local Planning Authority) Functions

4.2.1 The officers and consultants who are (or have been) involved in the promotion of the Proposal are as follows:

Departments	Officers
Consultants/Agents	Cowan Architects (consultant project architect and acting planning agent) Faithorn Farrell Timms (FFT) – project leader and building surveyors (Cowan Architects working as sub-consultant to FFT) Brinson Staniland Partnership (BSP) – consultant mechanical engineer
Supervising Officer at City of London	Chris Sharpe, Senior Principal Building Services Engineer (City Surveyors Department)

4.2.2 The Committees (and Sub-committees) which are (or have been) involved in the promotion of the Proposal are as follows:

Committees	Board of Governors of the City of London School for Girls (14 th October 2021)
Sub-Committees	Board of Governors of the City of London School for Girls, Project Sub-Committee (20 th October 2021)

4.3 Implementation of Arrangements

4.3.1 The persons identified at 4.1 and 4.2 will be reviewed regularly and updated to reflect any changes in responsibilities or roles, and any such changes shall be noted on an updated Handling Note.

4.3.2 The officers identified at paragraph 4.1 and any members of the Planning and Transportation Committee identified as those who will sit on the committee or any sub-committee to determine the planning application shall not engage in any discussion or communication in relation to the planning application with other officers or members save that the officers identified in paragraph 4.1 shall be entitled to communicate with the persons identified in paragraph 4.2 as the agents for the planning application and only in the same way as those officers identified in paragraph 4.1 would communicate with any person acting as an agent in relation to planning applications in general, and save when officers identified in paragraph 4.1 are conducting formal consultation on the planning application.

4.3.3 Persons identified at 4.2 must not engage in any discussion or communication in relation to the planning application with the persons identified in paragraph 4.1, save that person/s identified as the agents in paragraph 4.2 may communicate with the officers identified in paragraph 4.1 in the same way and on the same basis as an agent in relation to planning applications in general.

4.3.4 The Handling Arrangements will be published and will be included within the publicly available planning application documents both in hard copy and electronically.

4.3.5 The Handling Arrangements will be circulated to all persons identified at 4.1 and 4.2 and recirculated to them following any amendments.

4.3.6 Any communications, documents or other information generated by those exercising the Local Planning Authority function which would not normally be shared with an Applicant should be marked “CONFIDENTIAL: LOCAL PLANNING AUTHORITY ONLY”, and should not be stored on file space accessible to any person other than those exercising the Local Planning Authority function (unless this is authorised by the Interim Development Director and Chief Planner and he has satisfied himself that, where applicable, such disclosure would be compliant with the EIA Regulations).