Public Document Pack

Planning and Transportation Committee

Date: **TUESDAY, 26 JANUARY 2021**

Time: 10.30 am

Venue: **VIRTUAL PUBLIC MEETING (ACCESSIBLE REMOTELY)**

Members:

Deputy Alastair Moss (Chair)
Oliver Sells QC (Deputy Chairman)
Munsur Ali
Randall Anderson
Douglas Barrow
Peter Bennett
Mark Bostock
Deputy Keith Bottomley
Henry Colthurst
Deputy Peter Dunphy
Alderman Emma Edhem
John Edwards
Helen Fentimen
Marianne Fredericks
Tracey Graham
Graeme Harrower
Sheriff Christopher Hayward
Christopher Hill
Michael Hudson
Alderman Robert Hughes-Penney
Deputy Jamie Ingham Clark
Shravan Joshi
Alderwoman Susan Langley
Oliver Lodge
Natasha Maria Cabrera Lloyd-Owen
Andrew Mayer
Deputy Brian Mooney (Chief Commoner)
Barbara Newman
Graham Packham
Susan Pearson
Judith Pleasance
Deputy Henry Pollard
James de Sausmarez
William Upton QC
Alderman Sir David Wootton

Enquiries: **Gemma Stokley**
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Accessing the virtual public meeting

Members of the public can observe this virtual public meeting at the below link:

https://youtu.be/ZB1e0FQ2kgE

This meeting will be a virtual meeting and therefore will not take place in a physical location following regulations made under Section 78 of the Coronavirus Act 2020. A recording of the public meeting will be available via the above link following the end of the public meeting for up to one municipal year. Please note: Online meeting recordings do not constitute the formal minutes of the meeting; minutes are written and are available on the City of London Corporation's website. Recordings may be edited, at the discretion of the proper officer, to remove any inappropriate material.

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES**

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **MINUTES**
To agree the public minutes and summary of the meeting held virtually on 5 January 2021.

For Decision
(Pages 1 - 32)

4. **55 GRACECHURCH STREET LONDON EC3V 0EE**
Report of the Interim Chief Planning Officer and Development Director.

For Decision
(Pages 33 - 550)

5. **ST BENET'S PLACE LONDON EC3V 0EE**
Report of the Interim Chief Planning Officer and Development Director.

For Decision
(Pages 551 - 556)

6. **PHILPOT HOUSE 2-3 PHILPOT LANE LONDON EC3V 0EE**
Report of the Interim Chief Planning Officer and Development Director.

For Decision
(Pages 557 - 564)

7. **REVENUE AND CAPITAL BUDGETS 2021/22**
Joint report of the Chamberlain, the Director of the Built Environment and the Director of Open Spaces.

For Decision
(Pages 565 - 584)

8. **DBE SERVICE CHANGES & BUDGET PROPOSALS**
Report of the Director of the Built Environment.

For Decision
(Pages 585 - 614)

9. **DRAFT HIGH-LEVEL BUSINESS PLANS 2021/22**
Report of the Director of the Built Environment.

For Decision
(Pages 615 - 624)

10. **GATEWAY 5 - BAYNARD HOUSE CAR PARK - VENTILATION & SMOKE CLEARANCE SYSTEM**
Joint report of the Director of the Built Environment and the City Surveyor.

For Decision
(Pages 625 - 640)

11. **STOPPING UP APPLICATION - SITE BOUNDED BY FENCHURCH STREET, MARK LANE, DUNSTER COURT AND MINCING LANE, LONDON, EC3M 3JY**
Report of the Director of the Built Environment.

For Decision
(Pages 641 - 660)

12. **OUTSTANDING ACTIONS**
Report of the Town Clerk.

For Information
(Pages 661 - 664)

13. **PUBLIC LIFT REPORT**
Report of the City Surveyor.

For Information
(Pages 665 - 666)

14. **DELEGATED DECISIONS OF THE CHIEF PLANNING OFFICER AND DEVELOPMENT DIRECTOR**
Report of the Interim Chief Planning Officer and Development Director.

For Information
(Pages 667 - 680)

15. **VALID PLANNING APPLICATIONS RECEIVED BY DEPARTMENT OF THE BUILT ENVIRONMENT**
Report of the Interim Chief Planning Officer and Development Director.

For Information
(Pages 681 - 686)

16. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

17. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

18. **EXCLUSION OF THE PUBLIC**

MOTION – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

For Decision

Part 2 - Non-public Agenda

19. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 5 January 2021.

For Decision
(Pages 687 - 688)

20. **BRIDGE HOUSE ESTATES STRATEGIC GOVERNANCE REVIEW - UPDATE FIVE**

Report of the Chief Grants Officer & Director of City Bridge Trust.

For Information
(Pages 689 - 698)

21. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

22. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 5 January 2021

Minutes of the meeting of the Planning and Transportation Committee held virtually via Microsoft Teams at 10.30 am

Present

Members:

Deputy Alastair Moss (Chair)
Randall Anderson
Peter Bennett
Mark Bostock
Deputy Keith Bottomley
Henry Colthurst
Deputy Peter Dunphy
Alderman Emma Edhem
John Edwards
Helen Fentimen
Marianne Fredericks
Tracey Graham
Graeme Harrower
Sheriff Christopher Hayward
Michael Hudson
Alderman Robert Hughes-Penney
Deputy Jamie Ingham Clark
Shravan Joshi
Oliver Lodge
Natasha Maria Cabrera Lloyd-Owen
Andrew Mayer
Deputy Brian Mooney (Chief Commoner)
Barbara Newman
Graham Packham
Susan Pearson
Judith Pleasance
Deputy Henry Pollard
James de Sausmarez
Alderman Sir David Wootton

Officers:

Gemma Stokley	-	Town Clerk's Department
Joseph Anstee	-	Town Clerk's Department
Rhiannon Leary	-	Town Clerk's Department
Kate Smith	-	Town Clerk's Department
Damian Nussbaum	-	Director of Innovation & Growth
Shani Annand-Baron	-	Media Officer
James Gibson	-	Technology Support Partner
Simon Owen	-	Chamberlain's Department
Deborah Cluett	-	Comptroller and City Solicitor's Department
Fleur Francis	-	Comptroller and City Solicitor's Department
Alison Bunn	-	City Surveyor's Department
Gwyn Richards	-	Interim Chief Planning Officer and Development Director
Neel Devlia	-	Department of the Built Environment
David Horkan	-	Department of the Built Environment
Elisabeth Hannah	-	Department of the Built Environment
Leah Coburn	-	Department of the Built Environment
Gordon Roy	-	Department of the Built Environment
Paul Beckett	-	Department of the Built Environment
Ian Hughes	-	Department of the Built Environment
Bhakti Depala	-	Department of the Built Environment

Peter Shadbolt	-	Department of the Built Environment
Bruce McVean	-	Department of the Built Environment
Toni Bright	-	Department of the Built Environment
Lucy Foreman	-	Department of the Built Environment
Dom Strickland	-	Department of the Built Environment
Joanna Parker	-	Department of the Built Environment
Clarisse Tavin	-	Department of the Built Environment
Sonia Williams	-	Department of the Built Environment
Robin Whitehouse	-	Department of Markets and Consumer Protection

Also in Attendance:
Lauren Martins – resident, 186-190 Bishopsgate
Sam Harper – First Plan Planning Consultants
Tito Arowobusaye – First Plan Planning Consultants

Introductions

The Town Clerk opened the meeting by introducing herself and stating that the Committee was quorate.

A roll call of Members present was undertaken.

The Town Clerk highlighted that the meeting was being recorded as well as live streamed and would be made available on the City Corporation's YouTube page for a period of time after the meeting had concluded. With this in mind, it was confirmed that participants in the meeting had all individually agreed and given their consent to being recorded and that all personal data would be processed in accordance with the Data Protection Act 2018. The Town Clerk highlighted that, for further information on this, viewers could contact the City Corporation using the details provided on the public webpages.

The Chair then introduced himself, welcomed all those in attendance and viewing the meeting via YouTube and wished all a Happy New Year.

The Chair went on to mention that one of the Members of the Committee – Shravan Joshi – had been honoured in the New Year's Honours list with an MBE for services to diversity and the British Hindu Community and took this opportunity to publicly congratulate him on this well-deserved award.

1. **APOLOGIES**

Apologies for absence were received from Oliver Sells QC (Deputy Chairman), Henry Colthurst, Alderwoman Susan Langley, Sylvia Moys and William Upton QC.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

A Member asked the Town Clerk to confirm whether there were any items on today's agenda in which the City Corporation had an interest so that Members could take due care and attention to these applications or items as stipulated under the Planning Protocol. The Town Clerk stated that she was not aware of

any instances of this on today's agenda and confirmed that, if this were to be the case, this would be made clear to the Committee by the reporting Officer once the relevant application or item was considered.

The Chair – Deputy Alastair Moss - declared a professional conflict of interest in relation to agenda Item 4 – 186-190 Bishopsgate Lon, EC2M 4NR - and advised that, as such, he would withdraw from the meeting for the duration of this item and allow the immediate past Chairman, Sheriff Christopher Hayward to manage this in the absence of his Deputy Chairman.

3. **MINUTES**

The Committee considered the public minutes and summary of the meeting held virtually on 15 December 2020 and approved them as a correct record.

MATTERS ARISING

Anonymisation of Member Comments/Contributions in Minutes (page 3) – A Member commented that the minutes recorded that, at the last meeting, for reasons of transparency, he had proposed that Members contributions and votes should cease to be anonymised in the minutes of all meetings of this Committee. He noted that under the Committee's list of Outstanding Actions at Item 8 of today's agenda, a report on this proposal was due to be brought to this Committee in February 2021 before then being referred to the Policy and Resources Committee for consideration. He stated that he felt that making this the subject of an Officer's report was inappropriate given that this was not a momentous decision and would be reversible if necessary. It would also make this the kind of sclerotic that was heavily criticised in the recent Governance Review. He therefore proposed that this Committee take a decision on the matter now given that the arguments around making minutes more transparent were well aired at the last meeting and that the only real argument against doing so that had been aired so far concerned the risk of Members grandstanding. He suggested that if there were now any new arguments for or against this proposal, Members state them now. He concluded by stating that his proposal was that, for the sake of transparency, the practice of anonymising Members' contributions and votes in the minutes be ended for this and subsequent meetings of this Committee.

A Member responded to the proposal by thanking the original speaker for providing the Committee with prior notice of his proposal via email. He stated however, that he felt that this was entirely premature and sought to undermine due process given that the Committee had already agreed, at its last meeting, to ask for an Officer's report to guide deliberations on this issue. This report would also seek to cover the practice adopted in other local planning authorities and was due to be presented in February 2021.

Another Member spoke to agree with the fact that the Committee should not be seeking to undo what had already been agreed at its last meeting and that this proposal was therefore premature. She added that the recommendations arising from the Governance Review would also be looking at a number of matters in relation to this Committee and that this might also be picked up at this time. She concluded by stating that she felt that it should not be for a single

Committee to determine the house style of minutes for the City Corporation at large.

A Member spoke to state that she had always been weary around Members grandstanding in the past but was confident that this should no longer be an issue when weighed against the need for transparency. She stated that she was therefore in favour of naming Members in minutes and felt that this should be easily achievable.

Another Member stated that he too was of the view that this proposal was an attempt to undo what had been agreed at the last meeting and the process that had already been set in motion and should therefore be seen through to its natural conclusion. He noted that this Committee was predicted to have a heavy workload this year and stated that he felt that revisiting this matter at this particular meeting set a poor tone in terms of meeting management when the Committee should be focused on the applications before them.

Another Member spoke to state that, whilst she had not been present at the last meeting, she did not believe that this should be the subject of an Officer report and that she had already viewed the website of other local authorities and could see that some did name Councillors in the minutes of their Planning Committee meetings. She did not believe that a report was an efficient use of Officers time. In terms of house style, the Member went on to say that there were some inconsistencies here with the Chairs and Deputy Chairs of Committees often named in minutes meaning that there was not anonymity in place for all. She added that there was also a risk of inequality given that there were so few women who sat on some bodies, particularly on this Committee's Sub Committees, and that they may therefore be more readily identified with the use of the pronoun 'she'. She asked that if there were to be a future report on the matter, this also be taken into account. She concluded by stating that she would, however, be keen for the Committee to take a decision on this matter now so as to avoid wasting any further time on the matter and that she was in favour of removing anonymisation.

Another Member spoke to highlight that this matter had been discussed at length at the last meeting of this Committee where a decision had been taken and should be adhered to. He added that he was personally content for his own voting intentions to be recorded going forward.

The Member who had made the proposal spoke again to underline that what the City Corporation regarded as process had been heavily criticised in the recent governance review. He commented that this was not a matter that should require a significant amount of time to be spent on it as he was of the view that a decision could be taken on this now. He suggested that looking at practice elsewhere in other local authorities would provide evidence of a mixture of approaches with regard to the anonymisation of Members in minutes which would not prove to be of any use to this Committee in reaching its decision. He added that local authorities had also been heavily criticised for their poor planning standards and that the City Corporation should not therefore be trying to take their lead from them. The Member added that he had hoped

that this matter could be dealt with without the need for a formal Motion and vote to discern the will of the Committee. He noted that no Member had spoken to suggest that they objected to having their name recorded in the minutes and that this matter should therefore just be agreed upon now.

MOTION: The Member moved that, for the sake of transparency, the practice be ended of anonymising Members contributions and votes in the minutes of this and subsequent meetings of this Committee.
The Motion was seconded.

The Town Clerk intervened on a point of order to advise that the Committee were not able to take a decision on this matter unilaterally but could vote on putting a recommendation on the matter to the Policy and Resources Committee given that this was a corporate-wide governance and administrative issue which currently sat within the terms of reference of the Policy and Resources Committee who were tasked with reviewing and coordinating governance and the overall administration of all Committees. The Committee could vote on such a recommendation now without awaiting an Officers report and wider debate on the matter if they so wished.

The Member responded to state that he felt that his Motion, as put, should proceed and that, if Policy and Resources were of the view that this was ultra vires this could be decided upon subsequently.

In response to a question from the Chair, the Town Clerk reported that legal advice had been obtained to support the notion that this Committee did not have the power to act unilaterally on this and that the matter would require the approval of the Policy and Resources Committee. The Town Clerk recognised that there may well be sound reasons for this Committee being treated differently than others or, indeed, a wider case for all Committees to adopt the same approach but that, nevertheless, the coordination of this was within the terms or reference of the Policy and Resources Committee.

The Chair therefore asked the Member if he was content to amend his Motion in line with this advice.

The Member questioned why he not been provided with this advice prior to the meeting given that he had sent advance notice of his proposal.

The Chair commented that he did not think it was good practice for a Committee to be considering a Motion that was proposing action that was not within its powers and therefore proposed, under Standing Order 29(1), that the Motion, as currently put, should not be put.

The Member who had proposed the Motion stated that he did not accept that this was ultra vires but reluctantly altered his Motion.

MOTION: - The Member moved that, for the sake of transparency, a recommendation be put to the Policy and Resources Committee requesting that

the practice be ended of anonymising Members contributions and votes in the minutes of this and subsequent meetings of this Committee.
The Motion was seconded and put to the vote.

Votes were cast as follows – IN FAVOUR – 11 votes*
OPPOSED - 16 votes
There was one abstention.
**A number of Members who had voted in favour of the Motion asked that their names be recorded as having done so in accordance with Standing Order No 38 – those Members were as follows – Randall Anderson, Mark Bostock, Deputy Peter Dunphy, Marianne Fredericks, Graeme Harrower, Natasha Lloyd-Owen, Deputy Brian Mooney (Chief Commoner),Barbara Newman and Susan Pearson.*

The Chair clarified that a report on the matter would still be brought to the Committee in February 2021 noting that a substantial minority of Members had voted in favour of the Motion.

Questions to the Chair at the last meeting (page 5) – A Member highlighted that he had asked two questions of the Chair at the last meeting – one as to why he had not ruled the Motion put with regard to 150 Aldersgate Street as premature in accordance with Standing Order 37(3) and the other regarding the use of urgency procedures – both of which the Chair had undertaken to respond to in writing. The Member reported that he had received a response from the Chair yesterday afternoon and had subsequently circulated his response to this to the whole Committee this morning. He also then took the opportunity to read through his comments. He stated that the Chair had responded to suggest that he did not believe that the Motion with regard to the application on 150 Aldersgate Street had been premature taking into account all of the circumstances but that he wanted to challenge this given that there were still a number of questions that had been asked of Officers that were unanswered as well as some Members who had new points to raise but had not been allowed to make them when the Motion was put. He therefore sought an undertaking from the Chair that, in future, the Member proposing that the question now be put when Members questions have not been answered and some Members may not have spoken for the first time, he would exercise his discretion to disallow that Motion being put at that particular time.

Secondly, the Member referred to the use of urgency procedures and stated that, at the meeting on 17 November 2020, the Chair had said that he and the Deputy Chairman had trimmed that meeting's agenda considerably from what it had been and stated that more decisions would be taken using urgency procedures which would be transparent and reported back to the Committee on agenda management efficiency grounds. In a letter sent by several members of the Committee on 24 November, it was asked that the Chair explain how this proposal would not be an abuse of the urgency procedure which exists to deal with matters that cannot wait until the next meeting, not to reduce the number of items on the agenda as meetings may last for too long. The Member noted that the Chair's recent written response on this simply set out the criteria used for the urgency process and made no reference to it being used as a way of

managing the length of meetings as the Chair had suggested. The Member therefore requested that the Chair did not use the urgency procedure differently to how it had always been used which would render the statement that he had made at the meeting on 17 November 2020 redundant.

The Chair thanked the Member for raising these points and undertook to respond to both of them in writing prior to the next scheduled meeting of the Committee.

Stopping-Up Orders and Virtual Reality (VR) Square Mile (page 13 and page 20) – A Member spoke to state that she felt that providing Members with a sense, graphically, of what cumulative changes had happened to public highways as a result of approved planning applications would be beneficial – particularly at a time when space for pedestrians was arguably more important than ever. The Member added that only providing public access to highway space at certain times only was very different to providing unfettered access at all times and suggested that she felt it important for Members to be able to take stock of this. She questioned whether a future report could be provided on this matter or whether it might be suitable to add to the Committee's list of Outstanding Actions. Any future decisions could also then be added into the modelling for completeness and help to inform the Committee's deliberations.

The Chair suggested that, as this was a hybrid of both highways and planning functions, Officers should give further consideration to the proposal and suggest how best it might be responded to. The Chair also took this opportunity to remind the Committee of the Member training sessions that were now being offered before scheduled meetings – the first of which had taken place this morning, focusing on 'Healthy Streets' and had tackled some of these issues.

Thermal Comfort Guidelines (page 15) – The Member noted that these had been adopted in terms of a planning advice note but stated that she was conscious that whole-life carbon, in terms of the BREEM guidance and requirements, wasn't accounted for in this way. She questioned whether it would be possible to adopt a Whole-Life Carbon Guideline as a planning advice note and taking this into account in a formal way. The Chair noted that the Member had raised this point previously and stated that he also felt that it was a point now being echoed by developers and their advisors. The Chair asked that the Interim Chief Planning Officer and Development Director respond to the Member on this point and consider how best to bring the matter back to the Committee.

4. **186 - 190 BISHOPSGATE LONDON EC2M 4NR**

The Committee considered a report of the Interim Chief Planning Officer and Development Director regarding 186 – 190 Bishopsgate, London, EC2M 4NR, specifically, change of use of basement, ground and first floor levels to a Class A3 restaurant plus external alterations comprising the installation of louvres and a full height external extract duct to the roof on the south elevation.

The Town Clerk introduced the item and also drew Members' attention to the fact that they had also been sent to virtual site tour clips as well as an

addendum that contained an additional proposed condition as well as a late representation.

The Interim Chief Planning Officer and Development Director presented the application and began by stating that the City Corporation had no interests in this property. He explained that the application was for a change of use to the basement, ground and first floor levels to a restaurant use by 'Five Guys' and associated external plans. Members were informed that the site in question was 186-190 Bishopsgate, on the east side of Bishopsgate with Victoria Avenue (a privately owned, narrow cul-de-sac which accessed onto commercial properties) running along its southern side. Members' were shown a site location plan to provide them with an overview of the context of the site and which depicted that it sat within the Bishopsgate Conservation Area as well as within a principle shopping centre which was protected by policy.

The Committee were shown an image of the existing building which the Interim Chief Planning Officer and Development Director explained was a rather unexceptional, 1960's clad building. He went on to explain that there was a very long and convoluted planning history on this site, which was tied to the previous occupier – 'Wasabi' - as detailed within the report. He summarised by stating that the previous occupier had begun operating as a cold, fast food takeaway before expanding into a hot food takeaway and then offering eat-in facilities on the premises which took it out of A1 use which was not authorised. There had also been unauthorised works involving the provision of duct which had led to noise nuisance and issue with cooking smells for the residents above the premises. It was reported that, above the second floor of the building, there were 19 residential units.

The Interim Chief Planning Officer and Development Director reported that it was important to underline that this applicant was from a new applicant for the site who had worked constructively with Officers to regularise the use issues and had worked with Environmental Health to find a solution to the duct work in a way that did not harm residential amenity which was a key part of this proposal. Members were shown various images if where it was proposed that the duct be located.

Members were told that one of the key issues before them today was the change of use from A1 to A3. The Interim Chief Planning Officer and Development Director also took the opportunity to clarify a point that one Member had contacted the relevant case Officer on prior to this meeting. He stated that, as the Committee had previously been informed, recent changes had been introduced in September 2020 to the use classes order and that a new Class E use had been introduced which was a single use class which included retail, restaurant, financial and professional services as well as other uses with occupiers now able to move from one of these uses to another without the need for planning permission. As changes were not development, there was no option for the planning authority (in this case the City Corporation) to restrict changes within this use class by article 4 directions. However, as the planning application before the Committee had been submitted prior to 1 September 2020, the transitional arrangements under the Town and Country

Planning Regulations allow for it to be considered under the previous 'A' use classes. Determining this change of use application today would therefore allow the City to add conditions on matters such as hours of opening, servicing and waste to protect residential amenity with such proposed conditions set out within the draft decision notice. If, however, the application was to be refused today, the change of use to a restaurant could still proceed without the need for planning permission as it did not constitute development under the new class 'E'. In this scenario, any opportunity for the City Corporation to add conditions to protect residential amenity would fall away and the organisation would have no such controls over the operation of the premises.

Members were then shown a proposed ground floor plan which would be of A3 use and comprise of an open kitchen with seating for 25 covers. At first floor level there would be 104 covers as well as customer WCs. At basement level would be an ancillary space which would include storage and staff facilities.

The Interim Chief Planning Officer and Development Director key to the change of use was the policy within the City's Local Plan to protect principal shopping centre, which this building was located within. Whilst the existing percentage of class A1 units in the principal shopping centre was below the Local Plan aim of 70%, this was partly as a result of a number of vacant and underconstructed sites as set out within paragraph 47 of the report. However, the mix of retail units in the immediate frontage accorded with the Local Plan and the proposed use was considered to be appropriate to the principal shopping centre and that it would contribute positively to facilities in the area and add to its vibrancy. The proposed change of use was therefore considered to be acceptable.

Members were informed that there were associated external alterations as part of the A3 use. The Committee were shown a drawing of the south elevation of the building onto Victoria Avenue which there would be oblique views of from Bishopsgate and shown where the duct would sit and how it would rise the full height of the building from first floor level. Other minor associated elevational alterations such as louvres would also be required. There was also a requirement for a high-level extract to discharge the kitchen ventilation at basement level to comply with environmental health requirements and to protect residential amenity. The Interim Chief Planning Officer and Development Director explained that extensive work had been undertaken by the applicant to explore internal routes for the duct, but this was not thought to be feasible. The applicant's original application which was consulted upon was to provide a first-floor level extract on to Victoria Avenue, but this was subsequently amended because of concerns around noise and odours from residents. The current proposals would involve painting the duct in the same colour as the external wall/concrete cladding. There was a second proposal to over clad the duct, but this raised structural issues as well as increasing the scale of the duct itself.

Members were shown a visualisation of both the proposed and existing elevation view looking westwards from within Victoria Avenue depicting where the duct would be placed. The Interim Chief Planning Officer and Development Director conceded that it was accepted that the addition of the duct was not a

particularly welcoming visual addition to this view. The duct would be 80x35cm and would project beyond the wall above first floor level by 43cm creating a degree of harm to the Conservation Area. However, this degree of harm was considered to be very limited and on the lower end of the spectrum of less that substantial harm and would not be located in a prominent location in the Conservation Area but in a fairly utilitarian elevation of the building itself which was of limited architectural value. The duct would also be fronting on a private cul-de-sac and not public highway. It would not be readily visible from any of the key views on Bishopsgate.

Members were informed that the other outstanding issues in the application were amenity issues where objections had been received – primarily from residents – regarding noise disturbance during building works and from the operation of the restaurant, nuisance from food odours, the hot air extract from Victoria Avenue and the visual appearance of the duct – concerns that were also shared by the Conservation Area Advisory Committee. The Committee were assured that the Committee had looked very carefully at these concerns and were very firmly of the view that the introduction of robust and effective control through conditions would address them. Over ten environmental health related conditions were proposed which would control the environmental effect of the duct and any associated noise and odours as well as the noise during the demolition and construction of the site, the acoustic treatment and control of noise and odour from the mechanical plant. Disturbance from music resulting from the A3 use, the hours of servicing and also opening hours (10:00-23:00) would equally be conditioned. Members were informed that the applicant had also submitted a Custom and Servicing Management Plan which would be subject to continual review. In conclusion, the Interim Chief Planning Officer and Development Director reported that Officers believed that there would be robust and effective control which would adequately address the concerns raised by the objectors. He added that the proposals had been substantially amended by the applicant in a very constructive and collaborative manner during the course of the application and it was therefore felt that the proposal as a whole struck an appropriate balance between protecting residential amenity whilst putting the retail unit to appropriate use which would contribute positively to the vibrancy and activity of not only the Bishopsgate Conservation Area but also the primary shopping centre. The application was therefore recommended favourably to the Committee.

The immediate past Chairman (in the Chair) thanked the Interim Chief Planning Officer and Development Director for his presentation and invited any questions that Members might have of Officers.

A Member referred to the change of use classes that had come into effect as of September 2020 and stated that he would have thought that the addition of a rather large duct on the outside of the building would qualify as development and mean that this application would still require planning permission even if considered under the new regulations. He sought clarification as to whether this were the case. The Interim Chief Planning Officer and Development Director confirmed that this would be the case and clarified that his earlier remarks had referred only to the proposed change of use.

Another Member questioned enforcement given reference to the breeches that had occurred under the previous occupier. She questioned whether there were adequate resources to ensure that any conditions were complied with should similar issues arise once more. The Interim Chief Planning Officer and Development Director confirmed that he was confident that there were sufficient resources in place for this purpose.

Another Member questioned what powers the City Corporation actually had in terms of any breaches that might occur. The Interim Chief Planning Officer and Development Director reported that, in terms of any disturbance due to noise or odours, the Environmental Health Team had powers. The Deputy Pollution Manager contributed to state that the amenity test often provided a better result than the nuisance test, hence his enthusiasm to try and secure these conditions at the planning stage as these matters could be dealt with more efficiently during a buildout. He too confirmed that resources were sufficient but highlighted that there were often difficulties around the actual judgement of nuisance which required investigation and, often, inconvenience to residents and neighbours.

The Town Clerk introduced Lauren Martins, a resident of 186-190 Bishopsgate, speaking in objection to the application.

Ms Martins reported that she had been resident in the building for 12 years and lived on the third floor which was the first level of residential dwellings. She commented that she did not feel that the building was well suited to play host to what was effectively a large food factory downstairs. She reported that the commercial facility and the rest of the apartments above face Bishopsgate and Victoria Avenue (a small cul-de-sac, surrounded by high rise buildings which created a pocket of still air that could not escape). Ms Martins stated that the prevalent wind direction in the UK was from the south-west which, on most days, directed air from Bishopsgate into Victoria Avenue bringing with it carbon monoxide and hydrogen oxides from petrol and diesel vehicles. Levels of CO2 and nitrogen oxides had been measured in this location last year and these were found to be 3.2 times higher than the acceptable limit. It was reported that residents also experienced a black layer of smoke that formed daily on their windows. That being said, Ms Martins reported that residents still loved their building and were optimistic that with improvements including things such as the introduction of electric vehicles, their respiratory problems would come to an end. Ms Martins recognised that all of these problems had existed before the previous occupier – ‘Wasabi’ – had moved into the building and added to the problem via the restaurant louvres. Members were informed that the Wasabi operation in Bishopsgate quickly grew to one of the largest in London with all food for nearby Wasabi premises produced in this kitchen which soon tripled in size. This resulted in the odours and noise emitted from the premises becoming unbearable for residents who were forced to keep their windows closed. Heat emitted from the louvres also rendered the conditions in the apartments above unliveable. One measurement had shown that, whilst the temperature on Bishopsgate had been 24 degrees Celsius, in Victoria Avenue, the measurement had been 36 degrees Celsius, and inside apartments, this

had been almost 40 degrees Celsius. On the hottest days, Ms martins reported that she had felt unwell as a result of the excessive heat and had huge concerns for her elderly neighbours who were forced to leave their homes for long walks when the heat became so intense.

Ms Martins commented that conversations that she had had with Wasabi employees had indicated that the heat within the basement kitchen was also excessive to the extent that it had even caused some workers to pass out and that this had not been adequately addressed despite the installation of a huge air conditioning unit. She had therefore been informed that it was their intention to build additional louvres to pump yet more hot air out into Victoria Avenue. Ms Martins expressed her grave concerns that, with Climate Change and increasingly hot summers, this heat would only intensify in future putting elderly residents in the building at high risk of stroke and also posing a fire hazard. She reported that, on a particularly hot day six months ago when temperatures inside had reached 40 degrees Celsius, a fire had already broken out at a flat within the building.

Ms Martins concluded by stating that she was of the view that the proposed Five Guys operation would only exasperate all of the issues that she had outlined given that proposals involved making the kitchen even larger. She urged the Committee, on behalf of all 19 families residing in the building, to refuse the application.

The immediate past Chairman thanked Ms Martins for her contributions and invited any questions that Members might have of her.

A Member asked Ms Martins whether she felt reassured on hearing the proposed conditions that would be applied to the application and by the City Corporation's ability to enforce these. Ms Martins reiterated that the main problem was the heat emitted from the premises which was exasperated by the hot air being dumped into Victoria Avenue which was a cul-de-sac surrounded by tall buildings meaning that this hot air had no obvious escape route. She added that the plans within this application to increase the size of the louvres would only add to this issue and render the apartments above unliveable and that she did not see the proposed conditions as an effective means of preventing this.

Another Member stated that he had believed that this application was for a restaurant but stated that it appeared to be for much more than this and would also involve a manufacturing operation supplying a whole chain of premises across London based on what Ms Martins had reported. He questioned whether this was the case. Ms Martins confirmed that when the previous occupant had been at the premises their operation was initially very small and provided takeaway food only. However, they soon became so successful that they became the main kitchen supplying produce for other Wasabi's across London – something that she did not feel that the premises were suited for. Ms Martins added that residents had also had access to their rubbish store blocked by the previous occupants.

A Member asked Ms Martin what her experience had been to date in terms of enforcement – raising issues about the previous occupiers with the City Corporation and their response to them. Ms Martins confirmed that residents had only recently rallied together in an attempt to voice their concerns over the common issues experienced by all and had not yet therefore officially complained to the City Corporation. Ms Martins added that the bedroom walls of the apartments faced Victoria Avenue and reported that trucks were often visiting the premises at 2-3am in an attempt to avoid parking fees when residents had requested that this happen between 7:30-23:00 only. This had caused regular disturbance to residents, some of whom had young children. Since the previous occupier had left the premises, the residents had been able to experience uninterrupted sleep for the first time in many years. These proposals for a new restaurant that would be increased in size was therefore a huge concern.

Another Member spoke to state that many of the issues raised by Ms Martins would be of concern to Members. He stressed that it was, however, important to separate out the relevant planning considerations here. He went on to question what conversations Ms Martins had had with the new applicants and whether or not they had provided any assurances to residents as to how they would address their concerns and protect their interests. Ms Martins reported that she had messaged the applicants regarding concerns around heat in particular but was yet to receive a response. Ms Martins suggested that a better approach for the new applicant to take would be to pump any hot air from the premises through to the top of the building where it could rise and escape more easily. Even so, she reiterated the point that she did not believe that this building was fit for the proposed use which she felt would pose a serious fire risk.

The Town Clerk introduced Sam Harper, a Director of First Plan Planning Consultants speaking on behalf of the applicant ‘Five Guys’ and in support of the application.

Mr Harper underlined that ‘Five Guys’ was a well know restaurant chain founded in America and had a good record of operating successful, popular restaurants through the UK and across the world. There were currently in excess of 100 Five Guys restaurants in the UK alone. He reported that ‘Five Guys’ were well known for their use of fresh ingredients in all cooking and the provision of customised, made-to-order burgers with no microwaves or freezers on site.

Mr Harper reported that the premises which was the subject of this application had been in use, as already reported, as a ‘Wasabi’ restaurant and takeaway facility for many years as evidenced within the record of planning history and enforcement. The Committee were informed that Wasabi had now vacated the premises as a result of the pandemic but had, nevertheless, planned to vacate at some stage regardless – hence this application which was originally submitted in late 2019. This was in order to regularise use of the unit as a restaurant and allow ‘Five Guys’ occupation. Mr Harper reported that, prior to the submission of this application, significant work had already been

undertaken by ‘Five Guys’ to ensure that the unit could work realistically for them and without detriment to the upper floor apartments. It was therefore considered that the submitted application proposals included significant revisions made during the course of the application which now achieved this. Mr Harper stated that, in planning terms, there was no reason why the proposed change of use should not be considered acceptable. As Officers had already highlighted, the application proposed a commercial use within the Liverpool Street principal shopping centre which would not detrimentally impact upon adjoining premises or residents in the applicant’s view. It was felt that the opening hours proposed were suitable for the location, ending at 23:00 and aligning with other premises in the surrounding area. Members were informed that the measures indicated within the submitted Management Plans would also be conditioned to ensure compliance.

Mr Harper added that, as detailed within the Committee report, various options were explored with the City Corporation in relation to the proposed kitchen extract which would serve to remove odour and heat from the proposed cooking area. The final solution arrived at was a kitchen extract duct which would terminate at roof level with significant odour filtration and attenuation proposed inside the unit. This complied with environmental health guidance and relevant local policies and ensured no adverse impact on existing amenities or the Conservation Area in the opinion of the applicant, due to the discreet, set-back location of the premises and the profile and treatment of the proposed duct. Mr Harper stated that the proposals offered a great improvement to the existing situation which had not benefitted from planning permission, was sub-standard in terms of ducting, filtration and attenuation and which had also been the subject of complaints and concerns from residents and Environmental Health.

Mr Harper noted that Wasabi had operated a very large-scale, commercial kitchen from the premises, supplying other restaurants across London which was not the case with this application which would feature a smaller kitchen to service this restaurant alone with a lot of space at basement level being fallowed or used for the installation of plant which would help to overcome the concerns raised. Mr Harper added that it was noteworthy that any restaurant occupier could occupy this premises and operate without the need for planning permission under the new use classes order although they would, admittedly, require an extract solution – however, there were systems available that involved the recirculation of air and would not therefore require any external works.

The Committee were informed that the applicant had reviewed the proposed planning conditions and gave assurances that they were content with these and would abide by them should this application be granted. Mr Harper reported that of all of the restaurants that Five Guys operate across the UK, they had never had a series of prolonged complaints or issues regard extraction, odours or noise disturbance from residents.

Mr Harper stated that an unfortunate impact of the ongoing pandemic was the closure of many commercial units including restaurants and retail units. This

included the former tenants – Wasabi – and it was therefore considered a positive thing that Five Guys were now looking to invest in what was a significant site. Mr Harper stated that Five Guys were one of few restaurant chains who were currently seeking to expand and invest in various locations across the country. Mr Harper added that he was therefore confident that this premises would be brought back into good economic use that was consistent with its setting and would also lead to job creation.

Mr Harper concluded by reporting that the applicant had worked hard throughout the application process to resolve the queries raised and to achieve what they hoped all parties would now agree was a good end result. He therefore commended the application to the Committee.

The immediate past Chairman thanked Mr Harper for his contribution and invited any questions that Members might now have of him.

A Member questioned what consultation had been undertaken with residents in the building and asked whether Mr Harper was able to provide any initial response to the concerns raised by residents today, particularly regarding heat. Mr Harper reported that he was not aware of any direct engagement with residents but reported that the applicant had engaged with the freeholder of the building. Members were informed that the initial interaction had been between Wasabi as former tenant and Five Guys. Mr Harper underlined that the key factor here was that this was a new tenant. Mr Harper stated that he fully understood the concerns raised regarding heat having stood in Victoria Avenue and experienced this for himself. He highlighted that the applicant had initially proposed a low-level extract duct at the front of the building however, discussions with Officers over the past 12 months (particularly Environmental Health Officers), had led to the revision of plans and proposals around a full height extract from the kitchen – something which Ms Martins had already stated would be preferable. With regard to louvres at the side of the building, Mr Harper highlighted that a number of these were already in existence and that that addition of a louvres at the front of the building was to draw clean, filtered air into the building and not to extract air. Additional minor louvres to the rear of the building would be for the extraction of staff room areas which were not heat generating. An existing louvre at the rear of the building was related to the air conditioning unit. Mr Harper concluded by stating that the new premises would feature an open-plan kitchen at ground floor level and a smaller prep kitchen at basement level – not the factory-like operation that had been operating from here previously.

Another Member commented to state that he felt it was extraordinary that the applicant had chosen not to consult with residents given the circumstances of the application. He also questioned how many applications for restaurants Mr Harper had handled previously that involved residential units directly above the premises. Mr Harper reported that he had dealt with applications on behalf of many operators and that many of these were in central City locations with residents directly above the premises. In terms of engagement, Mr Harper reiterated that the application had first been submitted over 12 months ago, with just three comments received during the first round of public consultation –

one regarding construction noise and the other two regarding Wasabi's operation. Mr Harper went on to accept that more efforts around resident consultation could have been made but stressed that concerns around heat had only recently been flagged to the applicant over the past few months. It was hoped that the revised proposals around the extraction of air from the kitchen would go some way to overcoming these concerns. Mr Harper added that there were no concerns from the HVAC engineers that heat generation was a valid concern under these proposals which would not satisfy environmental health legislation, health and safety legislation or fire legislation if this were the case.

Another Member spoke to question waste and deliveries, noting from the plans that there were quite a number of bins for waste purposes. She asked the applicant from where and how deliveries would enter the building and also sought information around the timing of these. In terms of waste management, Mr Harper reported that there was an access door toward the rear of the side elevation of the building which would provide access to the internal bin store. Mr Harper added that the applicant was very aware of the issue raised by Ms Martins and the fact that residents had been unable to access their own bin store – he reported that this issue had arisen from the landlord who had wanted to provide an additional residential unit over the former staircase and not, as he understood it, from the previous tenant. In terms of deliveries, Mr Harper recognised that this was a red route and stated that Five Guys would be using new arrangements with the expectation being that relatively speedy, palette deliveries would take place utilising the side access at Victoria Avenue and a nearby loading bay. Mr Harper assured the Committee that deliveries would not take place outside of the agreed, daytime hours.

A Member stated that the proposals around extraction at roof level were reassuring to him but asked Mr Harper to confirm that there were no existing or newly proposed air conditioning units that would be discharging into Victoria Avenue as these could clearly be a source of significant heat. Mr Harper reported that there was a louvre at the rear of the building which extracted air from the existing condensers. However, as was often the case with new operators, it was reported that Five Guys would be keen to fit new condensers in this location that were suited to their requirements and not, therefore, need to supply a commercial kitchen taking up the entire level with cold air. It was reported that these would utilise the existing louvre on the rear of the building at first floor level.

Another Member questioned how much air would be extracted from the premises as a whole via the newly proposed rooftop extraction as opposed to being discharged into Victoria Avenue. He added that whilst he recognised that planning permission here was not being sought by Wasabi, any permission granted would extend beyond the proposed new occupier and it was therefore important that the Committee get this right in terms of any conditions applied. Mr Harper reported that the purpose of the kitchen extract duct would be to remove warm air generated from cooking and that this would be a significantly larger duct (800x350ml) than the existing version (300ml) which had not benefitted from planning permission. Mr Harper confirmed that, after inspection,

it was recognised that the route of the existing duct was very convoluted and sub-standard given the scale of the previous occupant's operation. The newly proposed duct was based on a very high specification of filtration and management of both odour and heat.

A Member questioned the proposed maintenance of the extraction duct and how easily this could be accessed stating that she was well aware that these were often the main cause of fire within restaurants when not properly maintained. She added that, from her own experience, extractor emitting at roof top level could still let off odours within a building if cleaning and maintenance were not carried out regularly. She noted that this was likely to be a very busy, popular restaurant within excess of 120 covers proposed and that cooking was therefore likely to happen all day. Mr Harper stated that Five Guys were well aware of potential issues around odours and that they would be installing various pieces of equipment to help filter these including carbon filters, bag filters, electrostatic units and ultraviolet units - a combination of more filters than they had ever used on any other restaurant. In terms of cleaning, a cleaning schedule utilised by another restaurant operated by Five Guys in Manchester which also had residents living above the premises had been submitted by the applicant alongside before and after pictures of the extract duct pre and post clean. Mr Harper stated that he believed that there was an undertaken to clean the duct at least every three months but that the applicant was happy to be as flexible as required on this matter so as not to adversely affect residential amenity.

A Member questioned whether the Committee could be provided with an estimate on expected, post-COVID footfall, particularly in the evening in terms of covers. Mr Harper highlighted that there were 129 covers proposed and that there was typically a 20-minute dwell time for those that chose to order and dine in which tended to be the predominant use of the restaurant.

The immediate past Chairman invited any outstanding questions that Members might have of Officers ahead of the debate. A Member questioned what the scheme of operations was from Five Guys that might address some of the concerns raised and differentiate it from that of Wasabi. The Interim Chief Planning Officer and Development Director reported that he felt that the thoroughness and rigour of the proposed conditions worked up in consultation with the applicant, the requirement for a Customer Management Plan and a Servicing Management Plan (both of which would be periodically reviewed to ensure their effectiveness) was sufficient enough to address the concerns raised by both the objectors and Members. The Member went on to ask whether Officers would characterise the applicant as being cooperative and responsive to the concerns raised around the previous management of the building. The Interim Chief Planning Officer and Development Director stated that the applicant had been somewhat tarnished by the poor management of the previous occupant of the site but that they had been very cooperative and constructive in working with both Planning Officers and Environmental Health to find solutions to address the concerns raised.

The immediate past Chairman asked that Members now move to the substantive debate.

A Member stated that, as a representative of the Ward in which this application was proposed, he had seen the original plans for the site in October 2020 which had featured extraction at first floor level on the Bishopsgate frontage of the premises. He was pleased to see that this had now been amended. He added that he was sympathetic to the issues encountered by Ms Martins and other residents in the building in recent years with the previous tenant. However, he underlined that it was important to note that this was not the same tenant, that an entirely different type of operation was proposed and that, to his mind, the proposed conditions worked up by both Planning and Environmental Health covered all of the concerns raised by residents. He concluded by stating that he was therefore supportive of this application on these grounds.

Another Member spoke to state that he was very grateful to Officers for their introduction to the application which had included reference to changes in use classes. He added that the Committee now seemed to be presented with a situation whereby if they were to refuse this application, the proposed change of use would still be possible under new regulations and, although external ducting would be required, the opportunity to impose conditions would be reduced leaving the City Corporation in a worse position than if Members were minded to approve this. He went on to state that he was of the view that the newly proposed ducting would overcome many of the issues flagged by residents living above the premises. The Member concluded his speech by stating that the use classes order issue had persuaded him to reluctantly support the application today.

A Member stated that he felt that the objector who had addressed the Committee this morning had put forward the case against the application very eloquently. In terms of planning considerations, the Member stated that the key issue here was the location of the kitchen extract duct with the report acknowledging that it was not feasible for the duct to be located internally. If the duct were to be located externally, at first floor level, this would be unacceptable from an environmental health perspective and, if the duct were to be located externally and run the full length of the building, this would be unacceptable from a conservation perspective as expressed by the Conservation Area Management Committee. The logical conclusion ought to therefore be that this property was not suitable for use by a restaurant serving hot food. However, this was not the conclusion reached within the report, which recommended the approval of the application by treating a building located within a Conservation Area as if it were not by stating that the building itself lacked architectural merit. The Member suggested that this approach undermined the whole policy of Conservation Area protection and would further damage the City's heritage. In short, the Member stated that he was of the view that this application should be refused – primarily for failing to comply with the City Corporation's policy on Conservation Areas.

Another Member also spoke on the use classes point and sought absolute clarity from Officers as to whether or not refusal of this application could

potentially have a further adverse impact on residential amenity in the future by enabling the change of use and extraction to happen anyway in such a way that would preclude the Committee from applying any conditions. The Member went on to state that the report did not suggest that this application would not undermine residential amenity, only that when weighed against the public amenity, it was recommended for approval. She added that she struggled to see sufficient public amenity by way of this particular application, especially when bearing in mind that it fell below the threshold in relation to retail and the Conservation Area points already made by a previous speaker. The Interim Chief Planning Officer and Development Director reported that, under the new Class E regulations a new restaurant occupier could move into this unit with immediate effect and utilise the existing louvres to extract without requiring planning permission. This would mean that, as a planning authority, the City Corporation would also have no grounds on which to impose conditions around servicing or the operation of the premises. In terms of the wider public benefits to outweigh any harm, Officers had been very clear that there would be a limited degree of harm associated with this application in terms of the Conservation Area. It was also felt that the Conservation Area was characterised by a vibrancy of uses and that this proposed new use was compatible with this. Finally, Members were informed that it was felt that the potential for nuisance from the ductwork was adequately and robustly addressed by the very thorough conditions that were intended to be attached to any permission granted which would also prevent any repetition of the historical problems encountered by residents.

In response to a further question regarding any evidence the City Corporation might have around excessive heat at this site, the Interim Chief Planning Officer and Development Director reported that they did not have objective evidence of this but did not dismiss the points raised by the objector highlighting that the heat extracted into Victoria Avenue may well cause heat issues. However, it was felt that the scheme put to the Committee and the proposal to take the duct to roof level - allowing any hot air to rise and be dispersed by the wind - alongside the fact that the major louvres on the property would be intake and not outtake would address this issue.

At this point, the Chairman sought approval from the Committee to continue the meeting
beyond two hours from the appointed time for the start of the meeting, in accordance with Standing Order 40, and this was agreed.

Another Member spoke to state that she also found the issue around change of use classes difficult and stated that it seemed that the Committee seemed to be being asked to effectively approve the addition of a very large duct which would protrude by almost half a metre and therefore be very visible despite it being located at the side of the building. She added that the report also seemed to suggest that the duct would not have to be as robust as it might have been if it were to be located on public highway and that this suggested that there was also the potential for it to be damaged at low level. Finally, the Member underlined that the site was located within a Conservation Area and that installing a factory style chimney duct into this space was, in her opinion, an

error. The Member noted that whilst, under new regulations, the premises could open and function as a restaurant with immediate effect, it was unlikely to be able to operate effectively as things currently stood and was likely, therefore, to be dealt with by environmental health. She also noted that a restaurant operated very differently to a retail unit in terms of waste and deliveries. She stated that she was of the view that this premises was not adequately designed to be a restaurant and did not have the internal ducting necessary to facilitate this. With this in mind, the application should therefore be refused.

A Member spoke to state that he was very disappointed to learn that neither the applicant nor Officers had consulted directly with residents of this building on these plans. Officers had advised the Committee that the concerns raised by residents were merited and would be adequately covered by proposed conditions. However, given the concerns raised primarily around heat, he felt that, should the application be approved, Environmental Health should be asked to inspect the site after a period of operation in order to determine if this issue persists. If this were found to be the case, enforcement action should be taken to remedy it.

Another Member spoke to ask Environmental Health Officers whether, if a future occupier were to change the use of the building to a restaurant, this Committee might still have an opportunity to condition the application given that it would still require a duct to operate in this way and whether if they were to try and operate without the correct cooking flues in place, they had the power to tackle this. The Member went on to state that she was shocked to hear Officers suggest that they had all of the necessary resources in place to tackle any issues that might arise in the future when the report itself suggests that from 2012 Wasabi had been illegally using the unit for purposes other than those which they had been granted consent for with no active measures taken by Officers to deal with this. She questioned why this matter had not been brought back to this Committee over the course of the past 9 years. The Members added that she had concerns around applications such as these being granted and conditioned with the expectation that other Departments would deal with and act upon these. She underlined that the City Corporation had just one Planning Enforcement Officer at present and a limited number of Environmental Health Officers and that they were reliant on evidence (that often had to be gathered by residents over a long period of time) in order to be able to enforce any action. The Member also noted that the Conservation Area Advisory Committee objected to the installation of an external duct which would impact upon the Conservation Area setting of the building as well as on residential amenity.

Environmental Health Officers reported that any enforcement action required investigation and proof of a nuisance. This therefore constituted retrospective action in that a nuisance would have had to be reported. If a nuisance was evidenced, Officers then had powers under the Environmental Protection Act which listed statutory nuisances including things such as noise and odours. Officers went on to explain that the reason that conditions were also attached to applications as there were elements incorporated in amenity that were much more difficult to deal with in terms of nuisance. Members were also informed

that operators had a best practical means defence which meant that they were able to state that they had done all that is reasonably possible to abate a nuisance.

Officers went on to state that, with regard to new build premises or new applications, ducts which incorporated technology such as carbon filters and ultraviolet lights tended to be very large units and were therefore better planned into units prior to operation as opposed to being fitted retrospectively or being forced upon an existing premises under local authority nuisance powers. Members were informed that heat issues were more complex in that Officers were not certain as to whether this could be considered to be a statutory nuisance.

The Interim Chief Planning Officer and Development Director highlighted that, should the application be approved, under condition 14, Officers were minded to add the requirement to submit a Servicing Management Plan and to agree the wording around this with the Chair and Deputy Chairman in due course. Members were supportive of this proposal.

A Member noted that the report summary stated that “the proposed external duct would detract from the appearance of the building and the character and appearance of the Conservation Area” and questioned why Officers therefore went on to suggest, later in the report, that there was no objection to the impact that this would have. The Interim Chief Planning Officer and Development Director sought to briefly clarify this point stating that the Conservation Area Advisory Committee hadn’t objected to the application on the basis of the first round of consultation which had not included the addition of an external duct. They did, however, object to the duct as clearly set out within the report.

The Committee then proceeded to vote on the recommendations before them within the report. The vote was conducted by rollcall led by the Town Clerk with those Members present and eligible to vote asked to also confirm that they had been present for and able to hear the entirety of this item.

Votes were cast as follows: IN FAVOUR – 18 Votes
OPPOSED – 2 Votes
There were 5 abstentions.

One Member present was unable to vote due to technical issues which had led to her missing part of the debate.

The application was therefore approved.

RESOLVED – That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule.

5. **CITY STREETS: TRANSPORTATION RESPONSE TO SUPPORT COVID-19 RECOVERY**

The Committee considered a report of the Director of the Built Environment regarding temporary traffic management measures implemented on City streets in response to Covid-19.

Officers stated that, as Members were aware, the country continued to be in very uncertain times at present with a new national lockdown starting today. They added that the Covid-19 measures first introduced in Summer 2020 had always been delivered in anticipation of a return of City workers which had fluctuated depending upon the Tier of restrictions imposed on the City. Given the continuing uncertainty, it was now recommended that the restrictions on-street remain in place and be further reviewed in Spring 2021 in order to reassure those that were returning to the City could do so safely and comfortably.

A Member referred to the fact that the report stated that 85% of responses received had suggested that they would not support any of the measures introduced being retained long term. He added that he had concerns around using the consultation portal to gauge public opinion as he felt that it tended to be those who had complaints that would seek this out. He added that he was in favour of the scheme but had himself used the portal only to flag up issues. Officers flagged that it was important to gain feedback from the public and other stakeholders in terms of what they thought was and was not working so that measures could be adapted accordingly – as had already happened in a number of locations. Officers were also interested in gaining an insight into whether people would support the changes longer-term. It was acknowledged that the work being undertaken to gain this information was not quite the same as that that would take place around a permanent project, but it was a way of helping to inform any future decisions. If permanent changes were to be considered on any of the City streets, further and fuller consultation would take place on these in due course. The number of responses on the portal were low to date for reasons that were well understood and due to the low footfall in the City, but Officers would seek to continue to encourage and promote engagement with this.

Another Member noted that the report requested an increase in budget but did not specify which fund this would be funded from. Officers reported that a funding envelope for the Phase 3 works (including greening and seating) had been approved by the Resource Allocation Sub Committee. Additional funds had also been secured from the National High Street Fund.

A Member spoke to underline the gravity of the situation that everyone had been facing over the past ten months and to thank all for their support for this work. Nevertheless, he recognised that some of the measures that had been implemented had worked in the favour of some street users but to the detriment of others and that it was therefore important to keep the need for balance in mind when next reviewing these. He added that the role of the City Corporation was to support the City's financial and professional services and to ensure that businesses could be accessed effectively in a number of different ways. The

Member asked whether thought could also be given to trying to find a means by which the Committee could assess what value the expenditure on the introduction of these measures had had given that they had probably been installed on the assumption that a larger number of people would be returning to the City than had actually materialised. He concluded by stating that he was disappointed to learn of the poor response rates to the City's survey on these measures as this made public perception difficult to gauge. He questioned how Officers were currently communicating with the business community on these changes when many were not present in the City at this time. He underlined that their engagement and feedback as to what they really want and need to facilitate a return to work for their staff as soon as this was possible was vital.

Officers acknowledged that engagement with businesses was challenging at present and that it was difficult to make contact with them beyond what information was made available by electoral services and the like. That being said, regular updates and newsletters on the temporary measures had been sent to City businesses and feedback had been received from organisations such as the City Property Association. Members were also helpful in terms of feeding back on behalf of businesses within their respective Wards. Officers undertook to continue to communicate with all stakeholders as much as possible through all of the channels available to them.

Officers acknowledged the point raised as to benefits and disbenefits for different users of the City's streets and suggested that this was true in relation to these temporary changes being implemented and would also be true of changes brought about in delivering the Transport Strategy and Climate Action Strategy going forward. Whilst these temporary changes had, undoubtedly led to some longer journeys for some travelling by car or taxi, it should still be possible for everyone to access all businesses in the City. This would be kept under review and Members were asked to alert Officers to any particular access issues that they were aware of. Certain changes had already been made in response to concerns raised such as the change made at Coleman Street which had been done in relation to a concern regarding access to a loading bay at this location.

In terms of value, Officers acknowledged that a not insignificant amount had been spent on these changes. It was reported that transport works had all been funded by the Department for Transport – either directly or through Transport for London. Officers stated that it may be difficult to quantify value but that they could consider how best this information might be encapsulated for future updates.

Another Member recognised that it had been difficult for Officers, in present circumstances, to visit those locations where changes had been implemented and to witness for themselves how these were working. She questioned what the workaround was on this. Secondly, the Member referred to locations where pavements had been temporarily and flexibly extended noting that this meant that there was effectively a kerb separating the two separate parts of the pavement which might lead to some confusion and render these less accessible. She questioned what Officers were doing around this and proposed

longer-term changes. Finally, the Member noted the points made around equalities and accessibility – particularly for those with mobility issues – stating that she would be interested to learn the views of the City Access Group and whether any recommendations from them or other similar groups had fed into the changes and how best this Committee could have due regard to them.

With regard to assessments, Officers reported that it was frustrating to be making decisions about changes to the City's streets without the benefit of getting the day to day feedback on these that being in the City every day would ordinarily allow. Members were informed that, up until the recent introduction of Tier 4 restrictions across London and now a further national lockdown, Officers had been visiting the City and the locations concerned for 1-2 days each week. Officers had also overseen the initial installation of measures on-street and were conducting site visits as and when issues were raised even under current restrictions and once risk assessments had been undertaken.

On the point made around temporary changes and how users could equate these with any permanent, longer-term changes in respect of pavements and the like, Officers reported that the survey queried whether users were broadly supportive of the extra space, the overall the principle of this and the details of the changes made. It also provided them with the opportunity to comment on how the changes impacted upon other things such as journey times by car/taxi. Officers added that a very light-touch approach had been taken in terms of providing more space for pedestrians and that, if these were to be adapted and made permanent or semi-permanent, these walking areas would be made level and step-free.

In terms of accessibility, Officers reported that they and the Chair had engaged informally with the City Access Group on these proposals at the outset and had also consulted with Transport for All. A very comprehensive approach had also been taken in terms of Equalities Impact Assessments. In terms of how best Members could take account of feedback from these groups, Officers reported that their comments would be incorporated within all future project reports if they had provided specific feedback on these. Officers recognised that accessibility needs were multifaceted and different for different groups of people and that it was therefore important to engage with relevant groups on these matters and to ensure that the correct balance was being struck.

Another Member stated that there had previously been a signal for blind and partially sighted pedestrians at Ludgate Circus which was operational from 07:00-21:00 but that this now seemed to have been removed. He questioned whether there were any proposals to replace this and, if so, when. Secondly, the Member spoke on electric cycles and scooters utilising the City pavements noting that some travelled at speeds that were considerably in excess of 15mph. He added that these vehicles were silent and were therefore extremely dangerous to pedestrians and questioned what arrangements/enforcement was in place regarding these and potentially requiring that they be licensed or that they had speed limits imposed upon them.

Officers reported that they had raised the issue of the Ludgate Circus audible signal with TfL and were still awaiting a response on this. It was highlighted that there was also a rotating cone on the bottom of the push button here which also facilitated the safe crossing of visually impaired pedestrians.

In terms of electric scooters travelling at more than 15mph, Officers underlined that the law was clear on this issue and that if the vehicle was not speed limited, it was effectively classed as a moped or motorcycle and therefore required the necessary insurance and licences associated with these. As the Member had provided prior notice of this question, Officers had also engaged with the City of London Police to seek some information around enforcement and were awaiting a response on this. They undertook to share this with the Member once available.

The Member thanked Officers for their responses and commented that the observation of his Ward colleagues who resided on or near Fleet Street was that there had been virtually no pedestrians or cyclists here. There was, however, a particular problem with the bus stop which could now only accommodate one bus at a time that, together with the narrowing of the lanes, had created a variety of difficulties in terms of traffic jams and air pollution.

RESOLVED – That Members:

1. Note the changes made to the on-street interventions to those approved by Committees in May and June 2020 (As set out in Section 5).
2. Note the intention to change existing measures on Coleman Street and Cheapside 9as detailed in Section 4) and that cha will be exercised under authority already delegated to the Director of the Built Environment to initiate a Temporary Traffic Order.
3. Approve retaining the programme of temporary changes that are currently on-street, with a further review in March 2021.
4. Note the budget update for Phases 1 & 2 and approve an increase of £28k and the adjustments to the Phase 3 budget as detailed in Section 3.

6. **RECOVERY TASK FORCE: INTERIM REPORT WITH PRELIMINARY BLUEPRINT**

The Committee received a report of the Director of Innovation and Growth providing Members with an update of the Recovery Task Force's work since November 2020.

A Member noted that the City Vibrancy section referenced culture, retail, tourism and hospitality but not sport. He felt that this was unfortunate given that the City Corporation did have in place an, as yet unfulfilled Sports Strategy and that sport and exercise was perhaps more important now than ever. He added that this also linked in with improvements to the public realm. Officers reported that a City Workers Survey on leisure needs was currently being undertaken and that the responses to this would be taken into account alongside the forthcoming public engagement programme on these works.

Another Member commented that he was interested to see this paper presented as a blueprint and inferred that funds had been set aside for this work but did not specify what these were. Officers reported that budget was a key point and also fed into queries around why this work had not been a lot bolder and gone beyond the Corporate Plan. Members were informed that the work had effectively stuck within the framework of the Corporate Plan and looked at what ought to now be speeded up and tackle the unprecedented hit on the economy of the City that the convergence of both the pandemic and Brexit would bring – hence the primary focus being on business. In terms of budget, Officers were therefore looking at what had already been funded or approved and could now be speeded up within existing Departmental budgets. Any new, emerging ideas would be put to Members in due course with budgetary information attached.

Another Member questioned the strategic direction of travel on this and the overall objective which he found difficult to ascertain from the report. He added that it would be key to look at how footfall in the City could be improved in the future and stated that he was disappointed to note that, whilst there was an objective relating to making the City an attractive place in which to invest, work and visit, there was nothing on living in the City. He concluded by stating that he felt that the City Corporation currently had 2-3 important sites that were ready for development /change in use and that some big thinking was therefore needed around this which was not evident from this report. Officers took on board the point that they needed to be clearer about the overall objectives here but reiterated that this was about the direction of the City in future within the existing Corporate Plan. It was underlined that this work was really looking to drive the vibrancy of the offer in the City – everything from culture, hospitality and retail which would apply to all across the board – visitors, residents and workers alike.

A Member agreed with some of the points made by the previous speaker and stated that he felt that this report was missing any notion of what concrete actions might be needed going forward. He also felt that there was a lack of evidence to support the current position in terms of existing SMEs in the City and who we might want them to be in the future/how we might want to change the current mix. Officers highlighted that almost all of the actions detailed – both top down and bottom up – came from within existing strategies and was intended to be very practical in terms of outcomes.

Another Member agreed with the points already made, noting that it was difficult to see how the City could best influence this work. She underlined that residents had been calling out for the City Corporation to grapple with these important issues since the onset of the pandemic and added that she too was disappointed to see no reference to housing within the interim report in terms of how the City might look in the future. Recent months had shown that the local economy in suburban areas had reacted and benefitted in different ways to the City's. Officers reiterated that this work was very focused on what the City offered to all – including residents who would also be key for the future success of the City.

Another Member spoke to underline that the City had been through testing times in the past albeit perhaps not as severe as at present and that something that had been pursued in the past had been to engaged directly with individual businesses as opposed to grouping them. He questioned whether this same approach could be adopted on this occasion to find out what the intentions of certain businesses were and how the City Corporation could best encourage them to return. Officers assured the Committee that they would be talking directly with businesses and residents and the general public in a very focused way over the next few months and using all future engagements undertaken by Lord Mayor, the Chair of Policy and Resources and the Chair of Planning to ask what it would take to keep them in the City post pandemic and beyond.

A Member commented that this was a very important work in terms of continuing to develop the City. She went on to echo a number of points already made around being heavily focused on rebuilding a business base for the City as opposed to looking at all components of the City including residents. She felt that the report ought to also consider whether the City's resident base should continue to grow in future as opposed to looking to reinstate what had been. This would also involve looking again at housing, and the Member added that she felt that opportunities were being missed here, particularly around sites such as Bastion House and the Museum of London site should this be vacated.

Officers concluded by highlighting that this was only one of a suite of responses that the City Corporation were taken in response to the pandemic, alongside things such as further support for businesses and, later in the year, a scheduled reopening campaign. This work was focused on the slightly longer-term period of 1-5 years and how best the City could bounce back in this time.

A Member stated that he still felt that there should be a clearer vision and much bigger picture into which this could all pitch. Officers welcomed any input that Members might have on this and how this could be made clearer and encouraged all to engage with the process.

Another Member commented that one of the biggest hurdles for people returning to the City was travel. Officers agreed with this point and stated that the way in which people work would undoubtedly change post-pandemic. However, it was also recognised that there were still many reasons for people wanting to work and congregate together and it was important for the City Corporation to look at how best to promote this.

The Chair, on behalf of the Committee, thanked Officers for all of their work on this to date and stated that he looked forward to subsequent update reports.

RESOLVED – That Planning and Transportation Committee members:

- Note the preliminary blueprint of the Recovery Task Force
- Note the plans for engaging with stakeholders.

7. **PUBLIC MINUTES OF THE STREETS AND WALKWAYS SUB-COMMITTEE**

The Committee received the draft public minutes of the Streets and Walkways Sub-Committee held virtually on 1 December 2020.

A Member commented that the City signage on the highwalk was not in fact two-level as the highwalk map was overlaid onto the street map. He added that the issue was not the street level signage or the signage on the podium itself but the fact that there was a lack of signage at the foot of the stairs joining the two together.

Another Member commented on West Smithfield public realm and stated that he was surprised to see this progressing in this way, without a clear indication of what the real uses were going to be for East and West Smithfield. He added that he was very much of the view that a holistic approach needed to be taken to this and that this sight would play a prominent role. Another Member questioned why this public realm presentation had not also come to the grand Committee and asked that all Members be given sight of this. The Chair suggested that those Members who were interested in seeing further details on this should request a copy of the slides and, if necessary, seek to discuss any points they may have with the Chair and Deputy Chair of the Sub-Committee. The Chair also assured the Committee that all eventualities were being planned for on this site and that there was no lack of vision on this.

RECEIVED.

8. **OUTSTANDING ACTIONS**

The Committee received a report of the Town Clerk detailing the Committee's outstanding actions.

RECEIVED.

9. **PUBLIC LIFT REPORT**

The Committee received a public lift report of the City Surveyor for the period 26/11/2020 – 11/12/2020.

RESOLVED – That Members note the report.

10. **DELEGATED DECISIONS OF THE CHIEF PLANNING OFFICER AND DEVELOPMENT DIRECTOR**

The Committee received a report of the Interim Chief Planning Officer and Development Director providing Members detailing development and advertisement applications determined by the Interim Chief Planning Officer and Development Director or those so authorised under their delegated powers since the report to the last meeting.

RESOLVED – That the report be noted.

11. **VALID PLANNING APPLICATIONS RECEIVED BY DEPARTMENT OF THE BUILT ENVIRONMENT**

The Committee received a report of the Interim Chief Planning Officer and Development Director providing Members with a list detailing development applications received by the Department of the Built Environment since the report to the last meeting.

RESOLVED – That Members note the report.

12. **PUBLIC REPORT OF ACTION TAKEN**

The Committee received a report of the Town Clerk advising Members of action taken by the Town Clerk since their last meeting in consultation with the Chair and Deputy Chairman and in accordance with Standing Order Nos 41(a) and 41(b).

RESOLVED – That Members note the report.

13. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

Future Meetings

A Member noted that further meetings had now been scheduled as a result of the large number of planning applications due to be considered by the Committee in the first half of 2021. She questioned whether Members and the public could be given prior notice of what applications were due to come before the next meeting so that diaries could be managed accordingly. The Chair highlighted that there were clear and strict deadlines around agenda preparation and publication as well as around deadlines for those wishing to register to address the Committee. The Town Clerk highlighted that, as Members were aware, applications were often registered quite some time before they reached Committee and were subject to various pre-application discussions before this point. Having said that, Officers were planning ahead and did have a draft schedule of applications now scheduled for Committee over the course of the next six months and additional meetings had now been scheduled to accommodate these. It was highlighted that dates often changed or slipped with little notice and that Officers would therefore be weary of sharing this longer-term schedule too widely. The Interim Chief Planning Officer and Development Director reiterated this point and stated that he would not want to set any expectations as to when certain applications would come before the Committee. The Chair added that all applications should be given the same weight by the Committee.

Another Member agreed with the general point made around providing prior notice of applications but stated that he too was aware that they could often slip considerably for many different reasons.

The Chair concluded by stating that he was not sure that setting concrete target dates around applications was necessarily helpful, particularly when negotiations with Officers might be ongoing.

The Member stated that she was actually requesting that applications, particularly any larger ones, be flagged a meeting in advance as opposed to six months in advance as this was often easier to confirm. The Chair reiterated his point around the volatility of this.

14. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no additional, urgent items of business for consideration.

15. **EXCLUSION OF THE PUBLIC**
RESOLVED - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

Item No(s)	Paragraph No(s)
16 & 17	3
18	3 & 7
19-20	-

16. **NON-PUBLIC MINUTES**
The Committee considered the non-public minutes of the meeting held virtually on 15 December 2020 and approved them as a correct record.

17. **NON-PUBLIC MINUTES OF THE STREETS AND WALKWAYS SUB-COMMITEE**
The Committee received the draft non-public minutes of the Streets and Walkways Sub-Committee meeting held virtually on 1 December 2020.

18. **NON-PUBLIC REPORT OF ACTION TAKEN**
The Committee received a non-public report of the Town Clerk advising Members of action taken by the Town Clerk since their last meeting in consultation with the Chair and Deputy Chairman and in accordance with Standing Order Nos 41(a) and 41(b).

19. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions raised in the non-public session.

20. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There were no additional, urgent items of business for consideration in the non-public session.

The meeting closed at 1.56 pm

Chairman

Contact Officer: Gemma Stokley
tel. no.: 020 7332 3414

gemma.stokley@cityoflondon.gov.uk

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Committee:	**Date:**
Planning and Transportation	26 January 2021
Subject: 55 Gracechurch Street London EC3V 0EE Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys, including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.	**Public**
Ward: Bridge And Bridge Without	**For Decision**
Registered No: 20/00671/FULEIA	**Registered on:** 1 September 2020
Conservation Area: Eastcheap	**Listed Building:** No

Summary

For information: this report also covers considerations for the following related applications for listed building consent:

20-00743-LBC - St Benet's Place, London, EC3V 0EE - Temporary removal, alteration and reinstatement of the Grade II Listed Iron Gateway in St Benet's Place.

20-00769-LBC - 2-3 Philpot Lane - Demolition of chimney attached to Grade II listed 2&3 Philpot Lane.

See the separate reports for recommendations and conditions in respect of these applications.

The proposed development is for an office-led scheme comprising 30 storeys at ground and above (146.5m AOD) with 3 basements.

The building would provide offices, retail (ground and first floor), a publicly accessible roof garden and ancillary cultural space terrace at levels 6 and 6M, and ancillary basement cycle parking, servicing and plant.

The gross floor area would be 38,063 sq.m gea comprising:

- 34,004 sq.m offices (Class E)
- 2456 sq.m flexible retail uses (Class E and sui generis)
- 1603 sq.m public roof garden terrace (sui generis)

An Environmental Statement accompanies the scheme.

The scheme delivers a high quality, office-led development towards the south-west edge of the emerging City Cluster providing a significant increase in flexible office and retail floorspace on the site in accordance with the City's objective to support a thriving economy and remain the world's leading international financial and professional services centre.

The building would be designed to high sustainability standards, incorporating a significant element of integrated urban greening, climate resilience, energy efficiency, targeting BREEAM 'Outstanding' and adopting Circular Economy principles.

The scheme delivers significant new amenity spaces and enhanced public realm including an accessible and permeable ground floor plane, new public routes through the site, open to the public 24 hours a day, connecting to and contributing to the City's network of alleyways and courtyards, and a free, public, mid-height roof garden terrace.

The scheme includes provision for 492 long term cycle spaces and 24 short-term spaces and proposes off-site consolidation and over-night deliveries. It includes an innovative solution of two service vehicle lifts within the building, the lids of which during the daytime would form part of the ground floor publicly accessible area.

The development achieves PCLs of B+ and above other than on Gracechurch Street, where the pedestrian environment would be improved by a proposed pavement widening scheme on Gracechurch Street(secured by a S278 Agreement) and the introduction of the new pedestrian routes which would draw people away from the busy main streets.

Objections have been received from Historic England, The Georgian Group, the Victorian Society, the Conservation Area Advisory Committee and the London Borough of Southwark on the grounds of serious harm that would be caused to highly significant heritage assets including Tower Bridge, the Tower of London, the Monument and the Church of St Mary Woolnoth, the Eastcheap and adjoining conservation areas, and to riverside views from the south.

Historic Royal Palaces do not object to the proposed development.

Six letters of objection have been received from five owners or occupiers of adjoining or nearby commercial buildings covering a number of grounds of objection including: harmful impact on heritage assets and the townscape, transport and servicing arrangements and highways safety, daylight, sunlight and wind microclimate impacts, loss of privacy to and impact on the viability of the hotel use at 2-3 Philpot Lane, loss of listed chimney at 2-3 Philpot Lane, adverse impacts during construction and overlooking from the proposed garden terrace to the adjoining office premises.

A letter of support has been received from The Aldgate School on the grounds of the positive benefits to the school community and their education including new traffic free pedestrian routes, provision of a new public space, a new garden area and a communal space for the children to learn in.

The proposal would preserve pan-London LVMF and local strategic views in accordance with Local Plan Policy CS 13(1), London Plan Policies 7.11 and 7.12, City Plan 2036 Policy S13 and the draft Publication London Plan Policy HC4 and associated guidance in the LVMF SPG and Protected Views SPD. It would preserve the experience from those existing and emerging high-level views identified which are also important to the character of the City of London. Following rigorous assessment, it is concluded that the proposal would preserve the OUV/significance, authenticity and integrity of the Tower of London World Heritage Site, according with associated guidance in the WHS Management Plan, Local Setting Study and LVMF SPG.

The proposal would preserve the special interest and setting of 2-3 Philpot Lane, 7-8 Philpot Lane, 33-35 Eastcheap, St Magnus the Martyr Church, St Mary Woolnoth Church and 39-40 Lombard Street. The proposal would cause a small degree of harm and small degree of enhancement to the Eastcheap Conservation Area. It is considered that the significance of the Bank and

Leadenhall Market Conservation Areas would be unharmed.

The proposals would result in the temporary removal, minor alteration, restoration and reinstatement of the listed gates in St Benet's Place, which would be restored to their original proportions and composition resulting in a minor enhancement to their special interest/heritage significance.

The proposals include the demolition of the chimney stack attached to the south elevation of Grade II listed 2-3 Philpot Lane. Subject to details reserved for condition, the proposal would cause some slight harm and some slight enhancement to the significance of 2-3 Philpot Lane.

After accounting for design mitigation, your officers have concluded that less than substantial harm would be caused to the significance and setting of the Monument and Tower Bridge, at the lower end and very much at the lower end of the spectrum, respectively.

The NPPF, paragraph 196, requires that less than substantial harm to designated heritage assets be balanced against the public benefits. That balancing exercise is set out in this report. It is the view of officers that giving great weight to the conservation of heritage assets, and considerable importance and weight to the desirability of preserving the setting of listed buildings and to the desirability of preserving or enhancing the character or appearance of the Eastcheap Conservation Area, the identified harm is outweighed by the public benefits.

The environmental impact of the development on the neighbouring buildings and spaces has been assessed. Adverse impacts have been identified on noise, vibration and air quality in the surrounding area and to nearby buildings, primarily during the demolition and construction phase, and on the daylight to and light pollution experienced by nearby residential properties, most particularly at 9B Eastcheap. Negative impacts during construction would be controlled as far as possible by the implementation of a robust Construction Environmental Management Plan and good site practices embodied therein; it is recognised that there are inevitable, albeit temporary impacts of development in a tight-knit urban environment. Post construction, compliance with planning conditions and S106 obligations would minimise any adverse impacts.

The impact on daylight to flats (serviced apartments) at 9B Eastcheap would be moderate adverse partly due to the proximity of the site to the rear of the premises and due to existing low light levels in the units. Taking into account

the BRE Guidance and the context of the premises location within a dense urban commercial environment, it is not considered that the proposal would result in an unacceptable impact on the existing use of the property. As such the extent of harm is not considered to be such that it would conflict with Local Plan Policy DM10.7 and Policy DE8 of the draft City Plan 2036. The scheme has been assessed against Local Plan policy CS10 to ensure that the proposal is appropriate to the character of the City and the setting and amenities of surrounding buildings and spaces. The scheme is not considered to have an unacceptable impact in these respects and therefore does not conflict with Policy CS10.

The scheme would involve stopping up of public highway (30sq.m.) on Talbot Court and St Benet's Place, and the dedication of new public highway (35sq.m) so that there would be a small overall gain of 5sq.m public highway. S278 agreements would be entered into with City of London and Transport for London to implement highway improvements, including the widening of the footway on Gracechurch Street.

Taking all material matters into consideration, the application is recommended to you subject to all the relevant conditions being applied and section 106 obligations being entered into in order to secure the public benefits and minimise the impact of the proposal.

Listed Building Consent 20-00743-LBC - Iron Gates on St Benet's Place

1. The proposals would result in a minor alteration to the listed gates which would be restored to their original proportions and composition and restored resulting in a minor enhancement to their special interest/heritage significance.

2. The proposals would preserve and enhance the special interest and heritage significance of the gates, subject to detail reserved for condition, in accordance with Local Plan Policies CS 12, DM 12.1 and DM 12.3, draft City Plan Policies S11 and HE1, London Plan Policy 7.8 and ITP London Plan Policy HC 1 and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The listed building application is recommended to you subject to the relevant conditions being applied.

Listed Building Consent 20-00769-LBC - 2-3 Philpot Lane

The proposals, subject to details reserved for condition, would result in the minor alteration of characteristic but on the whole non-original fabric of no

intrinsic interest causing slight, low level, less than substantial harm. Although the proposal would cause slight harm to heritage significance they would also result in some slight enhancement, with the overall effect being that the building and its setting would be preserved. In undertaking the balancing exercise (as referred to earlier in this report) considerable importance and weight has been given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (giving effect to the duty imposed by section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and accordingly considerable importance and weight has been given to the harm to heritage significance. The conclusion of the balancing exercise is that the public benefits, including the slight enhancement to heritage significance, outweighs the less than substantial harm. It is considered that the proposals would not accord with Local Plan Policy DM 12.3 and London Plan policy 7.8 as the proposal would cause some slight harm. For the same reason draft City Plan 2036 Policies S11 and HE1, and draft Publication London Plan Policy HC 1 would not be complied with. However the overall effect of the proposal would be to preserve heritage significance and public benefits have been found to outweigh the less than substantial harm.

The listed building application is recommended to you subject to the relevant conditions being applied.

Recommendation

(1) That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule subject to

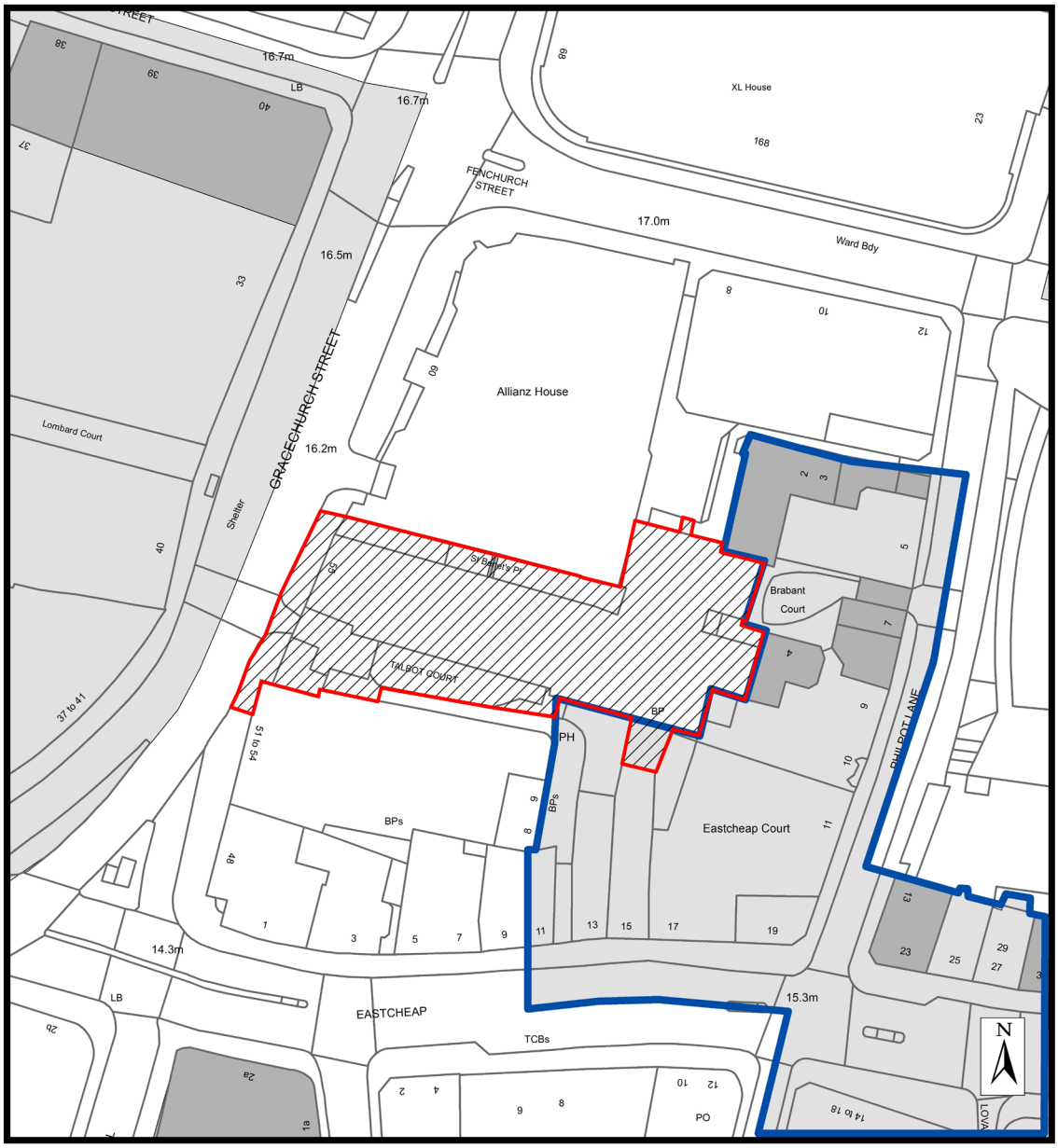
(a) planning obligations and other agreements being entered into under Section 106 of the Town & Country Planning Act 1990 and Section 278 of the Highway Act 1980 in respect of those matters set out in the report, the decision notice not to be issued until the Section 106 obligations have been executed;

(2) That you agree in principle that the land affected by the building which are currently public highway and land over which the public have right of access may be stopped up to enable the development to proceed and, upon receipt of the formal application, officers be instructed to proceed with arrangements for advertising and making of a Stopping-up Order for the various areas under the delegation arrangements approved by the Court of Common Council.

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

(4) That your Officers be authorised to provide the information required by regulations 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and to inform the public and the Secretary of State as required by regulation 30 of those regulations.

Site Location Plan



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ADDRESS:
55 Gracechurch Street, London EC3V 0EE

CASE No.
20/00671/FULEIA

SITE LOCATION

EASTCHEAP CONSERVATION AREA

LISTED BUILDINGS

CONSERVATION AREA BOUNDARY

CITY OF LONDON BOUNDARY

CITY OF LONDON

DEPARTMENT OF THE BUILT ENVIRONMENT

Gracechurch Street approach from the south



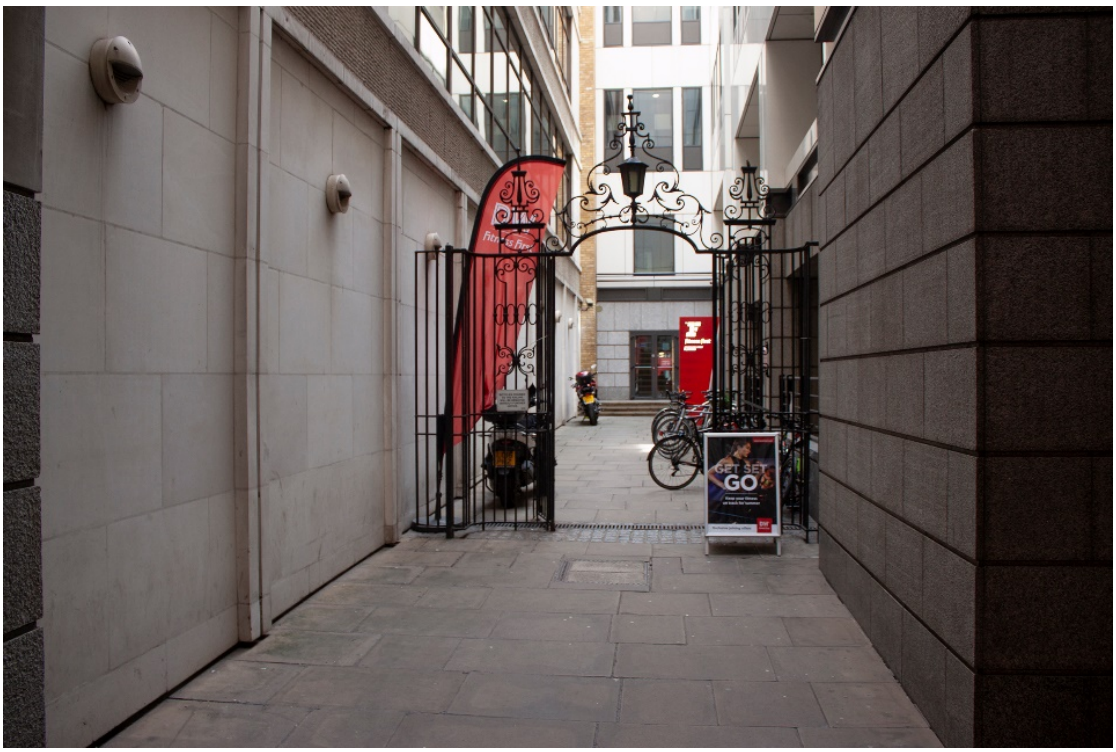
Gracechurch Street



Gracechurch Street from the north



St Benet’s Place and St Benet’s Place Gates



Talbot Court looking east from Gracechurch Street



Talbot Court – looking east toward Gracechurch Street



Brabant Court elevation



Brabant Court and Brabant Court Gates



Part of site (lightwell) falling within Eastcheap Conservation Area



2-3 Philpot lane – chimney and fire escape



Aerial view showing relationship of 2-3 Philpot Lane with 55 Gracechurch Street



North elevation from northern courtyard (outside site)



Environmental Statement

1. The application is for EIA development and is accompanied by an Environmental Statement (ES). The ES is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. This is to ensure that the importance of the predicted effects and the scope for reducing them are properly understood by the public and the competent authority before it makes its decision.

2. The Local Planning Authority must take the Environmental Statement into consideration in reaching its decision as well as comments made by the consultation bodies and any representations from members of the public about environmental issues as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

3. The duties imposed by regulation 26 of the EIA Regulations require the local planning authority to undertake the following steps:

   a) To examine the environmental information

   b) To reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account the examination referred to at (a) above, and where appropriate, their own supplementary examination

   c) To integrate that conclusion into the decision as to whether planning permission is to be granted; and

   d) If planning permission or subsequent consent is to be granted, consider whether it is appropriate to impose monitoring measures.

4. The local planning authority must not grant planning permission unless satisfied that the reasoned conclusion referred to above is up to date. A reasoned conclusion is to be taken to be up to date if, in the opinion of the relevant planning authority, it addresses the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development. The draft statement attached to this report at Appendix A and the content of this report set out the conclusions reached on the matters identified in regulation 26. It is the view of the officers that the reasoned conclusions address the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development and that reasoned conclusions set out in the statement are up to date.

5. Representations made by anybody required by the EIA Regulations to be invited to make representations and any representations duly made by any other person about the environmental effects of the

development also forms part of the environmental information to be examined and taken into account by your Committee.

6. The Environmental Statement is available online, together with the application, drawings, relevant policy documents and the representations received in respect of the application.

7. Additional environmental information was requested, published and consulted upon under regulation 25 of the Town and Country Planning (Environmental Impact Assessment)Regulations 2017. The additional information (being further information and any other information) which forms part of the environmental information is also available online along with any further representations received in conjunction with the information.

Site and surroundings

8. The site is located towards the southern end of Gracechurch Street, on its eastern side. It is bounded by Gracechurch Street to the west, St Benet's Place and a private courtyard to the north, Brabant Court to the east and Talbot Court to the south.

9. The site includes grade II listed iron gates across St Benet's Place.

10. The site also includes a chimney stack on the southern flank wall of 2-3 Philpot Lane, a grade II listed building.

11. The existing Portland Stone clad building dates from the 1990s. It is 8 storeys high with 2 basements and comprises 9143 sqm (gea) offices and 1302 sq.m (gea) gym/fitness club in the basement. (Total 10,445 sq.m.).

12. The building's Gracechurch Street frontage bridges over the access to the historic alleyway of St Benet's Place to the north (part public highway) and to Talbot Court to the south. (public highway with through access to Eastcheap).

13. Residential properties at 4 Brabant Court and 9B Eastcheap lie to the east and south of the site.

14. The site is immediately abutted to the east by the Eastcheap Conservation Area; a small parcel of land which is a courtyard located in the site falls within the Conservation Area.

15. Immediately to the west on the opposite side of Gracechurch Street is the Bank Conservation Area and some distance to the north is the Leadenhall Market Conservation Area.

16. There are a number of listed buildings in the immediate vicinity of the site. These include:

- St Benet's Place gates (included in the site)
- 2-3 Philpot Lane adjoining to the north (Grade II)
- 7-8 Philpot Lane across Brabant Court to the east (Grade II*)
- 4 Brabant Court immediately joining to the east (Grade II)
- The Monument (Grade I and a Scheduled Monument) lies about 120m to the south.

17. Other listed buildings in close proximity include 38 and 39-40 Lombard Street (Grade II), 27 Clements Lane (Grade II) and St Clements's Church (Grade I) all in the Bank Conservation Area; 23 Eastcheap (Grade II), 31-35 Eastcheap (Grade II*) and St Margaret Patten's Church (Grade I) in the Eastcheap Conservation Area and 2a Eastcheap (Grade II).

18. Gracechurch Street forms part of the Transport for London Road Network for which Transport for London is the highway authority.

Proposals

19. The following applications have been made:

20/00671/FULEIA

Planning permission for:

- The demolition of the existing building and erection of a new building to provide an Class E office-led tower of ground plus 29 storeys with flexible retail use (mix of shops and restaurants, Class E, drinking establishments (sui generis), hot food take-away (sui generis)) at ground and first floor and a public garden terrace with ancillary space (sui generis) at 6th and 6th floor mezzanine level.
- The temporary removal and storage of the Grade II Listed gateway in St Benet's Place during construction and the reinstatement of the gateway in the same position during the latter stages of development construction.
- The demolition of a chimney stack attached to 2-3 Philpot Lane (Grade II).
- Provision of new publicly accessible routes through the site and hard and soft landscaping.

20/00743/LBC

Listed Building Consent for:

The temporary removal, storage and alteration of the Grade II Listed gateway in St Benet's Place during construction and the reinstatement of the gateway during the latter stages of development construction.

20/00769/LBC

Listed Building Consent for:

The demolition of a chimney stack attached to 2-3 Philpot Lane (Grade II)

20. This report deals with the application for planning permission (20/00671/FULEIA) and the two separate applications for Listed Building Consent (20/00743/LBC and 20/00769/LBC)

21. The scheme provides 38,063 sq.m gea floorspace comprising:

- 34,004 sq.m of office floorspace
- 2456 sq.m of retail
- 1603 sq.m of publicly accessible garden terrace and ancillary area.

22. The maximum height of the proposed development would be 146.05m AOD and incorporates a distinct 6 storey podium building with a two-

part rectilinear 25 storey (including 2 roof plant levels) tower element above. The public garden terrace with walkway mezzanine is proposed at the top of the podium building.

23. The scheme provides a significant increase in office and retail floorspace on the site, with the aim of creating an open and permeable publicly accessible ground and first floor with a variety of retail uses, with flexible Grade A office floorspace above.

24. The main entrance would be from Gracechurch Street giving entry to a large open ground floor with escalators ascending to the 2nd and 3rd floor office receptions. The southern frontage to Talbot Court would contain large openings to the ground floor providing further public access and active frontage.

25. New pedestrian public routes are proposed in the building providing 24 hour access from Gracechurch Street and Talbot Court through to Brabant Court and providing for the potential of a new north-south route to the courtyard to the north (outside the applicant's demise) in the future.

26. An historic alley along St Benet's Place through to Brabant Court would be reinstated, providing an east – west connection from Gracechurch Street to Brabant Court and Philpot Lane beyond.

27. The publicly accessible spaces at ground and first floor would be interspersed with flexible commercial units designed for a range of occupiers and are able to be reconfigured over time to suit demand.

28. The proposed garden terrace at level 6 and mezzanine would be accessed via two dedicated lifts within the ground floor plane with access/egress from both within the building and from St Benet's Place. The external garden terrace would be adjoined by an ancillary internal space which would provide a small ancillary retail outlet, and a generous space for related and ancillary cultural and community outreach activities.

29. The scheme would incorporate extensive urban greening including planting and mature trees on the garden terrace and an extensive living wall reaching from the ground floor in St Benet's Place up to the soffit of the 8th floor, together with planting on the south elevation, a mature tree in a ground level courtyard and 2 trees at a non-accessible level 2 terrace.

30. Off street servicing would take place from the basement, accessed out of hours by two vehicle lifts which during the daytime would form part of the unobstructed ground floor plane and public realm within the site. This innovative solution combats the issue of dead frontage and ground floor space often experienced with service yard entrances.

31. The development would have three basement levels: Basement 1 would accommodate the delivery and servicing requirements of the site including two servicing bays, a refuse storage area, goods storage area and goods lifts to the upper floors and plant. Basement 2 and Basement 3 mezzanine would accommodate long stay cycle spaces,

showers, lockers and associated facilities. Basement 3 would generally comprise plant.

Consultations

32. The Applicants have submitted a Statement of Community Involvement outlining their engagement with stakeholders including an online Public Exhibition which was held between 6th and 17th July 2020. The website received circa 2044 views and 23 feedback forms were completed. In summary 70% respondents supported the proposals, 17% were neutral and 13% were opposed. Positive comments were received in respect of the building's design, the increased permeability and pedestrian routes and the environmental credentials of the building. More negative comments related to potential over-development, the façade treatment, the form of the top of the building, and stated a preference for a rooftop bar or restaurant rather than a public garden in order to diversify and improve the night-time offer.

33. The applicants have also directly engaged with The Aldgate School to discuss how the publicly accessible spaces, in particular the garden terrace and associated space, can be made relevant to the pupils at the school and provide outreach opportunities for the pupils and other local children.

34. The views of other City of London departments have been taken into account in the preparation of this redevelopment scheme and some detailed matters remain to be dealt with under conditions and the Section 106 agreement.

35. Following receipt of the applications they have been advertised on site and in the press and have been consulted upon twice, including under regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Copies of all received letters and e-mails making representations are attached in full and appended to this report. A summary of the representations received, and the consultation responses is set out in the table below.

36. The applicants have provided a detailed response to matters raised in consultee and third-party responses. The applicant's response is attached in full and appended to this report.

Consultation responses	
Historic England	Historic England objects to the application stating that while it does not have objections to the principle of redeveloping the site it expresses serious concerns about the harm that the proposals would cause to highly significant heritage assets. These include Tower Bridge, the Tower of London, the Monument and the Church of St Mary Woolnoth. In outline these concerns are as follows:

	• Tower Bridge: looking upstream towards Tower Bridge, with the City Cluster beyond, the existing building at No. 20 Fenchurch Street is prominently visible in the backdrop of Tower Bridge, framed by the Grade I listed bridge's iconic form. The proposed new development would add considerable additional built form to this framed view and further reduce the amount of clear sky within the space between the two towers and upper and lower decks of the bridge that allows the unique form of the bridge to be appreciated and understood. The result is that the new proposals would add some harm to the considerable harm already caused by the presence of No. 20 Fenchurch Street to the significance of Tower Bridge through development within its setting. • Tower of London: Historic England identifies minor harm to views from within the Tower of London where the development would appear alongside 20 Fenchurch Street increasing the amount of new development encroaching into the Inner Ward. They advise that given the status of the Tower as a World Heritage Site, preserving its significance must be given the greatest possible weight. • Historic England express particular concern about the impact of the proposals on the significance of the Monument when viewed from the Church of St Magnus the Martyr, stating that the significance of the Monument is particularly evident in this view (on the historic approach from the Old London Bridge) with the prominent classical column appearing unchallenged by modern development in its backdrop. The new proposal would appear in the backdrop of the Monument, rising to the level of the viewing platform. It would cause marked harm to the significance of the Grade I listed building and scheduled monument by encroaching upon its setting and reducing its intended prominence from this important view leading into the City from the South. • Church of St Mary Woolnoth. The proposals would impact on its setting in the view from Bank Junction by encroaching on the clear sky behind the silhouette of the towers of the Grade I listed church, thereby causing a degree of harm.

	Historic England recognises that the development is well integrated into the established Cluster and that it brings opportunities to improve the public realm and the setting of listed buildings around Brabant Court. However it does not consider these benefits would outweigh the harm, having regard to national, strategic and local policies. Historic England is unable to support the proposals in their current form due to the harm they would cause. **Response to Comments**: Consideration of the impacts identified in Historic England's response are contained in the following sections later in this report: Heritage – Tower of London World Heritage Site and Designated Heritage Assets.
Historic Royal Palaces	HRP state that while they oppose the proposed southern extension of the City Cluster in the draft City Plan 2036, and the inclusion of 20 Fenchurch Street in the cluster, they do not object to the proposed development as its impact on the Tower World heritage Site would not be significant.
The Georgian Group	The Georgian Group objects to the application. In summary it acknowledges that there are several designated heritage assets of national importance within the vicinity of the site but comment only on the impact on those buildings that date within their remit (1700-1840) namely St Mary Woolnoth Church. Constructed between 1716-1727 and designed by Nicholas Hawksmoor with the assistance of John James, the church is of considerable architectural and artistic interest, and historic interest. It was Hawksmoor's only city church and is a unique work of English Baroque architecture. It considers that the new building would be clearly visible when viewing St Mary Woolnoth Church from the Bank interchange. Currently, the view of the church from this position is largely undisturbed and this enhances the significance of this grade I designated heritage asset, allowing for the two square turrets located on the central tower to be appreciated. The introduction of the 30-storey building will cause harm to the setting of the church and also the significance of the church as a landmark within the City of London. **Response to Comments**: consideration of the impacts identified in The Georgian Group's response are contained in the following sections later in this report: Heritage – Designated Heritage Assets.

The Victorian Society	The Victorian Society objects to the application and requests that the application is refused. In summary it identifies 'great and unwarranted harm' caused by the scale of the proposals to listed buildings in the vicinity, in particular 39-40 Lombard Street and 33&35 Eastcheap and to the Eastcheap, Bank and Leadenhall Market Conservation Areas. The Society is also concerned about the proposed location separate from the rest of the Cluster and the cumulative effect of the front line of towers moving south, irreversibly altering the character of the City and its significance when viewed from the River Thames. **Response to Comments:** consideration of the impacts identified in the Victorian Society's response are contained in the following sections later in this report: Heritage – Designated Heritage Assets
Conservation Area Advisory Committee	The Conservation Area Advisory Committee strongly objects to the proposal stating that while not objecting to the loss of the existing building, the height and bulk of the new building represents "tall building creep" into an area characterised by buildings of seven or eight storeys which would not enhance Eastcheap Conservation, nor the neighbouring Conservation Areas. **Response to Comments**: consideration of the impacts identified in the CAAC's response are contained in the following sections later in this report: Heritage – Designated Heritage Assets
Transport for London	Transport for London raised a number of detailed comments including regarding cycle parking, public realm and pedestrian comfort, bus shelter relocation, delivery and servicing, construction management and logistics. These comments have been addressed in revised and additional information. Transport for London has confirmed that the amendments to the proposed development and clarifications contained in the TA Addendum are acceptable and supported as being in compliance with the Draft Publication London Plan. Transport for London requires the City to secure a S106 obligation to enter into a S278 agreement with TfL for highway works on Gracechurch Street.
Transport for London Crossrail Safeguarding	No objections

Environment Agency	No comments
Lead Local Flood Authority	Conditions are recommended requiring details to ensure that sustainability, flood risk reduction and water runoff rates are improved.

London City Airport	The proposals do not conflict with current safeguarding criteria and so there is no objection.
National Air Traffic Services (NATS)	The proposals do not conflict with current safeguarding criteria and so there is no objection.
London Borough of Southwark	The London Borough of Southwark has objected to the planning application as follows: • "The proposed development, due to its alignment and its substantial scale, would combine with the Walkie Talkie in a number of views from the Southwark River Walk and would interact substantially with the Grade I Listed Tower Bridge when viewed from the riverside at Butlers Wharf. It is considered that the interaction in View 10 is likely to cause harm to this view adding to the visual clutter and extending the tall buildings cluster at the City further to the west. • In Views 11 and 12 from the River Walk the proposed development would be isolated from its neighbour and more prominent in the river view, rising sheer behind on the river frontage. Its simple, rectangular design appears more stark in these views and detracts from this sensitive river setting. The proposal appears to mark a new south-west edge to the City Cluster and appears to rise abruptly from a well-established street-scene. As a consequence, its relationship to the City cluster appears unresolved. The harm which the development would cause to these important river views must be recognised. The proposal should be substantially amended to reduce its scale in order avoid its harmful visual impact on the setting of Tower Bridge and its river frontage setting." **Response to Comments**: consideration of the impacts identified in LB Southwark's response are contained in the following sections of the report: the Building's Form and Relationship to the Eastern Cluster and Heritage – Heritage Assets.

London Borough of Tower Hamlets	The London Borough of Tower Hamlets have raised no objections, noting that the impact of the development on the Tower of London World Heritage Site would not be significant.
City of Westminster	No objections
Royal Borough of Greenwich	No objections

Letters of representation – 4 letters of objection received from the owners/occupiers of 3 adjoining sites	
Freehold owners of 51-54 Gracechurch Street and 8-9 Talbot Court	Objection on the following grounds: • Excessive bulk, height and massing, outside the designated Eastern Cluster of the Local Plan which would create an overbearing relationship with neighbouring buildings; • Significant adverse impact on daylight to neighbouring buildings, harmful to the health and well- being of occupiers • Adverse effects on Talbot Court and highway safety due to servicing arrangements and use of bollards • Adverse environmental effects during construction **Response to Comments:** consideration of these impacts are contained in the following sections of the report: The Building's Form and relationship to Eastern Cluster; Design Approach; Transport, Servicing, Parking and Impact on Public Highways; Environmental impact of proposals on the surrounding area.
Freeholder owners of 10 Philpot Lane	The freeholder owners of 10 Philpot Lane have submitted a detailed objection and accompanying Heritage/Townscape Report to the proposals regarding the potentially adverse effect on both 10 Philpot Lane and the wider City of London. In summary the grounds of objection contained in the letter (and elaborated in the Heritage report) cover the following matters: Impact on Heritage Assets and Townscape The proposal is contrary to a number of policies including Local Plan Policy CS14 and would cause at least less than substantial harm to the character of a range of heritage assets by virtue of its height, form and design. The grounds of objection are summarised below:

	• The proposal falls below the requirement in respect of tall buildings for world class architecture and represents a missed opportunity to enhance the skyline; • It does not take account of the character of the surroundings, notably the prevailing scale of development in the three adjacent Conservation Areas and the townscape on Gracechurch Street • It creates an uncharacteristic and substantial protrusion in a City block which is in an area of low/mid-rise courtyard character • It affects the quality of townscape views from the street and high levels from the Monument • It would cause harm to the significance to a number of heritage assets including Grade I Church of St Mary Woolnoth, Grade I Church of St Magnus the Martyr, the Grade I Monument and the Grade II* 7-8 Philpot Lane; • It would cause harm to the character and setting of the Eastcheap Conservation Area, the Leadenhall Market and Bank Conservation Area and building within them, including Grade II 4 Brabant Court, Grade II 2-3 Philpot Lane. **Response to Comments:** consideration of these impacts are contained in the following sections of the report: The Building's Form and relationship to Eastern Cluster; Design Approach; Designated Heritage Assets; Adequacy of the Environmental Assessment • The Environmental Statement refers to uses defined under the categories of the Town and Country Planning (Use Classes) Order 1987. The description of development refers to the same types of uses but as defined under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which would potentially allow for a significantly different range of uses. Therefore, it is stated that the City of London need to determine that the Environmental Statement and all other documents adequately assess the proposed development. **Response to Comments:** Addressing this point, the planning application was validated on 1 September 2020 and the uses within the description of development are as defined under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which came into force that day. The application clearly defines the specific uses within each Use Class and the quantum of

	such uses, and these do not differ from those contained and assessed in the ES. Conditions are recommended to be imposed which restrict the uses and quantum of those uses, to those assessed within the Environmental Statement It is concluded that the ES is suitable to adequately assess the proposed development. Transport and Servicing • Congestion of the pedestrian network would be made worse and concerns are raised regarding the proposed relocation of the bus stop outside the development on Gracechurch Street. • The vehicle service lifts and basement service area are restricted in size which may result in service vehicles unloading on-street in Talbot Court resulting in congestion and highway safety issues. In addition, there is little resilience built in in the event of mechanical failure. • Queries around the methodology of the trip generation assessment and a Healthy Street Checklist assessment **Response to comments:** consideration of these impacts are contained in the following sections of the report: Transport, Servicing, Parking and Impact on public highways. Wind Impacts • Queries are raised regarding the methodology of the wind tunnel and CFD assessments. **Response to comments:** Addressing this point, information responding to these queries was submitted and reconsulted upon in December 2020. The consideration of the Wind Impact Assessments are contained in the following section later in the report: Environmental Impacts of Proposals on Surrounding Area Daylight and Sunlight Impacts • The impact on daylight and sunlight to 10 Philpot Lane has not been assessed in the application and will be detrimentally affected by a significant adverse impact. **Response to comments:** Consideration of these impacts are contained in the following section of the report: Environmental Impact of Proposals on Surrounding Area

Freeholder owners of 10 Philpot Lane.	**A further letter of objection following 2nd round of consultation December 2020** The freehold owners of 10 Philpot Lane have submitted a second letter of objection and an accompanying review of the Heritage and Townscape issues. In summary the grounds of objection are as follows: It is not considered that the amended scheme materially addresses the heritage and townscape objections previously raised and as summarised above in respect of: • the requirement for world class architecture and enhancement of the skyline • detrimental relationship of the proposal with the Monument in views from Gracechurch Street • detrimental impact on the setting of St Mary Woolnoth • detrimental impact on St Magnus the Martyr due to impact upon view of the Monument • detrimental impact on the Monument and on views from the Monument • detrimental impact on Eastcheap Conservation Area • harm caused to the Grade II listed 2-3 Philpot Lane by removal of chimney stack • that the site is inappropriate for a 'tall building' under Local Plan policy CS14 • that the Heritage and Townscape Visual Impact Assessment does not fully assess the harm to heritage assets of the highest significance • that public benefits from the Proposal do not outweigh the less than substantial harm to the heritage assets. **Response to comments**: Consideration of these matters are contained in the following sections of this report: The Building's Form and relationship to Eastern Cluster; Design Approach; Designated Heritage Assets; Assessment of Public benefits.
Freehold owners of 2-3 & 5 Philpot Lane	A letter of objection accompanied by a Heritage Report has been received on behalf of Store Property Investments, the freehold owners of 2-3 and 5 Philpot Lane. In summary the grounds of objection contained the letter (and elaborated in the Heritage Report) cover the following matters: Principle of Development and Design • That a tall building in this location is unacceptable due to the building's spatial location, impact on skyline, historic skyline features, amenity of neighbouring buildings and lack of high quality public realm contrary to Local Plan policy CS14,

	draft Local Plan policy S12, Draft Publication London Plan D9, • That the building due to is height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings resulting in significant adverse impacts to the amenity of occupiers contrary to policies CS8 and DM10.1 of the Local Plan, policies S8 and D2 of the draft Local Plan and policies D3, D4, D5, and D8 of the Draft Publication London Plan. **Response to comments:** The consideration of these impacts are contained in the following sections of the report: The Building's Form and relationship to Eastern Cluster; Design Approach; Designated Heritage Assets; Heritage • That the impact of the proposals on nearby listed buildings has not been properly assessed • The proposals would harm the significance and setting of 2-3 Philpot Lane and 4 Brabant Court • The removal of the chimney stack would result in the loss of historic fabric and evidential value • That the proposal adversely impacts on the Eastcheap Conservation Area by virtue of its dominance and overbearing nature. • Contrary to Local Plan policies CS12 and DM12.1, draft Local Plan policies S11 and HE1. **Response to comments:** consideration of these impacts are contained in the following sections later in the report: Designated Heritage Assets Daylight and Sunlight • A daylight and sunlight assessment of the impact on 2-3 & 5 Philpot Lane, which in apart-hotel use should be regarded as a sensitive property has not been carried out. • An overshadowing assessment in respect of the courtyard to the north of the development has not been carried out. • Contrary to Local Plan policies DM10.1 and DM10.7 and draft Local Plan policies D2 and D8 **Response to comments:** An overshadowing assessment to the northern courtyard has been carried out and submitted, and reconsulted upon in December 2020. Consideration of these impacts are contained in the flowing sections of the report: Environmental Impacts of proposals on surrounding areas

	Microclimate • That the impact of the wind microclimate on the entrance and external amenity space has not been adequately tested • Contrary to Local Plan policy DM10.1 and policy DE2 and S8 of the emerging Local Plan. **Response to comments:** consideration of these impacts are contained in the following sections later in the report: Environmental Impacts of proposals on surrounding areas Impact on Viability of the hotel use • The detrimental impact of the development in terms of amenity, wind and daylight and sunlight would affect the viability of the hotel use. • Contrary to Local Plan policy CS11, draft Local Plan policy S6 and policy of E10 of draft London Plan **Response to comments:** consideration of these impacts are contained in the following sections later in the report: Environmental Impacts of proposals on surrounding areas Other matters • The application proposes the demolition of the listed chimney stack which forms part of 2-3 Philpot Lane, to which the owners would not consent. • 2-3 Philpot Lane have a right of fire escape over the existing property at 55 Gracechurch which has not been addressed or replaced in the proposed scheme. • The Outline Construction Environmental Management Plan does not adequately address impacts of demolition and construction on neighbouring buildings, including dust, noise, scaffolding. • No meaningful consultation has taken place between the applicants and the owners of 2-3 Philpot Lane. Related works which fall within the owners' demise would not be agreed to. **Response to comments:** In addressing these points as relevant to planning, the applicants advise that the historic means of escape route from 2-3 Philpot Lane has been abandoned and is no longer accessible. (It would appear that the door in the flank wall of 2-3 Philpot Lane to the staircase is infilled.) However, the applicants advise that an alternative route from the previous access point in 2-3 Philpot Lane could be re-provided in the new development.

	The applicants advise that discussions are on-going between owners outside the planning process. A CEMP would be required for submission and approval by condition and would need to comply with the City's Code of Practice for Deconstruction and Construction Sites. The objectors have confirmed, following the **December 2020** consultation, that their objections still stand.
Operators of the apart-hotel at 2-3 Philpot Lane	A letter of objection, accompanied by the same Heritage Report as detailed above has been received on behalf of City Apartments, the operators of the apart hotel at 2-3 Philpot Lane. The grounds of objection are as above with the following additional considerations: Amenity Impacts • Loss of privacy and noise to the occupants of the apart hotel caused by the increased activity in Brabant Court, potential activity in the courtyard to the north and during construction. **Response to comments**: Addressing this point, Brabant Court is public highway and therefore can be freely accessed by members of the public. The reinstatement of the historic route through the site to Brabant Court and Philpot Lane would result in greater pedestrian activity in Brabant Court. In the past the Court has been underused and there has been evidence of mis-use due to lack of surveillance. The proposals are considered to provide the public benefit of the reinstated route and provide some vibrancy to this eastern edge of the development site. In respect of the private courtyard to the north, this is outside the demise of the application; within the development site, the proposals provide for a public route which could potentially link to the courtyard should this be possible to achieve in the future. Heritage Impacts • The proposed development would detract from the significance of 2-3 Philpot Lane and likely damage its economic viability which would impact on the property's on-going and long-term conservation as a heritage asset. **Response to comments**: consideration of these impacts are contained in the following sections later in the report: Heritage - Designated Heritage Assets. The objectors have confirmed, following the **December 2020** consultation, that their objections still stand.
The Aldgate School	A representation supporting the proposals has been submitted as follows:

	The school would like to show support for the planning application at 55 Gracechurch Street. It will provide a number of positive benefits to our school community and their education: • Provision of new pedestrian routes which are away from traffic providing clean air as our children walk to the new building. • Provision of a new public space for our school community to use just 10 minutes from the school • A place for the local community to gather benefitting their wellbeing • A new garden area on the upper floor providing a green canopy for the community to sit in; away from traffic and providing a sanctuary. • An educational space for the children to learn in and have lessons in; in particular in relation to plants and how they are affected by climate change and also the historic streets in which the building is situated.
Owners of 60 Gracechurch Street	A letter of objection on the following grounds: • that the Proposal would have a significant adverse impact on the amenities of the occupiers of 60 Gracechurch Street contrary to Local Plan policy CS14, London policy 7.6, Publication London Plan D9 and draft City Plan 2036 S12 with particular reference to daylight and sunlight, which has not been assessed and overlooking from the garden terrace. • That the proposal would have the potential to blight the future development potential of 60 Gracechurch Street, which is included in the emerging City Cluster and identified as a Renewal Opportunity Site. • That the development site is not appropriate for a tall building and would be discordant with the scale and character of the area. • That the application does not adequately assess the cumulative impact of the development of 55 and 70 Gracechurch Street on 60 Gracechurch Street. • Adverse impact on designated heritage assets **Response to comments**: consideration of these impacts are contained in the following sections of the report: Proposed uses; : The Building's Form and relationship to Eastern Cluster; Design Approach; Designated Heritage Assets; Environmental Impact of proposals on surrounding area.

Policy Context

37. The development plan consists of the London Plan and the City of London Local Plan. The Mayor of London and the City of London have prepared draft plans which are material considerations to be taken into account in the determination of the applications.

38. The Draft London Plan is at an advanced stage. It takes forward many of the policy positions of the existing plan whilst strengthening and adding to others. On the 13th March 2020 the Secretary of State directed the Mayor not to adopt the Plan due to it not satisfactorily addressing a number of national policies in respect of housing ambition, small sites, industrial land and aviation. Following an exchange of correspondence and further directions issued by the Secretary of State on 10th December 2020, the Mayor approved the 'Publication London Plan' which is intended to address the Secretary of State's directions of 13th March 2020 and 10th December 2020. On 21st December 2020 the Mayor sent the Publication London Plan to the Secretary of State for his consideration. It has passed through the Examination in Public and is expected to be published in early 2021, so is to be afforded some significant weight as a material consideration.

39. In relation to this scheme the draft Publication London Plan continues to support a mixed-use office scheme in the Central Activities Zone (CAZ). The changes that are most relevant to this scheme are those that encourage good growth, enhance climate change, good design and sustainability requirements and further support requirements for public access and routes through sites.

40. The draft City Plan 2036 was agreed by the Court of Common Council in May 2020 for pre-submission, Regulation 19, consultation. The Plan is therefore a material consideration in the determination of planning applications. As the plan has not yet reached the regulation 19 stage, it can only be afforded limited weight. Regulation 19 consultation has been paused until early 2021 to enable the City Corporation to update policies in light of changes to the Use Class Order. These changes have been agreed by the Planning & Transportation and Policy & Resources Committee and will be considered by Court of Common Council in January 2021. However, the fundamental principles in relation to this application remain unchanged.

41. The London Plan and Local Plan policies and supplementary planning guidance documents that are most relevant to the consideration of this case are set out in Appendix B to this report.

42. Government Guidance is contained in the National Planning Policy Framework (NPPF) 2019 and the Planning Practice Guidance (PPG) which is amended from time to time.

43. In respect of sustainable development, the NPPF states at paragraph 10 that 'at the heart of the Framework is a presumption in favour of sustainable development.' At paragraph 11(c) the NPPF states that

for decision-making this means 'approving development proposals that accord with an up-to-date development plan without delay…'.

44. Paragraph 48 states that local planning authorities may give weight to relevant policies in emerging plans according to:

    a) the stage of preparation of the emerging plan (the more advanced its preparation the greater the weight that may be given);

    b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and

    c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

45. It states at paragraph 8 that achieving sustainable development has three overarching objectives, being economic, social and environmental.

46. Chapter 9 of the NPPF seeks to promote sustainable transport. Paragraph 103 states that "Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health".

47. Paragraph 111 states that "All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed".

48. Chapter 12 of the NPPF seeks to achieve well designed places. Paragraph 124 advises that "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".

49. Paragraph 127 sets out how good design should be achieved including ensuring developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible and which promote health and wellbeing.

50. Paragraph 131 sets out that great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

51. Chapter 14 of the NPPF relates to climate change, flooding and coastal change. Paragraph 151 states that new developments should increase the use and supply of renewable and low carbon energy and heat through measures including renewable and low carbon energy sources and identifying opportunities to draw energy supply from decentralised supply systems.

52. Chapter 16 of the NPPF relates to conserving and enhancing the historic environment. Paragraph 190 of the NPPF advises that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

53. Paragraph 192 of the NPPF advises, "In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness."

54. Paragraph 193 of the NPPF advises "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

55. Paragraph 194 of the NPPF states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."

56. Paragraph 196 of the NPPF states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." When carrying out that balancing exercise in a case where there is harm to the significance of a listed building, considerable

importance and weight should be given to the desirability of preserving the building or its setting. When carrying out the balancing exercise in a case where there is harm to the significance of a conservation area, considerable importance and weight should be given to the desirability of preserving or enhancing the character or appearance of the conservation area.

57. Paragraph 197 states “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

Considerations

58. 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).

59 In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas)Act 1990).

60. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

61 In exercising planning functions with respect to buildings or land in a conservation area, there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. (S 72(1) Planning, Listed Buildings and Conservation Areas Act 1990); (a small part of the application site is within the Eastcheap Conservation Area, engaging this duty in relation to that conservation area).

62 In considering the planning application before you, account has to be taken of the documents accompanying the application, the environmental information including the Environmental Statement, the further information, any other information, and consultation responses,

the development, plan, and other material considerations including SPGs, SPDs emerging policy.

63 There are policies in the Development Plan which support the proposal and others which do not. It is necessary to assess all the policies and proposals in the plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.

64 The principal issues in considering this application are:

- The extent to which the proposals comply with Government policy advice (NPPF) and with the relevant policies of the Development Plan;
- The economic benefits of the proposal
- The appropriateness of the proposed uses
- The appropriateness of the bulk, massing and design of the proposals
- The impact of the proposal on the Tower of London World Heritage Site
- The impact on strategic views in the Local Views Management Framework and on local townscape views
- The impact of the proposal on other designated heritage assets, including the listed gates at St Benet's Place (Grade II) and 2-3 Philpot Lane (Grade II).
- The proposed public realm benefits and cultural/community offer
- Transport, servicing, cycle parking provision and impact on highways
- The impact of the proposed development on the amenity of nearby residential occupiers, including noise, overlooking, daylight, sunlight and light pollution.
- The environmental impacts of the proposal including wind microclimate, flood risk, air quality, building resource efficiency, energy consumption and sustainability.

Economic Issues and the Need for Development

65 The City of London, as one of the world's leading international financial and business centres, contributes significantly to the national economy and to London's status as a 'World City'. Rankings such as the Global Financial Centres Index (Z/Yen Group) and the Cities of Opportunities series (PwC) consistently score London as the world's leading financial centre, alongside New York. The City is a leading driver of the London and national economies, generating £69 billion in economic output (as measured by Gross Value Added), equivalent to 15% of London's

output and 4% of total UK output. The City is a significant and growing centre of employment, providing employment for over 520,000 people

66 The City is the home of many of the world's leading markets. It has world class banking, insurance and maritime industries supported by world class legal, accountancy and other professional services and a growing cluster of technology, media and telecommunications (TMT) businesses. These office-based economic activities have clustered in or near the City to benefit from the economies of scale and in recognition that physical proximity to business customers and rivals can provide a significant competitive advantage.

67 Alongside changes in the mix of businesses operating in the City, the City's workspaces are becoming more flexible and able to respond to changing occupier needs. Offices are increasingly being managed in a way which encourages flexible and collaborative working and provides a greater range of complementary facilities to meet workforce needs. There is increasing demand for smaller floor plates and tenant spaces, reflecting this trend and the fact that a majority of businesses in the City are classed as Small and Medium Sized Enterprises (SMEs).

68 The National Planning Policy Framework establishes a presumption in favour of sustainable development and advises that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It also states that planning decisions should recognise and address the specific locational requirements of different sectors.

69 The City lies wholly within London's Central Activity Zone (CAZ) where the London Plan promotes further economic and employment growth. The GLA projects (GLA 2017 London Labour Market Projections and 2017 London Office Policy Review), that City of London employment will grow by 116,000 from 2016 to 2036, of which approximately 103,000 employees are estimated to be office based. London's rapidly growing population will create the demand for more employment and for the space required to accommodate it.

70 The London Plan 2016 strongly supports the renewal of office sites within the CAZ to meet long term demand for offices and support London's continuing function as a World City. The Plan recognises the City of London as a strategic priority and stresses the need 'to sustain and enhance it as a strategically important, globally-oriented financial and business services centre' (policy 2.10). CAZ policy and wider London Plan policy acknowledge the need to sustain the City's cluster of economic activity and policies 2.11 and 4.3 provide for exemptions from mixed use development in the City in order to achieve this aim.

71 The London Plan projects future employment growth across London, projecting an increase in City employment of 116,000 between 2016 and 2036, a growth of 22%. Further office floorspace would be required in the City to deliver this scale of growth and contribute to the maintenance of London's World City Status.

72 Emerging London Plan policy E1 supports the improvement of the quality, flexibility and adaptability of office space of different sizes.

73 Strategic Objective 1 in the City of London Local Plan 2015 is to maintain the City's position as the world's leading international financial and business centre. Policy CS1 aims to increase the City's office floorspace by 1,150,000sq.m gross during the period 2011-2026, to provide for an expected growth in workforce of 55,000. The Local Plan, policy DM1.2 further encourages the provision of large office schemes, while DM1.3 encourages the provision of space suitable for SMEs. The Local Plan recognises the benefits that can accrue from a concentration of economic activity and seeks to strengthen the cluster of office activity.

74 The draft City Plan 2036 policy S4 (Offices) states that the City will facilitate significant growth in office development through increasing stock by a minimum of 2,000,000sqm during the period 2016-2036. This floorspace should be adaptable and flexible. Policy OF1 (Office Development) requires offices to be of an outstanding design and an exemplar of sustainability.

75 The application site is located outside the area identified as the Eastern Cluster in the Local Plan 2015.

76 The draft City Plan 2036 identifies the City Cluster area (Figure 33 of the draft Plan). This area has been extended from the area identified as the Eastern Cluster in the adopted 2015 Local Plan, to include Renewal Opportunity Sites to the north west and south west of the existing Eastern Cluster Area. The application site lies within the Renewal Opportunity Site area identified to the south west of the Cluster and within the expanded City Cluster area.

77 The Cluster Policy area is defined by an illustrative diagram in the adopted and emerging Plan. The area is intended to be a general strategic area where tall buildings can be delivered on appropriate sites. As outlined at para 2.7 of the Local Plan and paras 3.55 and 7.13 of the draft City Plan 2036 the boundary as shown in the diagrams is indicative and not prescriptive.

78 Para 3.4.4 of the draft City Plan 2036 identifies the City Cluster as a key area of change where office and employment growth will be accommodated by a cluster of tall buildings, complemented by retail, leisure, cultural and educational facilities, ground floor animation, additional greening, high quality public realm and improved pedestrian movement and permeability.

79 Objection has been raised by the owner of 60 Gracechurch Street immediately to the north that the Proposal would prejudice development opportunities for that site. There is no evidence of this. Office development is encouraged across the City and the issue of future prejudice if applied elsewhere would seriously impact on the ability of any development to come forward.

80 Despite the short term uncertainty about the pace and scale of future growth in the City following the immediate impact of Covid-19, the

longer term geographical, economic and social fundamentals underpinning demand remain in place and it is expected that the City will continue to be an attractive and sustainable meeting place where people and businesses come together for creative innovation. Local Plan and draft City Plan 2036 policies seek to facilitate a healthy and inclusive City, new ways of working, improvements in public realm, urban greening and a radical transformation of the City's streets in accordance with these expectations.

Proposed uses

81 The proposed building has been designed to provide a flexible workplace–led mix of uses. The six-storey podium building proposes a hybrid of types of spaces with a mix of public spaces, retail, food and beverage, incubator workspace for start-ups, co-working space and presentation rooms. At ground floor it enhances the permeability through the City block by re-establishing historic connections and forming new ones. The podium building is topped by a new public garden terrace, providing amenity for City workers, residents and visitors while improving biodiversity and air quality in the City. Above the podium building the tower provides 23 floors of flexible office space.

Provision of Office Accommodation

82 Strategic Policy CS1 of the City of London Local Plan 2015 and policy 4.2 of the London Plan seeks to ensure that there is sufficient office space to meet demand and encourages the supply of a range of office accommodation to meet the varied needs of City occupiers. Policy DM 1.3 seeks to promote small and medium sized businesses in the City by encouraging new accommodation suitable for small and medium sized businesses and office designs which are flexible and adaptable to allow for sub-division to meet the needs of such businesses. Similar policy objectives are carried forward into Policies S4 and OF1 of the draft City Plan 2036 and policy E1 of the Draft Publication London Plan.

83 The proposed development would provide 34,004 sqm GEA of office floorspace (an increase of 23,559sq.m. over existing) comprising well designed, flexible office accommodation in an attractive 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 Local Plan policy CS1 and draft City Plan 2036 policy S4.

84 The proposed development would provide flexible floorplates of approximately 770 sqm which would be suited to a variety of occupiers. The floorplate size offers organisations of around 100 employees the opportunity to occupy a full floorplate while there is flexibility to expand over multiple floors with potential for vertical connections between

floorplates. This range of options is well suited to Small and Medium Enterprises (SMEs) which comprise the very large majority of City businesses. The office floors would receive high levels of natural light and would benefit from a decentralised floor by floor servicing strategy which improves both sustainability and resilience. The proposed office provision addresses the needs of international business in accordance with Local Plan policy DM1.2 and draft City Plan 2036 strategic policy S4 and policy OF1.

85 The main office receptions are at 2nd and 3rd floor levels accessed predominantly by escalators ascending from the Gracechurch Street frontage through open floorplans. From here double stacked lifts travel to the remaining office floors of the podium and tower where column free office floors have been designed to maximise flexibility.

86 Primary centralised building services plant equipment is located within the three level basement and the two storey plant room at the top of the eastern section of the building. In addition to this each office floor would be served by a decentralised floor by floor heating and cooling system utilising a modular plant room with direct connection to the façade for external air. This eliminates the need for most centralised plant and for air ducts running through the building and gives independence, operational resilience and control to the occupants of each floor.

87 A range of office floorspace is required to meet the future needs of the City's office occupiers, including provision for incubator, start-ups and co-working space such as proposed in the podium building. The S106 agreement would include an obligation to make specific and identified provision within the development appropriate for such occupiers.

Proposed Retail

88 The application proposes a highly permeable ground floor, 'The Exchange', allowing public access through the site with eight different size retail units edging clear pedestrian routes into and through the site from Gracechurch Street, Talbot Court and Brabant Court. These would have frontages to Gracechurch Street, Talbot Court and Brabant Court as well as to 'The Exchange'. Lifts and escalators also provide access to an open and clearly visible first floor accommodating further retail provision. The proposed retail uses are for a flexible mix of shops, cafes and restaurants (Class E), drinking establishments and take away (sui generis) to ensure that the building can respond to market demand. The applicants indicate that they expect no more than 50% of the retail space to be food and beverage

89 The site is not located in a Principal Shopping Centre (PSC) or Retail Link as identified in the Local Plan, although the Gracechurch Street frontage is included in a Retail Link under the draft City Plan 2036. The Eastcheap/Monument area has been identified in the draft City Plan 2036 as a priority area for the delivery of new retail floorspace,

helping to meet demand arising from development in the City Cluster and improving the links towards the Pool of London.

90 The development would provide 2456sqm of retail floorspace. While major retail developments are encouraged to locate in PSCs, sites on the edges of PSCs and on identified Retail Links are recognised as appropriate for additional retail development. The proposed retail component of the scheme and creation of active frontages would enhance the public interest and vitality of the street frontages on Gracechurch Street and Talbot Court, and increase the permeability into the building and up to the first floor. A condition is recommended to secure the retail uses falling within Class E and sui generis as proposed, and to prevent the change to any other use within Class E.

91 The proposed increase in retail provision on the site and variety in unit sizes accords with Local Plan polices CS20 and DM20.4, and draft City Plan 2036 policies S5 and RE2. The mix of uses would provide a complementary use to the offices on the upper floors in accordance with Policy DM1.5 as well as provision for other workers, visitors and residents of the City in accordance with draft City Plan 2036 Policy OF1.

Loss of private gym

92 The existing basement level gym (1302sq.m in area) is not proposed to be replaced in the development.

93 Policy DM19.3 of the Local Plan resists the loss of public sports and recreation facilities, but the explanatory text, paragraph 3.19.18 recognises that it is not always necessary to protect against the loss of private gyms. Policy HL7 of the emerging City Plan 2036 seeks to protect existing facilities but does not distinguish between public and private facilities. Loss of facilities may be permitted where services can be provided from other facilities. The draft Plan explanatory text further indicates that the loss of private facilities such as gyms will be permitted where the replacement uses meet other objectives in the Plan. No information has been provided on the demand for the gym facility within the existing building, or evidence for the continuing need for this facility. However, both the adopted Local Plan and the draft Local Plan recognise that the market demand for private gyms is fluid and facilities cannot always be protected from a change of use. The proposed development will result in an increase in retail floorspace within the building and that floorspace will be more beneficially located at ground and first floor level, making it more accessible and providing an active use within a Retail Link, in accordance with draft Local Plan policy RE2. The provision of additional retail floorspace is considered to provide sufficient justification for the loss of the existing private gym facilities.

Proposed Publicly accessible garden terrace

94 The proposed garden terrace together with ancillary internal space measures 1573 sq.m in area at 6th floor and 'treetop walkway' level. The provision of the publicly accessible landscaped garden and viewing terrace presents fully inclusive new amenity space, urban greenery and biodiversity, and the creation of interesting new viewpoints of the City at the proposed mid-height level, and is in accordance with Local Plan policy DM 10.3 and draft City Plan 2036 policies S8, S14 and DE5.

95 The terrace would have a dedicated, prominent and celebrated arrival experience, via a welcome centre at ground floor, accessed from within the development and two dedicated public lifts addressing the main courtyard at the heart of the development. It would be free of charge, without the need to pre-book, secured via a Management Plan. Security would be dealt with in a discreet and appropriate manner to ensure as safe and seamless arrival experience as possible.

96 The terrace would include an ancillary internal space, including a small ancillary retail facility, and would be used for cultural and related activities engaging with a wide demographic in the City, ensuring a socially and economically inclusive offer. Details of proposed uses and ideas for engagement are included in the submitted Cultural Plan (see Cultural Strategy later in this report) and would be secured by a Cultural Implementation Strategy.

97 The Garden terrace would be open to the public all year round (with the exception of Christmas, Boxing Day, New Year's Day if required), and during the hours of 10am to 7pm or nautical dusk, whichever is the later. Outside of public hours the terrace could be used for events, as outlined in a Cultural Implementation Strategy. An Access Management Plan would be secured by S106 agreement including details of public access arrangements, hours of opening and security provision.

98 An objection has been received from the adjoining owner of 60 Gracechurch Street, the office building to the north, that the proposal would result in overlooking of the office premises from the public terrace. Much of the northern edge of the proposed terrace is taken up by the core so there are only limited areas where there are views between the Proposal site and 60 Gracechurch Street. At the western end, the main garden (level 6) would be one storey below the level of adjoining windows overlooking the site and the treetop walkway (level 6M) would be over 10m away from the nearest windows. At the eastern end of the terrace, the closest point would be a small peripheral area at level 6 which would be 4.5 m away from office windows to the north. This compares with the existing situation, where there are windows in the north elevation of the current building which are 4.2m away from the office windows to the north. It is considered that the areas of potential overlooking would be very limited, and the proposed terrace would be planted with trees and shrubs providing further visual screening. The proposals would not conflict with Policy CS10 and Policy DM10.3 of the Local Plan.

The Building's Form and Relationship to the Eastern Cluster

Principle of a Tall Building:

99 The proposal is defined a tall building under the adopted Local Plan (CS 14, para 3.14.1) and draft City Plan 2036 (S12(1), 75m AOD>).

100 The proposal is located a little to the south of the southern edge of the 'Eastern Cluster' Policy Area in the adopted Local Plan (Policy CS7, Figure G). In the draft City Plan 2036, the proposal is located on the edge of the revised 'City Cluster' Policy Area (emerging Policy S21, Figure 33), which extends the Cluster to the south incorporating 20 Fenchurch Street and the area to its west, thus drawing 20 Fenchurch Street in to a singular City Cluster. The emerging City Cluster identifies two Renewal Opportunity Sites, one of which, in part, applies to the application site, and seeks *tall buildings on appropriate sites.*

101 The Cluster Policy area is defined by an illustrative diagram in the adopted and emerging Plan. The area is intended to be a general strategic area where tall buildings can be delivered on appropriate sites. As outlined at paras 3.5.5 and 7.1.3 of the draft City Plan 2036 the boundary as shown in the diagrams is indicative and not prescriptive.

102 Most of the site is not in an area identified as 'inappropriate for a tall buildings' in either Plan. Local Plan Policy CS14 and draft City Plan 2036 Policy S12 indicate that planning permission should be refused for tall buildings in conservation areas. A small (currently) non-public lightwell wholly enclosed within the dense urban block between Gracechurch Street and Eastcheap is included in both the site boundary and the Eastcheap Conservation Area. It is proposed to transform this area into a semi-public retail terrace with a new northern elevation from which it would be accessed and include tree planting. Other than associated works and partial infilling to deliver level access, the part in the Conservation Area would not accommodate the tall building element. In terms of the principle of a tall building, the proposed tall building would be adjacent to but located outside the Conservation Area, and is therefore considered not to fall within an area which is inappropriate for tall buildings as referred to in Local Plan Policy CS 14(2) and draft City Plan 2036 Policy S12(6).

103 The tall building element is not located in an area deemed as inappropriate under Policies CS 14 (Figure N) and S21 (Figure 33), and is to be assessed against the criteria set out in CS 14(3) and S12(2-6), and the wider provisions of the Development Plan.

Skyline Impact and Relationship with the Cluster

104 The proposal would be read as part of the emerging City Custer, defining the south western edge. The height and form of the proposal has been amended following extensive pre-application discussions to ensure a sensitive relationship with the Cluster, wider London skyline, historic skyline features, local views and the significance of strategic heritage assets, in particular the Monument.

105 The proposal has been designed with the future evolution and consolidation of the Cluster in mind. In strategic London-wide and riparian views the proposal would subdue the somewhat assertive bulk of 20 Fenchurch Street as an outlier from the Cluster. The proposed elegant double-volume orthogonal form, composed, sleek and slender silhouette and composition, would counterbalance 20 Fenchurch Street, subduing its singular impact and assertiveness on the skyline.

106 Given the siting and height of the proposal, to the north and west of 20 Fenchurch Street, and the manner in which the scheme steps down twice away from it, it would in most views, in particular the important riparian views, allow 20 Fenchurch Street to demarcate the southern edge of the Cluster thus allowing an appreciation of its leaning, curving façade. The simple, calm rectilinear form would provide a foil complementing the geometry of 20 Fenchurch Street. The matt white steel stripes offer a familial relationship with 20 Fenchurch Street, without mimicking it, a common trait of the Cluster. The stepped profile allows a reading of the Sky Garden in important views, retaining its visual presence as an elevated public space in views.

107 In terms of the wider relationship with the Cluster, the proposal relates appropriately to the character of the developing cluster stepping down southwards towards the river from an apex at 22 Bishopsgate/1 Undershaft. Such an approach to the future form of the Cluster has been informed by a 3D modelling evidence to ensure the Cluster can develop and consolidate, whilst respecting heritage.

108 By way of comparison, the proposal is of a more modest height compared with other existing and consented tall buildings in the Cluster (in descending AOD height order):

- 1 Undershaft: 304.9m
- 22 Bishopsgate: 294.94m
- 122 Leadenhall Street: 239.40m
- Bishopsgate (former Heron Tower): 217.80m
- 52-54 Lime Street 206.50m
- Tower 42: 199.60m
- ‘The Gherkin’ (30 St Mary Axe): 195m
- 20 Fenchurch Street: 160m
- 50 Fenchurch Street 149.6m

- **55 Gracechurch Street: 146m (the current proposal)**

109 The proposal has been informed and through pre application discussions amended to respond to the wider London skyline, including historic skyline features and the significance of strategic heritage assets, where amendments sought to mitigate the impact on the Monument, St Mary Woolnoth, St Magnus the Martyr, Tower Bridge and the Tower of London World Heritage Site, all of which are addressed in detail in this report.

Design Approach: Architecture, Urban Design and Public Realm

110 It is considered that the proposal would comprise architecture of the highest quality. It would have outstanding sustainability credentials, is attractive and contextual at numerous scales and would enhance existing and create new high-quality public realm appropriate to the character of this part of the City.

111 The proposed architecture distinguishes itself through the thoughtful, contextual articulation of the constituent parts, delivering a coherent, well-proportioned building with a strong overall sense of architectural integrity. On a challenging site it works successfully at various scales and is designed to incorporate two primary elements - the tower and a podium block.

112 The podium block would be a distinguished response to a sensitive and diverse immediate context. It presents well-proportioned, well-detailed facades to Gracechurch Street, Talbot Court, St Benet's Place, the northern courtyard and Brabant Court which respond to their distinctive architectural and spatial characters - to scale, structure, urban grain, proportions, materiality, interests and intangibilities.

113 On Brabant Court a high-quality traditional brick podium would respond to the height and scale of those defining Georgian (/neo-Georgian) buildings enclosing the courtyard, the architectural treatment reflecting a sense of traditional craftmanship whilst echoing the deeper history and age of the courtyard. The limited fenestration would reinforce the calm, quiet and more restrained character of this traditional domestic courtyard, both day and night.

114 The podium façade on Talbot Court, at five storeys, is of an appropriate scale and would comprise a mixture of pre-cast and pigmented concrete on a traditional regular masonry grid, enlivened with modular elements layered in, including enamelled metal balconies, living green wall screens, a vitrine and wind panels, providing interest at a proportionate human scale, whilst echoing the character of the warehouses which once defined this part of the site and the wider Eastcheap Conservation Area. Of particular interest will be the

dynamic large metal sliding windows providing access to the main courtyard. On St Benet's Court a similar masonry grid would be punctuated by vibrant green walls leading the eye from the entrance all the way to the podium garden.

115 The elevation to Gracechurch Street would comprise a deep masonry grid of, in part, ultra-thin concrete reutilising recycled Portland Stone, the rhythm of the bays reflecting the historic plots and urban grain. To soften the scale the grid would consist of a sophisticated glazing system containing Juliet balconies off the innovation spaces behind and further integration of greening via a variety of planting. The courtyard to the north would comprise of a return of the diaper pattern on Brabant Court, this time in recess and in pre-cast, alongside etched image panels of a human scale as part of a commissioned art piece, providing a degree of dynamism to this quiet courtyard. The scale and height make a response to the pre-eminent scale set by the adjacent 2-3 Philpot Lane, whilst the wrapping of the architectural treatment into the entrance alley give a sense of three-dimension and scaling proportionate to the more modest scale of the courtyard.

116 At a wider level, the site lends itself to the slender tower form and silhouette. This comprises a well-proportioned orthogonal double-volume of two slender oblongs in dynamic juxtaposition set perpendicular to one another. This would create an attractive form of complementary shapes which will appear dynamic as light falls throughout the day and from different angles. It is an elegant response to an unusually shaped site, with the tiered massing stepping down from, and providing a counterbalance to 20 Fenchurch Street.

117 The proposed tower successfully combines the various, complex demands of tall building architecture in a simple, calm and composed manner. The open transparency of the lightweight closed cavity glazed sides contrast with the sleek striped fronts and would allow impressive views from the workspaces, prevent solar gain and hide utilitarian back of house elements. The darker coloured louvre 'seam' giving distinction to the two volumes harvests fresh air into the floorplates offering 100% free cooling whenever the outside temperature is 20< (approx. 90% of the time). In close level views, the part recycled ultra-matte steel stripes adopt variegated profiled forms to reduce wind impact and create various light and shade and a sense of movement.

118 The stripes would return over a roof which would be in part glazed and open to create the impression of a lightweight crown on the skyline. The building maintenance unit and roof plant, rather than hidden, would be architecturally integrated as a celebrated 'engine room' in illuminated vibrant colour. In all, the tower is a proportionate response to the periphery of the Cluster, of sleek and slender complementary form.

119 The podium would deliver a series of welcoming, open, permeable, convenient, comfortable and legible public routes encouraging pedestrian movement. It would also maximise the amount of public open space, whilst building on the best townscape traditions of the City through a series of courts, alleys and informal and semi-formal open spaces.

120 The scheme would repair an intricate network of spaces and movement corridors east-west through the dense urban block between Gracechurch Street and Philpot Lane, easing pressure on these principal streets and offering greater pedestrian choice. It would extend the network of human-scale courts and alleys which give the City a distinct character. This would offer a largely traffic-free alternative between Fenchurch Street Station and Gracechurch Street (and beyond), removing pressure on Fenchurch Street. It provides a similar opportunity to be part of a future north-south route between the River, Eastcheap, Fenchurch Street and the heart of the Cluster. It does this in a manner of compression and release, with an animated and attractive sequence of spaces. From Gracechurch Street the arrival experience would comprise a spacious public open forum 19m high, allowing dramatic views through the diversity of programmed and curated experiences of the podium. This spatial drama and urban theatre would be in contrast to the generous but more intimate formal courtyard off-Talbot Court with 5m floor-to-ceilings and then again with the smaller alleys and courts which would provide access to the calm and tranquil courtyards to the north and east, in an attractive marked contrast.

121 All elevations of the building facing the public realm optimise active frontage, which is functional, attractive, porous and provides good levels of passive surveillance with the appropriate incorporation of signage and lighting. These create convincing distinctions between semi-private and public and have a clear hierarchy and which delivers public seating alongside significant retail frontage with vitrines for curated cultural display and information. The frontages reflect the use and functional character of the various spaces, respecting the calm and restrained character of those more domestic courtyards, which allow tranquil, less intense break out spaces, in contrast to the more active and vibrant spaces. Vibrant mixed-use would be achieved through a diverse range of units, suitable for small scale and independent occupiers, including a dynamically curated first floor for larger scale destination retail complementing the smaller units.

122 The public realm would accommodate various uses both day and night, with an innovative approach to servicing which would transform the main courtyard space at the heart of the proposal from a servicing bay by night to a public open space surrounded by active uses and capable of hosting cultural curation by day. York Stone and the specified City

natural pallet of high-quality public realm materials would be used throughout to create seamless integration with the wider public realm, in accordance with the City Public Realm SPD and associated Technical Guidance. The proposals deal successfully with a change in level across the site in a manner which is step-free and inclusive for use by all without undue separation or hinderance. The management approach is to allow 24 hour unrestricted and inclusive access for all which would be secured via legal agreement. It is important that the elevations, external and part internal, in particular at ground and first floor level, need to be well detailed to achieve this positive interface and active frontage, and this is reserved for condition. Security features have been, where possible, designed integral to the architecture, avoiding visual clutter and obstacles, whilst creating a safe place.

123 Lighting, in accordance with the adopted City Lighting Strategy, is proposed to enhance visual amenity and minimise light trespass. It would be contextual, building on the components of spatial character design guidance for the City Cluster in the adopted Strategy. The full details would be ensured via condition.

Public Garden Terrace

124 Local Plan policy DM10.3 and draft City Plan 2036 policies S8, S14 and DE5 seeks the delivery of high quality, publicly accessible roof gardens and terraces. Public access to tall buildings within the City is important in creating an inclusive City.

125 A public garden is proposed at a mid-range level on the top of the podium, and would be secured in perpetuity, providing a valuable retreat in the dense Cluster for all.

126 The garden itself would comprise three complementary parts - a wild garden providing an important contribution to the biodiversity of the site, a viewing platform tree canopy walk and a mixed-use outreach and learning centre with attendant retail. This would offer a unique, varied user experience, day and night, with an outreach to a more diverse demographic which would enhance the social and economic inclusiveness of the City. The overarching narrative is around the present and future role of the urban garden as a sustainable resource. The final occupier and curator would deliver an engagement and business strategy seeking to embed knowledge sharing, including with an educational outreach for younger children. Out of hours it could be used for events which further broaden the diversification and cultural output of the Cluster.

127 The garden would comprise a green oasis in the best tradition of an English garden and landscape, with the intimacy of a City of London

churchyard. The tree canopy walk would provide excellent mid-range views south, including of the Monument, the Tower of London, Tower Bridge and St Paul's.

128 A detailed landscaping plan would be secured by condition to ensure that the detail of the layout of the hard and soft landscaping is appropriate to the use of the terrace and makes a significant contribution to the biodiversity of the site.

Urban Greening*:*

129 The proposed development would incorporate a variety of urban greening measures, which provides the following benefits: mitigating air and noise pollution, capturing CO2 while releasing O2, combating the heat island effect, improving biodiversity, rainwater run-off management as well as making a place healthier and more attractive, improving the wellbeing of people. The development achieves an Urban Greening Factor (UGF) of 0.34 which exceeds the draft City Plan 2036 (Policy OS2) minimum target of 0.3.

130 The substantial increase in greening is integrated into the architectural approach, delivering living green roofs, walls and 13 trees (including mature trees). The siting, size and planting palette would ensure year-round seasonal diversity and richness whilst optimising the holistic benefits of greater biodiversity, cooling, noise attenuation, SuDs and general amenity, with well documented health and wellbeing benefits.

Heritage:

Tower of London World Heritage Site - Impact on Outstanding Universal Value (OUV):

OUV and Relationship to Setting

131. The seven overarching attributes of Outstanding Universal Value which are contained in the Statement of Outstanding Universal Value, itself contained in the World Heritage Site (WHS) Management Plan, have underpinned this assessment, alongside the components contributing to each attribute. It is considered that three attributes are of particular relevance to assessing the impact of the proposal: i.) an internationally famous monument ii.) landmark siting and iii.) physical dominance of the White Tower.

132. The WHS Management Plan establishes a 'local setting area', an 'immediate setting' and a non-spatially defined 'wider setting'. The proposal is not in the designated local setting (as identified in Figure 4 of the WHS Management Plan) but is in the wider setting. The Local Setting Study (section 7) identifies the main views and/or viewpoints to and from the Tower of London (ToL) which are deemed to exemplify

the OUV and the components, with management guidance providing a baseline for assessing change. The representative views/viewpoints include a number of LVMF viewing locations.

133. The Management Plan acknowledges the influence of the Cluster of tall buildings in signifying the commercial centre, stating (at paragraph 2.4.25), *its visibility expresses the evolving political and cultural relationship between the Tower and the trading centre of the City of London*. It is also acknowledged that the Cluster had an emerging identity and that the relationship between the ToL and the Cluster is long-established, having existed for over half a century. It acknowledges the Cluster forms a backdrop in views, including over buildings in the Inner Ward. In recognising the place of the Cluster in the wider setting it also acknowledges that it will intensify as a distinct and separate element to the ToL. The Management Plan, at paragraph 7.3.27, states that proposals for tall buildings to the west of the White Tower, falling within the background of the WHS will continue to need to consider i.) their effect on the established Cluster ii.) the space between it and the ToL and iii.) the effect on the ability to recognise, understand and appreciate the OUV of the Tower.

134. Whilst being proportionate, the assessment uses the assessment framework in the Mayor's 'London's World Heritage Sites: Guidance on setting' SPG, which is based on the relevant ICOMOS guidance, including the impact tables at Appendix 3 and 4, in conclusion.

Impact on OUV/Significance:

135. The proposal would have an in-direct impact, via change in the wider setting of the WHS. Change is not necessarily harmful. That change will be apparent in a number of views including those from London Bridge, Queen's Walk, Tower Bridge and in and around the ToL.

LVMF View 10A.1, River Prospect, Tower Bridge (Upstream, North Bastion)

136. This is also identified as a Representative View in the Local Setting Study (View 9), whilst the impact here is also representative of the impact from Approach 14 (Tower Bridge).

137. The LVMF SPG states that this location enables the fine details and the layers of history of the Tower of London to be readily understood. The LVMF states that such understanding and appreciation is enhanced by the free sky space around the White Tower, and that where it has been compromised its visual dominance has been devalued. It also states that the middle ground includes the varied elements of the City, rising behind the Tower, which includes prominent tall buildings of the late 20th and early 21st centuries, and earlier periods such as spires of City churches and the Monument. It is also noted that the lantern and

upper dome of St Paul's Cathedral can be seen, while other prominent buildings or structures in the background, include the Canon Street Station towers, BT Tower, Centre Point and the Tate Modern (paragraph 182).

138. The visual management guidance anticipates the consolidation of the Cluster which it is deemed will add considerably to the character and stature of the view, and that any new skyline buildings must account for how they relate to skyline features (paragraph 187). The guidance also states that landmarks which enable an appreciation of the scale and geography of London should not be obscured by inappropriate development in the foreground; that guidance applies, in particular, to the Monument (paragraph 185). The visual management guidance also states that the background should be managed sensitively, and that development should not compromise a viewer's ability to appreciate OUV (paragraph 186).

139. The proposal would be located at a considerable distance to the west of the ToL, on the western periphery of the Cluster, appearing adjacent to the west and north of 20 Fenchurch Street, marking the south western edge of the emerging Cluster. The complementary form and scale would further consolidate the Cluster as a distinct, coherent skyline entity, while being distinct and attractive in its own right.

140. Appearing at a considerable distance to the west from the focus of the ToL in the foreground, the WHS would not be obscured, distracted from or dominated. Given the intervening distance, siting, scale, form and appearance, the proposal would not compromise those relevant attributes of OUV. It would leave unaffected those relevant components which also form part of the LVMF visual management guidance – the physical form and visual dominance of the White Tower, the iconic sky-etched silhouette, the close relationship to the River Thames and City beyond in the background, in accordance with the visual management guidance in the LVMF SPG (paragraphs 183-186).

141. In terms of wider compliance, given the siting, scale, form and orientation, which consolidates the Cluster, the proposal would make a contribution to the character and composition of the view, preserving an appreciation of identified landmarks, including preserving the observers ability to recognise and appreciate the relevant Strategically Important Landmarks, the ToL and St Paul's Cathedral, in accordance with London Plan Policies 7.11 and 7.12 and Local Plan Policy CS 13. It would not obscure an appreciation of the scale and geography of London, including the Monument, in accordance with the visual management guidance in the LVMF SPG.

LVMF View 25A.1-3, Townscape View, Queen's Walk

142. This view is identified in the ToL WHS Management Plan (7.3.22) as the most iconic view of the Tower. The focus of the view is the ToL, which is the sole Strategically Important Landmark, inclusive of a Protected Vista, the Landmark Viewing Corridor of which is focused on the White Tower, benefiting from a dynamically protected sky-backed silhouette between the three Assessment Points (25A.1-3). The Monument and Tower Bridge are also identified as landmarks. The LVMF recognises the juxtaposition of built elements from a variety of eras as an aspect of the view (paragraph 413).

143. Given the pre-eminence of the River Thames in the foreground, the openness of the ToL ensemble defining its north bank, and the significant intervening distance between the ToL and the proposal, which would be on the western periphery of a consolidating Cluster, it would not undermine the composition and characteristics of the view or those landmark elements. The observer would continue to recognise and appreciate the Tower of London as the Strategically Important Landmark, set away from the City and not lost in it.

144. The siting, height, scale, two-form massing and attractive, sleek and slender profile would comprise a high quality design, set a significant distance from the WHS and would respect the setting of the Tower and not dominate it, in accordance with LVMF visual management guidance at paragraphs 414-415. The proposal would preserve the relevant attributes of OUV and those associated components. The proposal would not affect the foreground/midground of the views or the close relationship with the River Thames and principal setting from this iconic view (LVMF SPG para 416-417). It would not appear in the background, preserving the sky-backed Protected Silhouette between the Assessment Points, whilst preserving the long-established relationship between the ToL and the consolidating Cluster as two distinct juxtaposing urban forms, in accordance with the visual management guidance (paragraphs 418-422) and guidance contained in the Local Setting Study.

LVMF View 11B.1-2, River Prospect, London Bridge (Downstream)

145. This view is also identified as important in the WHS Management Plan and the Local Setting Study (Representative Viewpoint 11). The ToL WHS is identified as the sole Strategically Important Landmark, whilst Tower Bridge and HMS Belfast are identified amongst other landmarks.

146. Given the pre-eminence of the River Thames in the foreground and the significant intervening distance between the Tower of London and the proposal, which would be on the western periphery of a consolidating Cluster, it would not undermine the composition and characteristics of the view or those landmark elements. It would allow the observer a

recognition and appreciation of the ToL as the Strategically Important Landmark.

147. The proposal would not affect the clear sky backdrop of the White Tower and would not impose itself on it, given the intervening distance and separation in the field of view, having a neutral impact on and thus preserving all those relevant attributes of OUV and those associated components – preserving the relationship with the River, the City, and the iconic form, 'dominance' and silhouette of the White Tower.

Other World Heritage Site Views:

148. The Local Setting Study (Section 7) identifies Representative Views which are deemed to exemplify the OUV of the ToL. It provides an analysis of the character of these views as a baseline against which change can be assessed. In particular the proposal would impact on View 1 (Tower Green, Inner Ward), 2 (Inner Curtain Wall, North) and 4 (Inner Curtain Wall, South), and the representative impact is contained in submitted THVIA views 50a-f (from the Inner Ward and Inner Curtain Wall), in addition to views 46-49.

Inner Ward, Tower Green and the Scaffold Site

149. Historic Royal Palaces, in making a representation, acknowledge the proposal would appear part of the Cluster, and that it *''would not be significant''*. Historic England, whilst considering that the proposal would be *''well integrated into the established Cluster''*, consider the proposal would increase the amount of modern development encroaching into the Inner Ward, resulting in overall cumulative harm at a ''low level''. Historic England considers that the proposal will result in less than substantial harm to the significance of the Tower. It is the view of your Officers that the proposal would not cause harm.

150. These views are deemed by the Local Setting Study to illustrate well the ToL's significance as the setting for key historical events and the relationship and scale of surrounding palace buildings of the Inner Ward. It aims to maintain views illustrating the living tradition of the ToL, its rich ceremonial life and unique sense of place apart from the modern city outside the walls, where the relationship between the scale of the individual buildings can be appreciated. Under 'key issues' it states tall buildings *could*, and so not in principle would, detract from that unique sense of place apart from the modern city and/or could affect the scale of the enclosing historic buildings – qualified in the associated 'Objectives and Guidance' development should i.) respect that sense of place and ii.) ensure the buildings surrounding the Inner Ward remain the focus of the view.

151. The Local Setting Study acknowledges that there is a range of views in the Inner Ward. A more detailed and comprehensive assessment of the visual impact on the Inner Ward was required as part of the submission and has been assessed in the three-dimensional model. The proposal would, on the whole, be hidden behind the western range of enclosing buildings, having no visual impact. From views nearer the White Tower looking towards the Chapel of St Peter ad Vincula, the proposal would be a distinct, non-prominent feature which would adjoin 20 Fenchurch Street at some intervening distance appearing as part of the emerging long-established Cluster backdrop which to a degree breaches the silhouette of the Chapel. Moving toward the Chapel, in its immediate setting from the green, the proposal followed by the rest of the Cluster moves out of view and it is unchallenged and pre-eminent.

152. In accordance with the guidance in the Local Setting Study the proposal would i.) respect the distinct sense of place and the pre-eminent stage in which those rich traditions would continue to take place and ii.) allow those enclosing Inner Ward buildings to remain the focus of the observer. It is considered the iconic, strategic landmark siting and dominance of the White Tower would be unchanged in terms of the overarching attributes of OUV while the relationship between the ToL set away from the City beyond would be maintained, the proposal being a proportionate addition to the emerging Cluster as a distinct long-established backdrop entity.

Inner Curtain Wall (South)

153. Views from the Inner Curtain Wall were assessed where the guidance in the Local Setting Study recognises it is a 360 degree viewing experience where the aim is to maintain an appreciation of the ToL as a riverside gateway, the historic relationship between the ToL and the River, whilst under the associated guidance seeking to maintain the White Tower as the key focus to the north, appearing more dominant than buildings in the Inner Ward or those beyond.

154. The proposal would again appear adjoining 20 Fenchurch Street and when viewed alongside 50 Fenchurch Street and 1 Leadenhall (consented), would assist in consolidating the Cluster's distinct urban form and separate long-established identity. The White Tower, accentuated by its fortified massive masonry crenelated walls, would remain the focus of the view from the Inner Curtain Wall. It would continue to dominate the scene while that relationship with the River and an appreciation of it as a historic gateway would be undiluted. Historic England consider the proposal a new *'layer'* which would reduce the prominence generally of historic buildings in what is a varied scene acknowledged in the Local Setting Study as one where *''modern buildings provide a clear contrast between the historic tower and the*

contemporary city outside its walls" - an acknowledgment at ease with the concept of contrast between old and new reinforcing one another and contributing to the attribute 'landmark siting' and the component of this which is an established relationship between the ToL and the City beyond. It is considered that those identified relevant attributes and components of OUV would be preserved and the visual management guidance in the Local Setting Study would be complied with.

Inner Curtain Wall (North)

155. The Local Setting Study, in assessing views from the north Curtain Wall acknowledges that this is a 360-degree experience and demonstrates a *clear contrast between the historic Tower and the modern city outside its walls*. The identified aim is to i.) maintain views that reveal the relationship between the Tower and the City and ii.) maintain an appreciation of the defences as an outstanding example of concentric castle design. Under 'Key Issues' it recognises that future tall buildings *could* reduce the perceived prominence of the Tower in its setting stating that such buildings, under the associated guidance, should continue to reveal the historic relationship of the Tower of London and the City to the north and that clear views of the concentric curtain walls should be preserved.

156. The proposal, sited a considerable distance to the west of these views, adjoining and subduing the isolated eye-catching form of 20 Fenchurch Street would, as acknowledged by Historic Royal Palaces and Historic England, appear on the western side of the established Cluster, consolidating its distinct form, whilst preserving that relationship with the Tower of London. The concentric defences would remain pre-eminent and an appreciation undiluted in these views under the baseline and cumulative scenarios, also in accordance with the guidance.

Other Views

157. Other views have been provided which are not LMVF or identified Representative Views in the Local Setting Study, but which still demonstrate well the attributes and components of OUV where there is a relationship with the proposal. The view from the riverside walkway of Tower Wharf, looking towards St Thomas's Tower containing the Traitors Gate, demonstrates the relationship between the emerging City Cluster in the background and the ToL which, in this moment, is 'towering' over the immediate foreground. In this view, the proposal would reinforce the relationship between the two distinct urban forms – the Cluster and the ToL ensemble, which would dominate in the immediate foreground, causing no harm.

Conclusion – Impact on Tower of London World Heritage Site:

158. The proposal would preserve the ability to recognise and appreciate the ToL as a Strategically Important Landmark, whilst according with the associated visual management guidance in the LVMF as it relates to OUV. In all views, including the relevant approach and representative views, it is considered in line with the WHS SPG that the scale of change in all instances is deemed to be between negligible and minor and where the magnitude of impact is considered small on those relevant attributes of OUV. It is considered in all instances that the overall impact would not harm the attributes of the OUV or any of the components, authenticity or integrity of the WHS, preserving its significance. In line with Section 6 of the SPG the height, form and detailed design of the proposal has been amended to mitigate the impact, ensuring the proposal would read as part of the emerging coherent Cluster form, which it is established is intensifying and forms a long-term backdrop to the ToL ensemble. It is the view of your officers that the proposed development would not harm the significance of the Tower of London whether in relation to the WHS, the individual listed buildings, or the Scheduled Monument.

Wider London View Management Framework Impact:

159. The London View Management Framework (LVMF) designates pan-London views deemed to contribute to the Capital's character and identity at a strategic level.

160. The site falls outside of Protected Vistas in the LVMF but impacts on a number of the identified Assessment Points. Designated London Panoramas at View 1 (Alexandra Palace), 2 (Parliament Hill), 4 (Primrose Hill), 5 (Greenwich Park) and 6 (Blackheath Point) are all assessed in the submission, as the proposal would be seen. The magnitude of change in these broad panoramas is considered negligible, and in all it would accord with the visual management guidance by consolidating the City Cluster, which is identified as a landmark in these compositions, preserving that composition and the viewers ability to recognise and appreciate the Strategically Important Landmarks, including St Paul's Cathedral. From the designated Townscape View LVMF 26A (St James Park) the proposal would not have an impact.

161. Particular attention is given to the River Prospects where the magnitude of potential impact is greater, here addressed in turn.

View 15 (15B.1 and 15B.2), River Prospect, Waterloo Bridge (downstream)

162. This is an iconic London view. St Paul's Cathedral is identified as the Strategically Important Landmark. It is considered that the proposal would complement the development of the emerging City Cluster as a singular coherent entity in the skyline composition, assisting in subduing and taking the tension out of the isolated 'eye-catching' visual influence of 20 Fenchurch Street. The height is appropriate to the site and would step down from the apex of the Cluster around 22 Bishopsgate, towards the scale of the River and would be of a high-quality design. This is in accordance with paragraph 263 of the SPG visual management guidance.

163. The proposal would not draw tall buildings closer to St Paul's, would not affect its clear sky backdrop and would not dominate or cause a 'canyon effect' around the Cathedral, in accordance with guidance in paragraphs 264-267 of the SPG. It would not obscure or detract from any identified landmark element in the view and would give further context to those relevant Cluster landmarks identified.

View 16 (16B.1 and 16B.2), River Prospect, The South Bank: Gabriel's Wharf Viewing Platform

164. St Paul's Cathedral is identified as the Strategically Important Landmark. The proposal would complement and contribute to the development of the existing and emerging Cluster of tall buildings, drawing in 20 Fenchurch Street, preserving and enhancing the townscape setting of St Paul's whilst not detracting from wider landmarks in the view in accordance with the visual management guidance at paragraphs 280-283 of the LVMF SPG.

View 17 (17B.1 and 17B.2), River Prospect, Golden Jubilee / Hungerford Footbridges (Downstream)

165. St Paul's Cathedral is identified as the Strategically Important Landmark. Here again the proposal would consolidate the form of the Cluster, stepping down in height from the apex of the Cluster toward the River. Accordingly it would preserve a recognition and appreciation of St Paul's, strengthening the composition and coherent urban form of an existing tall building cluster and would not obscure or detract from a landmark feature, according with the visual management guidance in paragraphs 301-305 of the LVMF SPG.

Summary of LVMF Impacts

166. The proposal would not harm and would make some positive contributions to the characteristics and composition of these strategic

views and their landmark elements, preserving the ability of the observer to recognise and appreciate the strategically important landmarks, in accordance with Local Plan Policy CS 13(1), London Plan Policies 7.11 and 7.12, draft City Plan 2036 Policy S13 and Draft Publication London Plan Policy HC4 and guidance contained in the LMVF SPG.

Other Strategic Views (Local)

The Monument to the Great Fire:

167. The Protected Views SPD identifies views of and approaches to the Monument which are deemed important to the strategic character and identity of the City.

Views from the Monument

168. Paragraph 4.14 of the Protected Views SPD addresses 'Northern Views' from the Viewing Gallery and states that proposed increases in height near the Monument will be assessed in terms of their impact on views to and from the Monument. The principal axial views are identified as being provided by King William Street and Gracechurch Street/Bishopsgate as leading the eye into the Bank Conservation Area and the fringe of the City Cluster.

169. The podium and setback of the tower element would continue to allow an unbroken view north along Gracechurch Street/Bishopsgate towards Gibson Hall. Whilst the proposal would be prominent, it would read as part of the Cluster, still allowing for an appreciation of the diversity of those routes identified and the contrast between the Bank Conservation Area and the Cluster. It is considered that the proposal would not harm the view.

No other identified view from the Monument would be affected.

Views of and Approaches to the Monument

170. The proposal would not be in the 'Immediate Setting' of the Monument as defined in the Protected Views SPD, but it would be in its near setting. It would be prominent in i.) views from Tower Bridge (paragraph 4.22 of the SPD); ii.) the Queen's Walk (western end) (paragraph 4.26) and iii.) the approach from Gracechurch Street (paragraphs 4.24 - 4.25).

171. From Tower Bridge the proposal would not obscure or dominate the Monument and would read as part of the Cluster, adjacent to 20 Fenchurch Street as part of this dynamic, diverse viewing experience, causing no harm.

172. Those views from the Queen's Walk (western end) of the Monument, are identified as the most complete and intimate view, of the Monument from the South Bank (4.26). The view from directly opposite on the South Bank is approximately on the line of the Old London Bridge and remains one of the oldest and best views of the Monument. At present the Monument is backdropped by the emerging Cluster with some limited sky-etched silhouette afforded to the crowning flaming urn finial. This would remain unaffected in a kinetic experience from this viewing place and at no point would the proposal have a direct interface in the backdrop of the Monument. The siting, height and form of the proposal would allow it to read as part of the emerging coherent Cluster form, while the clean, simple and attractive design would not detract from or visually overwhelm the Monument. It is considered that the proposal would accord with the guidance in the Protected Views SPD.

173. In the kinetic experience described in paragraphs 4.24 and 4.25, of the approach to the Monument from the Gracechurch Street/Lombard Street junction, the proposal would be prominent in the view for part of it. From the junction the proposed masonry podium, complementing the materiality, height and massing of the prevailing street block heights providing defining enclosure to Gracechurch Street, would tie well into the surrounding townscape allowing the Monument to be pre-eminent at eye-level. The tower is set-back from the podium and as the viewer moves down Gracechurch Street (west side) the Monument reveals itself, while the proposed tower would become peripheral to the field of view, at a high level, in the oblique. Once at the 'slot view' identified at paragraph 4.25, opposite 52-54 Gracechurch Street, the proposal would be peripheral, the focus remaining on the Monument. It is considered that the proposal would accord with the guidance in the Protected Views SPD.

Fleet Street/Ludgate Hill: The Processional Approach to St Paul's Cathedral

174. The proposal would not be visible from the Processional Approach to St Paul's Cathedral on Fleet Street or Ludgate Hill. It would leave this kinetic townscape experience unaffected, in accordance with Local Plan Policy CS 13 and draft City Plan Policy S13 and guidance contained in the Protected Views SPD.

St Paul's Cathedral - Views From:

175. The proposal would be visible from the Stone and Golden Galleries of St Paul's Cathedral. The Protected Views SPD seeks special attention be paid to the roofscape surrounding the Cathedral. In these views, the tower would adjoin 20 Fenchurch Street, consolidating the Cluster. It would not obscure or detract from a City skyline landmark and would

be an attractive addition to the skyline. It is considered it would preserve the composition and character of these views.

Views from other publicly accessible elevated viewing areas, in particular the 'Sky Garden' at 20 Fenchurch Street

176. The Sky Garden is a popular public viewing gallery and visitor attraction offering 360-degree views of London. This public offer was an integral ingredient in the planning balance at the public inquiry into 20 Fenchurch Street. The impact on it as a public attraction and sensitive receptor is a material consideration. The scheme was amended at pre application stage to minimize its impact here.

177. The viewing experience offers a unique 360-degree experience over different levels along a perimeter walk, with a large south-facing external terrace. Due to its siting and height the proposal would not impact the open experience of the south terrace or the quality of the microclimate. The impact would be specific to the western aspect - the most significant for experiencing the topographical and cultural geography of London. While it would appear a significant element on the immediate western flank, reducing the sense of unimpeded openness, this impact would be transitory as part of the overall experience, while at no point would it obscure an appreciation or understanding of important cultural and heritage assets, notably the River Thames and its bridges, Westminster, St Paul's Cathedral or Bank Junction. The design of the roof has been architecturally integrated and considered to create an attractive feature. Overall, it is considered that the viewing experience from the Sky Garden would not be undermined to a significant extent.

178. By virtue of the orientation and height of the proposal it would not harm the viewing experience at consented public terraces at 1 Leadenhall, 50 Fenchurch Street (Clothworkers) or 120 Fenchurch Street, 1 Undershaft, 22 Bishopsgate or 100 Leadenhall.

179. Outside the City, from the Tate Gallery on Bankside, the proposal would further consolidate a coherent Cluster form as a distinguishable urban form and would not harm the viewing experience.

Designated Heritage Assets (Direct and In-Direct Impact):

4 Brabant Court (grade II):

180. 4 Brabant Court is an early Georgian house, four storeys high (above basement), four bays wide, of the early 18th Century. A handsome composition, it is faced in good red brick (evidence of tuck pointing) with details characteristic of a now rare and intact example of a post-Fire, pre-Building Acts and pre-Palladian-influenced London terrace

house. This is evident in the regular, albeit not symmetrical, fenestration with flush-faced, moulded and segmental-headed sash windows and a well detailed entrance with Doric architrave and segmental pediment abutting the pavement, rather than the later arrangement of setting behind a basement area. Its roof and chimneys are understood to survive as is an original stair and panelling inside, alongside a (tanked-out) vaulted basement. It is a now rare example of the historic tradition in the City for higher status merchant houses to be built off-street, on quiet, enclosed domestic courtyards, later to be accompanied by small-scale commerce/industry. By reason of its age, rarity, apparent authenticity and architectural expression, it is of high architectural and historic significance, and to a lesser extent of some artistic and archaeological.

181. Whilst the physical historic fabric makes the substantive contribution to significance, it also derives a moderate degree of significance from setting. The setting of the house changed substantially throughout the 19th, 20th and 21st Centuries. This is both in the immediate setting via the re-development of the application site, substantive alteration to 2-3 and 5 Philpot Lane, and in the wider setting, now comprising the emerging Cluster and 20 Fenchurch Street, accentuating a drama of contrast in scale. The most significant change resulted from the previous re-development of the subject site, which truncated the historic form of Brabant Court, which once extended beyond the current layout, as part of an intricate web of domestic scale courts and alleys once connecting Gracechurch Street and Philpot Lane. The immediate, well-enclosed and intimate setting of Brabant Court, complete with historic vaulted coach entrance, cobbled carriageway, granite kerbs, flagged edges and retained wrought iron gates, in an apparent original form, when appreciated with 7-8 Philpot Lane and to a lesser extent 2-3, create an authentic ensemble collectively forming the element of setting which contributes to that principal architectural and historic significance.

182. It is considered that the proposal would result in a minor enhancement, overall, as a result of a direct and indirect impact. Those key elements of historic fabric and character of the building itself would be undiluted, subject to an appropriate construction methodology reserved for condition. The most significant impact is on setting. A bricked-faced podium block is proposed to address the western enclosing elevation of Brabant Court, the datum a direct response to the prevailing heights of the historic buildings enclosing the Court, being no higher than the parapet of number 4. Brick is the unifying material assimilating the proposal with the courtyard, with a singular composed façade with an attractive diaper pattern and brick barrel-vaulted arch reinstating the historic form and alignment of the court alongside the retained and refurbished historic iron gates. Copious greening would spill over the façade to soften the appearance and scale. The tower element would

be significantly set back which, alongside the domestic scale enclosure of the historic court, would retain a defining human scale which, rather than dwarfing 4 Brabant Court, would reinforce the difference in scale for those who would crane the neck to see the tower. This sense of a humble, intricate and domestic scale would be accentuated via the fine grain and scale of the restored historic proportions of Brabant Court which would once again connect with St Benet's Place.

183. The re-development of the current site truncated Brabant Court and resulted in the unsightly exposure of the party wall of number 4 – whilst the application of a cement render undermined it further (both in fabric and aesthetic terms), addressing a 'dead' space as it does. The proposal would repair the historic form and relationship with the Court, offering it back a more dignified setting, with a new enclosing elevation restoring an integrity to the house and its relationship with the Court, an enhancement.

184. The proposal would require substantive excavation, while the implications of significantly altering the party wall arrangement, from which some lateral structural support could be leveraged, need to be understood and addressed in a sensitive manner at detailed design stage, including during construction, and this is reserved for condition. Depending on the nature of the works required, a separate application for listed building consent could be required.

185. Overall, subject to the imposition of a detailed condition, it is considered that the proposal would preserve and enhance the significance/special interest of 4 Brabant Court, by reason of restoring and reinstating a sense of the historic urban grain and its integrity as part of the Brabant Court ensemble.

2-3 Philpot Lane (grade II):

186. The proposal would have a direct impact on the listed building via alteration of its fabric, and an indirect impact, via change in its setting. The direct impact is the subject of a separate application for listed building consent (ref: 20/00769/LBC).

187. 2-3 Philpot Lane is a good example of post-Fire 18th Century City ensemble, of a residential townhouse located off-street in an intimate courtyard behind attractive iron gates, which is and would have been fronted by commercial development. A late 17th Century, post-fire house was likely re-developed in the 1720s and split into two, altered and split again for multiple occupation in the 19th Century and the rear developed as a warehouse and associated office chambers. It was originally thought to be three storeys with an additional two added, the most recent a 2003/4 mansard. Bomb damage maps suggest substantial damage and assumed subsequent restoration. In 2014 a major refurb and associated conversion to serviced apartments was

completed. The building is now 5 storeys with the current main entrance a narrow (3 bays) front on an attractive courtyard off Philpot Lane, stuccoed with parapet and sash windows and a good door architrave with carved consul brackets, whilst the western elevation is similar but plainer and more altered. The much more hidden northern elevation is of more interest, of red brick with moulded dressings and the likely the earliest survivor of what remains, which, on the whole, is, modern fabric. That said some historic interior survives.

188. It is of high architectural and historic interest, and to a lesser extent artistic or archaeological as a result of the off-street courtyard typology of more authentic Philpot Lane side, of the earlier non-stuccoed fabric on the northern elevation, and to a much lesser extent the western and southern elevations which are much more substantially altered, albeit contributing to a whole. Representations have been made which recognise that whilst the setting has seen *"considerable change"*, bearing little resemblance to the original setting, that there is a group value with Brabant Court., 4 Brabant Court is referenced, as a collective of surviving now rare examples of the City's mid-block domestic courtyard typology. It is agreed that the proposal does draw a moderate amount of significance from this setting as a collective, albeit it has been diluted.

189. The proposal would abut the southern non-prominent side elevation of the building which would appear to have been substantially re-built and altered over time. The proposed works are to i.) remove a chimney stack on that southern elevation ii.) remove a redundant modern escape stair providing access to the courtyard and iii.) make good and close any remaining flues (if any) as part of a new party wall condition.

190. Historic research suggests the chimney is later 19th Century/early 20th Century and so is non-original and is likely the result of internal subdivision which took place over time. It was likely re-built following serious war damage and again the cleaner brickwork above parapet is the result of the 2014 extension. In terms of historic fabric, it is of limited inherent interest. It is visible in high-level oblique views from the northern courtyard and Brabant Court where representations have been made that it is well-detailed, assisting in revealing something of the nature of the building, contributing to a relationship between 2-3 and 4 Brabant Court. It is not considered well-detailed, what you see is on the whole modern stock with some unmoulded corbelling and modern pots set in cement flaunching. Whilst it is a historic reminder of function, it is understood not to be in use. The siting close to the western elevation creating a discordant, uncomfortable relationship with the northern courtyard elevation. It is not considered that this modern chimney contributes meaningfully to a relationship between 2-3 and 4 Brabant Court, a relationship which would be maintained. As such the loss of the chimney is considered to cause very slight harm as

a result of the loss of a characteristic historic feature of little intrinsic interest.

191. The main contribution to setting derives from a closer appreciation of the building on its courtyard off Philpot Lane, the non-public northern alley (accessed from Philpot Lane) and the northern courtyard, and to a lesser degree from Brabant Court with group value alongside 4 Brabant Court and 7-8 Philpot Lane. From its principal entrance courtyard and the northern alley the degree of enclosure is such that the Proposal would have no effect. From Brabant Court and the northern courtyard the proposal would be seen alongside other tall buildings, an established character trait of this part of the City, whilst the podium treatments, responding to the scale and proportions of 2-3, alongside the sense of enclosure created by the courtyards, would not overwhelm or detract from 2-3. The potential for an extension of that mid-block, human, even domestic-scale courtyard and alley fine grain structure would allow a situation in the future whereby the group value significant could be enhanced and the rear elevation opened to greater public appreciation, rather than severing any relationship. The de-cluttering which would result from the removal of the redundant escape stair (seen from Brabant Court and the northern courtyard) and a better, more resolved junction between the Proposal and 2-3 on the northern courtyard, would result in a slight enhancement to the building and its setting.

192. A condition has been added requiring an appropriate Construction Methodology Statement be submitted addressing i.) how the Proposal would be built without harm to the listed structure via both enabling works and during constriction vibrations ii.) final treatment of the party wall condition and iii.) the potential for long-term settlement or changes in the water table and how these would preserve the listed building.

193. Representations have been made that the Proposal would result in the building becoming unviable, to the detriment of the long-term viability and thus conservation of the asset. The fire escape and stair is blocked up and is not in use, although whether a right of means of escape over the site remains would need to be resolved outside of planning. There is no argument that the loss of the flue or redundant means of escape, would prohibit the current or potential future use of the building, or that the flue contains building services which would otherwise require unacceptable harm to the listed building. This relationship of visitor accommodation and tall buildings is not uncommon in the City, whilst the proposal would allow for the potential of greater footfall and activity in the area in the future, which could enhance the viability of the asset. It is not considered that the Proposal would affect the viability and long-term conservation of the asset.

194. It is considered that the proposal would result in some slight harm and some slight enhancement to the special interest and heritage

significance of 2-3 Philpot Lane. Overall it is considered that the impact of the proposals would be that the special interest and heritage significance would be preserved.

Iron Gates in St Benet's Place (grade II):

195. These wrought iron gates on St Benet's Place are grade II listed. It is proposed to temporarily remove, alter, store, restore and then reinstate post completion. The proposal would result in a direct impact via physical alteration and an indirect impact via change in setting. This is subject to a separate application for listed building consent (ref: 20/00743/LBC).

196. Considered 18th Century, the gates are not considered to be in their original location and were re-instated here following redevelopment of the site in 1993. Of black-painted wrought iron, they comprise an attractive composition of double-leaf gates flanked by decorative side panels and crowned by a tripartite overthrow with central axis lantern (altered) and fine filigree. A small additional panel has been added on the north side, upsetting an otherwise symmetrical composition. The gates are of architectural, historic and artistic significance. Setting makes a limited contribution to significance, given the original purpose/setting is unknown – though their intimate setting on an enclosed alley give a sense of a historic setting, making a modest contribution to significance and an appreciation of it.

197. Temporary removal off-site in appropriate conditions is acceptable, in principle. The removal of the later three-rail panel on the northern side, restoring a symmetrical composition once reinstated, would be a minor enhancement. Final details of restoration and re-attachment are reserved for condition.

198. The proposal would preserve and enhance the listed gates and is acceptable, subject to final details of reinstatement to be secured by the imposition of a condition.

Eastcheap Conservation Area:

199. A very small part of the site is in the Conservation Area , a small lightwell to the rear of three separate buildings but which falls under the ownership of the applicant. Here there would be a direct impact on the Conservation Area. Otherwise the boundary of the site to the south and east, on Talbot Court, Brabant Court and Philpot Lane abuts the Conservation Area boundary, and would have an in-direct impact via change in setting.

200. The Eastcheap Conservation Area Character Summary and Management Strategy SPD (the SPD) prescribes the overarching

significance as an area with strong historical associations with the Thames, with a number of notable post-Fire landmarks and good commercial architecture from all periods occupying an ancient street pattern and urban grain. It recognises an increase in scale between it and the emerging Cluster and taller development as reinforcing the boundaries of the Conservation Area, including more substantial modern commercial architecture such as 20 Fenchurch Street. In common with the impact on other Conservation Areas in this part of the City, the setting is increasingly defined by an established relationship with modern tall buildings in the backdrop. In addition, a majority of Conservation Area views would be unchanged, given the particular dimensions and character of a unique historic urban grain.

201. The small lightwell to the rear of The Ship Public House, forming part of the site and in the Conservation Area, would be transformed. At present it is a forgotten, utilitarian and inaccessible lightwell, but characteristic of the deep and enclosed lightwells once part of the functioning and grain of the Conservation Area. It would be made accessible as part of an extension to a retail unit, paved in traditional York Stone, planted with a tree and otherwise celebrated as a 'pocket garden', reinforcing an appreciation of that finer grain human-scale of the Conservation Area. This direct impact would result in a proportionally slight low-level enhancement to the Conservation Area.

202. The only identified street level vista affected in the SPD would be View 7, an oblique view west along Eastcheap to 11-19 Eastcheap. Here the proposal would be seen in association with marked sense of dramatic change in scale between the Conservation Area and the Cluster, 20 Fenchurch Street establishes that character. It is considered that the proposal would reinforce that character distinction between the Cluster and those surrounding and adjacent conservation areas. The view of the Conservation Area from the Monument Viewing Gallery are also identified in the SPD. The proposal would be on the edge of the Conservation Area and would obscure a small part of the roofscape around Philpot Lane and Brabant Court, retaining an overall appreciation of the roofscape and it's various elements, causing only a slight adverse impact as a result of development outside the Conservation Area.

203. The most significant interface with the Conservation Area is on Talbot Court and Brabant Court, where the Proposal would abut and 'land' in a much more enclosed, modest human, even domestic scale. Here the tower would be significantly set back and at high level, peripheral to the normal field of view, with attention and sense of scale held by the compelling scaling of the podium base of the tower in responding to that varied context. This would be achieved through the adoption of historic height datums/shoulder heights, reinforcing buildings lines, massing arrangements and a finer urban grain, in addition to using

characterful, high quality traditional materials and layered detailing with an inherent response to the history of the site and the mix of domestic and warehouse buildings which characterise the Conservation Area. Of particular note is the repairing of that characteristic human scale, fine grain movement structure on the edge of the Conservation Area via the reinstated form of St Benet's Court and Brabant Court. As discussed, the proposal to restore a proper interface between 4 Brabant Court and the site would enhance Brabant Court.

204. It is considered that some slight enhancement and some slight (less than substantial) harm would be caused to the Conservation Area as a designated heritage asset as a result of change in its setting and overall that its significance would be preserved.

Designated Heritage Assets - impact on the setting and significance of listed buildings and conservations areas

The Monument (grade I and Scheduled Ancient Monument):

205. The Monument to the Great Fire (''the Monument''), by seminal architect Sir Christopher Wren and Robert Hooke, built 1671-77, symbolised the restoration and renaissance of London following the Great Fire of 1666 as a major European economic, cultural and political centre. It comprises an elegant fluted Roman Doric column of Portland Stone with a crowning gilded flaming urn sat atop a large pedestal containing inscriptions and base relief representative of the socio-political context in which it was built. It is of exceptional architectural, artistic, historic and archaeological significance as a City/London-wide landmark.

206. The setting of the Monument makes a significant contribution to its significance and an appreciation of it, in particular its architectural, historic and to a lesser extent artistic significance. It was symbolically sited near the site on Pudding Lane where the Fire began and on near axial alignment with the Old London Bridge, the site of the original Roman bridge from which London originated. It once, alongside the re-built City church towers/spires, was pre-eminent in the much artistically represented London skyline as part of a family of Wren landmarks representing the character and identity of the City of London up until the end of the 19th Century. It comprised part of the main southern arrival experience from London Bridge of the gravitas and grandeur of a Renaissance city. As it did then, it has informed the height and curation of the townscape around it for over 300 years.

207. The Proposal would be prominent in the backdrop and setting of the Monument on approach from London Bridge, on axis from the South Bank (Queen's Walk, western end), on approach from Lower Thames Street/Fish Street Hill and from Bishopsgate/Gracechurch Street.

208. From London Bridge the gilt orb is visible above Adelaide House, albeit not prominent, even incidental, and is obscured by 22 Bishopsgate and the consented 1 Leadenhall and so the proposal would not diminish it. The impact from Queen's Walk is addressed in paragraph 172 and it is considered that the proposal would cause no harm. The approach from Bishopsgate/Gracechurch Street is in part covered in paragraphs 173. In negotiating the scheme, amendments were made so that the tower element was further set-back to the east to preserve an appreciation of unfolding deep vistas along Bishopsgate of the emerging Monument framed, in part, by historic buildings whose heights allow it to remain prominent, at eye level.

209. Historic England have raised concern that the proposal would encroach upon and reduce the prominence of the Monument when viewed from St Magnus the Martyr on Lower Thames Street on the original alignment of the Old London Bridge.

210. It is considered that this particular impact is kinetic, fleeting and limited in scope. The proposal was reduced in height to, in part, ensure that at no point the tower would encroach the sky-etched silhouette of the gallery and orb. As the observer ascends Fish Street Hill (west side) the pre-eminence of the Monument is reinforced as it moves into commanding view in the immediate foreground, with more of the otherwise unchallenged sky-etched silhouette moving into view. The simple, elegant form and appearance of the tower would provide a calm and restrained backdrop, mitigating the impact, acknowledged also by Historic England. The erosion of the silhouette and prominence on this important historic approach would cause lower level less than substantial harm to the significance of the Monument.

Tower Bridge (grade I):

211. Tower Bridge, completed in 1894, was designed by famous engineer Sir John Wolfe Barry and architect Sir Horace Jones for the City of London Corporation. It represents a triumph of Victorian engineering as a low hybrid suspension and bascule bridge with a steel frame - the fantastical revivalist French medieval gothic exterior of towers, turrets and pinnacles comprising a High Victorian monument in the romantic medieval tradition, disguising the more modern structural innovation beneath. The dramatic symmetrical composition acts as a 'portal' to central London from its River. It has become an iconic and internationally recognised landmark of London. Its commanding setting and iconic silhouette spanning the River and architectural and historic association with the Tower of London opposite, make a significant contribution to that significance.

212. The proposal would largely leave the visual experience of Tower Bridge unaffected, including from the west, north and south west.

213. The impact is significant in kinetic views from Butler's Wharf on the south side of the River. Historic England in its response to this application, consider that the proposal would add some harm to the *"considerable harm"* already caused by the presence of 20 Fenchurch Street. Presently, the Cluster is emerging to the north west beyond it. From this point the proposal appears alongside 20 Fenchurch Street on the western periphery of a Cluster which assimilates 20 Fenchurch Street into the Cluster as well as mediating down in height from it to the lower height of the townscape to the south and west. The further erosion of sky in the open 'picture frame' between the iconic towers further undermines its composition and role as the 'gateway' to central London, drawing the Cluster further west. That said the impact lessens on approach to bridge, which becomes more prominent as the observer moves closer, until it commands and dominates the foreground. Given the limited extent of the impact, its transiency, the significant distance of the proposal to the west and the relative significance of the particular viewing platform, it is considered that the harm would be less than substantial, very much at the lower end of the spectrum.

Church of St Mary Woolnoth (grade I):

214. One of the most notable of the so-called 'Queen Anne' churches, funded by coal duty via the Commission to Build 50 New Churches, established by Act of Parliament in 1711 to reassert the Church of England and spiritual nourishment in the growing metropolis. Designed by renowned protégé of Sir Christopher Wren, Nicholas Hawksmoor, it is one of his more idiosyncratic monuments to the distinctive English Baroque. Built between 1716-1727, a whole Portland Stone ensemble, the principal west front comprises an original composition of double height rustication with an engaged Composite temple-fronted tower crowned by coupled lanterns. It also has a distinctive and good interior by notable craftsmen. It is of very high architectural, historic, artistic and archaeological significance.

215. Its prominent siting pivoting the junction between King William Street and Lombard Street from the heart of the City at Bank Junction, set amongst a panorama of fine classical commercial, civic and in this case, religious, monuments from all eras. This makes a medium contribution to the significance of the Church.

216. Historic England and the Georgian Group have expressed concern at encroachment on the skyline presence of the Church, which has been described as *"largely undisturbed"*, allowing the towers to be appreciated, and thus some encroachment would result in harm.

217. The proposal will appear in the backdrop of the Church in views from the west, in particular from Poultry. The scope of the field-of-view is open and visually rich, the foreground of enclosing Portland Stone

classical buildings backdropped by the baseline and cumulative Cluster of tall buildings behind creating a theatrical contrast in scale and character between the old and new City. The twin towers of the Church are not wholly pristine, seen against clear sky or undisturbed and are in part backdropped by 20 Fenchurch Street and the proposal would form part of that backdrop. It is a kinetic and transient relationship and from the junction of Lombard Street and King William Street the Church is the pre-eminent foreground monument with a skyline presence. Given the transient nature of the impact, at a point when the view is most complex and varied with an established backdrop of the Cluster, it is considered that the magnitude of impact would be minor and that no harm to the significance or setting of the church would arise, especially given the significant distance of the proposal to the east. The Church would still have a sky-backed skyline presence in important local views and it would remain a prominent City landmark and skyline feature.

39-40 Lombard Street (grade II):

218. Built 1868, by Francis, of Portland Stone in a uniquely sumptuous and rich ornate Italianate palazzo manner, a good and unique example of the then emerging City livery of choice for dependable commerce and potentially a nod to the Lombardy merchants which lend the street its name. Comprising a tall ground floor (potentially a former banking hall) and rich carved classical detail to the upper floors. It is of architectural, artistic and to a slightly lesser extent historical interest. Its immediate setting, defining the corner of Gracechurch Street and Lombard Street, seen alongside other classical Portland Stone commercial edifices, makes a modest contribution to significance overall.

219. The Victorian Society contend that the proposal would ‘dwarf’ the listed building, despite acknowledging its own scale relative to the street. On approach from the west along Lombard Street the backdrop is commanded by the bulk of 20 Fenchurch, which would be subdued by the proposal. The full significance of the building is better appreciated in close view, in particular where the sumptuous detail can be appreciated, where given the scale of 39-40, and the height-to-width ratio of the street, it would command the foreground, while the proposal would only be visible at a high level in the oblique. It is considered that the impact would be of low magnitude and no harm would be caused to the special interest, significance or setting of 39-40 Lombard Street.

Church of St Magnus the Martyr (grade I):

220. By renowned architect Sir Christopher Wren, of Portland Stone, it replaced an earlier church on the alignment of the Old London Bridge, comprising a landmark arrival monument on approach to London from

the south. Re-built post-Fire, 1671-1687, it comprised a galleried rectangular aisled nave and defining west tower, one of Wren's most elegant, which is multi-staged and crowned by a hexagonal arcaded lantern, lead dome and steeple. It's setting, despite the loss of the Old and re-orientation of the new London Bridge, and considerable setting change as London developed (and then declined) as a major international port, still makes a medium contribution to significance as a result of a prominent relationship with the River, in particular on the old alignment of London Bridge from the Queen's Walk, and on approach from Gracechurch Street. The strong architectural and historic relationship with the Monument, also by Wren, adds to that significance.

221. In those views from the western end of the Queen's Walk the proposal would read as part of the Cluster, whilst providing significant breathing space between it and the Church, which would remain prominent and with a skyline presence related to the Monument. On approach from Gracechurch Street, again the proposal would be seen in the context of other towers on the eastern side of Gracechurch Street and would not obscure or detract from the Church. In local views of the Church, the listed building will continue to dominate the foreground. It is considered that the significance and setting of the Church would be preserved.

33-35 Eastcheap (grade II*):

222. A dramatic, expressive and vigorous Neo-Gothic purpose-built vinegar warehouse, more ecclesiastical in character than commercial, of red/engineering brick with robust stone dressings, symmetrically composed with copious use of vigorous canopies and the pointed arch. It was built in 1868 in a manner akin to the Victorian 'rogue' architects in a free Gothic Revival, by R L Roumieu. It contains a high-level relief of a boar's head making reference to Eastcheap's lost Boar's Head Tavern, a feature of Shakespeare's Henry IV. The setting of the building as part of a range of High Victorian frontages in varied revivalist styles offers a prevalent scale and characterful contrast which make a moderate contribution to significance, which primarily draws from architectural fabric.

223. The proposal would be prominent in wider townscape view on approach from the east along Eastcheap, where it would accompany 20 Fenchurch Street as an emerging edge of the Cluster, creating a dramatic contrast in scale characteristic of this part of the City and where the setback would mean the current or cumulative setting would not overwhelm or dominate the building. In close views the listed building will continue to dominate the foreground. It is considered the significance and setting of 33-35 Eastcheap would be preserved.

7-8 Philpot Lane (grade II*):

224. Much altered post-Fire terraces, thought to have been subdivided in the early 18th Century and substantially redeveloped in c.1984 and again refurbished in 2018 leaving little authentic fabric. Smart Italianate in manner, stucco-fronted brick terraces, with clay tile clad hipped roofs the only external manifestation of their greater age. The principal significance lies in the basement interior, a rare and unique late Medieval vaulted undercroft which was, it is assumed, retained post-Fire from a previous merchant's house. It is of high architectural, historic and archaeological significance, less so artistic. It draws a moderate degree of significance from setting, in particular, as a group around Brabant Court and in association with 4 Brabant Court, 2-3 and 5 Philpot Lane. Together these form a rare and unique ensemble of the form and urban grain of the pre-industrialised, pre and immediately post-Fire City of London – comprising smart brick-faced terraced commercial fronts and quieter, intimate off-street domestic/cottage industry courtyards.

225. The proposal would be seen and appreciated in the context of the emerging Cluster in the immediate and wider setting from Philpot Lane and Brabant Court and located opposite 20 Fenchurch Street. These dramatic contrasts in scale between the old and new are an established character trait of this setting which otherwise in terms of physical form, layout and appearance would be undiluted – that relationship between the ensemble remaining appreciable. In closer views, the listed building will continue to dominate.

226. Details reserved for condition would ensure it is preserved during and post construction.

227. It is considered the proposal would preserve the special interest/significance, and the contribution made by setting to that significance of 7-8 Philpot Lane.

Conservation Areas

Bank Conservation Area:

228. The proposal will be visible from a number of vantage points within the Conservation Area. Representations were received that the Conservation Area would be harmed via conflict with the wider 'roofline' on Gracechurch Street, the contrast in scale and materials, the relationship with the Monument and that it would overshadow Gracechurch Street.

229. The setting of the Conservation Area is as varied and diverse as the overarching character of the City. It's most obvious border is with the City Cluster on the eastern edge, where there is a striking contrast in scale on opposite sides of Bishopsgate/Gracechurch Streets, mitigated,

in their own way, through the modelling and detail of the lower storeys of the existing and consented towers. The wider setting of the Conservation Area is characterised by a backdrop of tall buildings to the east and strong juxtapositions between old and new.

230. The majority of the Conservation Area comprises a dense, tight-knit urban grain with strong streets enclosures, an essential character trait, which would remain undiluted. It is only in a few more open vistas would the proposal be appreciated.

231. The proposal will be visible from vantage points such as Princes Street, Cornhill and Poultry where the proposal will be visible in the distant backdrop as a fleeting, transient element alongside 20 Fenchurch Street. The impact is not considered harmful and is not an unusual relationship in the Conservation Area, with fleeting views of the City cluster with the dynamic contrast of the historical City in the foreground and new City exemplified as the cluster of towers as a distant backdrop.

232. In those views north and south along Bishopsgate/Gracechurch Street/King William Street, the proposal would read part of the cumulative Cluster of tall buildings. By reason of its complementary materials, and solid, robust and modelled masonry base there would be a positive dialogue with the scale and proportions of the Conservation Area opposite, while the significant setback of the taller element would not overwhelm the prevailing scale of Gracechurch Street. Subject to detailed design, the proposal would form part of that prevailing contrast in scale on the eastern border of the Conservation Area.

233. Overall, the proposal would result in some minor change to the setting of the Conservation Area, but not in a manner which would undermine that significance, which would be preserved.

Leadenhall Market Conservation Area:

234. The Leadenhall Market Conservation Area Character Summary and Management Strategy SPD (the SPD) prescribes the significance of the Conservation Area as deriving from the tangible and intangible vibrancy of the historic market, which is grafted onto a characterful crooked Medieval street grid, with fine grain mixed-use and a predominant human scale of buildings, streets and spaces in marked, dramatic contrast to the immediate setting and identifies particular views.

235. Given the enclosed nature of the Conservation Area, in particular, the roof of the market, the proposal will be generally concealed from view. Where visible it will be appreciated alongside 20 Fenchurch Street in the backdrop. This relationship of tall buildings as a backdrop to Leadenhall Market is a characteristic element of the setting of Leadenhall Market with the historic buildings dominating the foreground

of the views. It is considered that this change resulting from the proposal would reinforce these contrasts which is a strong character trait of the Conservation Area, preserving its significance.

Conclusion on Heritage:

236. It is considered the proposal would preserve the special interest/significance and setting of 7-8 Philpot Lane, 33-35 Eastcheap, St Magnus the Martyr Church, St Mary Woolnoth Church and 39-40 Lombard Street. It is considered it would preserve and result in a minor enhancement to the special interest/significance and setting of the iron gates in St Benet's Court and 4 Brabant Court. The proposal would result in some slight harm and some slight enhancement to the special interest and heritage significance of 2-3 Philpot Lane. Overall it is considered that the impact of the proposals on the significance and/or setting of 2-3 Philpot Lane would be that the special interest and heritage significance would be preserved.

237. It is considered that the proposal would preserve and enhance the character and appearance of the Eastcheap Conservation Area as a result of an enhancement of the small lightwell behind the Ship Public House. Overall, it is considered that the proposal would result in some slight harm and slight enhancement to the Eastcheap Conservation Area as a result of this direct impact and change in its setting. It is considered that the result is that the heritage significance of the Eastcheap Conservation Area would be preserved overall.

238. It is considered that the significance of the Leadenhall and Bank Conservation Areas, would be unharmed as a result of the proposed change in their setting.

239. The proposal would however, as a result of its siting, height and bulk, fail to preserve and would result in harm to the special interest and heritage significance of the Monument and to Tower Bridge, as a result of change in their settings. It is considered that, overall, the harm in both instances is at the lower end of less than substantial. When addressing the balancing exercise, as considered below, this harm has been afforded considerable importance and weight, and account taken of the importance of those heritage assets as grade I listed buildings in accordance with the advice given in paragraph 193 of the NPPF that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Harm to the significance and setting of 2-3 Philpot Lane, and to the Eastcheap Conservation Area is also taken into account in the balancing exercise set out below.

Conclusion on Listed Building Consent 20/00743/LBC – Iron Gates on St Benet's Place

240. The proposals would result in a minor alteration to the listed gates which would be restored to their original proportions and composition and restored resulting in a minor enhancement to their special interest/heritage significance.

241. The proposals would preserve and enhance the special architectural and historic interest and heritage significance of the gates and their setting, subject to detail reserved for condition, in accordance with Local Plan Policies CS 12, DM 12.1 and DM 12.3, draft City Plan 2036 policies S11 and HE1, London Plan Policy 7.8 and draft Publication London Plan Policy HC 1 and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion on Listed Building Consent 20/00769/LBC – 2-3 Philpot Lane

242. The proposals, subject to details reserved for condition, would result in the minor alteration of characteristic but on the whole non-original fabric of no intrinsic interest causing slight, low level, less than substantial harm. There would also be some enhancement. The overall effect of the proposals would be to preserve the heritage significance and setting of the listed building. The heritage balancing exercise is considered at paragraph 421 and following paragraphs of this report. When undertaking that balancing exercise considerable importance and weight should be given to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses (to give effect to the duty imposed by section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is considered that the proposals would not accord with Local Plan Policy DM 12.3 and London Plan Policy 7.8 as the proposal would cause some slight harm. For the same reason draft City Plan 2036 Policies S11 and HE1 and draft Publication London Plan Policy HC1 would not be complied with. However the overall effect of the proposal would be to preserve heritage significance and public benefits have been found to outweigh the less than substantial harm.

Archaeology

243. The site is in an area of high archaeological potential at the centre of the Roman city and an area where remains from all periods have been recorded. An Archaeological Desk-Based Assessment has been submitted with the application.

244. The existing building has two basement levels which are considered to have removed all archaeological remains within their footprint. The proposed development would include new basement levels and foundations extending beyond the existing basements on the north and

south sides of the building and this work is likely to affect areas of archaeological survival.

245. There is potential for remains from all periods to survive as the site is between the Roman Basilica-Forum and the bridge over the Thames. Medieval and post-medieval structural remains have been recorded in the close vicinity. Archaeological work has been carried out on the site prior to earlier development and remains from the pre-historic and Roman periods were recorded.

246. It would be appropriate to carry out archaeological evaluation in areas of proposed impact outside the existing basements to provide additional information on the date, condition and extent of archaeological survival. The results of this work would inform a mitigation strategy to record archaeological remains that would be disturbed by the development. Conditions are recommended to cover archaeological evaluation, a programme of archaeological work and foundation design.

Public Access and Inclusivity

247. Developments should be designed and managed to provide for the access needs of all communities, including the particular needs of disabled people as required by policies CS10, DM10.1, DM10.5 and DM10.8 of the Local Plan, polices S1 and S8 of the draft City Plan 2036, policy 7.2 of the London Plan and policy D5 of the draft Publication London Plan.

248. The principles of inclusive design have been incorporated into the proposals. The ground floor of the development is highly permeable, with a number of entrances and new routes through the site which would be open 24 hours a day. While there is a one metre change in level between Gracechurch Street and Brabant Court, this is managed within the site with easy gradients, and no ramps required. All accommodation and facilities are served by accessible lifts; two public lifts from the ground floor public realm serve all public levels, including the two levels of the garden terrace. Accessible WCs are provided throughout the building, including on both levels of the garden terrace, and a “Changing Places” facility has been incorporated. Accessible cycle parking facilities are included. While the development is car free, there is a proposal to convert an existing on-street car parking bay on Philpot Lane into an accessible Blue badge space. This would be covered by a S278 agreement.

249. The development is considered to comply with the relevant policies of the Development Plan and draft plans outlined above.

Cultural Strategy

250. Local Plan policies CS11 and DM11.2 and draft City Plan 2036 Strategic Policy S6 encourage new cultural experiences and art works.

A Cultural Plan has been submitted in accordance with draft City Plan 2036 Strategic Policy S6.

251. The Plan outlines a cultural activation programme utilising different parts of the proposed development. The Garden Terrace and ancillary internal area would have an educational focus based on a key theme of sustainability and growing and could potentially be managed and curated by an external community body. As discussed during consultation with the Aldgate School, the vision is for an inclusive space which would reach out to diverse communities, including interpretation and education around the key themes of climatic resilience, changing climate response and built heritage interpretation.

252. The large area of ground floor public realm within the site created through the use of out of hours platform vehicle lifts would act as a flexible space for cultural activities and displays, such as ad hoc performances, innovation tech events, pop-up markets.

253. The applicant is committed to Sculpture in the City and both permanent and temporary art installations could be displayed on the site, including at the publicly visible first floor loggia on the Gracechurch Street frontage.

254. A Cultural Implementation Strategy would be secured in the S106 agreement to secure a year round Cultural Programme which would establish monitorable deliverables in the curation of the spaces for educational outreach, (sharing of knowledge), cultural activities and events which would respond to the needs of the local area and be informed by a continuing dialogue with stakeholders, the local community and building users.

Transport, Servicing, Parking and Impact on Public Highways

Public Transport

255. The site has the highest level of public transport provision with a public transport accessibility level (PTAL) of 6B.

256. The site is located close to Cannon Street, Fenchurch Street and London Bridge National Rail Stations and to Bank/Monument and Cannon Street underground stations and is also close to several bus routes on Gracechurch Street.

257. The submitted Transport Assessment indicates that the overall increase in trips across all modes would have a negligible impact on the surrounding highway and public transport network capacities.

Cycling

258. The Draft Publication London Plan policy T5 requires cycle parking be provided at least in accordance with the minimum requirements published in the plan. Policy T5 requires cycle parking to be designed and laid out in accordance with guidance contained in the London

Cycling Design Standards and that developments should cater for larger cycles, including adapted cycles for disabled people.

259. The Draft Publication London Plan requires 467 long stay cycle parking spaces. The applicant is proposing 492 long stay cycle parking spaces; this exceeds the London Plan standards.

260. The long stay cycle parking, which is proposed to be located at Lower Basement Level 2 and Lower Basement Level 3 (Mezzanine), would be accessed from Brabant Court via 2 cycle lifts. There is also a stairwell adjacent to the lifts proposed. People cycling will be expected to dismount from their cycle and push their cycle to the lifts. Concern has been raised about this movement and the conflict with people walking on Gracechurch Street. Some of this will be alleviated by the footway widening as part of the Section 278 agreement which will make the footways less congested.

261. Queuing for the cycle lifts has been analysed. A vertical transport assessment has been completed assuming a conservative lift capacity of 2 people and 2 cycles per lift. The vertical transport assessment predicted the worst average waiting time for the cycle lift is 19 seconds, which equates to 7 people. The assessment did not take into account the alternative to use the stairs, so this is likely to be an over estimation. It is also likely that more than 2 people will use the lifts at a time, however the calculations have been carried out on a worst case scenario.

262. The cycle lift arrangement is considered acceptable to TfL and the City due to the expected spread of cycle arrival, lift capacity and the optional use of the stairs adjacent to the lifts . Nevertheless the applicant will be obligated though the Section 106 agreement to submit a reviewable Cycling Promotion Plan, which will require queue analysis and monitoring and, if necessary, mitigation to ensure that queuing cyclists will not impede pedestrian flows on St Benet's Place.

263. The Draft Publication London Plan requires 112 short stay cycle parking spaces. The applicant is proposing 24 short stay cycle parking spaces (which includes 3 cargo cycle spaces). The short stay cycle parking is at street level, with the majority located next to the escalators, and 3 racks on St Benet's Place (which in this location is not public highway). The applicant is providing 25 additional long stay cycle parking spaces in lieu of short stay cycle parking spaces. Given the provision of 24 short stay cycle parking spaces, and over provision of long stay cycle parking, the proposal is considered acceptable due to the constraints of the site, which is narrow, and very limited curtilage space.

264. 8% of the short stay cycle parking spaces are accessible for adapted cycles and 5% of the long stay cycle parking spaces are accessible for adapted cycles, and this arrangement will be secured by planning condition (in line the Draft Publication London Plan Policy T5 cycling B, with the London Cycling Design Standards 8.2.1, and the draft City Plan 2036 6.3.24).

265. The proposals include 52 showers, 492 lockers, and a cycle repair station, which complement the cycle parking provision. The locker provision is in line with the Draft Publication London Plan policy 10.5.7, which recommends a minimum of 2 lockers per 3 long-stay spaces. The shower provision is compliant with the Draft Publication London Plan policy 10.5.7, which is at least 1 shower per 10 long-stay spaces.

266. The applicant will be responsible for promoting the use of the cycle parking spaces and as such will be required by planning obligation to produce a Cycling Promotion Plan which is a cycling focused Travel Plan. It will be submitted to the City for approval in line with the Draft Publication London Plan policy T4 and 10.4.3.

Vehicular access

267. The development is car free, Local Plan 2015 Policy DM16.5 – 1 and draft City Plan 2036 policy VT3 – 1 require development in the City to be car-free except for designated Blue Badge spaces.

268. No blue badge space is proposed due to the constrained nature of the site. However, the scope of the Section S278 agreement will include a feasibility study to identify space for the provision of a new public blue badge space on Philpot Lane.

Servicing and deliveries

269. Policy DM16.5 of the Local Plan and draft City Plan 2036 Policy VT2 – 1 require developments to be designed to allow for on-site servicing. Policy VT2 – 2 requires major commercial development to provide for freight consolidation. Policy VT2 – 4 requires delivery to and servicing of new developments to take place outside peak hours (7am – 10am, 12pm – 2pm and 4pm – 7pm on weekdays) and requires justification where deliveries within peak hours are considered necessary. Draft Publication London Plan policy T7 G requires development proposals to provide adequate space for off-street for servicing and deliveries, with on-street loading bays only used where this is not possible.

270. The servicing of the building would take place off-street via 2 innovative vehicle lifts accessed from Talbot Court, that will form part of the public realm during the day.

271. The type of vehicle lifts proposed are a new concept to the City of London, but the lifts have been successfully used in other locations in London and elsewhere. When not in use, the lids of the vehicle lifts would form part of the public realm blending in with the rest of the area and people will be able to walk over the lifts and use the public space. When the lifts are in use, the lid of the lifts would raise up, to allow a vehicle to drive into the lift, the lift would then lower the vehicle into the basement.

272. To reduce the risk of lift failure, the applicant has agreed to sign up to a lift maintenance strategy and service level agreement to ensure failures are fixed in a timely fashion, and do not impact negatively on the public highway or public realm. The information submitted about the vehicle

lifts has been scrutinised, examples have been provided, and mitigation strategies have been agreed. Therefore, it is considered that all measures have been taken to ensure the use of this innovative lifting system will be successful.

273. Vehicles would be able to enter and exit the servicing lifts in forward gear. The servicing area would accommodate 2 vehicles up to 7.2m in size. The section 106 agreement will include details of the maximum size vehicle permitted to service the development.

274. It is proposed the number of deliveries to the development per day is capped to 45 and this will be secured in the Section 106 agreement.

275. Waste collection will take place in the same way as all other servicing vehicles and will be included in the daily cap of 45 vehicles.

276. The applicant has agreed to no servicing between 0700 and 2300. In the day the area in which the servicing lifts are located will be used as part of the public realm space, which is considered a benefit of the scheme. The overnight servicing, which would take place within the building at basement level, and which would be subject to a Delivery and Servicing Management Plan and mechanical acoustic controls, would not adversely impact residential amenity of nearby sensitive receptors.

277. The development will be required to produce a delivery and servicing plan (DSP), and this will be secured by a Section 106 agreement. This will include a commitment to use an off-site consolidation centre in order to reduce the number of deliveries to the development per day and the use of cycle couriers as part of the servicing strategy.

278. There are canopies over the vehicle lift entrance at 6.3m, this height is acceptable and will not obstruct Vehicles.

<u>Public Realm and Hostile Vehicle Mitigation (HVM)</u>

279. New east/west walking routes will be provided via St Benet's Place and through the ground floor of the development, providing relief to the footways surrounding the development and offering a new route.

280. Between 2300 and 0700 St Benet's Place will be the primary route for people walking west to east particularly when the servicing lifts are in use. While access through the ground floor would still be possible when the lifts are in use, the route would be reduced to 1.2m width behind the lifts.

281. There is a 1cm gap between the lift and the surrounding surface when the lifts are not in use; this gap is not considered a hazard as it is a similar width to slot drains.

282. There may be seating/public furniture placed on the lids of the lifts when the lids are not in use, to allow people to dwell. This furniture would be stored in the mezzanine storage area when not in use. There will be a vehicle lift strategy secured by Section 106 obligation to ensure the lifts and space are used as agreed.

283. There would be seating on the façade of the building on Talbot Court, which is in line with the Healthy Streets criteria. People on these seats would not affect pedestrian flows.

284. HVM is located within the application site comprising bollards in front of entrances and built in façade resilience. Rising bollards would be located in front of the vehicle lifts when they are not in use. Most of the bollards are proposed on private land; however, either one or two (subject to detailed design) are proposed on public highway in Talbot Court. This is considered acceptable in this instance as they complete a necessary line of protection which is mostly located on private land. The applicant would be required to sign up to a maintenance agreement of the bollards on public highway.

Pedestrian Comfort

285. A Pedestrian Comfort Level (PCL) assessment has been conducted for the development, which includes calculations for Gracechurch Street, Talbot Court, St Benet's Place, Brabant Court and Philpot Lane.

286. On Gracechurch Street, the PCL assessment shows that the current PCL is an F and the clear footway width is currently 1.31m (this reflects the space the bus shelter takes up on the footway immediately outside the building). TfL have secured a Section S278 agreement to widen the eastern footway on Gracechurch Street by extending the kerb line; this will improve the PCL.

287. It is expected that the works included in the TfL Section 278 agreement will improve the PCL scores on Gracechurch Street to at least D in the AM peak and C- in the PM peak. Although this is not in line Transport for London's Pedestrian Comfort Guidance and the City's Transport Strategy, which recommends a minimum comfort level of B+, it is considered a great improvement on one of the City's busiest streets.

288. Elsewhere around and across the site, in Talbot Court the PCLs would be predominantly A with one or two instances of B+ and in Brabant Court and for the new routes through the building the PCLs would be predominantly A. There are some points on Philpot Lane in the existing situation that are PCL F, due to pinch points on the footway and these would remain.

289. In St Benet's Place there will be a reduction in width of 570mm (3.02m to 2.45m) as a result of the development. The applicant has predicted that despite the narrowing of St Benet's Place, it would achieve a PCL of B+ if used by 1,279 pedestrians in the peak hour. This is a worst-case scenario and it is more likely that the pedestrian numbers would be such as to achieve a PCL A.

290. The narrowing of St Benet's Place by 0.57m results in a reduction of 71mm depth of public highway along a length of 24m. (a narrow strip which would need to be stopped up); the predominant area that is reduced relates to permissive path (private land.) Considering the predicted PCLs for St Benet's Place, together with the 1.46m width of the historic gates across St Benet's Place which pedestrians would walk through (one metre narrower than the alley), it is considered that

there is enough capacity in the proposed layout of St Benet's Place for a comfortable pedestrian experience. The proposed width of St Benet's Place would be comparable with the width of other alleyways closeby, such as Bull's Head Passage off Gracechurch Street (2.5m) and St Peter's Alley off Cornhill (2.5m).

291. The existing trips to the development in the AM (0.800-0.900) and PM peaks (17.00-18.00) are 242 and 253 respectively. It is predicted that the proposed total number of trips to the development in the AM peak would be 526. It is predicted that the total number of trips to the development in the PM peak would be 501. These figures are considered acceptable due to the improvements in PCLs and the provision of a new through route for people walking.

292. Overall, the PCL scores on Gracechurch Street are much improved, though they remain below our recommended level of B+. However, the routes through and around the development on Brabant Court, St Benet's Place and Talbot Court are all able to facilitate PCLs of a minimum of B+, the recommended level of comfort for all area types. Therefore, PCL levels are considered acceptable and are complemented by the proposal of a new pedestrian through route via Brabant Court, and the option to walk through the ground floor of the development, both open to pedestrians 24 hours a day, 7 days a week, which is a significant benefit to the development.

Bus stop relocation

293. In addition to the PCL improvements as a result of the footway widening, there is the potential to improve the PCLs further by relocating the bus stop which exists on the footway in front of the building into the façade of the building. When deciding the final Section 278 design option an equality impact assessment will be done, a PCL study will also be submitted to the City in consultation with TfL to ensure the final design has a positive impact on PCLs.

Section 278 Agreement

294. Separate Section 278 agreements will be secured by the City of London and by Transport for London.

295. The changes to the highway to be secured by the City of London Section 278 agreement is shown indicatively in the ground floor plans, however the detailed arrangements will be designed by the City. The Section 278 will comprise works to Talbot Court, St Benet's Place, Brabant Court and Philpot Lane. The works will include, but are not limited to, improvements to the materials and accessibility on Talbot Court, St Benet's Place and Brabant Court (including the provision of step-free access), investigation and provision of public blue badge parking space if feasible, street lighting provisions, and a slight realignment of Talbot Court. The realignment of Talbot Court and minor adjustment to St Benet's Place will involve stopping up of the highway.

296. The Transport for London Section 278 agreement will secure the widening of the pavement on Gracechurch Street (for which they are the Highway Authority). The S278 works for the TLRN will include new

Yorkstone paving and associated works from 60 Gracechurch Street (but not including the pedestrian crossing), to 52-54 Gracechurch Street. This will improve PCLs on this part of Gracechurch Street.

297. The Section 278 works will be in line with the 10 Healthy Streets indicators, the City of London Transport Strategy and City of London's Public Realm vision, including the potential for footway widening and greening. This would be secured through the Section 106 agreement.

Stopping Up

298. Stopping up will be required on Talbot Court to realign the highway. A minor area of stopping up has also been proposed on St Benet's Place (a 71mm deep strip across a length of 24m). Overall there is a net gain of 5sqm of public highway, and there is also a gain, via legal agreement, of publicly accessible space within the development.

299. The land dedication changes include stopping up of 30sqm of public highway, and dedication of 35sqm of public highway. The dedication of new public highway is from a combination of existing permissive path and private land. Overall, there will be a net increase in public highway of 5sqm.

300. As a balance to this stopping up, the development would provide a publicly accessible route through the site, the re-provision of St Benet's Place to Brabant Court as a through route, improvements to the public realm on Talbot Court, and improvements to the public realm on Talbot Court.

301. The stopping up will not affect the ability of vehicles to access the street and overall the facilities for pedestrians will be improved through the Section 278 works and proposed building permeability.

Environmental Impact of Proposals on Surrounding Area

302. Local Plan policy DM10.1 requires the design of development and materials used should ensure that unacceptable wind impacts at street level and in the public realm be avoided, and to avoid intrusive solar glare effects and to minimise light pollution. Policy DM10.7 is to resist development which will noticeably reduce daylight and sunlight to nearby dwellings and open spaces. Draft City Plan 2036 Strategic Policy S8 and Policy DE2 requires developments to optimise microclimatic conditions addressing solar glare, daylight and sunlight, wind conditions and thermal comfort.

Wind Microclimate

303. Wind tunnel testing has taken place to predict the local wind environment associated with the completed development and the resulting pedestrian comfort within and immediately surrounding the site. CFD simulation and analysis has also been carried out in accordance with the City's Planning Advice Note, Wind Microclimate Guidelines for Developments in the City of London.

304. Wind conditions are compared with the intended pedestrian use of the various locations including carriageways, footways and building entrances The assessment uses the wind comfort criteria, referred to as the City Lawson Criteria in the Wind Microclimate Guidelines, being 5 Comfort Categories defining conditions suitable for frequent sitting/occasional sitting/standing/walking/Uncomfortable.

305. A separate safety criterion is also applied to ascertain if there are any safety risks to pedestrians or cyclists.

306. In considering significance and the need for mitigation measures, if resulting on-site wind conditions are identified as being unsafe (major adverse significance) or unsuitable in terms of the intended pedestrian use (moderate adverse significance) then mitigation is required. For off-site measurement locations, mitigation is required in the case of major adverse significance - if conditions become unsafe or unsuitable for the intended use as a result of the development. If wind conditions become windier but remain in a category suitable for intended use, or if there is a negligible or beneficial effect, wind mitigation is not required.

307. Assessments have been carried out for both the Windiest Season and the Summer Season

308. The wind tunnel and CFD results broadly give the same assessment results. Where there is variance this would only be by one category and in either category the condition would remain suitable to use. Variance occurs as the two methods use different tools to predict the wind microclimate; the purpose of the two assessments is to give the broadest picture and to ensure that in either test the conditions are acceptable.

<u>Wind conditions at street level</u>

309. In the existing baseline conditions the wind tunnel tests and CFD show that conditions around the site are suitable for their intended use, primarily frequent sitting or occasional sitting. Further to the east around 20 Fenchurch Street where the conditions are windier, there is one location on the southeast corner of 20 Fenchurch Street which is categorised as uncomfortable in the windiest season.

310. Early testing of the effects of the development on the wind microclimate led to the incorporation of a number of features into the design of the building. These include:

- Vertical strakes on the main tower southern façade
- An open terrace at 6th floor level
- A canopy above the 6th floor terrace
- A detailed and modelled façade above Talbot Court
- Arrangement of canopy on Talbot Court façade.
- A porous cut-out in the middle panel of the shoulder building.

311. In considering the completed development, in most locations the wind conditions would remain either in the same categories as existing, or become windier, but continue to fall within a category suitable for the

intended use. In some locations around 20 Fenchurch Street the wind conditions improve over the existing.

312. Further design measures were introduced to mitigate a slight exceedance at the entrance to Talbot Court; existing landscaping in the private courtyard to the north and at 20 Fenchurch Street were also factored into the assessment to demonstrate that wind conditions would fall within a category suitable for use in those two locations.

313. With the proposed mitigation measures in place all locations at street level would experience wind conditions appropriate to the intended use and there would not be any safety exceedances resulting in unsafe conditions.

314. In testing the proposed development and cumulative schemes within 400m of the site, with the proposed mitigation measures in place, there would be no material change in wind conditions from the scenario of the proposed development with existing buildings. In addition, the redevelopment of 70 Gracechurch Street, which is the subject of a current planning application (ref 20/00816/FULEIA) has been included as an additional separate cumulative scheme for assessment; as above the results show there is no material change from the scenario of the proposed development with the existing buildings.

Wind conditions on the public garden terrace at 6th floor level

315. Wind conditions on the terrace in the windiest season would largely be suitable for standing, with part of the centre of the terrace and the mezzanine level walkway being suitable for occasional sitting.

316. In the summer, wind conditions would be for frequent and occasional sitting although in areas on the western end of the garden, large areas would only be suitable for standing. This would require mitigation in order to improve the conditions in this part of the garden and make them appropriate to the use.

317. The proposed mitigation measures in place for the development as a whole do not significantly change the conditions.

318. The condition does not change in the cumulative scenarios, other than the cumulative scenario which includes the proposed development at 70 Gracechurch Street where the conditions in the summer are improved from standing to occasional sitting.

319. The applicants are continuing to test various options in order to improve the wind conditions on the western part of the terrace such that it becomes suitable for occasional sitting or better in the summer season; options being considered are structures which can be designed into the design and landscaping of the garden, but at the time of writing this report, these need to be tested in the wind tunnel and by CFD.

320. A pre-commencement condition is recommended to secure the improvement of conditions on the terrace.

321. In conclusion, with the proposed mitigation measures in place, where wind conditions become windier at ground level they remain suitable for the intended uses in the proposed and cumulative scenarios and so no additional mitigation above that proposed is required. With the additional measures being investigated at roof garden, which will be secured by condition, the wind conditions on the roof garden will be suitable for use.

322. A Wind Audit would be secured in the S106 Agreement which would require, if requested by the City Corporation, a post-completion audit to assess and compare the results of the Wind Tunnel Test against the results of wind speed assessments carried out in the vicinity of the site over a specified period, to identify if the completed development has material adverse effects not identified in the ES.

323. It is considered that the microclimate in and around the site, with regard to wind conditions, would be acceptable in accordance with London Plan Policy 7.6, draft Publication London Plan Policy D8, Local Plan policy DM10.1, and draft City Plan policies S8 and DE2, and the guidance contained in the Planning Advice Note, Wind Microclimate Guidelines for Developments in the City of London.

Daylight, Sunlight, Overshadowing

324. An assessment of the impact of the development on daylight and sunlight to surrounding residential buildings and public amenity spaces has been undertaken in accordance with the Building Research Establishment (BRE) guidelines and considered having regard to policies 7.6 and 7.7 of the London Plan, policy DM 10.7 of the Local Plan and policy DE8 of the draft City Plan. Policy D6D of the draft Publication London Plan states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context whilst avoiding overheating, minimising overshadowing ,and maximising the usability of outdoor amenity space. The BRE guidelines can be used to assess whether harm is likely to occur. The approach indicated by planning policy, in particular London Plan policy 7.6B is that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings. Local Plan policy DM10.7 states that development which would reduce noticeably the daylight and sunlight to nearby dwellings and open spaces to unacceptable levels taking account of BRE guidelines, should be resisted. Both the London Plan and Local Plan policies require a judgement to be made as to whether any harm is unacceptable and whether any reduction results in unacceptable levels of daylight and/or sunlight. The draft City Plan requires development proposals to demonstrate that daylight and sunlight available to nearby dwellings and open spaces is appropriate for its context and provides acceptable living standards taking account of its context. The residential buildings and open spaces to be considered include those at 9B Eastcheap, 4 Brabant Court and Jamaica Buildings, ancillary residential at The Ship Public House, Talbot Court,

The Grapes Public House and The Swan Tavern and nine public amenity spaces.

325. The impact on three nearby churches were also assessed, 2 experiencing no impact and one, St Margaret Patten, experiencing minor adverse (not significant) impact.

326. Strategic Policy CS10 seeks to ensure that buildings are appropriate to the character of the City and the setting and amenities of surrounding buildings and spaces. Within the BRE Guidance commercial premises such as offices are not considered as sensitive receptors and as such the daylight and sunlight impact is not subject to the same test requirements as residential premises. The dense urban environment of the City, in particular in and around the cluster is such that the juxtaposition of commercial buildings is a characteristic that often results in limited daylight and sunlight levels to those premises. Commercial buildings in such locations require artificial lighting and are not reliant on natural daylight and sunlight to allow them to function as intended, indeed many buildings incorporate basement level floorspace or internal layouts at ground floor and above without the benefit of direct daylight and sunlight. Whilst the proposed development would result in a diminution of daylight and sunlight to surrounding commercial premises, the proposed development provides a degree of separation such that it would not have an unacceptable impact on the amenity of those properties and would not prevent the beneficial use of their intended occupation. As such the proposal is not considered to conflict with Local Plan Policy CS10.

Daylight

327. Daylight has been assessed for both Vertical Sky Component (VSC) and No Sky Line (NSL), These are complementary assessments for daylight: VSC is the measure of daylight hitting a window, NSL assesses the proportion of a room in which the sky can be seen from the working plane.

328. The BRE criteria state that a window may be adversely affected if the VSC measured at the centre of a window is less than 27% and less than 0.8 times its former value (i.e. experiences a 20% or more reduction.) In terms of NSL, a room may be adversely affected if the daylight distribution (NSL) is reduced beyond 0.8 times its existing area (20% or more reduction.)

329. Of the buildings with residential accommodation assessed, three were assessed as experiencing a negligible effect within the BRE Guidelines. The impact on the remaining three buildings is outlined below.

9B Eastcheap

330. 9B Eastcheap, to the south of the site, has planning permission to be used as residential and or short term lets. (Planning permission dated 04.02.2000 app.no. 4280Y.) It appears that at the present time the

building is in use as short-term lets although the use can revert to permanent residential without the need to apply for planning permission. Short-term lets can be less sensitive to daylight and pollution effects owing to the temporary and transient occupancy.

331. The submitted assessment concludes that overall the residential units at 9B Eastcheap would experience Moderate Adverse impact.

332. A total of 23 windows serving 19 rooms have been assessed for daylight within this building.

333. For VSC, 4 of the 23 windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.

334. Of the 19 remaining windows, one would experience an alteration in VSC between 30-39.9% which is considered a Moderate Adverse effect whilst 18 would experience an alteration in excess of 40% which is considered a Major Adverse effect.

335. 11 of the impacted windows serve bedrooms which BRE Guidelines note are less sensitive to daylight alterations as their primary purpose is for sleeping. The remaining 8 windows serve living-room diners which are more reliant on good daylight.

336. Of these 8 windows, 6 have existing low levels of VSC (between 2.1% to 10.2%) and therefore any reduction in absolute VSC values has a disproportionately high percentage reduction and is disproportionate to what the occupant is likely to experience. 2 have higher levels of VSC which would be significantly reduced and would be noticeable.

337. For NSL, 5 of the 19 rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.

338. Of the 14 remaining rooms, one would experience an alteration in NSL between 30-39.9% which is considered a Moderate Adverse effect whilst 13 would experience an alteration in excess of 40% which is considered a Major Adverse effect.

339. 10 of these rooms are bedrooms which BRE Guidelines note are less sensitive to alterations in daylight. The remaining 4 are living/diners and would experience alterations in sky visibility within the rooms which would be noticeable.

340. The assessment considers that given the existing low level of daylighting to rooms, together with many of the rooms affected being bedrooms, the impact on the property as a whole would be Moderate Adverse (significant.)

4 Brabant Court

341. A total of 15 windows serving eight rooms were assessed for daylight. For VSC 14 of the 15 windows would experience reductions of less than 20% and under BRE criteria would experience a negligible effect.

342. One window would experience an alteration in VSC between 20-29.9% which is considered a Minor Adverse effect. This window serves a bedroom, which under BRE Guidelines is considered less sensitive to

daylight alterations. Given the low baseline VSC level of 9.9%, which is well below the recommendation of 27%, the alteration of 20.2% is not likely to be perceptible to the occupant.

343. For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.

344. Overall, given the high level of BRE compliance as well as the one affected room being a bedroom the overall daylighting impact to this building is considered Negligible.

The Ship PH

345. A total of 9 windows serving 9 rooms on the 2nd and 3rd floors were assessed , being rooms which are assumed to be in use as ancillary residential accommodation linked with the Public House. Of the 9 rooms, 8 would experience reductions to daylight which would fall below the BRE Guidelines criteria (6 rooms experiencing 20-29.9% reduction and 2 rooms a 30-30.9% reduction.)

346. For NSL one room would experience a reduction falling below the BRE Guidelines (20-29.9% reduction.)

347. These will be noticeable reductions which the ES assesses as being Minor Adverse.

348. In summary, the proposed development would have a Moderate Adverse impact on the daylight and sunlight to a number of rooms within 9B Eastcheap. There will be some harm to the living conditions within this building, with losses of daylight and sunlight noticeable. However, the adopted and emerging Local Plans indicate that impacts on daylight and sunlight have to be considered within the context of what is appropriate given the City Centre location and the fact that BRE compliant levels of daylight and sunlight are unlikely to be achievable. Account also needs to be taken of the existing levels of daylight and sunlight to the affected rooms, which, for a number of the affected rooms, are already low. 9B Eastcheap is in use as serviced apartments, where occupation is likely to be transitory rather than permanent. The impact of loss of daylight and sunlight on the occupiers of these apartments is therefore considered to be less significant than would be the case for permanent residents Whilst living conditions of these short-term lets would expect a degree of harm, taking into account the BRE Guidance and the context of the premises location within a dense urban commercial environment, it is not considered that the proposal would result in an unacceptable impact on the existing use of the property. As such the extent of harm is not considered to be such that it would conflict with Local Plan Policy DM10.7 and Policy DE8 of the draft Local Plan. It is considered that the provision of additional office floorspace within the proposed development, meeting Local Plan ambitions for further office floorspace within the City Cluster area and contributing to the City's primary business and professional services function, outweighs the moderate adverse impact..

349. There is an overall Minor Adverse impact on residential accommodation within the Ship Public House. However, this

accommodation is ancillary and does not benefit from a residential use in planning terms. It should therefore be afforded less weight in the consideration of the impacts of the proposed development. Taking into account the BRE Guidance and the context of the premises location, it is not considered that the proposal would result in an unacceptable impact on the ancillary residential use and as such would not conflict with Policy DM10.7 and Policy DE8 of the draft Local Plan.. In this case, the provision of additional office floorspace within the development in this location, is considered to outweigh the minor adverse impact.

Sunlight

350. The sunlight assessment of the sensitive residential receptors shows that there is no change in Annual Probable Sunlight Hours and Winter Probable Sunlight Hours with the proposed development in place.

Cumulative impact

351. In considering cumulative impact (the proposed development and other consented schemes) the assessment shows that there is no significant difference to the impacts on daylight and sunlight to residential properties or on overshadowing to the above amenity areas, from that assessed for the proposed development.

352. In considering cumulative impact as above together with the proposed scheme at 70 Gracechurch Street (current planning application 20/00816/FULEIA) a more significant impact is seen to windows at 4 Brabant Court and to windows of ancillary residential accommodation at The Ship PH, The Swan PH and The Grapes PH. As this potential impact is not seen in the previous scenarios, it can be concluded that this is largely attributable to the proposed development at 70 Gracechurch Street.

Overshadowing of amenity areas

353. BRE Guidelines recommend that for an external space to appear well lit at least 50% of the area should receive at least 2 hours of sunlight on March 21st. If as a result of development an amenity area does not meet the above and the area which receives two hours of direct sunlight is reduced to less than 0.8 times its former value (i.e. more than 20 % reduction) then the loss of sunlight is likely to be noticeable.

Public open spaces:

354. The potential overshadowing impacts of the proposed development has been assessed on 9 surrounding public amenity areas:

- Brabant Court
- Michaels Cornhill Church Garden;
- St Peter-upon-Cornhill Church Garden;
- Leadenhall Market;

- St Helen's Bishopsgate Churchyard;
- Bevis Marks Synagogue Courtyard;
- Sir John Cass's Foundation Primary School Playground;
- Aldgate Square; and
- Jubilee Gardens

355. In assessing transient overshadowing, on 21st March, shadow is cast from the proposed development from 08.00 hrs and moves in a clockwise direction throughout the day. Between 15.00hrs and 16.00hrs the roof of Leadenhall Market would be partially overshadowed; the remaining amenity areas would remain unaffected. On 21 June, shadow is cast from 06.00hrs and all amenity areas would be affected during parts of the day by shadow cast by the development.

356. In assessing sun hours on the ground, all the amenity areas assessed would see no alteration from the percentage of total area which sees at least two hours of direct sunlight on March 21st, when comparing the Baseline scenario with the Proposed Development scenario. Therefore, in accordance with the BRE Guidelines, each amenity area is considered to experience no effect (not significant) as a result of shadow cast from the Proposed Development. An additional sun exposure assessment on March 21st and June 21st has been undertaken for the amenity areas, showing that there is little or no loss to sun exposure on these days.

Private Courtyard:

357. The impact on the private amenity area to the north of the site and to the r/o of 2-3 Philpot Lane and 10 Fenchurch Street has been assessed.

358. In the existing scenario, no part of the area receives at least 2 hours of sunlight on 21 March; following the development this remains the case and so there is no material change with reference to the BRE criteria for overshadowing. However, sun exposure images indicate that the northern part of the courtyard which presently is sunlit on 21 June would lose this sunlight in the proposed scenario. This is a consequence of the proposed development site being directly to the south of the courtyard.

359. For most of the year the courtyard is largely overshadowed by existing buildings, which is not uncommon for courtyards in the City. The proposed development would impact on the sunlight enjoyed in the summer months which would be a consequence of any development of this site which increased its height.

360. In conclusion the results show that there would be no significant overshadowing effects caused by the development to any public amenity areas. In respect of the private courtyard immediately to the north, for much of the year the courtyard is largely overshadowed by existing buildings, which is not uncommon for courtyards in the City. The proposed development would impact on the sunlight enjoyed by

this courtyard in the summer months which would be a consequence of any development of the site which increased its height. Overall the impact would not cause unacceptable harm to the open amenity areas and complies with policies 7.6 and 7.7 of the London Plan.

Sunlight to Public Garden terrace in the development:

361. In respect of the public garden terrace the sun on ground assessment shows that 90% of the terrace would receive 2 or more hours of sunlight on 21 March and sun exposure images show that good levels of sunlight would be available throughout the year.

Solar Glare

362. 66 locations have been identified in the ES as sensitive to solar glare within 1km of the site. The potential effect of the impact of solar glare on road users has been assessed at the traffic junctions and pedestrian crossings at these locations.

363. The assessment concludes that the development would not have a significant effect on 51 of the locations and a negligible effect on a further 2 locations. At the remaining thirteen locations, based on a combination of criteria including the angle of the solar refection in relation to the road users' line of sight, the ability to deploy a visor in all cases other than the lowest angle reflections, the duration of the solar glare and the existence of alternative traffic signals at junctions enabling the road user to use different options, the effects of solar glare are assessed as being 'minor adverse'. The Assessment concludes that no additional measures are required to mitigate the impact of solar glare.

364. If planning permission were to be granted, a S106 obligation would be recommended to require a solar glare assessment to be submitted post completion but prior to occupation which would include details of any mitigation measures (if considered necessary). The development would comply with Local Plan policy DM10.1 and draft City Plan 2036 policy DE(8) to avoid intrusive solar glare impacts and to mitigate adverse solar glare effects on surrounding buildings and public realm.

Light Pollution

365. Local Plan policy DM15.7 and draft City Plan 2036 policy DE9 require that development should incorporate measures to reduce light spillage particularly where it would impact adversely on neighbouring occupiers, the wider public realm and biodiversity.

366. Potential light pollution impacts arising from the Proposed Development have been assessed in relation to 11 buildings which have been identified as sensitive to the impacts of light pollution in accordance with Institute of Lighting Practitioners (ILP) Guidance.

367. The assessment shows that pre-curfew (before 11pm), the levels of light pollution would be limited and well within the 25-lux threshold set out within the ILP Guidance for all eleven surrounding buildings assessed.

368. The post-curfew (after 11pm) assessment shows that the levels of light trespass would be below the 5-lux threshold set out within ILP Guidance at 10 of the 11 buildings assessed. The top two floors of 9B Eastcheap would be affected in relation to post-curfew light trespass with the potential for light trespass in excess of 5 lux, with levels of approximately 7.5 lux.

369. The assessment is undertaken on a worst case scenario without blinds or curtains, however, given that the affected windows serve bedrooms, it is likely that they are fitted with blinds or curtains, which would minimise or eliminate the adverse effects of light pollution. Additionally, the assessment shows a worst-case scenario whereby the office would be fully lit at night.

370. To mitigate against this, lighting would be controlled by passive infrared (PIR) light sensors which would limit the amount of internal lighting that would be used unnecessarily and would ensure that office floorplates would not be lit when not in use. A condition has been included which requires a detailed lighting strategy to be submitted for approval prior to the occupation of the building demonstrating the measures that would be utilised to mitigate the impact of internal and external lighting on light pollution and residential amenity. The strategy shall include full details of all luminaires, associated infrastructure, and the lighting intensity, uniformity, colour and associated management measures to reduce the impact on light pollution and residential amenity.

371. In summary the light pollution effect at 9B Eastcheap is considered Minor Adverse (not significant) and at the remaining ten buildings assessed, Negligible (not significant).

372. The development would also incorporate measures to mitigate against 'sky glow' – defined as the brightening of the sky over rural and urban areas. The measures will be incorporated in the overall lighting strategy to be submitted for approval and will include automated blinds to roof lights, careful design of upward lighting to minimise light spill and lighting control systems to adjust lighting levels.

Air Quality

373. Local Plan 2015 policy CS15 seeks to ensure that developments positively address air quality. Policy DE1 of the draft City Plan 2036 states that London Plan carbon emissions and air quality requirements should be met on sites and policy HL2 requires all developments to be at least Air Quality Neutral, developers will be expected to install non-combustion energy technology where available, construction and deconstruction must minimise air quality impacts and all combustion flues should terminate above the roof height of the tallest part of the development. The requirements to positively address air quality and be

air quality neutral are supported by policy 7.14 of the London Plan and policy SI of the draft Publication London Plan.

374. The Environmental Statement includes an assessment of the likely impact of the proposed development on air quality as a result of the construction and operational phases of the development.

375. During demolition and construction dust emissions would increase and would require control through the implementation of good practice mitigation measures contained in the Construction Environmental Management Plans to be submitted and approved under conditions attached to the planning permission.

376. For the completed development the building would utilise a heat pump solution for zero emissions heating. The development would be car-free and the assessment states that the transport emissions associated with the servicing vehicles would have negligible impact. The assessment concludes that the development would have no significant impacts on local air quality.

377. The development meets the Air Quality Neutral benchmarks for both building and transport emissions assessment.

378. The City's Air Quality Officer has no objections and recommends that a condition is applied requiring the submission and approval of an Air Quality Report to detail how the finished development will minimise emissions and exposure to air pollution during its operational phase and will comply with the City of London Air Quality Supplementary Planning Document and the submitted Air Quality Assessment.

379. Subject to the compliance with conditions, the proposed development would accord with Local Plan 2015 policy CS15, policies HL2 and DE1 of the draft City Plan 2036, policy 7.14 of the London Plan and policy SLI of the draft Publication London Plan which all seek to improve air quality.

Noise and Vibration

380. Local Plan 2015 policy DM15.7, London Plan policy 7.15 and draft Publication London Plan policies D13 and D14 require developers to consider the impact of their developments on the noise environment. It should be ensured that operational noise does not adversely affect neighbours and that any noise from plant should be at least 10dBa below background noise levels.

381. The Environmental Statement assesses the impact from noise and vibration on the surrounding area, including noise and vibration from demolition and construction; noise from the proposed development during operation; and noise associated with increases in road traffic, which could be attributed to the development.

382. In most City redevelopment schemes the main noise and vibration issues occur during demolition and early construction phases. The Assessment identifies a Major Adverse (significant) impact on sensitive

receptors close to the site (4 Brabant Court (residential) and The Ship PH, 11 Talbot Court) during demolition and Moderate Adverse (significant) impact on sensitive receptors(4 Brabant Court (residential), the Ship PH and 2-3 Philpot Lane (hotel)) during parts of the construction programme.

383. Noise and vibration mitigation, including control over working hours and types of equipment to be used would be included in a Construction Environmental Management Plan to be secured by condition, and freight movements would be controlled through the Construction Logistics Plan, secured by condition. These would need to demonstrate compliance with the City's Code of Practice for Deconstruction and Construction Sites and the Mayor of London's Construction Logistics Plan Guidance.

384. During the operational phase of the development, the Assessment concludes that there would be a negligible impact on noise levels from road traffic compared with the existing.

385. Noise levels from mechanical plant in the completed development would need to comply with the City of London's standard requirements that noise output should be 10dB below background noise levels and would be approved under planning conditions to ensure that there would not be an adverse effect on the surrounding area.

386. The submitted noise assessment indicates that the requirements of these conditions can be satisfactorily met and consequently the proposal would comply with London Plan policy 7.15, draft London Plan policy D13, Local Plan policy DM 15.7 and draft City Plan 2036 policy HL3.

Health Impact Assessment

387. The applicants have submitted a HIA which has been based on the Healthy Urban Development Unit criteria, with adaptions to take into account the particular circumstances of the City. The Assessment concludes that the development would have an overall positive impact on health. Positive impacts include:

388. Provision of new jobs associated with the uplift in commercial floorspace, supporting access to local employment;

- Provision of high-quality, public open space in the public viewing gallery and garden terrace encouraging physical activity;
- Provision of high-quality public realm at the ground floor improving the physical environment;
- Reinstated historic pedestrian routes incorporating the Site into its wider area, facilitating pedestrian access and alleviating demand on existing pedestrian routes;
- A car-free development minimising vehicles travelling to the Site;
- Building design considering the context of the Site and maximising benefits including employing systems to reduce energy usage (i.e. CCF reducing solar glare and passive ventilation);

389. Potential negative impacts identified would need to be mitigated during the construction and operational phases, for example by:

- the implementation of a Construction Environmental Management Plan (CEMP) to minimise any environmental effects including dust (via Dust Management Plan), noise and vibration;
- Implementation of a Construction Logistics Plan (CLP) to minimise the environmental and road traffic related impacts of the demolition and construction works;
- Implementation of a Delivery and Servicing Management Plan setting out access, delivery times (overnight only) and booking system;
- Implementation of a Framework Travel Plan to minimise vehicle trips and to maximise uptake of active travel options (walking and cycling).

390. Potential negative impacts identified in the Assessment would be mitigated by the requirements of relevant conditions and S106 obligations.

Sustainability & Energy

Energy and CO2 emissions

391. The Energy Statement accompanying the planning application demonstrates that the building has been designed to achieve a 45.2% improvement in carbon emissions compared with a Building Regulations compliant building. This would be achieved through a number of energy demand reduction measures.

392. These include the use of passive design features including solar shading through a set of vertical bands on the large south facing elevation, a closed cavity façade with interstitial blinds to control heat gains, efficient building fabric and energy efficient LED lighting.

393. The majority of the building's cooling would be via the use of outside air supplied to each floor by on floor Air Handling Units; this has been calculated to provide free cooling for 89% of the year and significantly reduces the amount of active cooling required for the development. An air source heat pump system would provide the required heating the hot water supply.

394. This energy strategy demonstrates compliance with the London Plan carbon targets. (London Plan Policy 5.2 and draft Publication London Plan S12). A S106 clause will be included requiring reconfirmation of this energy strategy approach at completion stage and carbon offsetting contribution to account for any shortfall against London Plan targets for the completed building. There will also be a requirement to monitor and report the post construction energy performance to ensure that actual operational performance is in line with GLA's zero carbon target in the draft Publication London Plan.

BREEAM

395. A BREEAM pre-assessment has been carried out for the proposed development. This demonstrates that the development can achieve a score of 82.57% which is well within the “Excellent “ category and highlights additional credits that could raise it to 88.21% “Outstanding”, which is their target score.

396. The development scores highly on the City’s priority categories of Energy, Water, Materials and Pollution,

397. The BREEAM pre-assessment results comply with Local Plan Policy CS15 and draft City Plan 2036 Policy DE1. A condition has been included requiring the submission of a post construction BREEAM assessment demonstrating that a target rating of 'Outstanding' has been achieved (or such other target rating as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an 'Outstanding' rating).

Sustainability, Circular Economy and Waste -

398. Emerging New London Plan Policy SI7 (‘Reducing waste and supporting the circular economy’) sets out a series of circular economy principles that major development proposals are expected to follow. Draft City Plan 2036 Policy S16 sets out the City’s support for Circular Economy principles.

399. The Sustainability Statement describes how the building design can incorporate circularity principles and actions according to the 9 circularity principles in the GLA Circular Economy Guidance. These include designing to eliminate waste, including designing for longevity, flexibility of space, designing out construction, demolition, excavation and municipal waste arising, conserving resources, increasing efficiency and sustainable sourcing.

400. A pre- demolition audit has been undertaken and will be required for submission by planning condition; this identifies the opportunities to re-use and recycle existing materials on-site and then off-site, reporting that 99.9% of demolition waste will be reused or recycled. A pre-excavation audit will be carried out, to identify the potential for re-use and management of excavation waste.

401. The project commits to a 98% diversion from landfill rate for construction waste.

402. The applicants have set out a number of commitments to minimise quantities of materials and other resources used and the responsible sourcing of materials; these include recycling stonework from the original structure with potential re-use on the frontage and internal finishes, the use of steel with high recycled content (40%), concrete with 20% recycled content, designing to target BREEAM “Outstanding” including targets of energy and water efficiency and responsible sourcing of materials for the development.

403. The design includes principles of longevity, adaptability and flexibility, including designed to be demountable and steel re-useable, designing highly flexible column free internal spaces to adapt to a range of future occupant requirements, and a proposed initiative of leasing of M&E equipment and lighting rather than purchase which means it can be more efficiently maintained by the supplier and disposed of/ re-used/recycled at the end of its life.

404. A pre-commencement condition has been included requiring the submission of a detailed Circular Economy Statement, providing details of how the building would adhere to the following circular economy principles: build in layers, design out waste, design for longevity, design for flexibility and adaptability, design for disassembly and using systems, elements or materials that can be re-used and recycled. The detailed Statement will be expected to meet the relevant targets set out in the GLA Circular Economy Guidance

Whole Life Carbon

405. The draft Publication London Plan requires applicants to submit a Whole Life-Cycle Carbon assessment against each lifecycle module, relating to the product sourcing stage, construction stage, the building in use stage and the end-of-life stage. The assessment captures a building's operational carbon emissions from both regulated and unregulated energy use, as well as its embodied carbon emissions, and it takes into account potential carbon emissions benefits from the reuse or recycling of components after the building's life. The assessment is therefore closely related to the Circular Economy assessment that sets out the contribution of the reuse and recycling of existing building materials on site and of such potentials of the proposed building materials, as well as the longevity, flexibility and adaptability of the proposed design on the Whole Life-Cycle Carbon emissions of the building. The Whole Life-Cycle Carbon assessment is therefore an important tool to achieve the Mayor's net zero -carbon city target.

406. The assessment has been carried out using a nationally recognised methodology and is based on the following, most significant design commitments:

- Building design to target an Outstanding BREEAM rating
- Use of steel with a higher recycled content (40% instead of 20%) and concrete with Ground Granulated Blast-furnace Slag (GGBS) which would reduce the total embodied carbon emissions for the development.
- Use of leased M&E equipment that is efficiently maintained and repaired
- Construction to target 98% diversion from landfill by reducing, reusing and recycling waste
- Reducing the amount of construction waste to no more than 6.5 tonnes per 100 sqm.

- Creating flexible spaces for future adaptability, e.g. including high rainwater drainage capacity and ample riser space for future required equipment, minimising internal columns and using durable products
- Recycling stonework from the existing structure internally and externally
- Encourage the reuse of existing fit out materials of the show floor
- Reducing overheating by urban greening, targeting an Urban Greening Factor of 0.34.

407. The assessment confirms that while the embodied carbon of the proposed structure (that includes all emissions from the construction materials, the building process, all the fixtures and fittings inside as well as from deconstructing and disposing of it at the end of its lifetime) is the most significant contributor to the total carbon emissions, the development will start showing total carbon emissions savings (to include embodied and operational carbon emissions) per square metre compared to the existing building from 2034 onwards, due to the much higher energy efficiency of the proposal.

408. Over the proposed building's whole lifecycle, the embodied carbon emissions would remain below the GLA's benchmark emissions target. However, they would not meet the GLA's aspirational target of the more ambitious targets of the RIBA 2030 Climate Challenge for Net Zero Buildings and of the Leti (London Energy Transformation Initiative) roadmap to zero carbon buildings by 2030.

409. A strategy to achieve further reductions of Whole Life Cycle carbon emissions of the proposed development towards meeting more ambitious targets will be required by condition.

Flood Risk, Drainage and Climate Resilience

410. Local Plan 2015 policy CS18 seeks to "reduce the risk of flooding from surface water throughout the City, by ensuring the development proposals minimise water use, reduce demands on the combined surface water sewer and sewerage network". The use of Sustainable Urban Drainage Systems (SUDs) is supported by Local Plan policy CS18 and policy CR3 of the draft City Plan 2036.

411. The submitted Flood Risk Assessment identifies the site as lying in Flood Zone 1 (an area of very low flood risk). The proposed development will utilise SuDS techniques to attenuate rainfall and minimise run-off from the site. A blue roof measuring 420sq.m is proposed at roof level which will temporarily store rainwater and release at a controlled pace; an attenuation tank of 100m3 is proposed at basement level to reduce the peak discharge rate.

412. The proposed Flood Risk and SUDS strategy would accord with policies CS18 of the Local Plan 2015, CR3 of the draft City Plan 2036,

policies 5.12 and 5.13 of the London Plan and policies SI12 and 13 of the draft Publication London Plan.

413. The Lead Local Flood Authority and Thames Water have raised no objections to the proposals and have recommended conditions to be attached.

414. The Sustainability Statement sets out measures proposed to provide the development's resilience to climate change. These include the Closed Cavity Façade System with interstitial blinds which reduces the cooling demand and energy consumption for the building. The system can be controlled and adapted to changing seasonal and climate scenarios. The Air-Cooling System has been thermally modelled to 2050 to ensure the building remains suitable for use. The SuDS strategy has been developed to cope with potential changes in the climate allowing for a 30% increase in rainfall. The proposed rainwater harvesting system would capture and utilise rainwater for the landscape irrigation, reducing reliance on mains water and the proposed urban greening would help to reduce the amount of heat energy absorbed mitigating the urban heat island effect.

Security

415. Security proposals to protect the building and the new areas of public realm have been developed in consultation with the City of London Police's Counter Terrorism team.

416. The perimeter of the site will be protected by a combination of façade resilience at the base of the building with HVM resistant bollards located at the building entrances. These would be on private land within the site other than two on public highway in Talbot Court.

417. Security checks for visitors of the publicly accessible garden terrace will take place at ground level within an entrance lobby prior to entry to the lifts.

418. Further details of the overall security strategy will be required by condition and a Garden Terrace Management Plan will be required by S106 which will detail more specifically the measures to protect the garden terrace.

419. The proposal, subject to conditions and S106 is considered to be in accordance with policy DM3.2 and draft City Plan strategic policy S2 and policies SA1 and SA3.

Fire Statement

420. A Fire Statement has been submitted outlining the fire safety strategy for the building which has been developed in consultation with the City District Surveyor's office and the London Fire Brigade. The Statement adequately covers the relevant fire aspects of the design and is adequate for the planning stage.

Assessment of Public benefits and the paragraph 196 NPPF balancing exercise

421. Paragraph 196 of the NPPF states “where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental as described in the NPPF (para 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to the genuine public benefits”. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. As the statutory duty imposed by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged, considerable importance and weight must be given to the desirability of preserving the setting of listed buildings, when carrying out the paragraph 196 NPPF balancing exercise. As part of the application site lies within the Eastcheap Conservation Area, the duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged in relation to that part of the application site which lies within the conservation area. When considering the listed building consent applications the duty imposed by section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies. As a result when carrying out the paragraph 196 NPPF balancing exercise in in relation to that part of the application site lying within the conservation area, considerable importance and weight must be given to the desirability of preserving or enhancing the character or appearance of that conservation area.

422. The key social, environmental and economic public benefits of the proposal are considered to be as follows:

- Securing a strategic mixed-use development on a identified emerging City Cluster renewal site, that would provide land uses which support the diversification, vitality and growth of the Cluster as a 24/7 world class business destination, securing a significant contribution to the City of London economic base which is of UK-wide importance, including the generation of employment (anticipated creation in the range of 760-1220 additional jobs) and increased spending in the locality boosting local businesses and a post-covid resurgence. This is a benefit which should be afforded substantial weight.

- Significant increase in a diverse retail provision on the site, enhancing the retail offer in the Cluster and wider City, supporting and diversifying its primary business function whilst enhancing a place which would be more interesting and vibrant with active street frontages. This is a benefit which would attract moderate weight.
- Provision of more than double of the existing area of high-quality public realm at ground floor and optimising pedestrian movement by maximising permeability, providing 24 hour access to external and internal pedestrian routes which are inclusive, comfortable and attractive thereby enhancing the City's characteristic network of accessible buildings, streets, courts and alleys. This is a benefit which should be afforded substantial weight.
- Delivery of a new socially and economically inclusive destination space at ground and first floor level, incorporating cultural mediums through curated and programmed spaces and the incorporation of public art, in addition to an outstanding public garden and tree canopy walkway at podium level, welcoming, free-of-charge and open to all, providing local communities and a diverse audience access to iconic London-wide views, green open space in a dense inner London location and with a cultural partner for curating and programming the spaces to advance learning and knowledge for all based on the concept of sustainability, enhancing the 'levelling up' agenda. This is a benefit that should be afforded substantial weight.
- Securing a development that is environmentally responsible in that it would seek to promote active travel, urban greening, target BREEAM 'outstanding', reduce carbon emissions, and reduce waste and use of resources through the adoption of circular economy principles. This is a benefit that would attract moderate weight.
- Townscape and heritage benefits arising from a high quality, contextual addition to the iconic City Cluster, which tempers and complements the presence of 20 Fenchurch Street, resulting in some enhancement to strategic pan-London views, reinforcing the emerging Cluster form, resulting in slight enhancements to the Eastcheap Conservation Area and the grade II listed 2-3 Philpot Lane and 4 Brabant Court and iron gates on St Benet's Place. This is a benefit which would be afforded moderate weight.

423. When applying the policy in paragraph 196 of the NPPF those public benefits are to be weighed against the less than substantial harm to the significance of designated heritage assets which has been identified in this report, in particular:

- The slight harm to the significance of 2-3 Philpot Lane
- The slight harm to the significance of the Eastcheap Conservation Area
- Lower level harm to the significance of The Monument
- Lower level harm, very much at the lower end of the spectrum, to the significance of Tower Bridge

424. Both Tower Bridge and The Monument are Grade I listed buildings, and both are of considerable importance as heritage assets. The Monument is also a scheduled monument. Great weight should be given to the conservation of 2-3 Philpot Lane, the Eastcheap Conservation Area, Tower Bridge and The Monument, with the weight increased to reflect the importance of Tower Bridge and The Monument. Considerable importance and weight should be given to the desirability of preserving Eastcheap Conservation Area, 2-3 Philpot Lane, Tower Bridge and The Monument and therefore to the harm that would be caused to their significance. The overall impact of the proposal on the Eastcheap Conservation Area will result in the conservation area being preserved. For the purpose of the paragraph 196 NPPF balancing exercise the harm to the significance of the conservation area, as a result of change in its setting when viewed from the Monument Viewing Gallery, must be taken into account and afforded great weight. For the purposes of the paragraph 196 balancing exercise the enhancement to the Eastcheap Conservation Area as a result of the direct impact, should be taken into account as a public benefit of the proposal. The overall impact on 2-3 Philpot Lane will be that the heritage significance will be preserved. For the purpose of the paragraph 196 balancing exercise the slight harm to the significance of 2-3 Philpot Lane must be taken into account and afforded great weight. The slight enhancement to the heritage significance of 2-3 Philpot Lane should be taken into account as a public benefit of the proposal.

425. It is the view of officers that the public benefits, including delivering accommodation for City type businesses thereby contributing to economic growth, should be afforded significant weight, and that giving great weight to the less than substantial harm to the significance of designated heritage assets and considerable importance and weight to the desirability of preserving the setting of the listed buildings (and when considering the listed building consent applications to desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses) and to the desirability of preserving or enhancing the character of appearance of the conservation area, the public benefits of the proposal outweigh the harm to significance of heritage assets as identified in this report.

Planning Obligations

426. The proposed development would require planning obligations to be secured in a Section 106 agreement to mitigate the impact of the development to make it acceptable in planning terms. Contributions would be used to improve the City's environment and facilities. The proposal would also result in payment of the Community Infrastructure Levy (CIL) to help fund the provision of infrastructure in the City of London.

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

428. From 1 April 2019 Mayoral CIL 2 (MCIL2) supersedes the Mayor of London's CIL and associated section 106 planning obligations charging schedule. This change removes the Mayor's planning obligations for Crossrail contributions. Therefore, the Mayor will be collecting funding for Crossrail 1 and Crossrail 2 under the provisions of the Community Infrastructure Levy regulations 2010 (as amended).

429. CIL contributions and City of London Planning obligations are set out below:

MCIL2 Calculation

Liability in accordance with the Mayor of London's policies	Contribution	Forwarded to the Mayor	Retained for administration and monitoring
MCIL2	£4,147,830	£3,981,917	£165,913

Liability in accordance with the City of London's policies	Contribution	Available for allocation	Retained for administration and monitoring
City CIL	£1,712,175	£1,626,566	£85,609
City Planning Obligations			
Affordable Housing	£456,580	£452,014	£4,566
Local, Training, Skills and Job Brokerage	£68,487	£67,802	£685
Carbon Reduction Shortfall (*as designed*)	£369,720	£369,720	£0
Section 278 (Evaluation and Design)	£50,000	£50,000	£0
Security Measures (Eastern City Cluster) ***£10 per sqm x uplift in floorspace of 22,829sqm (in line with draft Planning Obligations SPD)***	£228,290	£228,290	£0
S106 Monitoring Charge	£5,250	£0	£5,250
Total liability in accordance with the City of London's policies	**£2,890,502**	**£2,794,392**	**£96,110**

City's Planning Obligations

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

- Highway Reparation and other Highways Obligations
- Local Procurement Strategy
- Local Training, Skills and Job Brokerage Strategy (Demolition & Construction)
- Delivery and Servicing Management Plan (including Consolidation)
- Service Vehicle Lift Maintenance Strategy
- Cycling Promotion Plan
- Legible London Contribution
- Carbon Offsetting and Whole Life Carbon
- Utility Connections
- Section 278 Agreement (CoL)
- Section 278 Agreement (Transport for London)
- Bus Stop Relocation
- Cultural Implementation Strategy
- Public Routes (Specification & Access)
- Provision of Potential North-South Public Route within site (reliant on completed access via third party land
- Roof terrace and ancillary space (Access and Management Plan)
- Public Realm (Specification & Access / Management Plan)
- Incubator / SME Space
- Television Interference Survey
- Wind Audit
- Solar Glare Audit

431. I request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations as necessary and enter into the S278 agreement.

432. The scope of the s278 agreement may include, but is not limited to, improvements to the materials and accessibility on Talbot Court, St

Benet's Place and Brabant Court (including the provision of step-free access), street lighting provisions, and a realignment of Talbot Court; and any necessary stopping up of the highway.

Monitoring and Administrative Costs

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

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

Site Specific Mitigation

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

The Public Sector Equality Duty (section 149 of the Equality Act 2010

436. The City, as a public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

437. The characteristics protected by the Equality Act are age, disability, gender, reassignment, pregnancy and maternity, race, religion or beliefs, sex and sexual orientation. It is the view of officers that a decision to grant planning permission in this case would remove or minimise disadvantages suffered by persons who suffer from disability and in particular mobility impairment by providing enhanced and accessible public realm. It is also the view of officers that the provision of accessible floorspace and a publicly accessible garden would advance equality of opportunity.

Human Rights Act 1998

438. It is unlawful for the City, as a public authority, to act in a way which is incompatible with a Convention right (being the rights set out in the European Convention on Human Rights ("ECHR")).

439. Insofar at the grant of planning permission will result in interference with the right to private and family life (Article 8 of the ECHR) including by causing harm to the amenity of those living in nearby residential properties, it is the view of officers that such interference is necessary in order to secure the benefits of the scheme and therefore necessary in the interests of the economic well-being of the country, and proportionate

440. Insofar as the grant of planning permission will result in interference with property rights (Article 1 Protocol 1) including by interference arising through impact on daylight and sunlight or other impact on adjoining properties, it is the view of officers that such interference is in the public interest and proportionate.

Conclusions

Planning permission 20/00671/FULEIA

441. The proposal has been assessed in accordance with the relevant statutory duties and having regard to the development plan and other relevant policies and guidance, SPDs and SPGs and relevant advice including the NPPF, the draft London Plan and the draft Local Pan and considering all other material considerations.

442. The scheme delivers a high quality, office-led development in the emerging City Cluster, which will meet growing business needs, supporting and strengthening opportunities for continued collaboration and clustering of businesses.

443. The scheme makes optimal use of the site and provides a significant increase in office and retail floorspace in accordance with the City's objective to support a thriving economy and remain the world's leading international financial and professionals services centre.

444. The development has been designed to accommodate new ways of working reflected in flexible and adaptable floorspace to meet the demands of different types of business occupiers, including incubators, start-ups and other small and medium sized companies. The office space would be complemented by publicly accessible commercial, cultural and green open spaces adding vibrancy to the City's streets and benefitting the City's diverse communities.

445. The building would be designed to high sustainability standards, incorporating a significant element of integrated urban greening, climate resilience, targeting BREEAM 'Outstanding' and adopting Circular Economy principles and Whole Life Carbon principles.

446. The scheme delivers significant public realm enhancement and new amenity space including an accessible and permeable ground floor plane more than doubling the area of publicly accessible space at ground floor, new public routes through the site (open to the public

24/7), connecting to and contributing to the City's network of alleyways and courtyards, and a free, public, mid-height roof garden terrace. The implementation of a cultural strategy will maximise the public offer of these spaces, targeting accessibility and inclusivity for the variety of people who work, live in and visit the City.

447. The increase in floorspace and occupation places extra pressure on the comfort and safety of the City's streets. The development achieves PCLs of B+ and above other than on Gracechurch Street, where the pedestrian environment will be improved by the proposed pavement widening scheme on Gracechurch Street and the introduction of the new pedestrian routes which would draw people away from the busy main streets.

448. The scheme benefits from high levels of public transport accessibility, would be car-free and would promote cycling and walking as healthy modes of travel.

449. Objections have been received from statutory consultees and third parties, relating to the design of the development, its impact on designated and non-designated heritage assets and the impact on the environment and amenity of the immediately surrounding area and buildings. This report has considered these impacts, including any requisite mitigation which would be secured by conditions and S106 obligations.

450. The proposal would deliver a tall building on a site deemed appropriate in principle which is in the emerging City Cluster and on an identified Renewal Opportunity Site in accordance with Local Plan Policy CS 14 and CS7, City Plan Policies S12 and S21, London Plan Policy 7.7 and Publication London Plan D9. The proposal would preserve pan-London LVMF and local strategic views in accordance with Local Plan Policy CS 13(1), London Plan Policies 7.11 and 7.12, draft City Plan 2036 Policy S13 and draft Publication London Plan Policy HC4 and associated guidance in the LVMF SPG and Protected Views SPD. It would preserve the experience from those existing and emerging high-level views identified which are also important to the character of the City of London. Following rigorous assessment, it is concluded that the proposal would preserve the OUV/significance, authenticity and integrity of the Tower of London World Heritage Site, according with associated guidance in the WHS Management Plan, Local Setting Study and LVMF SPG.

451. The proposal would preserve the special interest/significance and setting of, 7-8 Philpot Lane, 33-35 Eastcheap, St Magnus the Martyr Church, St Mary Woolnoth Church and 39-40 Lombard Street. Further it is considered the proposal would preserve and provide minor enhancement, on balance, to the special interest/significance and setting of the iron gates in St Benet's Court and 4 Brabant Court. The proposal would result in some slight harm and some slight enhancement to 2-3 Philpot Lane, resulting, when considered overall, in the heritage significance being preserved. Whilst the proposal will cause some slight harm and some slight enhancement to the

Eastcheap Conservation Area, the overall effect would be to preserve the heritage significance of that Conservation Area. It is considered that the significance of the Bank and Leadenhall Market Conservation Areas would be unharmed.

452. However, after accounting for design mitigation, it was found that harm would be caused to the significance and setting of the Monument and Tower Bridge, towards the lower end and very much the lower end of the spectrum, respectively.

453. The heritage policies in the London Plan (in particular 7.8D) and in the Local Plan (in particular CS12) do not incorporate a balancing exercise as found in paragraph 196 of the NPPF. As a result if a proposal results in any harm to the significance of a heritage asset, even if less than substantial and at the lower end of the scale, will result in conflict with the heritage policies. The application proposals conflict with London Plan policy 7.8 and with Local Plan policies CS12, DM12.1, DM12.3 and DM 12.4, draft Publication London Plan policy HC1, and with the emerging City Plan policy HE1

454. The proposals comply with the policies relating to strategic views, and the policies which seek to protect the Tower of London WHS. The proposals comply with strategic objective 1 in the Local Plan and with the policies relating to offices and to economic growth. It is the view of officers that the proposals comply with the development plan when considered as a whole.

455. The NPPF, paragraph 196, would require that harm be balanced against the public benefits. The paragraph 196 NPPF balancing exercise is also to be applied when considering the harm to Tower Bridge, The Monument, Eastcheap Conservation Area and to 2-3 Philpot Lane.

456. Great weight has been given to the conservation of these assets under paragraph 193 of the NPPF, considerable importance and weight is to be afforded to the harm. However, it is considered that after doing so the lower level less than substantial harm would be outweighed by the substantive public benefits (including heritage benefits) which would be delivered. The public benefits, are set out in detail in paragraphs 422 of this report.

457. The environmental impact of the development on the neighbouring buildings and spaces has been assessed. Adverse impacts have been identified on noise, vibration and air quality in the surrounding area and to nearby buildings, primarily during the construction phase, and on the daylight to and light pollution experienced by nearby residential properties at 9B Eastcheap.

458. The impact on daylight to flats (serviced apartments) at 9B Eastcheap would be moderate adverse and significant partly due to the proximity of the Proposal site to the rear of 9B Eastcheap and due to existing low light levels in the units. Whilst the living conditions of these short term units would expect a degree of harm, taking into account the BRE Guidance and the context of the premises location within a dense

urban commercial environment, it is not considered that the proposal would result in an unacceptable impact on the existing use of the property. As such the extent of harm is not considered to be such that it would conflict with Local Plan Policy DM10.7 and Policy DE8 of the draft City Plan 2036. It is considered that the public benefits of the scheme, including the provision of additional office floorspace within the proposed development, meeting Local Plan ambitions for further office floorspace within the City Cluster area and contributing to the City's primary business and professional services function, together with the nature of occupation (serviced apartments), outweighs the adverse impact.

459. Negative impacts during construction would be controlled as far as possible by the implementation of a robust Construction Environmental Management Plan and good site practices embodied therein; it is recognised that there are inevitable, albeit temporary consequences of development in a tight-knit urban environment. Post construction, compliance with planning conditions and S106 obligations would minimise any adverse impacts.

460. Objections have been received from occupiers of neighbouring commercial buildings including an apart-hotel, regarding the detrimental impact caused by the development on amenity, wind conditions and daylight and sunlight. The report assesses the proposals against Strategic Policy CS10 which seeks to ensure that buildings are appropriate to the character of the City and the setting and amenities of surrounding buildings and spaces. Within the BRE Guidance commercial premises such as offices are not considered as sensitive receptors and as such the daylight and sunlight impact is not subject to the same test requirements as residential premises. The dense urban environment of the City, in particular in and around the cluster is such that the juxtaposition of commercial buildings is a characteristic that often results in limited daylight and sunlight levels to those premises. Whilst the proposed development would result in a diminution of daylight and sunlight to surrounding commercial premises it is not considered to be such as to have an unacceptable impact on the amenity of those properties and would not prevent the beneficial use of their intended occupation. An assessment of the impact of the development on wind conditions in the surrounding private and public realm has shown that conditions would be suitable for the intended uses in the surrounding area. As such the proposal is not considered to conflict with Local Plan Policy CS10 in these respects.

461. The scheme would provide benefits through CIL for improvements to the public realm, housing and other local facilities and measures. That payment of CIL is a local finance consideration which weighs in favour of the scheme. In addition to the general planning obligations there would be site specific measures secured in the S106 Agreement. Together these would go some way to mitigate the impact of the proposal.

462. It is the view of officers that the proposal complies with the development plan when considered as a whole and that other material considerations also indicate that planning permission should be granted as set out in the recommendation and the schedules attached.

Listed Building Consent 20/00743/LBC – Iron Gates on St Benet's Place

463. The proposals would result in a minor alteration to the listed gates which would be restored to their original proportions and composition and restored resulting in a minor enhancement to their special interest/heritage significance.

464. The proposals would preserve and enhance the special interest and heritage significance of the gates, subject to detail reserved for condition, in accordance with Local Plan Policies CS 12, DM 12.1 and DM 12.3, draft City Plan 2036 Policies S11 and HE1, London Plan Policy 7.8 and Draft Publication London Plan Policy HC 1 and with the duty imposed by Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is the view of officers that listed building consent should be granted.

Listed Building Consent 20/00769/LBC – 2-3 Philpot Lane

465. The proposals, subject to details reserved for condition, would result in the minor alteration of characteristic but on the whole non-original fabric of no intrinsic interest causing slight, low level, less than substantial harm. Although the proposal would cause slight harm to heritage significance they would also result in some slight enhancement, with the overall effect being that the building and its setting would be preserved. In undertaking the balancing exercise (as referred to earlier in this report) considerable importance and weight has been given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (giving effect to the duty imposed by section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and accordingly considerable importance and weight has been given to the harm to heritage significance. The conclusion of the balancing exercise is that the public benefits, including the slight enhancement to heritage significance, outweighs the less than substantial harm. It is considered that the proposals would not accord with Local Plan Policy DM 12.3 and London Plan policy 7.8 as the proposal would cause some slight harm. For the same reason draft City Plan 2036 Policies S11 and HE1, and draft Publication London Plan Policy HC 1 would not be complied with. However the overall effect of the proposal would be to preserve heritage significance and public benefits have been found to outweigh the less than substantial harm. It is the view of officers that listed building consent should be granted.

Background Papers

Internal

Memos 18.09.2020 and 18.12.2020 Lead Local Flood Authority,
Memo 08.09.2020 Air Quality Officer
Letter 09.10.2020 City of London Conservation Area Advisory Committee
Memo 05.01.2021 Department of Markets and Consumer Protection

External

Letter, Royal Borough of Greenwich, 10th September 2020 and 16 December 2020
Email, Transport for London (Crossrail), 10th September 2020 and 21 December 2020
Letter, London City Airport, 11th September 2020 and 21 December 2020.
Email, NATS Safeguarding, 11th September 2020 and 16 December 2020
Letter, Historic Royal Palaces, 15th September 2020
Letter, City of Westminster, 17th September 2020
Email, Historic England, 18th September 2020 and 17 December 2020.
Letter, Historic England, 2nd October 2020.
Letter of objection PL 10 S.á.r.l., 2nd October 2020 including Heritage/Townscape Review – Lichfields, September 2020
Letter, Environment Agency, 5th October 2020 and 17 December 2020
Email, Transport for London, 5th October 2020 and 21 December 2020
Letter, Victorian Society, 16th October 2020
Letter and report of objection Lambert Smith Hampton, 19th October 2020 including Aerial Appendix 1, Lambert Smith Hampton, 23rd October 2020 and Heritage Representation – Cogent Heritage dated 7 October 2020 (Store Properties)
Letter and report of objection Lambert Smith Hampton, 19 October 2020 including Aerial Appendix 1, Lambert Smith Hampton, 23rd October 2020 and Heritage Representation – Cogent Heritage dated 7 October 2020 (City Apartments)
Email, Delva Patman Redler, 20th October 2020 and Email, 4th November 2020 (amended representation)
Letter, The Georgian Group, 27th October 2020
Email regarding Use Class Order amendments, DP9, 3rd November 2020
Letter, London Borough of Southwark, 4th November 2020
Email, London Borough of Tower Hamlets, 9th December 2020

E mail Fletcher Priest 9th December 2020
Email, Transport for London, 21 December 2020
E mail 04.01.2021 DP9 with attached UGF calculations
E mail 07.01.2020 DP9 with updated attached UGF calculations
Representation 5 January 2021 The Aldgate School
E mail representation 05.01.2021 Lambert Smith Hampton
E mail 08.01.2021 DP9
Letter PL10 Sarl and Heritage/Townscape briefing note 11.01.2021 Lichfields
Letter of objection 12 01.2021 – NTR Planning

Documents:
Cover letter, DP9, 14th August 2020
Design and Access Statement, Fletcher Priest Architects, August 2020
Landscape and Public Realm Strategy, Space Hub, August 2020
Planning Statement, DP9, August 2020
Environmental Statement Volume 1, Trium, August 2020
Environmental Statement Volume 2, Citydesigner/Trium, August 2020
Environmental Statement Volume 3 Technical Appendices, Trium, August 2020
Environmental Statement Non-technical summary, Trium, August 2020
Energy Statement, DSA, August 2020
Smart Infrastructure and Utility Statement, DSA, August 2020
Sustainability Statement, TFT, 13th August 2020
BREEAM Pre-Assessment, DSA Engineering, December 2020
Health Impact Assessment, Quod, August 2020
Healthy Streets Transport Assessment including Framework Travel Plan, Framework Delivery and Servicing Management Plan, and Framework Construction Logistics Plan; Momentum, 10th August 2020
Fire Statement, Arup Fire, 10 August 2020
Archaeological Desk Based Assessment, MOLA, August 2020
Flood Risk Assessment, AKT II, August 2020
Drainage Strategy Report, AKT II, August 2020
Drainage Strategy Appendices, AKT, August 2020
Preliminary Ecological Appraisal, The Ecology Consultancy, 13th August 2020
Phase 1 Contamination Assessment Report, RMA Environmental, 10th August 2020
Statement of Community Involvement, Field Consulting, August 2020
Letter from Trium, Planning Matters - Waste, 6th November 2020
Cover letter DP9 11 December 2020

Transport Assessment Addendum, Momentum, 10 December 2020
Environmental Statement Addendum Volumes 1 and 3 Trium December 2020
ES and ES Addendum Non- technical Summary Trium December 2020
Design and Access Statement Addendum Fletcher priest Architects 10 December 2020
Outline CEMP rev E December 2020
BREEAM Pre-Assessment DSA Engineering December 2020 – rev 03
Applicant's Response to Planning Application Representations, DP9, December 2020
Sustainability Technical briefing Note TFT 11 December 2020
Technical Briefing Note – Circular Economy and Embodied Carbon Design Strategy TFT 6 January 2021
Technical Note – additional transport information – Momentum – 7 January 2021
Illustration of relationship between Garden terrace and commercial property to the north.
Heritage Statement for Listed Building Consent – 2-3 Philpot Lane
Design Statement for Listed Building Consent – 2-3 Philpot Lane
Heritage Statement for Listed Building Consent - St Benet's Place Gates
Design Statement for Listed Building Consent - St Benet's Place Gates

Drawing nos.

PP-FPA-XX-XX-DR-A-16000 1:1250@A3 Existing Site Location Plan 0
PP-FPA-XX-XX-DR-A-16001 1:500@A1 Existing Site Plan 0
PP-FPA-XX-B1-DR-A-16002 1:100@A1 Existing Plan - Basement 0
PP-FPA-XX-LG-DR-A-16003 1:100@A1 Existing Plan - Lower Ground 0
PP-FPA-XX-00-DR-A-16004 1:100@A1 Existing Plan - Ground Floor 0
PP-FPA-XX-01-DR-A-16005 1:100@A1 Existing Plan - Level 01 0
PP-FPA-XX-01-DR-A-16006 1:100@A1 Existing Plan - Level 02 0
PP-FPA-XX-03-DR-A-16007 1:100@A1 Existing Plan - Level 03 0
PP-FPA-XX-04-DR-A-16008 1:100@A1 Existing Plan - Level 04 0
PP-FPA-XX-05-DR-A-16009 1:100@A1 Existing Plan - Level 05 0
PP-FPA-XX-06-DR-A-16010 1:100@A1 Existing Plan - Level 06 0
PP-FPA-XX-06-DR-A-16011 1:100@A1 Existing Plan - Level 07 0
PP-FPA-XX-XX-DR-A-16012 1:200@A1 Existing Elevation - West 0
PP-FPA-XX-XX-DR-A-16013 1:200@A1 Existing Elevation - South 0
PP-FPA-XX-XX-DR-A-16014 1:200@A1 Existing Elevation - East 0
PP-FPA-XX-XX-DR-A-16015 1:200@A1 Existing Elevation - North - St Benet's Place 0
PP-FPA-XX-XX-DR-A-16016 1:200@A1 Existing Elevation - North - Northern Courtyard

8310-PL-GA-102 rev A – General Arrangement 6th floor terrace
8310-DE-SD-501 façade planters
8310-PL-GA-101 and 102 – General Arrangement Plans
8310-SE-GA-201 – Landscape sections
M000466 -2-1-DR-040 rev A – Footway Build Out Study

Appendix A

REASONED CONCLUSIONS ON SIGNIFICANT EFFECTS

Reasoned Conclusions

Following examination of the environmental information a reasoned conclusion on the significant effects of the proposed development on the environment has been reached and is set out in the report.

As required by regulation 26 of the Environmental Impact Assessment (EIA) Regulations the City is required to examine the environmental information and reach a reasoned conclusion on the significant effects of the proposed development on the environment. The environmental information has been examined and a reasoned conclusion has been reached as set out in the officers' report, and in particular, as summarised in the assessment and conclusions sections of that report. The conclusions have been integrated into the decision as to whether planning permission should be granted. An objection received states that the Environmental Statement refers to uses defined under the categories of the Town and Country Planning (Use Classes) Order 1987. The description of development refers to the same types of uses but as defined under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which would potentially allow for a significantly different range of uses. Therefore, it is stated that the City of London need to determine that the Environmental Statement and all other documents adequately assess the proposed development.

The applicants and the City agreed the scope of the EIA prior to its submission. The ES provides details of the EIA methodology, the existing site, alternatives and design evolution, the proposed development, socio-economics, health, highways & transport, noise & vibration, air quality, wind microclimate, daylight/sunlight, overshadowing, light pollution & solar glare, townscape, built heritage & visual, climate change, greenhouse gas emissions, waste and cumulative effects. The ES Addendum submitted under Regulation 25 of the EIA Regulations addresses the proposed amendments contained within the submission and sets out additional assessment of daylight, sunlight, overshadowing and solar glare effects and wind microclimate effects. It is considered that the likely significant effects of the proposed development on the environment are as described in the ES, ES Addendum and further and other information, and as, where relevant, referred to in the report.

Should planning permission be granted, it would authorise a range of uses. The assessment contained in the ES is based on the uses proposed, namely office, flexible retail space and public terrace uses. The floor areas proposed to be devoted to each use are described in the application materials and summarised in the ES. The application does not state that the development seeks unrestricted Class E business and commercial uses. Conditions are recommended that requires the development to implemented only in

accordance with the specific floor areas and uses as set out and assessed in the application, removing the ability, without consent, to subsequently change to other uses specified within Class E.

The following conditions are recommended:

1. The development shall provide:
- 34,004 sq.m. gea of office floorspace (Class E);
- 2456 sq.m. gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis.))
- 1603sq.m sui generis public viewing gallery and garden with ancillary space
REASON: To ensure the development is carried out in accordance with the approved plans

2. The areas within the development marked as retail on the floorplans hereby approved, shall be used for retail purposes within Class E (shop, financial and professional services and cafe or restaurant) and sui generis (pub and drinking establishment, and take-away) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987) (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
REASON: To ensure that active uses are retained on the ground floor in accordance with Local Plan Policy DM20.2.

3. The areas shown on the approved drawings as offices, flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) and public viewing gallery and garden with ancillary space, and as set out in Condition 62 of this decision notice, shall be used for those purposes only and for no other purpose (including any other purpose in Class E) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020).
REASON: To ensure that the development does not give rise to environmental impacts that are in excess of or different to those assessed in the Environmental Statement and that public benefits within the development are secured for the life of the development

The local planning authority is satisfied that the environmental statement includes a description of the likely significant effects of the potential range of uses comprised in the proposed development on the environment.

Monitoring Measures

If planning permission were granted, it is considered that monitoring measures should be imposed to secure compliance with the Construction Environmental Management Plan, the cap on servicing trips and other elements of the Delivery and Servicing Management Plan, a Service Vehicle Lift Maintenance

Strategy, a Cycling Promotion Plan. Mitigation measures should be secured including additional wind mitigation measures to the Public Garden terrace. These, as well as other measures to ensure the scheme is acceptable, would be secured and monitored through the S106 agreement, recommended conditions and the S278 agreements. Any remedial action necessary can be taken by enforcing those agreements or conditions. The duration of the monitoring will depend upon the particular provision in the relevant agreement or in conditions.

Appendix B

London Plan Policies

The following policies from the London Plan (2016) are considered relevant:

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

Policy 2.11 Ensure that developments proposals to increase office floorspace within CAZ include a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in the plan.

Policy 2.18 Protect, promote, expand and manage the extent and quality of and access to London's network of green infrastructure.

Policy 3.1 Protect and enhance facilities and services that meet the needs of particular groups and communities.

Policy 3.2 New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help to reduce health inequalities.

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

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

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

Policy 4.2 Support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes.

Policy 4.3 Within the Central Activities Zone increases in office floorspace should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan.

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

Policy 4.6 Support the continued success of London's diverse range of arts, cultural, professional sporting and entertainment enterprises and the cultural, social and economic benefits that they offer to its residents, workers and visitors.

Policy 4.8 Support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of this Plan, especially town centres.

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

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

Policy 5.5 (Decentralised Energy Networks) Development proposals should prioritise connections to existing or planned decentralised energy networks where feasible.

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

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

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

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

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

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

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

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

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

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 7.1 Development should be designed so that the layout, tenure, mix of uses interface with surrounding land will improve people's access to social and community infrastructure (including green spaces), the Blue Ribbon Network, local shops, employment opportunities, commercial services and public transport.

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

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

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

Policy 7.5 London's public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.

Policy 7.6 Buildings and structures should:

a be of the highest architectural quality

b be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm

c comprise details and materials that complement, not necessarily replicate, the local architectural character

d not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings

e incorporate best practice in resource management and climate change mitigation and adaptation

f provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces

g be adaptable to different activities and land uses, particularly at ground level

h meet the principles of inclusive design

i optimise the potential of sites.

Policy 7.7 Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria set out in this policy.

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

Policy 7.10 Development in World Heritage Sites and their settings, including any buffer zones, should conserve, promote, make sustainable use of and enhance their authenticity, integrity and significance and Outstanding Universal Value.

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

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

Policy 7.15 Minimise existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals and separate new noise sensitive development from major noise sources.

Policy 7.19 Development proposals should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy 7.21 Trees should be protected, maintained, and enhanced. Existing trees of value should be retained and any loss as the result of development should be replaced.

Relevant draft Publication London Plan Policies.

- Policy CG1 Building Strong and Inclusive Communities

- Policy GG2 Making the best use of land
- Policy CG3 Creating a Healthy City
- Policy GG5 Growing a good economy
- CG6 Increasing efficiency and resilience
- Policy SD4 The Central Activities Zone (CAZ)
- Policy SD5 Offices, and other strategic functions and residential development in the CAZ
- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering Good Design
- Policy D5 Inclusive Design
- Policy D8 Public realm
- Policy D9 Tall buildings
- Policy D11 Safety, security and resilience to emergency
- Policy D14 Noise
- Policy S6 Public toilets
- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy E9 Retail, markets and hot food takeaways
- Policy E10 Visitor infrastructure
- Policy HC1 Heritage conservation and growth
- Policy HC2 World Heritage Sites
- Policy HC3 Strategic and Local Views
- Policy HC4 London View Management Framework
- Policy HC5 Supporting London's culture and creative industries
- Policy G5 Urban Greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI1 Improving air quality

- Policy SI2 Minimising greenhouse gas emissions
- Policy SI4 Managing heat risk
- Policy SI5 Water Infrastructure
- Policy SI7 Reducing waste and supporting the circular economy
- Policy SI 8 Waste capacity and net waste self-sufficiency
- Policy SL13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car Parking
- Policy T7 Deliveries, servicing and construction
- Policy T9 Funding transport infrastructure through planning

Relevant GLA Supplementary Planning Guidance (SPG):

- Accessible London: Achieving an Inclusive Environment SPG (October 2014);
- Control of Dust and Emissions during Construction and Demolition SPG (September 2014);
- Sustainable Design and Construction (September 2014);
- Social Infrastructure (May 2015);
- Culture and Night-Time Economy SPG (November 2017);
- London Environment Strategy (May 2018);
- London View Management Framework SPG (March 2012);
- Cultural Strategy (2018);
- Mayoral CIL 2 Charging Schedule (April 2019);
- Central Activities Zone (March 2016).
- Mayor's Transport Strategy (2018)

Relevant Draft City Plan 2036 Policies

S1 Healthy and inclusive city

HL1 Inclusive buildings and spaces

HL2 Air quality

HL3 Noise and light pollution
HL4 Contaminated land and water quality
HL6 Public toilets
Policy HL9 Health Impact Assessments
S2 Safe and Secure City
SA1 Crowded Places
SA3 Designing in security
HS3 Residential environment
S4 Offices
OF1 Office development
S5 Retailing
RE2 Retail links
S6 Culture, Visitors and the Night -time Economy
CV2 Provision of Visitor Facilities
CV5 Public Art
S7 Smart Infrastructure and Utilities
S8 Design
DE1 Sustainability requirements
DE2 New development
DE3 Public realm
DE5 Terraces and viewing galleries
DE6 Shopfronts
DE8 Daylight and sunlight
DE9 Lighting
S9 Vehicular transport and servicing
VT1 The impacts of development on transport
VT2 Freight and servicing
Policy VT3 Vehicle Parking
S10 Active travel and healthy streets
AT1 Pedestrian movement
AT2 Active travel including cycling
AT3 Cycle parking
S11 Historic environment
HE1 Managing change to heritage assets
HE2 Ancient monuments and archaeology

HE3 Setting of the Tower of London World Heritage Site

S12 Tall Buildings

S13 Protected Views

S14 Open spaces and green infrastructure

OS1 Protection and Provision of Open Spaces

OS2 City greening

OS3 Biodiversity

OS4 Trees

S15 Climate resilience and flood risk

CR1 Overheating and Urban Heat Island effect

CR3 Sustainable drainage systems (SuDS)

S16 Circular economy and waste

CE1 Zero Waste City

S21 City Cluster

S27 Planning contributions

Relevant City Corporation Guidance and Supplementary Planning Documents (SPDs)

- Air Quality SPD (July 2017);
- Archaeology and Development Guidance SPD (July 2017);
- City Lighting Strategy (October 2018);
- City Transport Strategy (May 2019);
- City Waste Strategy 2013-2020 (January 2014);
- Protected Views SPD (January 2012);
- City of London's Wind Microclimate Guidelines (2019);
- Planning Obligations SPD (July 2014);
- Open Space Strategy (2016);
- Office Use SPD (2015);
- City Public Realm (2016);
- Cultural Strategy 2018 – 2022 (2018).
- Eastcheap Conservation Area Character Summary and Management Strategy SPD 2013
- Leadenhall Market Conservation Area Character Summary and Management Strategy SPD 2017
- Bank Conservation Area Character Summary and Management Strategy SPD2012

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.

CS2 Facilitate utilities infrastructure

To co-ordinate and facilitate infrastructure planning and delivery to ensure that the functioning and growth of the City's business, resident, student and visitor communities is not limited by provision of utilities and telecommunications infrastructure.

CS3 Ensure security from crime/terrorism

To ensure that the City is secure from crime, disorder and terrorism, has safety systems of transport and is designed and managed to satisfactorily accommodate large numbers of people, thereby increasing public and corporate confidence in the City's role as the world's leading international financial and business centre.

CS4 Seek planning contributions

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

CS10 Promote high quality environment

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

CS11 Encourage art, heritage and culture

To maintain and enhance the City's contribution to London's world-class cultural status and to enable the City's communities to access a range of arts, heritage and cultural experiences, in accordance with the City Corporation's Destination Strategy.

CS12 Conserve or enhance heritage assets

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

CS13 Protect/enhance significant views

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

CS14 Tall buildings in suitable places

To allow tall buildings of world class architecture and sustainable design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level.

CS15 Creation of sustainable development

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

CS16 Improving transport and travel

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

CS17 Minimising and managing waste

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

CS18 Minimise flood risk

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

CS19 Improve open space and biodiversity

To encourage healthy lifestyles for all the City's communities through improved access to open space and facilities, increasing the amount and quality of open spaces and green infrastructure, while enhancing biodiversity.

CS20 Improve retail facilities

To improve the quantity and quality of retailing and the retail environment, promoting the development of the five Principal Shopping Centres and the linkages between them.

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.

CS22 Maximise community facilities

To maximise opportunities for the City's residential and working communities to access suitable health, social and educational facilities and opportunities, while fostering cohesive communities and healthy lifestyles.

DM1.3 Small and medium business units

To promote small and medium sized businesses in the City by encouraging:

a) new accommodation suitable for small and medium sized businesses or occupiers;
b) office designs which are flexible and adaptable to allow for sub-division to create small and medium sized business units;
c) continued use of existing small and medium sized units which meet occupier needs.

DM1.5 Mixed uses in commercial areas

To encourage a mix of commercial uses within office developments which contribute to the City's economy and character and provide support services for its businesses, workers and residents.

DM2.1 Infrastructure provision

1) Developers will be required to demonstrate, in conjunction with utility providers, that there will be adequate utility infrastructure capacity, both on and off the site, to serve the development during construction and operation. Development should not lead to capacity or reliability problems in the surrounding area. Capacity projections must take account of climate change impacts which may influence future infrastructure demand.

2) Utility infrastructure and connections must be designed into and integrated with the development wherever possible. As a minimum, developers should identify and plan for:

a) electricity supply to serve the construction phase and the intended use for the site, and identify, in conjunction with electricity providers, Temporary Building Supply(TBS) for the construction phase

and the estimated load capacity of the building and the substations and routes for supply;
b) reasonable gas and water supply considering the need to conserve natural resources;
c) heating and cooling demand and the viability of its provision via decentralised energy (DE) networks. Designs must incorporate access to existing DE networks where feasible and viable;
d) telecommunications network demand, including wired and wireless infrastructure, planning for dual entry provision, where possible, through communal entry chambers and flexibility to address future technological improvements;
e) separate surface water and foul drainage requirements within the proposed building or site, including provision of Sustainable Drainage Systems (SuDS), rainwater harvesting and grey-water recycling, minimising discharge to the combined sewer network.

3) In planning for utility infrastructure developers and utility providers must provide entry and connection points within the development which relate to the City's established utility infrastructure networks, utilising pipe subway routes wherever feasible. Sharing of routes with other nearby developments and the provision of new pipe subway facilities adjacent to buildings will be encouraged.

4) Infrastructure provision must be completed prior to occupation of the development. Where potential capacity problems are identified and no improvements are programmed by the utility company, the City Corporation will require the developer to facilitate appropriate improvements, which may require the provision of space within new developments for on-site infrastructure or off-site infrastructure upgrades.

DM3.2 Security measures

To ensure that security measures are included in new developments, applied to existing buildings and their curtilage, by requiring:

a) building-related security measures, including those related to the servicing of the building, to be located within the development's boundaries;
b) measures to be integrated with those of adjacent buildings and the public realm;
c) that security is considered at the concept design or early developed design phases of all development proposals to avoid the need to retro-fit measures that impact on the public realm;
d) developers to seek recommendations from the City of London Police Architectural Liaison Officer at the design stage. New development should meet Secured by Design principles;
e) the provision of service management plans for all large development, demonstrating that vehicles seeking access to the building can do so without waiting on the public highway;

f)an assessment of the environmental impact of security measures, particularly addressing visual impact and impact on pedestrian flows.

DM3.3 Crowded places

On all major developments, applicants will be required to satisfy principles and standards that address the issues of crowded places and counter-terrorism, by:

a) conducting a full risk assessment;
b) keeping access points to the development to a minimum;
c) ensuring that public realm and pedestrian permeability associated with a building or site is not adversely impacted, and that design considers the application of Hostile Vehicle Mitigation measures at an early stage;
d) ensuring early consultation with the City of London Police on risk mitigation measures;
e) providing necessary measures that relate to the appropriate level of crowding in a site, place or wider area.

DM3.4 Traffic management

To require developers to reach agreement with the City Corporation and TfL on the design and implementation of traffic management and highways security measures, including addressing the management of service vehicles, by:

a) consulting the City Corporation on all matters relating to servicing;
b) restricting motor vehicle access, where required;
c) implementing public realm enhancement and pedestrianisation schemes, where appropriate;
d) using traffic calming, where feasible, to limit the opportunity for hostile vehicle approach.

DM3.5 Night-time entertainment

1) Proposals for new night-time entertainment and related uses and the extension of existing premises will only be permitted where it can be demonstrated that, either individually or cumulatively, there is no unacceptable impact on:

a) the amenity of residents and other noise-sensitive uses;
b) environmental amenity, taking account of the potential for noise, disturbance and odours arising from the operation of the premises, customers arriving at and leaving the premises and the servicing of the premises.

2) Applicants will be required to submit Management Statements detailing how these issues will be addressed during the operation of the premises.

DM10.1 New development

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

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

DM10.2 Design of green roofs and walls

1) To encourage the installation of green roofs on all appropriate developments. On each building the maximum practicable coverage of green roof should be achieved. Extensive green roofs are preferred and their design should aim to maximise the roof's environmental benefits, including biodiversity, run-off attenuation and building insulation.

2) To encourage the installation of green walls in appropriate locations, and to ensure that they are satisfactorily maintained.

DM10.3 Roof gardens and terraces

1) To encourage high quality roof gardens and terraces where they do not:

a) immediately overlook residential premises;
b) adversely affect rooflines or roof profiles;
c) result in the loss of historic or locally distinctive roof forms, features or coverings;
d) impact on identified views.

2) Public access will be sought where feasible in new development.

DM10.4 Environmental enhancement

The City Corporation will work in partnership with developers, Transport for London and other organisations to design and implement schemes for the enhancement of highways, the public realm and other spaces. Enhancement schemes should be of a high standard of design, sustainability, surface treatment and landscaping, having regard to:

a) the predominant use of the space, surrounding buildings and adjacent spaces;
b) connections between spaces and the provision of pleasant walking routes;
c) the use of natural materials, avoiding an excessive range and harmonising with the surroundings of the scheme and materials used throughout the City;
d) the inclusion of trees and soft landscaping and the promotion of biodiversity, where feasible linking up existing green spaces and routes to provide green corridors;
e) the City's heritage, retaining and identifying features that contribute positively to the character and appearance of the City;
f) sustainable drainage, where feasible, co-ordinating the design with adjacent buildings in order to implement rainwater recycling;
g) the need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
h) the need for pedestrian priority and enhanced permeability, minimising the conflict between pedestrians and cyclists;
i) the need to resist the loss of routes and spaces that enhance the City's function, character and historic interest;
j) the use of high quality street furniture to enhance and delineate the public realm;
k) lighting which should be sensitively co-ordinated with the design of the scheme.

DM10.7 Daylight and sunlight

1) To resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels, taking account of the Building Research Establishment's guidelines.

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

DM10.8 Access and inclusive design

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

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

DM11.2 Public Art

To enhance the City's public realm and distinctive identity by:

a) protecting existing works of art and other objects of cultural significance and encouraging the provision of additional works in appropriate locations;
b) ensuring that financial provision is made for the future maintenance of new public art;
c) requiring the appropriate reinstatement or re-siting of art works and other objects of cultural significance when buildings are redeveloped.

DM12.1 Change affecting heritage assets

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

2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.

3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.

4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.

5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM12.2 Development in conservation areas

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.

2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.

3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

DM12.3 Listed buildings

1. To resist the demolition of listed buildings.

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

DM12.4 Archaeology

1. To require planning applications which involve excavation or ground works on sites of archaeological potential to be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development.

2. To preserve, protect, safeguard and enhance archaeological monuments, remains and their settings in development, and to seek a public display and interpretation, where appropriate.

3. To require proper investigation and recording of archaeological remains as an integral part of a development programme, and publication and archiving of results to advance understanding.

DM15.1 Sustainability requirements

1. Sustainability Statements must be submitted with all planning applications in order to ensure that sustainability is integrated into designs for all development.

2. For major development (including new development and refurbishment) the Sustainability Statement should include as a minimum:

a) BREEAM or Code for Sustainable Homes pre-assessment;
b) an energy statement in line with London Plan requirements;
c) demonstration of climate change resilience measures.

3. BREEAM or Code for Sustainable Homes assessments should demonstrate sustainability in aspects which are of particular significance in the City's high density urban environment. Developers should aim to achieve the maximum possible credits to address the City's priorities.

4. Innovative sustainability solutions will be encouraged to ensure that the City's buildings remain at the forefront of sustainable building design. Details should be included in the Sustainability Statement.

5. Planning conditions will be used to ensure that Local Plan assessment targets are met.

DM15.2 Energy and CO2 emissions

1. Development design must take account of location, building orientation, internal layouts and landscaping to reduce likely energy consumption.

2. For all major development energy assessments must be submitted with the application demonstrating:

a) energy efficiency - showing the maximum improvement over current Building Regulations to achieve the required Fabric Energy Efficiency Standards;
b) carbon compliance levels required to meet national targets for zero carbon development using low and zero carbon technologies, where feasible;
c) where on-site carbon emission reduction is unviable, offsetting of residual CO2 emissions through "allowable solutions" for the lifetime of the building to achieve national targets for zero-carbon homes and non-domestic buildings. Achievement of zero carbon buildings in advance of national target dates will be encouraged;
d) anticipated residual power loads and routes for supply.

DM15.3 Low and zero carbon technologies

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

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

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

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

DM15.4 Offsetting carbon emissions

1. All feasible and viable on-site or near-site options for carbon emission reduction must be applied before consideration of offsetting. Any remaining carbon emissions calculated for the lifetime of the building that cannot be mitigated on-site will need to be offset using "allowable solutions".

2. Where carbon targets cannot be met on-site the City Corporation will require carbon abatement elsewhere or a financial contribution, negotiated through a S106 planning obligation to be made to an approved carbon offsetting scheme.

3. Offsetting may also be applied to other resources including water resources and rainwater run-off to meet sustainability targets off-site where on-site compliance is not feasible.

DM15.5 Climate change resilience

1. Developers will be required to demonstrate through Sustainability Statements that all major developments are resilient to the predicted climate conditions during the building's lifetime.

2. Building designs should minimise any contribution to the urban heat island effect caused by heat retention and waste heat expulsion in the built environment.

DM15.6 Air quality

1. Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.

2. Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.

3. Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for Sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NOx).

4. Developers will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.

5. Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.

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

DM15.7 Noise and light pollution

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.

2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.

3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.

4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.

5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

DM16.1 Transport impacts of development

1. Development proposals that are likely to have effects on transport must be accompanied by an assessment of the transport implications during both construction and operation, in particular addressing impacts on:

a) road dangers;
b) pedestrian environment and movement;
c) cycling infrastructure provision;
d) public transport;
e) the street network.

2. Transport Assessments and Travel Plans should be used to demonstrate adherence to the City Corporation's transportation standards.

DM16.2 Pedestrian movement

1. Pedestrian movement must be facilitated by provision of suitable pedestrian routes through and around new developments, by maintaining pedestrian routes at ground level, and the upper level walkway network around the Barbican and London Wall.

2. The loss of a pedestrian route will normally only be permitted where an alternative public pedestrian route of at least an equivalent standard is provided having regard to:

a) the extent to which the route provides for current and all reasonably foreseeable future demands placed upon it, including at peak periods;
b) the shortest practicable routes between relevant points.

3. Routes of historic importance should be safeguarded as part of the City's characteristic pattern of lanes, alleys and courts, including the route's historic alignment and width.

4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.

5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.

6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

DM16.3 Cycle parking

1. On-site cycle parking must be provided in accordance with the local standards set out in Table 16.2 or, for other land uses, with the standards of the London Plan. Applicants will be encouraged to exceed the standards set out in Table 16.2.

2. On-street cycle parking in suitable locations will be encouraged to meet the needs of cyclists.

DM16.4 Encouraging active travel

1. Ancillary facilities must be provided within new and refurbished buildings to support active transport modes such as walking, cycling and running. All commercial development should make sufficient provision for showers, changing areas and lockers/storage to cater for employees wishing to engage in active travel.

2. Where facilities are to be shared with a number of activities they should be conveniently located to serve all proposed activities.

DM16.5 Parking and servicing standards

1. Developments in the City should be car-free except for designated Blue Badge spaces. Where other car parking is exceptionally provided it must not exceed London Plan's standards.

2. Designated parking must be provided for Blue Badge holders within developments in conformity with London Plan requirements and must be marked out and reserved at all times for their use. Disabled parking spaces must be at least 2.4m wide and at least 4.8m long and with reserved areas at least 1.2m wide, marked out between the parking spaces and at the rear of the parking spaces.

3. Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide

and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.

4. On site servicing areas should be provided to allow all goods and refuse collection vehicles likely to service the development at the same time to be conveniently loaded and unloaded. Such servicing areas should provide sufficient space or facilities for all vehicles to enter and exit the site in a forward gear. Headroom of at least 5m where skips are to be lifted and 4.75m for all other vehicle circulation areas should be provided.

5. Coach parking facilities for hotels (use class C1) will not be permitted.

6. All off-street car parking spaces and servicing areas must be equipped with the facility to conveniently recharge electric vehicles.

7. Taxi ranks are encouraged at key locations, such as stations, hotels and shopping centres. The provision of taxi ranks should be designed to occupy the minimum practicable space, using a combined entry and exit point to avoid obstruction to other transport modes.

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.

2. On-site waste management, through techniques such as recyclate sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

DM17.2 Designing out construction waste

New development should be designed to minimise the impact of deconstruction and construction waste on the environment through:

a) reuse of existing structures;
b) building design which minimises wastage and makes use of recycled materials;
c) recycling of deconstruction waste for reuse on site where feasible;
d) transport of waste and construction materials by rail or river wherever practicable;
e) application of current best practice with regard to air quality, dust, hazardous waste, waste handling and waste management

CS18 Minimise flood risk

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

DM18.1 Development in Flood Risk Area

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

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

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

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

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

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

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

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

DM18.2 Sustainable drainage systems

1. The design of the surface water drainage system should be integrated into the design of proposed buildings or landscaping, where feasible and practical, and should follow the SuDS management train (Fig T) and London Plan drainage hierarchy.

2. SuDS designs must take account of the City's archaeological heritage, complex underground utilities, transport infrastructure and

other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.

3. SuDS should be designed, where possible, to maximise contributions to water resource efficiency, biodiversity enhancement and the provision of multifunctional open spaces.

DM19.1 Additional open space

1. Major commercial and residential developments should provide new and enhanced open space where possible. Where on-site provision is not feasible, new or enhanced open space should be provided near the site, or elsewhere in the City.

2. New open space should:

a) be publicly accessible where feasible; this may be achieved through a legal agreement;
b) provide a high quality environment;
c) incorporate soft landscaping and Sustainable Drainage Systems, where practicable;
d) have regard to biodiversity and the creation of green corridors;
e) have regard to acoustic design to minimise noise and create tranquil spaces.

3. The use of vacant development sites to provide open space for a temporary period will be encouraged where feasible and appropriate.

DM19.2 Biodiversity and urban greening

Developments should promote biodiversity and contribute to urban greening by incorporating:

a) green roofs and walls, soft landscaping and trees;
b) features for wildlife, such as nesting boxes and beehives;
c) a planting mix which encourages biodiversity;
d) planting which will be resilient to a range of climate conditions;
e) maintenance of habitats within Sites of Importance for Nature Conservation.

DM20.2 Retail links

To encourage the provision and resist the loss of retail frontage and floorspace within the Retail Links. A mix of shops and other retail uses will be encouraged in the Links, ensuring that the location and balance of uses does not adversely affect the function of the Link, any nearby PSC or their surrounding areas.

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.

DM22.1 Social and community facilities

1. To resist the loss of social and community facilities unless:

a) replacement facilities are provided on-site or within the vicinity which meet the needs of the users of the existing facility; or
b) necessary services can be delivered from other facilities without leading to, or increasing, any shortfall in provision; or
c) it has been demonstrated that there is no demand for another similar use on site.

2. Proposals for the redevelopment or change of use of social and community facilities must be accompanied by evidence of the lack of need for those facilities. Loss of facilities will only be permitted where it has been demonstrated that the existing floor space has been actively marketed at reasonable terms for public social and community floorspace.

3. The development of new social and community facilities should provide flexible, multi-use space suitable for a range of different uses and will be permitted:

a) where they would not be prejudicial to the business City and where there is no strong economic reason for retaining office use;
b) in locations which are convenient to the communities they serve;
c) in or near identified residential areas, providing their amenity is safeguarded;
d) as part of major mixed-use developments, subject to an assessment of the scale, character, location and impact of the proposal on existing facilities and neighbouring uses.

4. Developments that result in additional need for social and community facilities will be required to provide the necessary facilities or contribute towards enhancing existing facilities to enable them to meet identified need.

SCHEDULE

APPLICATION: **20/00671/FULEIA**

55 Gracechurch Street London EC3V 0EE

Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys, including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.

CONDITIONS

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.

2 Prior to any stripping-out or demolition of the existing building, a material audit of the building should be submitted to and approved in writing by the Local Planning Authority to understand the value of it as a material bank, establishing what can be retained and what can be re-used either on-site, in the first instance, re-used off-site or recycled, with the presumption that as little waste as possible is generated and the development shall be carried out in accordance with the approved details.
REASON : To ensure that the Local Planning Authority can be satisfied that the proposed development will be designed to promote circular economy principles to reduce waste and encourage recycling, reducing impact on virgin resources in accordance with the following policies in the Development Plan and the draft Development Plans: Draft London Plan ; GG5, GG6, D3, SI 7, SI 8 - Local Plan; CS 17, DM 17.2 - Draft City Plan 2036; S16, CEW 1.These details are required prior to demolition and construction work commencing in order to establish the extent of recycling and minimised waste from the time that demolition and construction start.

3 Prior to the commencement of the development a detailed Circular Economy Statement shall be submitted to and approved in writing by the Local Planning Authority, providing final details on how the building would adhere to circular economy principles: build in layers, design out waste, design for longevity, design for flexibility and adaptability, design for disassembly and using systems, elements or

materials that can be re-used and recycled, to meet the relevant targets set out in the GLA Circular Economy Guidance. The development shall be carried out in accordance with the approved details.
REASON : To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development so that it reduces the demand for redevelopment, encourages re-use and reduces waste in accordance with the following policies in the Development Plan and draft Development Plans: Draft London Plan; D3, SI 7, SI 8 - Local Plan; CS 17, DM 17.2 - Draft City Plan 2036; S16, CEW 1. These details are required prior to demolition and construction work commencing in order to establish the extent of recycling and minimised waste from the time that demolition and construction starts.

4 Prior to the commencement of the development a detailed Whole Life Cycle Carbon assessment shall be submitted to and approved in writing by the Local Planning Authority, setting out details of measures to reduce carbon emissions throughout the whole life cycle of the development and providing calculations in line with the Mayor of London's guidance on Whole Life Cycle Carbon Assessments, and the development shall be carried out in accordance with the approved details.
REASON : To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development so that it maximises the reduction of carbon emissions of the development throughout the whole life cycle of the development in accordance with the following policies in the Development Plan and draft Development Plans: Draft London Plan: D3, SI 2, SI 7 - Local Plan: CS 17, DM 15.2, DM 17.2 - Draft City Plan 2036: CE 1. These details are required prior to demolition and construction work commencing in order to be able to account for embodied carbon emissions resulting from the demolition and construction phase (including recycling and reuse of materials) of the development.

5 Unless otherwise agreed to in writing, prior to the commencement of Construction Works an indicative proposal for the relocation of the existing bus shelter on Gracechurch Street shall be submitted to the Local Planning Authority for consideration. The proposal shall be supported by a revised Pedestrian Comfort Level Assessment with the key objective to improve PCL conditions when compared to the 2027 - without development scenario and an Equality Impact Assessment. Should an agreeable solution be confirmed in agreement with TfL, the relocation of the bus shelter must be completed in accordance with details to be submitted to and approved by the Local Planning Authority (in consultation with TfL) prior to the completion of Section 278 Highways Works. In the event that it is determined that the bus stop should remain in its current position, prior to the occupation of the development the applicant would submit a PCL Technical Note summarising the options investigated and confirming PCL conditions along Gracechurch Street and the diversion patterns through the

proposed development, thereby improving conditions along Gracechurch Street.
REASON: In the interest of pedestrian comfort and public safety in accordance with the following policy of the Local Plan: DM16.2. 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.

6 Before any works including demolition are begun a site survey and survey of highway and other land at the perimeter of the site shall be carried out and details must be submitted to and approved in writing by the local planning authority indicating the proposed finished floor levels at basement and ground floor levels in relation to the existing Ordnance Datum levels of the adjoining streets and open spaces. The development shall be carried out in accordance with the approved survey unless otherwise agreed in writing by the local planning authority.
REASON: To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.8, DM16.2. These details are required prior to commencement in order that a record is made of the conditions prior to changes caused by the development and that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

7 Prior to the commencement of works a Construction Methodology and Structural Statement, assessing the short (construction phase), medium and long-term structural and non-structural implications for the listed buildings at 2-3 Philpot Lane, 4 Brabant Court and 7-8 Philpot Lane, including a detailed methodology and specification of works which seek to mitigate any damage, shall be submitted and approved in writing by the Local Planning Authority and those relevant works carried out in accordance with the approved details.
REASON: In order to safeguard the structure and the special architectural or historic interest of the listed buildings at 2-3 Philpot Lane, 4 Brabant Court and 7-8 Philpot Lane in accordance with the following policies of the Local Plan: CS12, DM12.1.

8 Before the development hereby permitted is begun a detailed site investigation shall be carried out to establish if the site is contaminated and to determine the potential for pollution of the water environment. The method and extent of this site investigation shall be agreed in writing with the Local Planning Authority prior to commencement of the work. Details of measures to prevent pollution of ground and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall proceed in strict accordance with the measures approved.

REASON: To prevent pollution of the water environment in accordance with the following policy of the Local Plan: DM15.8. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

9 Demolition works shall not begin until a Deconstruction Logistics Plan to manage all freight vehicle movements to and from the site during deconstruction of the existing building(s) has been submitted to and approved in writing by the Local Planning Authority. The Deconstruction Logistics Plan shall be completed in accordance with the Mayor of London's Construction Logistics Plan Guidance dated July 2017, and shall specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Community Safety (CLOCS) Standard. The Plan must demonstrate how Work Related Road Risk is to be managed. The demolition shall not be carried out otherwise than in accordance with the approved Deconstruction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.
REASON: To ensure that demolition works do not have an adverse impact on public safety and the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to demolition work commencing in order that the impact on the transport network is minimised from the time that demolition starts.

10 Prior to the commencement of development the developer/construction contractor shall sign up to the Non-Road Mobile Machinery Register. The development shall be carried out in accordance with the NRMM Regulations and the inventory of all NRMM used on site shall be maintained and provided to the Local Planning Authority upon request to demonstrate compliance with the regulations.
REASON: To reduce the emissions of construction and demolition in accordance with the Mayor of London Control of Dust and Emissions during Construction and Demolition SPG July 2014. Compliance is required to be prior to commencement due to the potential impact at the beginning of the construction

11 There shall be no demolition on the site 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 and monitoring (including any agreed monitoring contribution) set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the demolition process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The demolition shall not be carried out other

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

12 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The Construction Logistics Plan shall be completed in accordance with the Mayor of London's Construction Logistics Plan Guidance dated July 2017, and shall specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Community Safety (CLOCS) Standard. The Plan must demonstrate how Work Related Road Risk is to be managed. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.
REASON: To ensure that construction works do not have an adverse impact on public safety and the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to construction work commencing in order that the impact on the transport network is minimised from the time that construction starts.

13 There shall be no construction on the site until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during construction 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 and monitoring (including any agreed monitoring contribution) set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the construction process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme (including payment of any agreed monitoring contribution)
REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3. These details are required prior to demolition in order that the impact on amenities is minimised from the time that the construction starts.

14 No development shall take place until the detailed design of all wind mitigation measures necessary to achieve appropriate summer conditions of as a minimum 'occasional sitting' or better in relevant areas as defined in the City of London Wind Microclimate Guidelines 2020, has been submitted to and approved in writing by the Local Planning Authority. These details shall include the size and appearance of any features, the size and appearance of any planting containers, trees species, planting medium and irrigation systems. No part of the building shall be occupied until the approved wind mitigation measures have been implemented unless the Local Planning Authority agrees otherwise in writing. The said wind mitigation measures shall be retained in place for the life of the building unless otherwise agreed by the Local Planning Authority.
REASON: In order to ensure that the wind conditions on the Public Garden Terrace are suitable for use in accordance with the following policies of the Local Plan: DM10.1, DM10.3, and draft City Plan policies S8, DE3. These details are required prior to construction in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

15 No development other than demolition shall take place until the detailed design of all wind mitigation measures (other than those submitted to and approved by the Local Planning Authority pursuant to Condition 14 of this planning permission) has been submitted to and approved in writing by the Local Planning Authority. These details shall include the size and appearance of any features, the size and appearance of any planting containers, trees species, planting medium and irrigation systems. No part of the building shall be occupied until the approved wind mitigation measures have been implemented unless the Local Planning Authority agrees otherwise in writing. The said wind mitigation measures shall be retained in place for the life of the building unless otherwise agreed by the Local Planning Authority.
REASON: In order to ensure that the proposed development does not have a detrimental impact on the amenities of the area in accordance with the following policies of the Local Plan: DM10.1, DM16.1, DM16.2. These details are required prior to construction in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

16 Archaeological evaluation shall be carried out in order to compile archaeological records in accordance with a timetable and scheme of such archaeological work submitted to and approved in writing by the Local Planning Authority before any commencement of archaeological evaluation work.
REASON: To ensure that an opportunity is provided for the archaeology of the site to be considered and recorded in accordance with the following policy of the Local Plan: DM12.4.

17 No works except demolition to basement slab level shall take place until the developer has secured the implementation of a programme of archaeological work to be carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. This shall include all on site work, including details of any temporary works which may have an impact on the archaeology of the site and all off site work such as the analysis, publication and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In order to allow an opportunity for investigations to be made in an area where remains of archaeological interest are understood to exist in accordance with the following policy of the Local Plan: DM12.4.

18 No works except demolition to basement slab level shall take place before details of the foundations and piling configuration, to include a detailed design and method statement, have been submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.
REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policy of the Local Plan: DM12.4.

19 The development shall incorporate such measures as are necessary within the site to resist structural damage and to protect the approved new public realm within the site, arising from an attack with a road vehicle or road vehicle borne explosive device, details of which must be submitted to and approved in writing by the Local Planning Authority before any construction works hereby permitted are begun.
REASON: To ensure that the premises are protected from road vehicle borne damage within the site in accordance with the following policy of the Local Plan: DM3.2. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

20 Before any construction works hereby permitted are begun the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
(a) Fully detailed design and layout drawings for the proposed SuDS components including but not limited to: attenuation systems including blue roofs, rainwater pipework, flow control devices, pumps, design for system exceedance, design for ongoing maintenance; surface water flow rates shall be restricted to no greater than 1.7 litres per second from no more than one distinct outfall, provision should be made for an attenuation volume capacity capable of achieving this, which should be no less than 100m3;

(b) Full details of measures to be taken to prevent flooding (of the site or caused by the site) during the course of the construction works.
(c) Evidence that Thames Water have been consulted and consider the proposed discharge rate to be satisfactory.
REASON: To improve sustainability, reduce flood risk and reduce water runoff rates in accordance with the following policy of the Local Plan: DM18.1, DM18.2 and DM18.3 and emerging policies CR2, CR3 and CR4 of the Draft City Plan 2036.

21 Before the shell and core is complete the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
(a) A Lifetime Maintenance Plan for the SuDS system to include:
- A full description of how the system would work, it's aims and objectives and the flow control arrangements;
- A Maintenance Inspection Checklist/Log;
- A Maintenance Schedule of Work itemising the tasks to be undertaken, such as the frequency required and the costs incurred to maintain the system.
REASON: To improve sustainability, reduce flood risk and reduce water runoff rates in accordance with the following policy of the Local Plan: DM18.1, DM18.2 and DM18.3 and emerging policies CR2, CR3 and CR4 of the Draft City Plan 2036.

22 Before any construction works hereby permitted are begun details of rainwater harvesting and grey water recycling systems shall be submitted to and approved in writing by the local planning authority.
REASON: To improve sustainability and reduce flood risk by reducing potable water demands and water run-off rates in accordance with the following policy of the Local Plan: CS18. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

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

24 Before any works thereby affected are begun the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
(a) particulars and samples of the materials to be used on all external and semi-external faces of the building and surface treatments in areas where the public would have access, including external ground and upper level surfaces, including details of compliance with approved Circular Economy Strategy;;
(b) details of the proposed new facades including details of a typical bay of the development for each facade and fenestration;
(c) details of canopies including revisions to the design and location of the wind mitigation canopies on Talbot Court;
(d) typical masonry details, including jointing and any necessary expansion/movement joints;
(e) details of ground and first floor elevations including all entrances, integrated seating, vitrines and information boards;
(f) details of semi-internal elevations fronting the ground floor public routes;
(g) full details of the Garden Terrace, including all elevations, entrances, fenestration, planters, seating, lighting, wind mitigation measures, the walkway, soffit, drainage, irrigation and any infrastructure required to deliver programming and varied uses
(h) details of soffits, hand rails and balustrades, including those soffits in the semi-external areas of the podium between ground and garden level
(i) details all party wall treatments;
(j) details of junctions with adjoining premises;
(k) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, and other excrescences at roof level including within the plant room;
(l) details of all drainage and irrigation
(m) details of the integration of M&E in all external and semi-external public elevations in the podium from ground to garden level
REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.

25 Before the works thereby affected are begun, sample panels of agreed sections of the masonry facades shall be built, agreed on-site 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.
REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.

26 All unbuilt surfaces, including the Level 6 and 6M Garden Terrace, and the private courtyard behind The Ship PH, shall be treated in accordance with a landscaping scheme to be submitted to and approved in writing by the Local Planning Authority before any landscaping works are commenced. All hard and soft landscaping works shall be carried out in accordance with the approved details not later than the end of the first planting season following completion of the development. Trees and shrubs which die or are removed, uprooted or destroyed or become in the opinion of the Local Planning Authority seriously damaged or defective within 5 years of completion of the development shall be replaced with trees and shrubs of similar size and species to those originally approved, or such alternatives as may be agreed in writing by the Local Planning Authority.
REASON: In the interests of visual amenity in accordance with the following policies of the Local Plan: DM10.1, DM19.2.

27 Details of the position and size of the green/blue roof(s), the type of planting and the contribution of the green/blue roof(s) to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.

28 Details of the position and size of the green walls(s), the type of planting and the contribution of the green wall(s) to biodiversity shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.

29 Details of the construction, planting irrigation and maintenance regime for the proposed green wall(s)/roof(s) shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in

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

30 Before any works thereby affected are begun, a methodology and specification of works, covering the detail of removing, storing, alterations, restoring and the reinstatement of the St Benet's Place gates, to include detailed drawings of fixings and any other alteration, shall be submitted to and approved in writing by the Local Planning Authority, and the works carried out in accordance with those details.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the development and to preserve the special architectural or historic interest of the building in accordance with the following policies of the Local Plan: DM10.1, DM12.3.

31 The listed gates at St Benet's Place shall be reinstated in accordance with the drawings hereby approved, or as approved under conditions pursuant to conditions of this permission, prior to the first occupation of any part of the development.
REASON: To ensure that the Local Planning Authority may be satisfied with the detail and to protect the special architectural and historic interest of the building in accordance with the following policies of the Local Plan: DM 10.1, DM 12.1

32 Before any works thereby affected are begun, a methodology and specification of works, covering the detail of removing, storing, alterations, restoring and the reinstatement of the Brabant Court gates, to include detailed drawings of fixings and any other alteration, shall be submitted to and approved in writing by the Local Planning Authority, and the works carried out in accordance with those details.
REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the development in accordance with the following policy of the Local Plan: DM10.1.

33 The gates at Brabant Court shall be reinstated in accordance with the drawings hereby approved, or as approved under conditions pursuant to this permission, prior to the first occupation of any part of the development.
REASON: To ensure that the Local Planning Authority may be satisfied with the detail in accordance with the following policy of the Local Plan: DM 10.1.

34 Unless otherwise approved in writing by the Local Planning Authority, before any works thereby affected are begun, details of the provision to be made in the building's design to enable the discreet installation of street lighting on the development, including details of the location of light fittings, cable runs and other necessary apparatus, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

REASON: To ensure provision for street lighting is discreetly integrated into the design of the building in accordance with the following policy of the City of London Local Plan: DM10.1.

35 Prior to the commencement of the relevant works, a full Lighting Strategy shall be submitted to and approved in writing by the Local Planning Authority, which should include full details of all luminaires, both decorative, functional or ambient (including associated infrastructure), alongside details of the impact of lighting on the public realm, including intensity, uniformity, colour, timings and associated management measures to reduce the impact on light pollution and residential amenity. Detail should be provided for all external, semi-external and public-facing parts of the building and of internal lighting levels and how this has been designed to reduce glare and light trespass. All works pursuant to this consent shall be carried out in accordance with the approved details and lighting strategy.
REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM10.1, 15.7 and emerging policy DE2 of the Draft City Plan 2036

36 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 retail uses (Class E and sui generis) and any Class E (office) kitchens. Flues must terminate at roof level or an agreed high level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. The details approved must be implemented before the said use takes place.

REASON: In order to protect commercial amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.

37 No cooking shall take place within any Class E or sui generis use hereby approved until fume extract arrangements and ventilation have been installed to serve that unit in accordance with a scheme approved by the Local Planning Authority. Flues must terminate at roof level or an agreed high level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. Any works that would materially affect the external appearance of the building will require a separate planning permission.
REASON: In order to protect the amenity of the area in accordance with the following policies of the Local Plan: DM15.6, DM21.3.

38 All parts of the ventilation and extraction equipment including the odour control systems installed shall be cleaned, serviced and maintained in accordance with Section 5 of 'Control of Odour & Noise from

Commercial Kitchen Extract Systems' dated September 2018 by EMAQ+ (or any subsequent updated version). A record of all such cleaning, servicing and maintenance shall be maintained and kept on site and upon request provided to the Local Planning Authority to demonstrate compliance.
REASON: To protect the occupiers of existing and adjoining premises and public amenity in accordance with Policies DM 10.1, DM 15.7 and DM 21.3

39 The proposed office development sharing a party element with non-office premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR40 is not exceeded in the proposed office premises due to noise from the neighbouring non-office premises and shall be permanently maintained thereafter.
A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results shall submitted to and approved in writing by the Local Planning Authority.
REASON: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan: DM15.7.

40 (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.

41 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.

42 Prior to any plant being commissioned and installed in or on the building an Air Quality Report shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail how the

finished development will minimise emissions and exposure to air pollution during its operational phase and will comply with the City of London Air Quality Supplementary Planning Document and any submitted and approved Air Quality Assessment. The measures detailed in the report shall thereafter be maintained in accordance with the approved report(s) for the life of the installation on the building.
REASONS: In order to ensure the proposed development does not have a detrimental impact on air quality, reduces exposure to poor air quality and in accordance with the following policies: Local Plan policy DM15.6 and London Plan policy 7.14B.

43 The development shall be designed to allow for the retro-fit of heat exchanger rooms to connect into a district heating network if this becomes available during the lifetime of the development.
REASON: To minimise carbon emissions by enabling the building to be connected to a district heating and cooling network if one becomes available during the life of the building in accordance with the following policies of the Local Plan: DM15.1, DM15.2, DM15.3, DM15.3, DM15.4.

44 A post construction BREEAM assessment demonstrating that a target rating of 'Outstanding' has been achieved (or such other target rating as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an 'Outstanding' rating) shall be submitted as soon as practicable after practical completion.
REASON: To demonstrate that carbon emissions have been minimised and that the development is sustainable in accordance with the following policy of the Local Plan: CS15, DM15.1, DM15.2.

45 A post construction Whole Life Cycle Carbon assessment to demonstrate actual whole life cycle carbon emissions savings in accordance with the Mayor of London's guidance on Whole Life Cycle Carbon Assessments shall be submitted to the Local Planning Authority and the Greater London Authority 3 months after practical completion.
REASON: To demonstrate that Whole Life Cycle carbon emissions have been minimised and that the development is sustainable in accordance with the following policies in the Development Plan and draft Development Plans: Draft London Plan: D3, SI 2, SI 7 - Local Plan: CS 17, DM 15.2, DM 17.2 - Draft City Plan 2036: CE 1.

46 Permanently installed pedal cycle racks shall be provided and maintained on the site throughout the life of the building sufficient to accommodate a minimum of 492 long stay pedal cycle spaces, and a minimum of 24 short stay pedal cycle spaces, including for 3 cargo bikes. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.

REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.

47 A minimum of 8% of short stay pedal cycle spaces and 5% of the long stay cycle spaces shall be accessible for adapted cycles.
REASON: To ensure that satisfactory provision is made for people with disabilities in accordance with Local Plan policy DM10.8, ItP London Plan policy T5 cycling B, emerging City Plan policy 6.3.24.

48 Before any works thereby affected are begun, the layout and the arrangement of the long stay and short stay cycle parking shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. The cycle parking detailed in the approved arrangement plans and report shall thereafter be maintained in accordance with the approved plan(s) for the life of the building.
REASON: To ensure the cycle parking is accessible and has regard to compliance with the London Cycling Design Standards in accordance with the following policy of the Local Plan: DM16.3 and Intend to Publish London Plan policy: T5

49 Changing facilities and showers shall be provided adjacent to the bicycle parking areas 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.

50 A clear unobstructed minimum headroom of 5m must be maintained for the life of the building in the refuse skip collection area as shown on the approved drawings and a clear unobstructed minimum headroom of 4.75m must be provided and maintained over the remaining areas and access ways.
REASON: To ensure that satisfactory servicing facilities are provided and maintained in accordance with the following policy of the Local Plan: DM16.5.

51 Except as may be approved in writing by the Local Planning Authority the loading and unloading areas at basement level must remain ancillary to the use of the building and shall be available at all times for that purpose for the occupiers thereof and visitors thereto.
REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Local Plan: DM16.5.

52 Goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall not be accepted or dispatched unless

the vehicles are unloaded or loaded within the curtilage of the building.

REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM16.1, DM16.5, DM21.3.

53 Facilities must be provided and maintained for the life of the development so that vehicles may enter and leave the building by driving in a forward direction.
REASON: To ensure satisfactory servicing facilities and in the interests of public safety in accordance with the following policy of the Local Plan: DM16.5.

54 No servicing of the premises shall be carried out between the hours of 07:00 and 23:00 on Monday to Sunday. 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: DM16.1, DM21.3.

55 The threshold of all vehicular access points shall be at the same level as the rear of the adjoining footway.
REASON: To maintain a level passage for pedestrians in accordance with the following policies of the Local Plan: DM10.8, DM16.2.

56 No doors, gates or windows at ground floor level shall open over the public highway.
REASON: In the interests of public safety

57 The refuse collection and storage facilities shown on the drawings hereby approved shall be provided and maintained throughout the life of the building for the use of all the occupiers.
REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1.

58 The roof terraces on level 6 and 6M hereby permitted shall not be used or accessed between the hours of 23.00hrs on one day and 08.00 hrs on the following day, other than in the case of emergency.
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.

59 No amplified or other music shall be played on the roof terraces.
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.

60 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.

61 There shall be no promoted events on the premises. A promoted event for this purpose, is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.
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.

62 At all times when not being used for cleaning or maintenance the window cleaning gantries, cradles and other similar equipment shall be garaged within the enclosure(s) shown on the approved drawings.
REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.

63 The areas within the development marked as retail on the floorplans hereby approved, shall be used for retail purposes within Class E (shop, financial and professional services and cafe or restaurant) and sui generis (pub and drinking establishment, and take-away) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes)(Amendment)(England)Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
REASON: To ensure that active uses are retained on the ground floor in accordance with Local Plan Policy DM20.2.

64 Unless otherwise approved in writing by the Local Planning Authority, no more than 50% of the areas marked as retail on the floorplans hereby approved shall be occupied as Food and Beverage uses.
REASON: To ensure that a varied mix of retail types is provided within the development in accordance with the following policies of the Local Plan: CS20 and of the emerging policies of the City Local Plan: S5, RE2.

65 The areas shown on the approved drawings as offices, flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) and public viewing gallery and garden with ancillary space, and as set out in Condition 62 of this decision notice, shall be used for those purposes only and for no other purpose (including any other purpose in Class E) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and

Country Planning (Use Classes)(Amendment)(England) Regulations 2020).
REASON: To ensure that the development does not give rise to environmental impacts that are in excess of or different to those assessed in the Environmental Statement and that public benefits within the development are secured for the life of the development.

66 The development shall provide:

- 34,004 sq.m. gea of office floorspace (Class E);
- 2456 sq.m. gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis.))
- 1603sq.m sui generis public viewing gallery and garden with ancillary space

REASON: To ensure the development is carried out in accordance with the approved plans.

67 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:
PP-FPA-XX-XX-DR-A-16050 1:500@A1 Proposed Site Plan
PP-FPA-XX-B3-DR-A-16095 1:100@A1 Proposed Plan - Basement 03

PP-FPA-XX-B3M-DR-A-16096 1:100@A1 Proposed Plan - Basement 03 Mezzanine rev A
PP-FPA-XX-B2-DR-A-16097 1:100@A1 Proposed Plan - Basement 02 rev A
PP-FPA-XX-B1-DR-A-16098 1:100@A1 Proposed Plan - Basement 010
PP-FPA-XX-B1M-DR-A-16099 1:100@A1 Proposed Plan - Basement 01 Mezzanine
PP-FPA-XX-00-DR-A-16100 1:100@A1 Proposed Plan - Ground Floor rev A
PP-FPA-XX-01-DR-A-16101 1:100@A1 Proposed Plan - Level 01 rev A
PP-FPA-XX-02-DR-A-16102 1:100@A1 Proposed Plan - Level 02 rev A
PP-FPA-XX-03-DR-A-16103 1:100@A1 Proposed Plan - Level 03
PP-FPA-XX-04-DR-A-16104 1:100@A1 Proposed Plan - Level 04
PP-FPA-XX-05-DR-A-16105 1:100@A1 Proposed Plan - Level 05
PP-FPA-XX-06-DR-A-16106 1:100@A1 Proposed Plan - Level 06
PP-FPA-XX-06M-DR-A-16107 1:100@A1 Proposed Plan - Level 06 Mezzanine rev A
PP-FPA-XX-07-DR-A-16108 1:100@A1 Proposed Plan - Level 07
PP-FPA-XX-08-DR-A-16109 1:100@A1 Proposed Plan - Level 08
PP-FPA-XX-09-DR-A-16110 1:100@A1 Proposed Plan - Levels 09-13

PP-FPA-XX-14-DR-A-16111 1:100@A1 Proposed Plan - Level 14

PP-FPA-XX-15-DR-A-16112 1:100@A1 Proposed Plan - Levels 15-27

PP-FPA-XX-28-DR-A-16113 1:100@A1 Proposed Plan - Levels 28-29

PP-FPA-XX-30-DR-A-16114 1:100@A1 Proposed Plan - Level 30
PP-FPA-XX-31-DR-A-16115 1:100@A1 Proposed Plan - Level 31
PP-FPA-XX-RF-DR-A-16116 1:100@A1 Proposed Plan - Roof
8310-PL-GA-102 REV 2 GA Garden Terrace
PP-FPA-XX-XX-DR-A-16300 1:400@A1 Proposed Elevation - West

PP-FPA-XX-XX-DR-A-16301 1:400@A1 Proposed Elevation - South rev A
PP-FPA-XX-XX-DR-A-16302 1:400@A1 Proposed Elevation - East rev A
PP-FPA-XX-XX-DR-A-16303 1:400@A1 Proposed Elevation - North - Northern Courtyard
PP-FPA-XX-XX-DR-A-16304 1:400@A1 Proposed Elevation - North - St Benet's Place rev A
PP-FPA-XX-XX-DR-A-16310 1:100@A1 Proposed Elevation - Ground Level - West - Gracechurch St
PP-FPA-XX-XX-DR-A-16311 1:100@A1 Proposed Elevation - Ground Level - South - Talbot Ct rev A
PP-FPA-XX-XX-DR-A-16312 1:100@A1 Proposed Elevation - Ground Level - East - Brabant Ct rev A
PP-FPA-XX-XX-DR-A-16313 1:100@A1 Proposed Elevation - Ground Level - North - Northern Courtyard
PP-FPA-XX-XX-DR-A-16314 1:100@A1 Proposed Elevation - Ground Level - North - St Benet's Place rev A
PP-FPA-XX-XX-DR-A-16315 1:100@A1 Proposed Elevation - Upper Level Detail 0
PP-FPA-XX-XX-DR-A-16400 1:400@A1 Proposed Section A-A rev A

PP-FPA-XX-XX-DR-A-16401 1:400@A1 Proposed Section B-B
PP-FPA-XX-XX-DR-A-16402 1:400@A1 Proposed Section C-C rev A

PP-FPA-XX-XX-DR-A-16403 1:400@A1 Proposed Section D-D
PP-FPA-XX-B1-DR-A-16600 1:100@A1 Demolition Plan - Basement

PP-FPA-XX-LG-DR-A-16601 1:100@A1 Demolition Plan - Lower Ground
PP-FPA-XX-00-DR-A-16602 1:100@A1 Demolition Plan - Ground Floor
PP-FPA-XX-XX-DR-A-16603 1:200@A1 Demolition Elevation - West

PP-FPA-XX-XX-DR-A-16604 1:200@A1 Demolition Elevation - South

PP-FPA-XX-XX-DR-A-16605 1:200@A1 Demolition Elevation - East

PP-FPA-XX-XX-DR-A-16606 1:200@A1 Demolition Elevation - Northern Courtyard

PP-FPA-XX-XX-DR-A-16607 1:200@A1 Demolition Elevation - St Benet's Place
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 During the construction phase of the development, the City of London Corporation encourages all owners/developers to commit to the principles outlined in the City of London Corporation's Local Procurement Charter, i.e.

- to identify opportunities for local small to medium sized businesses to bid/tender for the provision of goods and services;

- aim to achieve the procurement of goods and services, relating to the development, from small to medium sized businesses based in the City and the surrounding boroughs, towards a target of 10% of the total procurement spend;

- or where the procurement of goods and services is contracted out

- ensure the above two principles are met by inserting local procurement clauses in the tender documentation issued to contractors or subcontractors (further information can be found in our `Guidance note for developers').

For additional details please refer to the City of London's `Local Procurement Charter' and `Local Procurement - Guidance Note for City Developers'. These documents can be found at

http://www.cityoflondon.gov.uk/Corporation/LGNL_Services/Environment_and_planning/Planning

Further guidance can be obtained by contacting the `City Procurement Project' which provides free advice to City based businesses and City developers. They can signpost you to local supplier databases, give one to one advice and provide written guidance via the City of London Corporation's Local Purchasing Toolkit and other resources.

To access free support in procuring locally please call 020 7332 1532 or email city.procurement@cityoflondon.gov.uk

2 The Mayor of London has adopted a new charging schedule for Community Infrastructure Levy ("the Mayoral CIL charge or MCIL2") on 1st April 2019.

The Mayoral Community Levy 2 Levy is set at the following differential rates within the central activity zone:
Office £185 sq.m
Retail £165 sq.m
Hotel £140 sq.m
All other uses £80 per sq.m

These rates are applied to "chargeable development" over 100sq.m (GIA) or developments where a new dwelling is created.

The City of London Community Infrastructure Levy is set at a rate of £75 per sq.m for offices, £150 per sq.m for Riverside Residential, £95 per sq.m for Rest of City Residential and £75 for all other uses.

The CIL will be recorded on the Register of Local Land Charges as a legal charge upon "chargeable development" when planning permission is granted. The Mayoral CIL will be passed to Transport for London to help fund Crossrail and Crossrail 2. The City CIL will be used to meet the infrastructure needs of the City.

Relevant persons, persons liable to pay and interested parties will be sent a "Liability Notice" that will provide full details of the charges and to whom they have been charged or apportioned. Where a liable party is not identified the owners of the land will be liable to pay the levy. Please submit to the City's Planning Obligations Officer an "Assumption of Liability" Notice (available from the Planning Portal website: www.planningportal.gov.uk/cil).

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

3 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.

4 This permission must in no way be deemed to be an approval for the display of advertisement matter indicated on the drawing(s) which must form the subject of a separate application under the Advertisement Regulations.

5 This permission must in no way be deemed to prejudice any rights of light which may be enjoyed by the adjoining owners or occupiers under Common Law.

6 This permission is granted having regard to planning considerations only and is without prejudice to the position of the City of London Corporation or Transport for London as Highway Authority; and work must not be commenced until the consent of the Highway Authority has been obtained.

7 Improvement or other works to the public highway shown on the submitted drawings require separate approval from the local highway authority and the planning permission hereby granted does not authorise these works.

8 The correct street number or number and name must be displayed prominently on the premises in accordance with regulations made under Section 12 of the London Building Acts (Amendment) Act 1939. Names and numbers must be agreed with the Department of the Built Environment prior to their use including use for marketing.

9 The Department of the Built Environment (Transportation & Public Realm Division) must be consulted on the following matters which require specific approval:

(a) Hoardings, scaffolding and their respective licences, temporary road closures and any other activity on the public highway in connection with the proposed building works. In this regard the City of London Corporation operates the Considerate Contractors Scheme.

(b) The incorporation of street lighting and/or walkway lighting into the new development. Section 53 of the City of London (Various Powers) Act 1900 allows the City to affix to the exterior of any building fronting any street within the City brackets, wires, pipes and apparatus as may be necessary or convenient for the public lighting of streets within the City. Early discussion with the Department of the Built Environment Transportation and Public Realm Division is recommended to ensure the design of the building provides for the inclusion of street lighting.

(c) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window sill, rainwater pipe, oil fuel inlet

pipe or box, carriageway entrance, or any other projection beneath, over or into any public way (including any cleaning equipment overhanging any public footway or carriageway).
You are advised that highway projection licences do not authorise the licensee to trespass on someone else's land. In the case of projections extending above, into or below land not owned by the developer permission will also be required from the land owner. The City Surveyor must be consulted if the City of London Corporation is the land owner. Please contact the Corporate Property Officer, City Surveyor's Department.

(d) Bridges over highways

(e) Permanent Highway Stopping-Up Orders and dedication of land for highway purposes.

(f) Connections to the local sewerage and surface water system.

(g) Carriageway crossovers.

(h) Servicing arrangements, which must be in accordance with the City of London Corporation's guide specifying "Standard Highway and Servicing Requirements for Development in the City of London".

10 The Markets and Consumer Protection Department (Environmental Health Team) must be consulted on the following matters:

(a) Approval for the installation of furnaces to buildings and the height of any chimneys. If the requirements under the legislation require any structures in excess of those shown on drawings for which planning permission has already been granted, further planning approval will also be required.

(b) Installation of engine generators using fuel oil.

(c) The control of noise and other potential nuisances arising from the demolition and construction works on this site the Department of Markets and Consumer Protection should be informed of the name and address of the project manager and/or main contractor as soon as they are appointed.

(d) Alterations to the drainage and sanitary arrangements.

(e) The requirements of the Health and Safety at Work etc Act 1974 and the other relevant statutory enactments in particular:

- the identification, encapsulation and removal of asbestos in accordance with a planned programme;
- provision for window cleaning (internal and external) to be carried out safely.

(f) The use of premises for the storage, handling, preparation or sale of food.

(g) Use of the premises for public entertainment.

(h) Approvals relating to the storage and collection of wastes.

(i) The detailed layout of public conveniences.

(j) Limitations which may be imposed on hours of work, noise and other environmental disturbance.

(k) The control of noise from plant and equipment;

(l) Methods of odour control.

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

Noise and Dust

(a)
The construction/project management company concerned with the development must contact the Department of Markets and Consumer Protection and provide a working document detailing steps they propose to take to minimise noise and air pollution for the duration of the works at least 28 days prior to commencement of the work. Restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(b)
Demolition and construction work shall be carried out in accordance with the City of London Code of Practice for Deconstruction and Construction. The code details good site practice so as to minimise disturbance to nearby residents and commercial occupiers from noise, dust etc. The code can be accessed through the City of London internet site, www.cityoflondon.gov.uk, via the a-z index under Pollution Control-City in the section referring to noise, and is also available from the Markets and Consumer Protection Department.

(c)
Failure to notify the Markets and Consumer Protection Department of the start of the works or to provide the working documents will result in the service of a notice under section 60 of the Control of Pollution Act l974 (which will dictate the permitted hours of work including noisy operations) and under Section 80 of the Environmental Protection Act l990 relating to the control of dust and other air borne particles. The restrictions on working hours will normally be enforced following

discussions with relevant parties to establish hours of work for noisy operations.

(d)
Deconstruction or Construction work shall not begin until a scheme for protecting nearby residents and commercial occupiers from noise from the site has been submitted to and approved by the Markets and Consumer Protection Department including payment of any agreed monitoring contribution.

Air Quality

(e)
Compliance with the Clean Air Act 1993

Any furnace burning liquid or gaseous matter at a rate of 366.4 kilowatts or more, and any furnace burning pulverised fuel or any solid matter at a rate of more than 45.4 kilograms or more an hour, requires chimney height approval. Use of such a furnace without chimney height approval is an offence. The calculated chimney height can conflict with requirements of planning control and further mitigation measures may need to be taken to allow installation of the plant.

Boilers and CHP plant

(f)
The City is an Air Quality Management Area with high levels of nitrogen dioxide. All gas boilers should therefore meet a dry NOx emission rate of <40mg/kWh in accordance with the City of London Air Quality Strategy 2015.

(g)
All gas Combined Heat and Power plant should be low NOX technology as detailed in the City of London Guidance for controlling emissions from CHP plant and in accordance with the City of London Air Quality Strategy 2015.

(h)
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.

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

Standby Generators

(j)
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.

(k)
There is a potential for standby generators to give out dark smoke on start up and to cause noise nuisance. Guidance is available from the Department of Markets and Consumer Protection on measures to avoid this.

Cooling Towers

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

Ventilation of Sewer Gases

(o)
The sewers in the City historically vent at low level in the road. The area containing the site of the development has suffered smell problems from sewer smells entering buildings. A number of these ventilation grills have been blocked up by Thames Water Utilities. These have now reached a point where no further blocking up can be carried out. It is therefore paramount that no low level ventilation intakes or entrances are adjacent to these vents. The Director of Markets and Consumer Protection strongly recommends that a sewer vent pipe be installed in the building terminating at a safe outlet at roof level atmosphere. This would benefit the development and the surrounding areas by providing any venting of the sewers at high level away from air intakes and building entrances, thus allowing possible closing off of low level ventilation grills in any problem areas.

Food Hygiene and Safety

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

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

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

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

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

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

12 The Director of Markets and Consumer Protection states that any building proposal that will include catering facilities will be required to be constructed with adequate grease traps to the satisfaction of the Sewerage Undertaker, Thames Water Utilities Ltd, or their contractors.

13 The Crime Prevention Design Advisor for the City of London Police should be consulted with regard to guidance on all aspects of security, means of crime prevention in new development and on current crime trends.

14 This permission is granted having regard to planning considerations only; notwithstanding the details of the scheme hereby approved , the development shall not compromise any rights of means of escape for adjoining sites.

15 The investigation and risk assessment referred to in condition **** must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme must be submitted to and approved in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, open spaces, service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This investigation and risk assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

16 The grant of approval under the Town and Country Planning Acts does not overcome the need to also obtain any licences and consents which may be required by other legislation. The following list is not exhaustive:

(a) Fire precautions and certification:
London Fire Brigade, Fire Prevention Branch
5-6 City Forum
City Road
London EC1N 2NY

(b) Public houses, wine bars, etc.
City of London Corporation
Trading Standards and Veterinary Service
PO Box 270
Guildhall
London EC2P 2EJ

(c) Inflammable materials (e.g., petroleum)
London Fire Brigade, Petroleum Department
5-6 City Forum
City Road
London EC1N 2NY

(d) Works affecting Transport for London operational land and structures:
Borough Integration and Partnerships
Transport for London
Windsor House
42-50 Victoria Street
London, SW1H 0TL

(e) Works affecting a GLA road:

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

17 The Directorate of the Built Environment (District Surveyor) should be consulted on means of escape and constructional details under the Building Regulations and London Building Acts.

18 Consent may be needed from the City Corporation for the display of advertisements on site during construction works. The display of an advertisement without consent is an offence. The City's policy is to restrain advertisements in terms of size, location, materials and illumination in order to safeguard the City's environment. In particular, banners at a high level on buildings or scaffolding are not normally acceptable. The Built Environment (Development Division) should be consulted on the requirement for Express Consent under the Town & Country Planning (Display of Advertisements) (England) Regulations 2007.

Background Papers

15/09/2020	Historic Royal Palaces
02/10/2020 & 17/12/2020	Letter and email, Historic England
02/10/2020 & 11/01/2021	Letter of objection PL 10 S.á.r.l., 2nd October 2020 including Heritage/Townscape Review – Lichfields
07/10/2020	Heritage Representation – Cogent Heritage) appended to Apartments & Store Properties
09/10/2020	City of London Conservation Area Advisory Committee
16/10/2020	Letter, Victorian Society
19/10/2020	Letter and report of objection Lambert Smith Hampton, including Aerial Appendix 1, Lambert Smith Hampton (City Apartments)
19/10/2020	Letter and report of objection Lambert Smith Hampton, including Aerial Appendix 1, Lambert Smith Hampton (Store Properties)
20/10/2020 04/11/2020	Email, Aiden Cosgrave- Delva Patman Redler (amended representation)
27/10/2020	Letter, The Georgian Group
04/11/2020	London Borough of Southwark
26/11/2020	Meghan Allen
11/12/2020	Applicant's (DP9 Ltd) Response to Planning Application Representations
06/01/2021	Representation The Aldgate School- Elizabeth Webb
06/01/2021	E mail representation Lambert Smith Hampton (City Apartments and Store Properties)
11/01/2021	Letter PL10 Sarl and Heritage/Townscape briefing note Lichfields
12/01/2021	NTR Planning on behalf of Property Class England 3 GmbH & Co. KG

Historic Royal Palaces



Historic Royal Palaces is the charity that looks after:

Tower of London
Hampton Court Palace
Banqueting House
Kensington Palace
Kew Palace
Hillsborough Castle and Gardens

We help everyone explore the story of how monarchs and people have shaped society, in some of the greatest palaces ever built.

We raise all our own funds and depend on the support of our visitors, members, donors, sponsors and volunteers.

15th September 2020

City of London
Development Division
PO Box 270
Guildhall
London
EC2P 2EJ
FAO Ms S Williams

Dear Sirs

55 Gracechurch Street, London EC3V 0EE
Planning Ref 20/00671/FULEIA

Thank you for your letter of 3rd September notifying us of this planning application and inviting us to submit observations within 21 days.

The applicants and their Design Team consulted with us in June and presented to us the design proposals and the impacts on the views from the Tower of London World Heritage Site.

The development site is located within the City of London's proposed southern extension of the City Cluster in the new draft City Plan 2036, which consolidates the inclusion of 20 Fenchurch Street as part of the Cluster. This we have objected to because it will lead to the infilling of the 'gap' between 20 Fenchurch and the cluster in detriment to the views from the WHS.

In views from the Tower, the development appears on the west side of the emerging cluster. We regret the 'legitimisation' of including 20 Fenchurch in the City Cluster and the potential consequences that will have, but do not object to this particular proposal because its impact on the Tower World Heritage Site would not be significant.

Yours faithfully

Adrian Phillips
Palaces & Collections Director

Direct Line: 020 3166 6380
Email: adrian.phillips@hrp.org.uk

Historic Royal Palaces
Apartment 21, Hampton Court Palace, Surrey KT8 9AU

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Historic England

Ms Sonia Williams
City of London
Department of the Built Environment
PO Box 270
Guildhall
LONDON
EC2P 2EJ

Direct Dial: 020 7973 3774

Our ref: P01255970

2 October 2020

Dear Ms Williams

T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990

55 GRACECHURCH STREET LONDON EC3V 0EE
Application No. 20/00671/FULEIA

Thank you for your letter of 3 September 2020 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

Summary

We have no objections to the principle of redeveloping the site and acknowledge the opportunity this brings for improvements to the public realm and to the settings of listed buildings around Brabant Court. However, we have serious concerns about the harm that the proposals would cause to highly significant designated heritage assets beyond the site by impacting upon their settings. These include the Tower of London, the Church of St Mary Woolnoth and Tower Bridge. We are especially concerned about the impact of the proposals on the significance of the Monument when viewed from the Church of St. Magnus the Martyr. The significance of the Monument is particularly evident in this view (on the historic approach from Old London Bridge), with the prominent classical column appearing unchallenged by modern development in its backdrop. The proposed new building at No. 55 Gracechurch Street would seriously encroach upon and reduce the prominence of the Monument, thereby harming its significance. Historic England is unable to support the proposals in their current form due to the harm they would cause.

Historic England Advice

Significance

The development site is not within a conservation area, and the existing eight storey building on the site is of no architectural or historic interest (*Shepherd Robson*, 1993).

It has a very deep floorplate that backs onto Brabant Court to the east. Three historic buildings of a domestic scale are located around this historic space (No. 4 Brabant Court (Grade II); Nos. 2-3 Philpot Lane (Grade II); Nos. 7-8 Philpot Lane (Grade II*)). The settings of these buildings are generally poor, and are characterised by large scale modern development to the west (the rear of the existing modern buildings along Gracechurch Street) and to the east (No. 20 Fenchurch Street). Brabant Court is a remnant of the historic network of alleyways that once characterised this part of the City, but it is underused and no longer leads anywhere.

Because of its height and scale, the proposed pair of tall buildings at No. 55 Gracechurch Street would have impacts on designated heritage assets well beyond the development site. These include the Tower of London (World Heritage Site; various listings and scheduled); Tower Bridge (Grade I listed); the Church of St. Mary Woolnoth (Grade I listed); and the Monument (Grade I listed and scheduled). The significance of these structures is well known, and they represent some of London's most important and internationally recognised monuments.

The Tower is a monument of exceptional historic and architectural importance, and has dominated London since the 11th century. It is a fortress and palace, prison and execution site, barracks and tourist attraction which, at its centre, includes the finest and most intact example of a Norman keep in Europe (the White Tower). The Tower has a historic relationship with the City of London, visually set apart from it. Maintaining this relationship is integral to safeguarding its landmark setting, which is an attribute of the Tower's Outstanding Universal Value.

With its distinctive form and silhouette, the Sir Horace Jones's nearby Tower Bridge from the late 19th century is both an engineering marvel and an internationally recognised symbol of London. On its approach from the east its structure creates the sense of a portal framing entry into central London.

The Church of St. Mary Woolnoth was completed in 1727 in the English Baroque style, and represents one of the most distinctive and original designs of its architect Nicholas Hawksmoor. It has an unusually imposing façade, which is dominated by two distinctive flat-topped turrets supported by Corinthian columns, a great illustration of Hawksmoor's skill in manipulating mass, Classical detail and sculptural forms to achieve a highly dramatic effect.

Christopher Wren designed the Monument to the Great Fire as a colossal Doric column that was completed in 1671. The structure, defined by its height and vertical emphasis, is symbolic of the regeneration of London following the Great Fire, and is one of the City's most significant monuments.

The proposals and their Impact

Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

The proposal, by Fletcher Priest Architects, is to demolish the existing building and replace it with a mixed use office building rising to 146m AOD at its highest point. The new design consists of a podium block fronting Gracechurch Street, with the tower above and set back from it. A second tower (the taller of the two) rises from the rear of the site, set perpendicular to the first. The ground floor would be permeable and publically accessible, and the historic alley between Gracechurch Street and Brabant Court reinstated in addition to the creation of a new north-south route between Fenchurch Street and Eastcheap. A public garden level will be provided at the top of the podium. The two towers are shaped as narrow rectangular forms with flat roofs. The roof storeys are intended to be partially transparent.

The proposals would have an impact on the settings of the aforementioned listed buildings in the immediate vicinity of the application site, but also on the settings of highly significant designated heritage assets further afield as demonstrated by the views set out below.

Tower Bridge: *View 10 Butler's Wharf* in the accompanying townscape analysis report is a view looking upstream towards Tower Bridge, with the City cluster beyond. The existing building at No. 20 Fenchurch Street is prominently visible in the backdrop of Tower Bridge, framed by the Grade I listed bridge's iconic form. The proposed new development would add considerable additional built form to this framed view and further reduce the amount of clear sky within the space between the two towers and upper and lower decks of the bridge that allows the unique form of the bridge to be appreciated and understood. The result is that the new proposals would add some harm to the considerable harm already caused by the presence of No. 20 Fenchurch Street to the significance of Tower Bridge through development within its setting.

The Tower: *View 50a Tower of London: Inner Wall/East of Wakefield Tower* is a view from within the Inner Ward of the Tower of London towards the historic group of buildings that make up the Queen's House. The tall building at No. 20 Fenchurch Street rises above the historic group as described above. The proposed new building will appear alongside No. 20 Fenchurch Street adding a layer of new development to the view and reducing the prominence of the historic buildings. In this case, the harm to the significance of the Tower of London through an increase of modern development in its backdrop would be minor, but the status of the Tower as a World Heritage Site means that preserving its significance must be given the greatest possible weight.

The Tower: *View 50d Tower of London: Inner Ward - North-west corner of the White Tower* is a view towards the Chapel of St. Peter ad Vincula and the Victorian barracks block. The tall building at No. 20 Fenchurch Street rises above the roofline of the chapel. As in View 50a, the proposed new building will appear as new development alongside No. 20 Fenchurch Street. The proposal would increase the amount of modern development encroaching into the Inner Ward and appearing in the backdrop

of the chapel, and would therefore cause minor additional harm to its significance and that of the Tower of London in general. Overall the cumulative harm caused by successive developments in the City Cluster encroaching upon Tower as seen from the Inner Ward would increase, but would remain at a low level as the new development is well integrated into the established cluster of commercial office buildings. However, again the status of the Tower as a World Heritage Site means that preserving its significance must be given the greatest possible weight

The Monument: *View 19 Lower Thames Street* outside the gates of the Church of St. Magnus the Martyr looks north towards the Monument with the City cluster in the background. The location of the view is significant, as it was along the alignment of Old London Bridge, and historically was part of an important processional route into the City from the south. The Monument appears prominently with most of its classical column visible and towering over the neighbouring development in much the same way it has since completion in the late 17th century. The new proposal would appear in the backdrop of the Monument, rising to the level of the viewing platform. It would cause marked harm to the significance of the Grade I listed building and scheduled monument by encroaching upon its setting and reducing its intended prominence from this important view leading into the City from the south.

Finally, the proposals would cause harm to the significance of the **Church of St. Mary Woolnoth** by impacting upon its setting in the view from Bank Interchange towards the development site. The distinctive silhouette of the towers of the Grade I listed church and the way in which Hawksmoor has composed a dramatic interplay of forms, currently accentuated by open sky beyond, would be encroached upon and disturbed by the proposed new development appearing in the backdrop, thereby causing a degree of harm.

Relevant policy
Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 make it a statutory duty for Local Planning Authorities to have special regard to the desirability of preserving the listed building or its setting.

Section 72 of the Act requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Government guidance on how to carry out this duty is found in the National Planning Policy Framework (NPPF). At the heart of the framework is a presumption in favour of ‘sustainable development’ where protecting and enhancing the built and historic environment forms part of one of the three overarching interdependent objectives (economic, social and environmental).

Section 16 of the NPPF sets out how the historic environment should be conserved and enhanced, and makes it clear at paragraph 190 that local authorities, which considering proposals that affect a heritage asset, should seek to avoid or minimise any conflict between the conservation of the heritage asset and any aspect of the proposal.

Paragraph 193 states that when considering the impact of a proposed development on a heritage asset (which includes its setting), local planning authorities should give 'great weight' to preserving the asset's significance. Any harm or loss should require clear and convincing justification and substantial harm or total loss should be exceptional. In the case of Grade II* or Grade I listed or registered assets or World Heritage Sites, substantial harm or loss should be wholly exceptional (paragraph 194).

Where harm is caused to a heritage asset, the NPPF requires decision makers to determine whether the harm is substantial, or less than substantial. The phrase "less than substantial harm" describes all harm that is not "substantial". This encompasses a range of harm. A finding of harm to the setting of a listed building is a consideration to which the decision-maker must give "considerable importance and weight" and "less than substantial harm" in NPPF terms does not imply "a less than substantial objection"

If the harm is deemed to be less than substantial, paragraph 196 of the NPPF requires that harm to be weighed against the public benefits of the proposals.

Both the 2016 London Plan and draft New London Plan (2019) have a robust policy position to protect London's World Heritage Sites. The draft New London Plan has been through its Examination in Public, with the policies referenced here supported by the Panel, meaning significant weight should be afforded to them. Draft policy HC2 of the New London Plan reinforces the protection provided to them in the current London Plan, stating that "development proposals in WHSs and their settings … should conserve, promote and enhance their OUV, including the authenticity, integrity and significance of their attributes, and support their management and protection. In particular, they should not compromise the ability to appreciate their OUV, or the authenticity and integrity of their attributes."

The City of London's Policy CS12: Historic Environment, seeks the "safeguarding [of] the City's listed buildings and their settings" and "Preserving and, where appropriate, seeking to enhance the Outstanding Universal Value…of the Tower of London World Heritage Site." Policy CS13: Protected Views, aims "to protect and enhance significant City and London views of important buildings, townscape and skylines…by…securing an appropriate setting of and backdrop to the Tower of London World Heritage Site, so ensuring its OUV."

The same policy also seeks to protect the immediate setting of the Monument and views to and from it. Viewpoints are identified at Princes Street and King William Street, Monument Street and Tower Bridge, Gracechurch Street and Queen's Walk (Southwark).

From its introduction onwards the World Heritage Site Management Plan is clear that "the greatest challenge to the World Heritage Site… remains the impact on its setting of development and tall buildings." It describes the Tower's setting in detail in section 2.4. Key elements of the Tower's setting that are sensitive for the management of its OUV are highlighted in paragraphs 7.3.17-18 and 7.3.27, namely the potential of new development to change the relative scale of the Tower in views, and the degree to which the Tower's relationship with the cluster can be understood by the sky space around the White Tower.

Historic England position

The replacement of the existing building, which is not of architectural or historic interest, would not in our view cause harm to heritage significance.

However, the impacts identified above to the settings of designated heritage assets beyond the application site would result in a series of harmful impacts to assets of the highest possible significance. The NPPF requires great weight to be given to the conservation of designated heritage assets, and the more significant the asset, the greater the weight that should be given (paragraph 193). The significance of the designated assets affected by the proposals means that the greatest possible weight should be given to their conservation.

Historic England is unable to support the proposal due to the harm to the significance of the historic environment, and in particular to the Monument where the effects of the scheme are particularly marked. Local Authorities should seek to avoid or minimise any such harm (paragraph 190).

As the proposals have an impact on the Tower WHS we also advise that you ensure that a Heritage Impact Statement in line with ICOMOS guidance has been submitted.

Where a development proposal causes harm, and the harm has been minimised and is less than substantial, Local Authorities need to weigh the residual harm against the public benefits of the proposal (paragraph 196). We recognise the opportunities for enhancement of the public realm through the reinstatement of a network of permeable alleyways that once characterised the area. The urban design improvements in and around the site might also be welcome, and the images we have seen suggest the proposals would enhance the settings of the adjacent listed buildings around Brabant Court. However, we do not think these benefits would outweigh the harm to the historic environment that would result from the current scheme.

Recommendation
Historic England objects to the application on heritage grounds.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Please contact me if we can be of further assistance.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

The full GLAAS consultation criteria are on our webpage at the following link:

https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/

Yours sincerely

Michael Dunn
Principal Inspector of Historic Buildings and Areas
E-mail: michael.dunn@HistoricEngland.org.uk

Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

F om [redacted]
To [redacted]
Subject RE: 20/08671/ U E A - 55 G aceche ch St eet orel n 4CIV 6E
Date 7 Decembe 2020 11 18 16
Attachments A 14 A.JPG (6.30 MB)

Dea Ms W ams

Thank you o you e-consu tat on on he p ann ng app cat on fo 55 G aceche ch St eet

The p ans do not appea o have been subs ant ve y amended to account fo H sto c Eng and o ob ect ons so I w esend M chae Deans ette dated 2nd Octobe - p ease f nd th s attached

K nd Rega ds

Jess ca

Jess ca Lake
Bus ness O f ce
London and South East Reg on

020 7973 3856

H s o c Eng and 4th F oo Cannon B dge House 25 Dowga e H London EC4R 2YA

P ease note I wo k Tuesday Thu sday and F day and am ava ent y two k ng f om home

--- -O g na Message- --
F om PLNCommen@c tyof ondon gov uk <PLNCommen s@c yof ondon gov uk>
Sent 15 Decembe 2020 10 47
To London eP ann ng <e- ondon@th to cenq and o g uk>
Subject 20 08671 FULEIA - 55 G aceche ch St eet London EC1V 0EE

THIS IS AN EXTERNAL EMAIL do not c ck any nks o open any at achmen s un e s you t ust the sende and wa e expect ng the content to be sent to you Dea S Madam

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K nd Rega ds

P ann ng Adm n st at on
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C ty of London Co po at on

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Data s
OUR REF 20 08671 FULEIA
ADDRESS 55 G aceche ch St eet London EC3V 0EE (G d Refe ence 532965 180891)
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Begum, Shupi

From: Antoine KARAMOSKO [redacted]
Sent: 02 October 2020 08:48
To: PLN - Comments
Cc: 'Alberto MORANDINI'
Subject: Letter of Objection - 20/00671/FULEIA - 55 Gracechurch Street
Attachments: PL 10 S.à.r.l. - Letter of Objection 20_00671_FULEIA - 55 Gracechurch St London.pdf; 62547_01 55 Gracechurch Street Heritage Independent Review_Final 30-09-2020.PDF

Importance: High

Dear Sirs,

Please find attached a **Letter of Objection** and accompanying Report to Planning Application 20/00671/FULEIA on behalf of PL 10 S.à.r.l. the freehold owners of a neighbouring property to the site of the proposed development, being 10 Philpot Lane.

For the reasons set out in the attached letter, we strongly object to the application and would ask that the Letter of Objection and accompanying Report are brought to the attention of the applicant and relevant Planning Committee.

Yours faithfully,

PL 10 S.à.r.l.

Antoine KARAMOSKO
Gérant
FARES FINANCE S.A.R.L.
Tel.: + [redacted]
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L-2714 Luxembourg

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PL 10 S.à.r.l.
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Sonia Williams
Department of the Built Environment
City of London
PO Box 270
Guildhall
London
EC2P 2EJ

By email only to PLNComments@cityoflondon.gov.uk

Dear Sirs

Letter of Objection

Planning Application: 20/00671/FULEIA

Site: 55 Gracechurch Street, London, EC3V 0EE

1. **Introduction**

1.1 This letter of objection is submitted to the City of London by PL 10 S.à.r.l., the freeholder owners of a neighbouring property to the Site, being 10 Philpot Lane.

1.2 We have undertaken a review of the available information relating to the above planning application and have substantive concerns as to the potentially adverse effect the proposed development could have on both 10 Philpot Lane and the wider City of London. Our initial review have raised concerns or matters that require further clarification in the following areas:

1.2.1 impact on Heritage Assets and Townscape;

1.2.2 adequacy of Environmental Assessment;

1.2.3 transport and servicing;

1.2.4 wind impacts; and

1.2.5 daylight/sunlight impacts.

1.3 We are continuing to review the details submitted for the proposed development and, as set out in this objection letter, request further information be provided by the applicant to enable further consideration and therefore reserve our position in relation to these issues.

2. **Impact on Heritage Assets and Townscape**

2.1 As part of our review of the planning application we have instructed the heritage team at Lichfields to carry out a third-party review of the proposed development in relation to heritage and townscape issues. A copy of that review is attached to and forms part of this letter of objection. Whilst we will not repeat at length the content

of the Lichfield's review, it is important that the key aspects are drawn out and highlighted to the City of London in consideration of the planning application.

2.2 As the applicant makes clear the City of London is under an important statutory duty to have regard to the requirements of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Act") in determination of this application. The principal statutory considerations of relevance within the Act are:

Section 66(1) which states that:

"in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

and

Section 72(1) which states that:

"in the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

2.3 Paragraphs 193 to 197 of the National Planning Policy Framework (NPPF) explain how the Act is expected to work in practice and makes clear that the City of London must consider the impact of the proposed development on the significance of the designated heritage asset and that *"great weight should be given to the asset's conservation"*.

2.4 In this context, any substantial harm should lead to the refusal of planning consent in the absence of substantial public benefit (paragraph 195) and where there is likely to be less than substantial harm a *"balanced judgement will be required having regard to the scale of the harm or loss and the significance of the heritage asset"* (paragraph 197).

2.5 As is made clear in the Court of Appeal decision in *Catesby Estates Ltd -v- Peter Steer and Secretary of State for Communities and Local Government [2018] EWCA Civ 1697*, this assessment of harm requires careful consideration having regard to the particular facts and circumstances of each case. This is reflected at paragraph 29 of the judgement which indicated that:

"Under current national planning policy and guidance in England, in the NPPF and the PPG, the decision-maker has to concentrate on the "surroundings in which [the heritage] asset is experienced", keeping in mind that those "surroundings" may change over time, and also that the way in which a heritage asset can be "experienced" is not limited only to the sense of sight. The "surroundings" of the heritage asset are its physical surroundings, and the relevant "experience", whatever it is, will be of the heritage asset itself in that physical place."

2.6 As the City of London will be aware, the relevant statutory development plan for the proposed development comprises the City of London Local Plan 2015 and the London Plan (2016, as amended). Alongside the development plan, the NPPF 2019, Intend to Publish London Plan 2019, City of London Draft City Plan 2036, Conservation Area Supplementary Planning Documents, Tall Buildings in the City of London Report (2019) and the Protected Views SPD (2012) are material considerations.

2.7 Of particular importance to this letter of objection is policy 'CS14: Tall Buildings' of the Local Plan, which outlines the City's tall buildings policy and recognises the unique environment and built heritage of the City and its sensitivity to the development of tall buildings:

*"To allow tall building of **world class architecture** and sustainable and accessible design in suitable locations and to ensure that they take full account of the **character of their surroundings**, **enhance the skyline** and provide a **high quality public realm** at ground level, by:*

1. *Permitting tall buildings on suitable sites within the City's Eastern Cluster.*

2. *Refusing planning permission for tall buildings within inappropriate areas, comprising: conservation areas; the St Paul's Heights area; St Paul's protected vista viewing corridors; **and Monument views and setting**, as defined on the Policies Map.*

3. *Elsewhere in the City, permitting proposals for tall buildings only on those sites which are considered suitable having regard to: the potential **effect on the City skyline**; the **character and amenity of their surroundings**; including the relationship with existing tall buildings; the **significance of heritage assets and their settings**; and **the effect on historic skyline features**.*

4. *Ensuring that tall building proposals do not adversely affect the operation of London's airport."*

(***our emphasis***)

2.8 The Site is located outside the Eastern Cluster of the Local Plan, an established area of tall buildings, and whilst the draft City Plan seeks to rename and expand the area the 'City Cluster' to include 20 Fenchurch Street, the Site continues to be outside the boundary, save for potentially a small sliver of its northern edge. The planning application therefore sets out a case for the scale/nature of the development being appropriate as it sits at the 'periphery' of the revised City Cluster. However, for reasons which are detailed in the Lichfield's review, we consider that the proposal is contrary to Policy CS14 for reasons which are unaffected by the revision of the Cluster boundary. We are also concerned that it may set an undesirable precedent with the risk of a perpetual enlargement of the defined cluster through the cumulative impact and creep of such additions to the 'periphery'.

2.9 The Site is located outside an area identified as being 'inappropriate for tall buildings' and is outside the City's established area for tall buildings. Therefore, as provided for in the Tall Buildings SPD, *"all other sites in the City are considered to be sensitive to tall buildings"*.

2.10 The Lichfield's Review that accompanies this letter of objection analyses each of the elements of Policy CS14 that the proposed development must be assessed against and comes to the clear conclusion that the application fails to accord with the policy requirements on a number of accounts, which are summarised below:

2.10.1 it falls considerably below the requirement for world class architecture and represents a missed opportunity to enhance the skyline;

2.10.2 it does not take account of the character of the surroundings, notably the prevailing scale of development in the three adjacent conservation areas and other non-designated but complementary townscape on Gracechurch Street;

2.10.3 it creates a substantial and alien protrusion in the centre of the city block in an area of low/mid-rise courtyard character which is uncharacteristic of the townscape;

2.10.4 it affects the quality of townscape views on the ground and screens existing views of dynamic and varied townscape/roofscape and buildings of the highest significance as seen from the Monument;

2.10.5 it would cause harm to the significance of a number of the heritage assets of the highest importance, including the Grade I Church of St Mary Woolnoth, the Grade I Church of St Magnus the Martyr, the Grade I Monument and Grade II* 7 and 8 Philpot Lane;

2.10.6 it would result in harm to the character of a small portion of the Eastcheap Conservation Area and harm more widely to its setting (including harm to the setting of Grade II Brabant Court), as well as harm to the significance of the Grade II 2 and 3 Philpot Lane due to the impact upon its setting and removal of its chimneystack. There would also be harm to the setting of the Leadenhall Market and Bank Conservation Areas.

2.11 For the reasons set out in the Lichfield's Review, we do not agree with a range of the findings of the Heritage, Townscape and Visual Impact Assessment ("HTVIA") and have concerns as to the balanced and objective consideration of the findings of the assessment. In addition the HTVIA appears to underplay the impact of the proposed development on the setting of a range of other very important heritage assets.

2.12 It is, for these reasons, clear in review of the HTVIA submitted with the planning application that the proposed development will, at the very least, cause less than substantial harm, to the character of a range of heritage assets by virtue of its height, form and design and does not satisfy a number of key requirements of Policy CS14. The proposed rectangular interconnected design falls well below the required standard of world class architecture and would clash with those buildings that do meet this standard in the immediate vicinity.

2.13 In addition to the consideration of Policy CS14, Policy DM10.1 of the Local Plan requires all developments to be of a high standard of design and to avoid harm to the townscape and public realm by ensuring that:

"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".

2.14 Whilst the applicant makes reference to and acknowledges major change to the skyline composition as a consequence of the development, it fails to grapple with the specific terms of the policy. As a consequence, very limited reference to massing, form and scale is included in the HTVIA.

2.15 This approach, to put it at its lowest level, oversimplifies the townscape and visual assessment process by failing to fully grapple with the requirements of Policy DM 10.1. As a consequence, the assessment fails to provide any detailed and proper consideration of the *"general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality"* and then falls short of adequately explaining the proposal's contribution of the development to *"the character of streets, squares, lanes, alleys and passageways".* It is our opinion that this is a failure of the submitted assessment and that the requirements of Policy DM 10.1 remain to be properly addressed by the applicant.

2.16 We believe, in any event, that any robust and effective assessment of the planning application against planning policy would demonstrate that the proposed development will dilute and harm the special architectural qualities and distinctiveness of the City of London.

2.17 In short, we consider that the planning balance when considered through the lens of established and emerging policy is very firmly tipped against the planning application proposal.

3. **Adequacy of the Environmental Assessment**

3.1 It is not currently clear whether the submitted Environmental Statement adequately considers and assesses the proposed development.

3.2 The application documents, including the Environmental Statement, all refer to the proposed development as being office led (Class B1) with flexible retail use (Classes A1- A5) at ground and first floor. The impact of the proposed development has therefore been assessed against these proposed uses to determine whether it is acceptable and appropriate in this location.

3.3 Paragraph 5.4 of the Planning Statement explicitly states that notwithstanding the recent amendments brought forward in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the planning application is to be determined in accordance with reference to the Use Classes as defined in the Town and Country Planning (Use Classes) Order 1987 as at 31 August 2020.

3.4 Notwithstanding the above, the City of London's planning website has amended the description of the proposed development so that it no longer refers to the Use Classes Order as at 31 August 2020 but refers instead to the new Use Class E that came into force on 1 September 2020. The changes of use permitted through the creation of Class E represent a marked changed from the previous position, and amending the description of the development in this way would allow a significantly different range of uses to that stated in the application and which formed the basis of assessment in the Environmental Statement.

3.5 As a result of the above inconsistency, the City of London need to determine that the Environmental Statement, as well as all other assessments, submitted as part of the application are suitable following the amendment to the description of development and continue to adequately assess the proposed development.

4. **Transport and Servicing**

4.1 We have instructed Vectos to review the transport related documents that have been submitted with the planning application.

4.2 The pedestrian network in the vicinity of the proposed development is heavily congested, as identified in the Pedestrian Comfort Level (PCL) assessment. The proposed development will put an additional burden on this infrastructure and whilst the proposal seeks to mitigate this impact through the relocation of the existing bus shelter, this does not appear to be a practical solution for a number of reasons. Should the bus stop not be on the side of the road, as is standard, there is an increased likelihood of not being able to flag the bus to stop. There is also a concern as to the general visibility of the revised location for bus users to stand to wait without causing obstruction to pedestrians. Of the most significance is the likelihood that users of the relocated bus shelter will have to make conflicting movements across the footway and the flow of pedestrians so as to access the bus in a timely manner, a problem that will be compounded for users with mobility or disability concerns.

4.3 The transport documents identify that the proposed development will be serviced using Talbot Close, which will utilise two relatively small vehicle lifts as part of the ground floor public realm for use overnight. It is understood that the proposed lift sizes will provide a maximum vehicle length of 7.21m for the service of up to a 7.5 tonne panel van which results in very little clearance for anticipated vehicles to access the lift and a constrained layout at basement level which requires onerous turning manoeuvres. There is a clear practical concern that if the lifts are not easy to access or use, it may result in delivery vehicles not using the loading facilities at all, and instead unloading on Talbot Court and simply using the lifts for the movement of goods - a practice which we understand is commonplace at the moment. Not only could such use lead to congestion on Talbot Court, which serves other uses such as the public house, it could result in safety issues with vehicles reversing into Talbot Court across the footway from Gracechurch Street, with the associated highway

safety risks. There appears to be a general lack of contingency planning should the proposed servicing arrangements not be available for any reason.

4.4 It is also noted that the servicing assessment submitted is based on Net Internal Area, although a sensitivity test based on Gross External Area has been undertaken. When assessing the proposals against the Gross External Area, the assessment indicates that the number of daily deliveries exceeds the theoretical capacity, being 48 daily servicing movements.

4.5 With regard to the trip generation potential of the proposed development, it is not clear why a survey of the existing site has not been undertaken and this should be clarified by the applicant. The trip generation is set out in section 5.3 of the Transport Assessment and is not split between uses and therefore it is difficult to understand the data and how the total trip generation has been calculated, which should also be clarified by the applicant. In light of the uncertainties identified above, further investigation of the site selection process within TRICS is required as it is not clear if the applicant has provided a like for like comparison of existing and proposed office uses. From an initial review, it appears as though an assessment may have been undertaken for the existing office based on floor space and the proposed office based on number of employees. Further clarification is required.

4.6 Finally, we note that a Healthy Streets Checklist assessment does not appear to have been provided. This is typically required by the GLA for highways/public realm works greater than around £100,000 in value. As such, we would be grateful if further details could be provided as to why a Healthy Streets Checklist assessment has not been provided.

5. **Wind Impacts**

5.1 We have instructed Nova Fluid Mechanics to review the relevant details submitted with the planning application. To enable an effective review of the assessments and conclusions reached, further information is required from the applicant as it is not provided or not easily obtainable in the application documents.

5.2 As such, we would consider it necessary for the City of London to raise the following with the applicant:

5.2.1 a request to provide a comparison of the simulated atmospheric boundary layer in the wind tunnel with the output from the wind climate model of the proposed development site for consistency with City of London Guidelines. If any mismatch between the target and the measured profile should be present, commentary should be provided on the relevance of this mismatch to the results of the wind tunnel study;

5.2.2 a request to provide the blockage ratio for the worst case configuration (most built up / worst wind direction) for wind tunnel tests to demonstrate compliance with City of London Guidelines and confirmation as to how blockage is calculated;

5.2.3 a request to provide a short report showing and discussing the comparison between the CFD and wind tunnel results be submitted. It is noted that the results of the wind tunnel studies and CFD studies are presented separately. In particular ES Chapter 11 only contains the results of the wind tunnel studies. While it is acknowledged that the full set of information for the peer review might have been documented, it is impractical to review two separate documents that present results in different ways. For instance the results of the wind tunnel studies are presented for the windiest season while those of the CFD studies for the winter season. The reviewer cannot assume that this be the same without confirmation from the respective wind consultants;

5.2.4 confirmation that the final configuration of the building and the surrounds/landscaping analysed through CFD and wind tunnel studies are identical;

5.2.5 confirmation that the final configuration of the building and the surround analysed through CFD and wind tunnel studies correspond to the latest building design; and

5.2.6 a request for a description of the methodology adopted for the CFD studies to include all relevant input parameters (for example methodology, number of cells, profile etc). The appropriateness of the CFD study cannot be reviewed as the report mainly presents the results of the study.

5.3 On receipt of the information requested above, we reserve the right to make further submissions on the impact of wind from the proposed development.

6. **Daylight and Sunlight Impacts**

6.1 We have instructed Anstey Horne to review the content of the Daylight/Sunlight information submitted with the planning application and the potential impacts on our property at 10 Philpot Lane.

6.2 Anstey Horne have identified that there would be a material impact upon daylight, which is not surprising as the proposed scheme will present a 30 storey obstruction, the width of which will extend across the full extent of the rear boundary of our building and significantly beyond, to that a number of windows will face a continuous 30 storey wall of obstruction.

6.3 In particular, we are concerned with the impacts of the proposed development on the offices on the lower floors of our property that are lit through windows in two facades of a small lightwell. Some of the rooms served by those windows are not well lit in the existing condition and the proposed development would virtually obliterate that existing light, leaving them with little or no natural light. One or two floors above that have a greater level of existing light and that too will be virtually obliterated in certain rooms. These impacts will definitely impact upon the use and enjoyment of the relevant office space. In effect, the development entirely ignores the windows in our property.

6.4 The impact upon our building was scoped out of the daylight and sunlight assessment undertaken by GIA on behalf of the applicant. In Anstey Horne's opinion our building should have been included because of its close proximity to the site, but absent a technical assessment from GIA at present it is still clear and evident that any reductions in daylight are likely to be materially beyond the 20% guideline set out in the BRE document.

6.5 We have yet to conclude our detailed impact assessment of the proposed development and reserve our position in relation to these issues. We do, however, have serious concerns that our property will experience a significant adverse impact as a result of the construction of a tall building in this location.

We reserve our position in response to any further amendments or submissions made by the applicant and in connection with any forthcoming change in national or local policy.

For the reasons set out above, we strongly object to the Application and would ask that these concerns are brought to the attention of the applicant and relevant Planning Committee.

Yours faithfully

[redacted]

Antoine KARAMOSKO

[redacted]

[redacted]

Alberto MORANDINI

On behalf of
PL 10 S.à.r.l.

Enc.

55 Gracechurch Street Third-Party Heritage/Townscape Review

PL 10 SARL

Wednesday, September 30, 2020

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1.0 Introduction

1.1 This report comprises a third-party review of the proposed development at 55 Gracechurch Street ('the Site') (application ref. 20/00671/FULEIA) in relation to heritage and townscape issues. This briefing note focuses on material adverse effects additional to those previously identified within the HTVIA. Where the assessment undertaken in this review either reaches the same conclusion, or where it differs in professional opinion, but not to a material extent, to the conclusions about magnitude or direction (beneficial vs adverse) of effects reached within the HTVIA, those points are not discussed within this report.

1.2 The existing building on the Site comprises a seven-storey building with office and leisure uses built in 1992. The description of development for the Site is:

"Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD."

1.3 The proposal would also entail removal and relocation of a pair of Grade II listed gates on St Benet's Court and removal of a chimney attached to the Grade II listed 2-3 Philpot Lane.

2.0 Policy baseline

2.1 The heritage statutory considerations for the proposal are s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act"). S.66(1) imposes a duty upon the local planning authority when making planning decisions to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses; and s.72(1) imposes a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

2.2 The relevant statutory development plan for the Site comprises the City of London Local Plan (including the Proposals Map) 2015 and the London Plan (2016, as amended). The National Planning Policy Framework (February 2019), Intend to Public London Plan 2019, City of London Draft City Plan 2036, conservation area Supplementary Planning Documents (SPDs) (for Leadenhall Market, Bank and Eastcheap Conservation Areas), Tall Buildings in the City of London (2019) report and Protected Views SPD (2012) are material considerations.

2.3 The City of London's Core Strategic Policy CS14: Tall Buildings is set forth *"to allow tall buildings of world class architecture and sustainable and accessible design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level by:*

1 *Permitting tall buildings on suitable sites within the City's Eastern Cluster*

2 *Refusing planning permission for tall buildings within inappropriate areas, comprising: conservation areas… and Monument views and setting, as defined on the Policies Map.*

3 *Elsewhere in the City, permitting proposals for tall buildings only on those sits which are considered suitable having regard to:*

- *the potential effects on the City skyline;*
- *the character and amenity of their surroundings, including the relationships with existing tall buildings;*
- *the significance of heritage assets and their settings;*
- *and the effect on historic skyline features…"*

2.4 The City of London's Core Strategic Policy CS13: Protected Views is set forth *"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, by: … 2. Protecting and enhancing: local views of St. Paul's Cathedral, through the City's "St. Paul's Heights" code; the setting and backdrop to the Cathedral; significant local views of and from the Monument; and views of historic City landmarks and skyline features…"*

3.0 Location in relation to City of London spatial policy areas

3.1 The Site is located outside the Eastern Cluster, an established area of tall buildings, as set out in the adopted Local Plan. The draft Local Plan extends the renamed 'City Cluster' to include 20 Fenchurch Street but continues to exclude the Site from the boundary.

3.2 The Site is not within an area identified as being 'inappropriate for tall buildings' under Policy CS14; however, this policy makes clear that exclusion from this zone does not automatically mean the Site will be appropriate for tall buildings, but must undergo rigorous testing for suitability elsewhere in the City (see para. 2.3, above). The Tall Buildings SPD states that outside the area designated as 'inappropriate for tall buildings', *"all other sites in the City are considered to be sensitive to tall buildings"*.

3.3 The Protected Views SPD sets out an area identified as the 'immediate setting' of the Monument (bounded by Eastcheap, Pudding Lane, Lower Thames Street and King William Street). The SPD specifies that within the Monument's 'immediate setting', development should not 'impinge upon the general open character'. While the Site doesn't fall within this immediate setting, its southern boundary is c.50m north-east of the edge of this zone. In practice, to preserve the character of openness, the considerations regarding the height of buildings will apply to areas (including the Site) beyond the narrow 'immediate setting area'.

3.4 The Protected Views SPD sets out designated views from the Monument, almost all of which are panoramas to the south (including south-east and south-west), with one view to the west-northwest. However, whilst not expressly designated, the views to the north of are of importance in heritage and townscape terms given the panoramic nature of views from the Monument, as discussed below in Section 4.0.

3.5 A small area of the south-west corner of the Site lies within the Eastcheap Conservation Area. The southern and eastern edges of the Site adjoins the conservation area, forming one of the sides of both Brabant Court and Talbot Court. The Site is situated within a pocket between Leadenhall Conservation Area to the north, Bank Conservation Area to the west and Eastcheap Conservation Area to the east/south-east.

4.0 Review of proposal in relation to Policy CS14

4.1 This section assesses the proposal against the criteria set forth in Policy CS14.

World class architecture and enhancement of the skyline

4.2 Policy CS14 sets out the policy which allows for tall buildings of world class architecture, which enhance the City skyline, subject to meeting the stringent requirements set out elsewhere in this planning policy, amongst others. The SPD on Tall Buildings makes clear that while there are certain areas of the City which are wholly inappropriate for tall buildings, in practice all areas of the City are sensitive, given the importance of preserving London's distinctive and world-class skyline and the centuries-worth of layered history in this part of London.

4.3 The proposed development is on an L-shaped plan divided into two rectilinear forms. The HTVIA sets out an analysis of the architectural and townscape characteristics of the proposed development, which is not repeated here. The towers are described in the HTVIA as having *'ever-changing profiles of elegant, slender silhouettes', 'the ends with a more glassy openness'* and *'intense natural light' 'gleaming'* from the top floor. The proposed development is also described as being *'the last likely tall building immediate to the south-west of the Eastern Cluster'*.

4.4 Within the townscape, the proposed development reads as two rectangular interconnected structures. It is of a contemporary design given the glassy appearance of the tower elements, with efforts made to differentiate the towers in the articulation of the façades of the two interconnected elements. However, the building reads as two rectangular masses without differentiation in its roofline or massing to distinguish it within the skyline from other similar rectangular prism designs.

4.5 In comparison to other landmark buildings in the Eastern Cluster ('the Gherkin', the Grade I listed Lloyds Building and 122 Leadenhall Street ('the Cheesegrater'), amongst others), landmark buildings outside the Eastern Cluster (2o Fenchurch Street) and elsewhere in London ('the Shard') which have distinctive and memorable forms with international renown as part of London's skyline, designed by world-renowned architects, there is little to distinguish the proposal for 55 Gracechurch Street from other tall buildings in London's skyline, and the addition to it would be of a form found in many urban skylines throughout the world.

4.6 The curvature of 20 Fenchurch Street was subject to careful consideration and is integral to how the building is appreciated within the skyline. The inspector's report, in the 'Case for the City of London Real Property Company Limited', notes that the north and east elevations reflect the curves of Fenchurch Street and Rood Lane, and the concave southern elevation reflects the bend in the River to the south. The design's curve was subject to extensive review to ensure it responded positively to the City cluster in the gentleness of its curve. The inspector's conclusions noted that the distinctiveness of tall buildings was becoming a *'feature of the City skyline'*. The fact that 20 Fenchurch is unique and eye-catching is part of why it was deemed to be a world-class building. Many of the AVRs of 55 Gracechurch Street show that the distinctive curvature of the sides of 20 Fenchurch Street would be masked by the proposed development, given its height and the nature of its rectangular shape. The proposed development on the Site would clash with the curving form of 20 Fenchurch and diminish the ability to appreciate its distinctive silhouette.

4.7 The silhouette and roofline of the building falls short of meeting the requirements for *'world class architecture'* which would '*enhance the skyline' as* required by Policy CS14.

High quality public realm at ground level

4.8 Policy CS14 sets out a requirement for tall buildings to provide high-quality public realm at ground level, having regard to the character and amenity of their surroundings.

4.9 Within Brabant Court, the proposed development replaces coherent active, low-rise townscape with a blank wall containing the arched walkway entrance. The wall has been modelled to include a textured, diaper-work pattern within the brick and 'greening' which help to mitigate the starkness of the blank façade. However, when compared to the existing position – that of coherent, active townscape with regular fenestration and clear articulation of elevational hierarchy – the proposed development represents an adverse change to the townscape. The low, narrow window does not reflect the regularity of fenestration characteristic of the courtyard, nor does it relate to the windows of the adjacent listed building.

4.10 In addition, the contemporary tower element bears little relationship to the human-scale historic townscape, as seen in Views 57 and 58. The tower projects above without appearing to integrate into the base of the proposal, protruding as an uncharacteristic form. The views shown in 57 and 58 are close-up so the height of the tower is not perceptible in the AVRs but the tower would be visible as a significant modern mass looming above the historic townscape, in an area where there are otherwise no tall buildings. In this location, the tall building appears as an uncharacteristic intrusion in terms of its scale and prominence.

Character of surroundings

4.11 Policy CS14 sets out a requirement for tall buildings to provide high-quality public realm at ground level, having regard to the character and amenity of their surroundings.

4.12 The implications of development at Site are important in townscape terms given the sensitivity of its location – including proximity to several conservation areas and listed buildings. The area in which the Site falls gives a sense of being a lower-rise area of buildings in contrast to the cluster of tall buildings to the north, in the City Cluster. The height and massing of the Site belongs more to the largely low-rise townscape character of the Leadenhall Market, Eastcheap and Bank Conservation Areas (punctuated by occasional mid-rise buildings which appear tall in comparison) than it does to the high-rise City to the north.

4.13 No. 20 Fenchurch Street is an outlier in this area, sitting outside the Eastern Cluster. While there is a proposed extension of the City Cluster to include 20 Fenchurch within it, which seems to be aimed at rationalising its relationship with other tall buildings in the City, the proposed revision nevertheless continues to exclude the Site from its boundaries. Comparing the location of the Site to 20 Fenchurch Street, the Site sits in a pocket between the Leadenhall Market, Bank and Eastcheap Conservation areas, all of which have a low/mid-rise scale in the area surrounding the Site. This is compared to 20 Fenchurch Street, which sits at the east edge (albeit a jagged one) of this group, with mid/high-rise buildings as the townscape context in the non-designated area to the east. The Site is therefore more sensitive in terms of its location; while 20 Fenchurch Street may serve to define the extent of the conservation area given its location at the east 'edge', the proposed development instead intrudes in the centre of these areas of low/mid-rise townscape.

4.14 The proposed development challenges the traditional form of the streetscape in this area and takes the City in a new direction, extending tall development further south and opening up the possibility for further tall or mid-rise development appearing outside the Eastern (and City) clusters.

4.15 The proposed development is a deep, mid-terrace building, which suddenly rises up in the centre of the street and block. This is in contrast to the prevailing character of the City where

taller buildings are either grouped or occupy city blocks or corner sites. As such, the proposed development is an uncharacteristic form at odds with the character of the surroundings. This creates a disproportionately adverse impact. This is evident particularly in View 52, 53, 57 and 58 (in the latter two the tower is cropped from view but will naturally be visible and dominant in views given the contrast between it and the prevailing townscape). In addition, the proposed development is completely at odds with the scale of the Grade II* 7 and 8 Philpot Lane, Grade II 2 and 3 Philpot Lane and Grade II Brabant Court does not reflect the character of the inner courtyards.

4.16 In some local views (for example, View 22 from Monument Street looking north into Pudding Lane) the mass and height of the proposal is such that the sky is completely blocked in the view, erasing views of other tall landmark buildings in the background which provide a dynamic roofscape and aid wayfinding. The character and amenity of the surroundings would be adversely affected.

4.17 The lack of relationship between the historic townscape and the proposed development is seen in View 19. In the existing view, No. 22 Bishopsgate preserves a wedge of blue sky in between it and the Monument to retain the prominence of the Monument in this view. The height steps upward, making a gentle transition between 22 Bishopsgate and the roofscape visible to the left. In contrast, the proposal challenges the prominence of the Monument due to its height, as shown in View 19. The proposed development removes the blue-sky background and replaces it with built form; this represents a c.50% reduction in the amount of blue sky behind the Monument. The darker colour of the taller element also draws the eye away from the Monument. In addition, the proposed development sits awkwardly in relation to the capital of the Monument and the upper left corner of the building sits awkwardly in this view, providing a jarring contrast.

4.18 For the reasons set out above, the proposed development does not adequately integrate with the existing townscape character within a sensitive area, to be able to meet the requirements of CS14.

Significance of heritage assets and their settings

4.19 Policy CS14 (together with Policy CS13 on Protected Views and the policies within Section 3.12 Historic Environment of the Local Plan) requires new development, including tall buildings, to have regard to the setting and significance of heritage assets. The requirement to preserve or enhance the character and appearance of conservation areas, and to preserve the special interest or setting of listed buildings, is set out in legislation and supported by both the NPPF and the London Plan Policies

4.20 This section identifies instances of harm to the setting and significance of a number of listed buildings as a result of the proposed development which must be given special regard.

Bank Conservation Area

4.21 The conservation area is on the west side of Gracechurch Street, directly opposite the Site. Currently the east side of Gracechurch Street (including the Site) retains a scale and massing which complements the historic townscape within the conservation area, providing a cohesive streetscape as the conservation area's eastern setting.

4.22 As shown in View 42A, the proposal would introduce a significantly tall tower in views along Gracechurch Street. A large, flat plane presents itself to the north and south, making the building particularly bulky and dominant in the view compared to the townscape beneath it. Much of the tower of 55 Gracechurch would be masked by 6-8 Bishopsgate and No. 1 Leadenhall in the cumulative view; however, these buildings are much further away from the Monument in

the view, retaining space around it to preserve the prominence of the gilded top of the Monument above the roofscape, in comparison to the proposed development. Both views 42A and B demonstrate how the tower of the proposal sits uncomfortably close to the gilded top of the Monument (which was integral to its original design and therefore significance), competing with, and drawing one's eye away from the Monument, and further decreasing the prominence of the listed structure from its current state.

4.23 The contrast is sharp between the hard-edged roofline of the tower and the stepped and varied streetscape below, as seen in View 42A, providing an uncomfortable transition lacking integration into the historic environment and appearing particularly conspicuous as an uncharacteristic feature in the setting of the conservation area. This is compared to the Post Modern building appearing above the roofline on the opposite side of Gracechurch Street (24 Gracechurch/54 Lombard Street, former Barclays Bank headquarters) which, although distinctive in the streetscape, adds a dynamic roof form in the middle ground which reflects the stepped and varied character of the roofline along Gracechurch Street. The proposed development adversely affects the character of the roofline.

4.24 The materials of the proposed development also appear out of keeping within the streetscape – again, in contrast to the former Barclays building which integrates both stone and glazing in a contemporary form in the element rising above the prevailing roofline to harmonise with the historic streetscape, the highly reflective tower element of the proposed development makes no effort to harmonise.

4.25 These changes would harm the conservation area as a result of the uncomfortable transition in the roofscape and change to views of the conservation area including its relationship with the Monument as part of its setting.

St Mary Woolnoth (Grade I listed)

4.26 St Mary Woolnoth is a Grade I Hawksmoor church within the conservation area. Its National Heritage List Entry states it was designated for being *'a Hawksmoor church of exceptionally original design, a unique work of English Baroque architecture'* and *'an arresting landmark at the centre of the City of London'*. The conservation area appraisal notes that '*the towers and spires of the Bank's churches retain their visual prominence in numerous distant and local views and are important to the City's character'* (p. 17). It also notes that views of churches are generally from oblique angles, '*with only St Mary Woolnoth visible face-on at a distance from several angles as part of the main junction'* (p.18).

4.27 The Baroque design of the church is integral to its special interest and the axial view, face-on to the church, is important to be able to appreciate its character. The legibility of the church as a landmark, and ability to appreciate its architectural significance, would be considerably decreased as a result of the proposed development appearing behind the two square turrets as seen in View 39A, removing the blue-sky background and adding significant height above the tower in distant axial views of the church's east front. This would decrease the distinction of the towers from the wider mid-rise townscape in the middle ground. While there are other close-up views in which the blue sky background would be preserved, it is the more distant views which particularly contribute to its status as a landmark.

4.28 In comparison to 20 Fenchurch Street (which appears to the side of, and frames views of, the church's tower), the proposed development appears directly behind it. The fan-shaped roofline of 20 Fenchurch Street enhances the background views of the church as seen in View 39A, creating a stepped transition from the dome of 1 Cornhill to the tower of the church which draws one's eye to its turrets. The proposed development instead adds additional bulk in front of 20

Fenchurch obscuring its curved edge, and behind the church's tower, having a negative effect on the skyline by distracting from the view of the church.

4.29 As a result there would be harm to the conservation area's character and appearance, and harm to the significance and special interest of the Grade I church.

Church of St Magnus the Martyr (Grade I)

4.30 The proposed development affects certain local views of the Monument, including the view from St Magnus the Martyr to the Monument, as noted in para. 4.17. As contemporaneous structures (both built shortly after the Great Fire) designed by Christopher Wren (who designed the Monument with Robert Hooke), they contribute positively to each other's significance. As set out in para. 4.17, the intrusion of the proposed development in the background view would reduce the legibility of the Monument in this view, harming the setting of the church. There appears to have been little consideration of the way in which the roofscape could have been designed to mitigate the impact upon the Monument where it appears as a significant new background, distracting from and competing with the Monument. In contrast, the cumulative schemes respect the prominence of the Monument. Para. 4.17 sets out analysis of how the prominence of the Monument as seen from St Magnus would be diminished by the proposed development appearing in the background, with the fluting of the Monument's column blending into the background as a result of vertical emphasis in 55 Gracechurch Street's façade.

4.31 Given the Monument's prominence as a landmark this would harm an element of setting which is integral to the significance of the listed structure.

Monument (Grade I) and associated effects upon the Lloyds Building (Grade I)

4.32 As noted in para. 4.22, the proposal, the tower sits uncomfortably close to the top of the monument in Views 42A and B. While only the gilded top of the Monument is, at present, visible above the roofscape, it still is a recognisable element of the view. The sequence of views numbered '42' demonstrates how the proposed development dominates the view, reducing the distinction of the gilded top of the Monument above the existing roofscape in views along Gracechurch Street. While 6-8 Bishopsgate and No. 1 Leadenhall would be visible and dominant in the foreground, as shown in Cumulative View 42A, their distance from the Monument is such that the prominence of the gilded top of the column is maintained in these views, in comparison to the proposed development, which is significantly closer.

4.33 The proposed development sits to the north of the Monument, outside the designated 'immediate setting' but in the next city block to the north of this designated area. However, while the Protected Views SPD does not identify any panoramas to the north which are protected, in practice the panoramic, 360-degree views in all directions from the viewing platform of the Monument are integral to its special interest. Originally, the Monument would have towered over all of the surrounding development. Over time, redevelopment of its surroundings has changed the scale of the surrounding townscape to low/mid-rise buildings, though the consistency of the height of buildings in short- and mid-range views has helped to preserve the ability to view and understand the development of London over centuries. Views from the Monument across the townscape are integral to its significance as they allow the viewer the ability to understand the post-Fire rebuilding of the city centre.

4.34 The SPD on Tall Buildings in the City of London states that while specifically designated areas are 'inappropriate for new tall buildings', elsewhere 'all other sites in the City are considered to be sensitive to tall buildings'. This is particularly true in terms of the views from the Monument. View 21 demonstrates that despite being outside the 'immediate setting' to the north, the

proposed development significantly truncates the panoramic view from the Monument due to its height. The proposed development sits some way south of the 'Eastern Cluster' of buildings in the City. the proposal would effectively screen the majority of the Eastern Cluster, including its high-quality and iconic buildings such as 30 St Mary Axe ('the Gherkin') and 122 Leadenhall Street, as well as the Grade I Lloyds Building (causing harm to the ability to appreciate the Grade I building's architectural interest as a result of the loss of ability to view it from the Monument, a key historic viewing location). The proposal would also encroach upon the view of 20 Fenchurch Street's curved side, a key element of its distinction within the skyline as a world-class building. The truncation of this view, and the impingement upon the openness of the view to the north would harm the significance of the Grade I Monument.

Eastcheap Conservation Area, including the Grade II* 7 and 8 Philpot Lane, Grade II Brabant Court and Grade II 2 and 3 Philpot Lane

4.35 The eastern portion of 55 Gracechurch Street was previously within the conservation area, but it was removed from the boundary in 2007. The current boundary of the conservation area excludes the Site (except for the small south-east courtyard).

4.36 The conservation area appraisal notes that the area is of significance due to the survival of three Wren churches; and the predominant character reflects the five-storey height and hierarchy of streets (taller buildings occupying principal thoroughfares). The appraisal notes (p. 15) the buildings take full advantage of the fall in ground level as they step down towards the river. It also states there is a 'small but significant grouping of post-Fire houses now rare in the City' including Nos. 2-3 Philpot Lane, an early 18th century house; and No. 4 Philpot Lane in Brabant Court, illustrating tendency for high status City houses to be set back from the street (p.17).

4.37 As noted in para. 4.15, the tower confuses the legibility of the townscape by introducing tall development into the courtyard areas, immediately adjacent to, and within the same group of courtyard spaces as the significant and rare group of post-Fire houses. Compared to the existing building on the Site, which broadly respects the scale and massing of the historic townscape, the proposed development would appear out of place and at odds with its surroundings, affecting the ability to appreciate the architectural significance of these surviving historic buildings.

4.38 The conservation area appraisal notes that buildings outside the conservation area boundary *'tend to be more substantial'* and that this *'has the effect of clearly defining the extents of the conservation area in relation to its surroundings'* which is '*particularly evident when seen from the Monument viewing gallery'*. As noted in para. 4.13, 20 Fenchurch Street is located outside the eastern, jagged edge to the group of conservation areas, defining the eastern boundary and relating to the mid/high-rise context to the east of it. In contrast, the Site sits within a pocket of low/mid-rise townscape to the north, west and south, intruding conspicuously in the middle of an area of cohesive townscape rather than at the edge of it. The conservation area appraisal notes a number of key views making a strong contribution to the character of the area. An oblique view west along Eastcheap to Nos. 11-19 is noted – this is No. 53 as shown in the HTVIA. The tower appears to project out from behind the façade and roof of No. 19, an awkward and uncharacteristic protrusion introduced into a blue-sky backdrop. This would harm the ability to appreciate the townscape of the conservation area due to the dominance and conspicuousness of the proposed development's tower.

4.39 In addition, there would be harm to 2-3 Philpot Lane. The HTVIA notes this is subject to separate application (not currently visible on the City of London planning register) for listed building consent to remove a chimneystack. The building is of significance and architectural interest as a rare survival of a post-Fire house in the City; and the chimney is integral to the historic functioning of the house and is a key part of its architectural character – even if rebuilt

(it is not known when). Removal of the chimneystack would therefore harm the special interest and significance of the listed building.

5.0 Conclusions

5.1 In summary, the proposal fails to accord with the requirements of Policy CS14 on a number of accounts:

1 It does not take account of the character of the surroundings notably the prevailing scale of development in the three adjacent conservation areas and other non-designated but complementary townscape on Gracechurch Street; it creates a substantial and alien protrusion in the centre of the city block in an area of low/mid-rise courtyard character which is uncharacteristic of the townscape;

2 It affects the quality of townscape views on the ground and screens existing views of dynamic and varied townscape/roofscapes and buildings of the highest significance as seen from the Monument;

3 It falls short of the requirement for world class architecture and represents a missed-opportunity to enhance the skyline by contributing a building differentiated within an international context;

4 It would cause harm to the significance of a number of the heritage assets of the highest importance, including the Grade I Church of St Mary Woolnoth, the Grade I Church of St Magnus the Martyr, the Grade I Monument and Grade II* 7 and 8 Philpot Lane. It would result in harm to the character of a small portion of the Eastcheap Conservation Area and harm more widely to its setting (including harm to the setting of Grade II Brabant Court); as well as harm to the significance of the Grade II 2 and 3 Philpot Lane due to the impact upon its setting and removal of its chimneystack. There would also be harm to the setting of the Leadenhall Market and Bank Conservation Areas.

5.2 In addition to the Local Policy requirements, the local planning authority must carry out its duties under s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and comply with the requirements of the National Planning Policy Framework and London Plan in relation to preserving or enhancing the significance of designated heritage assets. This assessment indicates that the resultant impact of the proposed development on highly graded heritage assets makes fulfilment of these duties challenging.

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Sonia Williams
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PO Box 270
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By email only to PLNComments@cityoflondon.gov.uk

Dear Sirs

Further Representation - Letter of Objection

Planning Application: 20/00671/FULEIA

Site: 55 Gracechurch Street, London, EC3V 0EE

1. This further letter of objection is submitted to the City of London by PL 10 S.à.r.l., the freeholder owners of a neighbouring property to the Site, being 10 Philpot Lane.

2. The content of this letter and enclosures are to be read alongside the previous letter of objection submitted to the City of London on 2 October 2020.

3. Following the City of London's letter dated 15 December 2020, we have undertaken a review of the revision and addendum documents that have been submitted on behalf of the applicant of the above scheme and also the document entitled "Applicant's Response to Planning Application Representations" by DP9 ("the Applicant's Response"). As requested by the 15 December 2020 letter, we wish to make further representations about the application as our previous substantive concerns have not been addressed.

4. As before, we have instructed the heritage team at Lichfields to carry out a third-party review of the revised documents and Applicant's Response in relation to heritage and townscape issues. A copy of that review is attached to and forms part of this letter of objection. Whilst we will not repeat at length the content of the Lichfield's review, it is important to note that as the tower elements of the scheme have not been amended, the new information does not materially address the heritage and townscape objections previously raised.

5. We believe that any robust and effective assessment of the planning application against planning policy would demonstrate that the proposed development will dilute and harm the special architectural qualities and distinctiveness of the City of London.

6. We share the view of Lichfields that the public benefits do not outweigh the less than substantial harm to the heritage assets, a number of which are of the highest significance. We continue to conclude that clear and convincing justification for the harm has not been provided and as such it is not possible to conclude the proposal would be acceptable when undertaking the tilted balance required by the NPPF, which requires 'considerable importance and weight' to be accorded to a finding of harm to a listed building and 'great weight' given to an asset's conservation.

7. In short, we consider that the planning balance when considered through the lens of established and emerging policy is very firmly tipped against the planning application proposal.

8. We reserve our position in response to any further amendments or submissions made by the applicant and in connection with any forthcoming change in national or local policy.

9. For the reasons set out above, we continue to strongly object to the Application and would ask that these concerns, alongside our previous submission of 2 October 2020, are brought to the attention of the applicant and relevant Planning Committee.

Yours faithfully

PL 10 S.à.r.l.

[redacted]

Antoine KARAMOSKO **Alberto MORANDINI**

[redacted]

Enc.

Briefing Note

Our ref 62547/01/MLW/LAy
Date 11 January 2021
To City of London
From Lichfields
Copy PL 10 S.A.R.L.

Subject Response to Applicant's Review of Townscape/Heritage Objections

1.0 Introduction

1.1 This briefing note comprises a third-party review of the applicant's response to objections raised by PL10 SARL on heritage and townscape grounds to the proposed development at 55 Gracechurch Street ('the Site') (application ref. 20/00671/FULEIA).

1.2 It also considers whether the alterations to the proposal, submitted in December 2020, materially address the issues raised in the previous objection on heritage and townscape grounds.

1.3 The objections raised by other heritage bodies have also been reviewed during preparation of this note, though the focus of this note is on the applicant's response to objections raised previously by PL10 SARL on heritage and townscape grounds.

2.0 Review of revised drawings

2.1 We have reviewed the amendments to the proposal as set out in applicants' letter to the City of London dated 11 December 2020 as well as the revised application documentation submitted in December 2020.

2.2 The changes comprise: a revised proposed Hostile Vehicle Mitigation layout; creation of a lobby for the Public Garden Terrace at ground floor level; alterations to the Talbot Court façade; amendments to the south-east courtyard elevation; introduction of short-stay accessible parking spaces on the ground floor; changes to the St Benet's Place fire escape doors; realignment of the walls fronting Brabant Court; inclusion of a tree to the Level 2 green roof; additional bench seating to the Public Garden Terrace at Level 6; changes to the accessible WC layout at Level 6M; and changes to cycle parking and the changing places facility in the basement.

2.3 As the objection report previously prepared (September 2020) primarily focussed the townscape and heritage issues presented by tower element of the proposal, and there has been no change to the tower in the December 2020 amendments, we do not consider these amendments to materially address the heritage and townscape objections previously raised.

LICHFIELDS

3.0 Review of applicant's response to heritage/townscape objections

10PL1 – Requirement for world class architecture and enhancement of the skyline	The award-winning nature and exceptional quality of Fletcher Priest Architects' work is not contested, and we note the careful consideration of the design and materials which have gone into preparing the proposal. This said, there is still some way to go before the architecture can reasonably be considered to be world class. The applicants do not make this claim for their proposal as they are unable to do so. Specifically the point we raised on this matter was in relation to whether the tower element would be distinctive and memorable within London's world-class skyline which is the principal thrust of the policy. As compared to the sculptural forms of the Gherkin, Lloyds Building, the Cheesegrater and the Shard, the rectangular masses of the proposal are similar to other rectangular prism designs in London and other urban skylines. Thus we query whether the form of the upper portion of the tower would be memorable on an international stage as part of London's skyline which is known for its distinctive shapes.
10PL3 – Relationship of the proposal to the Monument in View 42 along Gracechurch Street	We contest the extent to which the current building mars views of the gilded top of the Monument in this sequence of views, and the extent to which the proposal improves this position to offer heritage benefits. No comment was made in our previous assessment on the form or materiality of the proposal in View 42, but rather in relation to the change from the existing building height and whether this would materially improve this view. - In Views 42A and 42E, the gilded top of the Monument is already visible above the current building. - In Views 42B and 42C, it is No. 60 and its curved cornice which intrudes in the foreground (in front of No. 55) of the view of the Monument. No. 60 partially conceals the upper gilded portion of the Monument; No. 55 is positioned behind it. The reduction in height of No. 55 achieved by the proposal is negligible in this view. - Likewise, for View 42D, the upper portion of the Monument is already largely visible above the existing building at No. 55; it is No. 60 that is particularly visually intrusive in this view. - Therefore the reduction in height upon the existing building at No. 55 would deliver negligible heritage benefits. We contest the assertion on the part of the applicant that the substantial new tower form introduced into this view would mean it does not compete with the Monument; the proposal would be the dominant element in this view and the prominence of the Monument reduced by comparison. This would lead to profound competition with, and distraction from, the qualities and values of the heritage asset.
10PL4 – Impact upon St Mary Woolnoth in views when approaching from Bank junction (View 39A)	We agree the viewer is aware of No. 20 Fenchurch Street's presence in View 39A; however the fact remains that 20 Fenchurch does not sit behind the twin turrets of St Mary Woolnoth in this view. We disagree that scale of 20 Fenchurch Street is necessarily overpowering in the background of the Church – it is set away from the Church's roofline. The fan of 20 Fenchurch Street's roofline leads the eye to the turrets of the Church with substantial blue sky between 20 Fenchurch and the Church, rather than providing a built backdrop and removing blue-sky backdrop as does the proposal. We note the roof of the office building behind the turrets of the Church is visible currently; however, it appears to sit below (or at) the balustrade between the Church's twin turrets and rises only partway up the turrets, providing a dark mass against which the turrets are still

	visible against a blue-sky backdrop, allowing their sculptural quality to remain legible. In contrast, the proposal breaks above the roofline of the Church's turrets, reducing their legibility. We contest the applicant's assertion that the 'vehicular surroundings' could be relevant to appreciating the Baroque tower and its sculptural qualities, and we contest the assertion that the church's location in a busy street environment means the structure introduced above the church's skyline does not cause harm (see applicant's response to HE5). The introduction of a backdrop to the tower would affect the ability to appreciate the Baroque tower, an aspect of setting which is integral to appreciating its significance. The proposed building would be uncomfortably prominent, dominant and conspicuous in the backdrop setting of the Church. This would also lead to competition with, and distraction from, the asset.
10PL5 and 10PL11– Impact upon St Magnus the Martyr due to impact upon view of the Monument	The view of the Monument from St Magnus the Martyr is significant as part of its setting; it was along the alignment of Old London Bridge, historically an important processional route. The Monument and the Church are contemporaneous (both built shortly after the fire) and designed by Christopher Wren, and the views between them are important elements of their setting. The intrusion of the proposal in the background, reducing the prominence and legibility of the Monument in this view, would harm the setting of both assets. We do not agree that the architectural treatment of the proposal (see applicant's response to HE4) can mitigate against the loss of dominance/prominence of the Monument in the view from the gates of the Grade I Church of St Magnus (view 19), as is claimed in the HTVIA, at para. 8.B.20. The dimensions, scale, massing and materiality of the proposal would all serve to profoundly compromise the existing relationship. The absence of identification of View 19 in the City's Protected Views SPD does not mean the view is not important to the setting of certain heritage assets (the SPD is not an assessment of the significance and setting of St Magnus the Martyr but rather has broader use in shaping development across the whole of the City), nor does it mean that development affecting the view is necessarily acceptable in principle.
10PL6 – Impact upon the Monument and views of buildings of the highest significance as seen from the Monument	The Protected Views SPD identifies that views to the north from the Monument are a 'spectacular panorama of diverse City buildings'. We do not agree that the quality of the proposed tower can compensate for the loss of panoramic views from the Monument towards the Eastern Cluster, which remain an important part of the setting of the Monument. The setting of the Monument has evolved over time to include many iconic City of London buildings, which the proposal would almost completely obscure, decreasing the ability to understand the historic development of post-Fire London as is currently appreciated from the viewing platform of the Monument.
10PL7, 10PL9, 10PL10 and 10PL13 – Impact upon Eastcheap Conservation Area	The juxtaposition of historic and contemporary buildings is recognised to be a common characteristic of the City. However, this is not the case in the immediate surroundings of the 55 Gracechurch Street site. No. 20 Fenchurch Street is an anomaly in its location and it should be noted that the Inspector concluded, in his report on 20 Fenchurch Street, that there were harmful impacts to the setting of a number of heritage assets, including 2-3 and 7-8 Philpot Lane, 4 Brabant Court and the Bank and Eastcheap Conservation areas. This proposal comes forward with similar harmful impacts but without any benefits associated with the distinctive and memorable form of 20 Fenchurch Street. We note Historic England's comment in their letter of 2 October 2020 which stated that 'urban design improvements in and around the site might also be welcome' and that the images they had seen 'suggest the proposals would enhance the settings of the adjacent listed buildings around Brabant Court'. We understand these comments to relate to the podium buildings rather than the tower. We maintain the position stated in the objection report that there would be harm to the conservation area and surrounding character of the townscape due to the introduction of an uncharacteristic tower in the middle of a city block. The presence of tall buildings elsewhere in the City does not automatically justify introduction of tall buildings in areas outside of established clusters (or indeed necessarily within established clusters) but requires assessment on a case by case basis. The harm to the conservation area must be adequately taken into account and considered in accordance with the statutory and planning policy requirements.

10PL8 – Impact upon 2-3 Philpot Lane	We disagree with the conclusion of the heritage statement for application 20/00769/LBC which states that the loss of the chimneystack to No. 2-3 Philpot Lane would not affect the significance of the listed building or its special interest. The fact that the chimneystack is not visible from principal elevations does not mean that its removal would not be harmful; if this were the case then the rear elevations or roofs of countless listed buildings could be demolished, which is certainly not the case. Regarding the nature of the chimneystack being 'utilitarian in appearance' (forming part of the justification for its demolition within the heritage assessment) the chimneystack's very nature was utilitarian – it served as a flue. Turning to the issue of the building's alteration/reconstruction of the chimneystack, it remains part of the character of a London townhouse, irrespective of whether it was original or a 19th or early 20th century addition. Its removal would necessarily affect the special interest as it would remove an integral functional aspect of the historic structure and roofscape. The harm to the listed building as a result of the loss of an integral feature of the London townhouse must be adequately taken into account and considered in accordance with the statutory and planning policy requirements.
10PL14 – Methodology and completeness of assessment of significance and setting on which to base conclusions	We acknowledge that the stated heritage impact assessment methodology used in the HTVIA accords with policy and guidance but question whether the methodology has been adequately employed. The NPPF (para. 189) requires the level of detail to be proportionate to the asset's importance, and no more than sufficient to understand the potential impact on significance. The proposal affects a substantial number of assets of the highest grade – Grade I – as well as Grade II*, II and non-designated assets. We would suggest the HTVIA's assessment of significance and setting is insufficient to understand the impact upon certain assets – for example, for the Church of St Magnus the Martyr, its significance is summarised as 'of exceptional historic and architectural interest, having been designed by Wren. It is also of communal value as a symbol of collective Christian faith, open to worshipers to this day'. The analysis of setting comprises a statement that the Church of St Magnus, Adelaide House and Fishmongers Hall – 17th, 19th and 20th century buildings – are positive contributors to each other's setting and that their shared settings are of the River Thames and London Bridge, as well as the City of London. However, the analysis does not address the importance of View 19 in the setting of the church, towards the Monument along the alignment of London Bridge and historically part of a processional route into the City from the south. Had this been identified, it would be difficult to conclude there would be no harm arising from the proposal as a result of a tall tower challenging the prominence of the Monument in this view and altering the visual relationship between these assets. We conclude the assessment in the HTVIA does not provide sufficient understanding of the setting's contribution to significance, to be able to conclude the proposal causes no harm. The same applies for the Church of St Mary Woolnoth, the Monument and other assets assessed. In our professional opinion we believe the HTVIA does not fully represent the harm to a variety of assets of the highest significance. The harm arising to heritage assets is of a high order both on an individual basis and, as so many assets are affected, cumulatively. Whilst this harm is likely to be judged as less than substantial it is towards the upper end of that scale because of the significance (and importance of the affected aspects of setting to the significance) of those assets. Clear and convincing justification for that harm is absent.
10PL15 – Policy CS14 and response to surrounding context/suitability for a tall building	We note the applicant's assertion that the building is not in an area identified by the City of London as being 'inappropriate' for tall buildings, as defined on the Policies Map. We acknowledge that Policy CS14 states categorically that planning permission will be refused for those in 'inappropriate areas'. However, Policy CS14 goes on to state that elsewhere in the City, tall buildings will be permitted 'only on those sites which are considered suitable'; the Tall Buildings SPD also clearly states '**all other sites** in the City are considered to be **sensitive** to tall buildings'. Our assessment indicates this location is unsuitable to a building of this height, as set out above.

10PL19 – Public benefits and planning balance	We consider that the harm to heritage assets has not adequately been recognised within the HTVIA, and therefore cannot be relied upon in the decision-making process when undertaking the tilted balance: - At the response to HE9, the applicant states that 'the less than substantial harm at the lower end occurs only to the setting of The Monument when viewed from near the gates of the Church of St Magnus the Martyr'. However, our previous objection report identifies harm to other designated heritage assets. The HTVIA weighs some of the heritage harm against heritage benefits, which we consider below: - Regarding the harm to View 19 from the gates of the Church of St Magnus the Martyr to the Monument, the applicant claims this is balanced by improved visibility of the Monument's gilded top in views along Gracechurch Street. We disagree – the improvement to the visibility of the Monument on Gracechurch Street is negligible to nil, whilst the prominence of the proposal and the way in which it challenges the Monument's prominence in View 19 is significant and harmful. Neither can the negligible change to visibility of a small portion of the gilded top compensate for truncating views to the north, from the Monument's viewing platform. - Regarding the applicant's claim that the high quality of the proposal completely mitigates the harm to heritage assets, in particular St Mary Woolnoth and the Monument, we disagree that design quality can mitigate this harm due to nature of these assets' significance, the importance of setting and the way in which this contributes to their significance and the ability to appreciate that significance. The heritage and public benefits stated in response to HE9 are stated as follows, which we consider in turn: - 'Addition of high quality architecture to the City's townscape' – An alleged benefit that is not proven as addressed above. - 'High quality mixed-use spaces' – This is for the decision-maker to weigh in the planning balance but is unlikely to be of such value as to either on its own, or in combination with other alleged benefits, to overcome the harm arising. - 'Increased permeability of the site', 'reinstatement of historic routes and opening up potential new north-south links', 'improved public realm' and 'improved setting to the listed buildings around Brabant Court' – These are at ground/podium level and do not necessarily require a tall building to provide them. The DAS and HTVIA indicate that only tall building schemes were considered and we are not aware of viability studies having been produced to justify the need for a tower of this height in order to deliver these public benefits. Accordingly little weight should be given to these alleged benefits. - 'Provision of a free-to-enter public viewing gallery, offering unique public views of the Monument' – The viewing gallery is at Level 6 and we are not aware any evidence that a building of this height would be required to deliver a public gallery at this level. Accordingly little weight should be given to this alleged benefit.

4.0 Conclusions

4.1 As set out in the previous third party review of heritage and townscape considerations, there would be harm to heritage assets of the highest significance including (but not limited to):

1 The Monument (Grade I)

2 St Mary Woolnoth (Grade I)

3 Church of St Magnus the Martyr (Grade I)

4 Eastcheap Conservation Area and listed buildings

5 Bank Conservation Area

6 Lloyds building (Grade I)

7 2-3 Philpot Lane (Grade II)

4.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act"). S.66(1) imposes a duty upon the local planning authority when making planning decisions to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

4.3 The NPPF requires 'great weight' to be given to an asset's conservation, and the more important the asset, the greater weight that should be given (NPPF, para. 193), irrespective of the level of harm. It also requires (para. 194) 'clear and convincing justification' for harm to the significance of a designated asset (including harm from development in its setting).

4.4 Our conclusion remains that the public benefits do not outweigh the less than substantial harm to the heritage assets, a number of which are of the highest significance. We continue to conclude that clear and convincing justification for the harm has not been provided and as such it is not possible to conclude the proposal would be acceptable when undertaking the tilted balance required by the NPPF, which requires 'considerable importance and weight' to be accorded to a finding of harm to a listed building and 'great weight' given to an asset's conservation.

City of London Conservation Area Advisory Committee

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

9th October 2020

Dear Sir/Madam,

At its meeting on 1st October 2020 the City of London Conservation Area Advisory Committee considered the following planning application and reached the decision given below:

C.91 20/00671/FULEIA - 55 Gracechurch Street, London EC3V 0EE
Eastcheap Conservation Area/Bridge and Bridge Without Ward. No Ward Club rep.
Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.

The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.

This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Electronic copies of the ES can also be issued by Trium Environmental Consulting LLP; for further details contact hello@triumenv.co.uk or Tel: +44 (0) 203 887 7118.

The Committee strongly objected to this proposal. Whilst there were no objections to the loss of the existing buildings, the height and bulk of the proposed replacement represented ‘tall building creep’ into an area characterised by buildings of seven or eight storeys which neither enhanced the Eastcheap Conservation Area nor the neighbouring Conservation Areas in this core area of the City.

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

Yours faithfully,

Mrs. Julie Fox
Secretary

Olivia Stockdale
Conservation Adviser
[redacted]

THE VICTORIAN SOCIETY
The champion for Victorian and Edwardian architecture

Sonia Williams
City of London
Department of the Built Environment
PO Box 270
Guildhall
LONDON
EC2P 2EJ

PLNComments@cityoflondon.gov.uk

Your reference: 20/00671/FULEIA
Our reference: 161468

16th October 2020

Dear Ms Williams,

RE: Greater London, City of London, 55 Gracechurch Street: demolition of existing and construction of 30 storey building (Eastcheap Conservation Area).

This case was discussed by our Southern Buildings Committee. We **object** to the proposal which will cause irreversible harm to several heritage assets, and the City of London by the nature of its scale.

Significance and harm

55 Gracechurch Street is out of our remit, and we therefore have no comment to make on its demolition. However, the scale of the existing building is much more sympathetic to the scale of Gracechurch Street, a prominent thoroughfare in the City. Moreover, it broadly respects the building heights of surrounding heritage assets, including 39-40 Lombard Street, and the Grade II* 33 & 35 Eastcheap to the south east. The settings of these surrounding listed buildings make this a sensitive site, and this is only increased by its proximity to Eastcheap Conservation Area, noted in the appraisal for the architectural quality of its listed and unlisted buildings. Bank Conservation Area is also located to the west, and the Leadenhall Conservation Area to the north of the site. Listed buildings and conservation areas were designated to protect the rich history and architectural quality of the City of London, and the NPPF requires appropriate weight should be given to the preservation of their significance.

The construction of a 30 storey building in this location would not do this and would instead cause great and unwarranted harm to these heritage assets. The prominent and listed 39-40 Lombard St. building would be dwarfed, despite its own large scale, and the significance of buildings along Eastcheap further reduced. The views produced within the application also demonstrate the alarming extent to which Gracechurch Street would be overshadowed. The proposed building moreover shows little respect to the conservation areas around it, seeking instead to respond to the scale and materiality of the skyscrapers to the north.

Patron
HRH The Duke of Gloucester KG, GCVO
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1 Priory Gardens, London W4 1TT
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Most worrying is the precedent that this building could set, and the harm this would cause to the City in the long term. The Eastern Cluster is located to the north of the site, with a clear separation. 20 Fenchurch Street 'The Walkie Talkie' is an anomaly, constructed much further towards the river. It is imperative that this should not be seen a starting point for bringing the front line of tall buildings forward. The cumulative impact of similar development over time would irreversibly alter the character of the City and its significance viewed from the River Thames. Moreover, the impact on some of the most important buildings in London, such as the Tower of London, and Tower Bridge would be considerable.

Policy

Policy 7.7 of the London Plan states that "the impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings…" Paragraph 193 of the NPPF states that "great weight should be given to the asset's conservation". This includes the setting of heritage assets. The construction of this building would cause great, and unjustified, harm to a number of heritage assets. This would include those nationally recognised, and those designated by the Council to protect their borough's heritage. The precedent which would be set would only increase this harm, and the principle of such a tall building in this location is therefore insupportable.

We urge your authority to refuse consent for a scheme which would cause irreversible harm.

I would be grateful if you could inform me of your decision in due course.

Yours sincerely,

Olivia Stockdale

Conservation Adviser

19 October 2020

[redacted]
www.lsh.co.uk

FOA Gywn Richards
Chief Planning Officer
PO Box 270
Guildhall
London EC2P 2EJ

Lambert Smith Hampton
United Kingdom House 180 Oxford Street
London W1D 1NN

Sent via e-mail (plans@cityoflondon.gov.uk)

Letter of Objection

Application reference: 20/00671/FULEIA
Description of Development: *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*
Address: 55 Gracechurch Street London EC3V 0EE

We write on behalf of our clients, City Apartments Limited to **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020.

In addition to this cover letter, the list of documents submitted for consideration are set out below.

City Apartments Limited
- Objection Report (City Apartments Limited, October 2020)
- Aerial Photographic Appendix (October 2020)

The Objection Report is also supplemented by a *Heritage Report, produced by Cogent Heritage*, which provides a professional summary on the impacts of the proposal on neighbouring heritage assets.

City Apartments operate the hotel within the properties and are also set to suffer impacts relating to the loss of amenity, privacy, daylight, sunlight and wind impacts which will likely result in a viable business suffering adversely as a result of the proposals

Within the appended objection report, we outline why the proposals are considered to be contrary to the policies set out within the adopted and emerging development plan and also set proposed reasons for refusal.

We summarise that the proposals in their current form should be refused by the City of London for the reasons outlined within the Objection Report. Should this not happen, our clients have signaled their intention to challenge the lawfulness of any future decision. Our client also reserves the right to supplement the above objection in respect of specific matters relating to the applications and to be re-consulted regarding any further amendments or additional documentation submitted.

We await confirmation that this objection has been acknowledged and logged and my client would be happy to demonstrate these impacts on site, should the case officer wish.

Should you have any queries, please contact either myself or my colleague Rob Reeds [redacted]

Yours faithfully,

[redacted]

Mary-Jane O'Neill
Head of Planning – London & South East
For: **Lambert Smith Hampton**
DL: [redacted]
M: [redacted]
E: [redacted]

Enc:
20-00671-FULEIA 55 Gracechurch Street Objection Letter (City Apartments Limited)_Obj
Appendix - 20-00671-FULEIA 55 Gracechurch Street Appendix (City Apartments Limited)
2020 10 04 - 55 Gracechurch Street Heritage Representation 0224



Lambert Smith Hampton

www.lsh.co.uk

Objection to Planning Application

For the proposed development at

55 Gracechurch Street
London EC3V 0EE

On behalf of

City Apartments Limited

Prepared by
Lambert Smith Hampton
United Kingdom House
180 Oxford Street
London
W1D 1NN

October 2020

[redacted]

1.0 Introduction

1.1 We write on behalf of our client, City Apartments Limited, to strenuously **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020. The application particulars are outlined below.

Application reference: 20/00671/FULEIA

Description of Development: *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*

Address: 55 Gracechurch Street London EC3V 0EE

1.2 Our client, City Apartments Limited, has a number of serious concerns relating to the impacts of the proposed development on the operation and viability of their business and wishes to raise these with the Local Planning Authority.

1.3 Our client has read the objection by Store Property Investments Limited, who are the freehold owners of 2 – 3 and 5 Philpot Lane and support the conclusions of this objection, which are:

1. The proposals are not consistent with National Planning Policy Framework and Guidance and the general terms of policies within the City of London Development Plan. There are no planning merits and no justification whatsoever for the grant of planning permissions and the only decision that a reasonable local planning authority could possibly make is a decision of refusal.

2. The location of a tall building on this site is considered wholly unacceptable in principle, resulting in a range of impacts including most pertinently severe design and amenity impacts for 2 – 3 and 5 Philpot Lane.

3. The proposal will result in serious harm to an existing business that is already under significant strain from the current pandemic resulting in an oppressive 30-storey tower

directly adjacent 2 – 3 and 5 Philpot Lane. This includes Daylight, Sunlight, Wind and Microclimate impacts.

4. The heritage impacts, as outlined within this planning representation and the heritage representation, would be severe and irreversible causing substantial harm to the character and appearance of the historic environment.

1.4 The proposed six reasons for refusal are also supported and are re-iterated at the end of this report.

The property

1.5 City Apartments Limited operates 2 – 3 and 5 Philpot Lane, which accommodates a hotel with 36 fully serviced apartments. City Apartments provides high quality, furnished hotel apartments for business and tourist visitors for both short term and long term stays.

1.6 For clarity, we have marked our client's property on the submitted site location plan in Figure 1, which is indicated to the north east of the application site in in block shading. Additionally, further photographic and aerial information is contained within the Appendix.

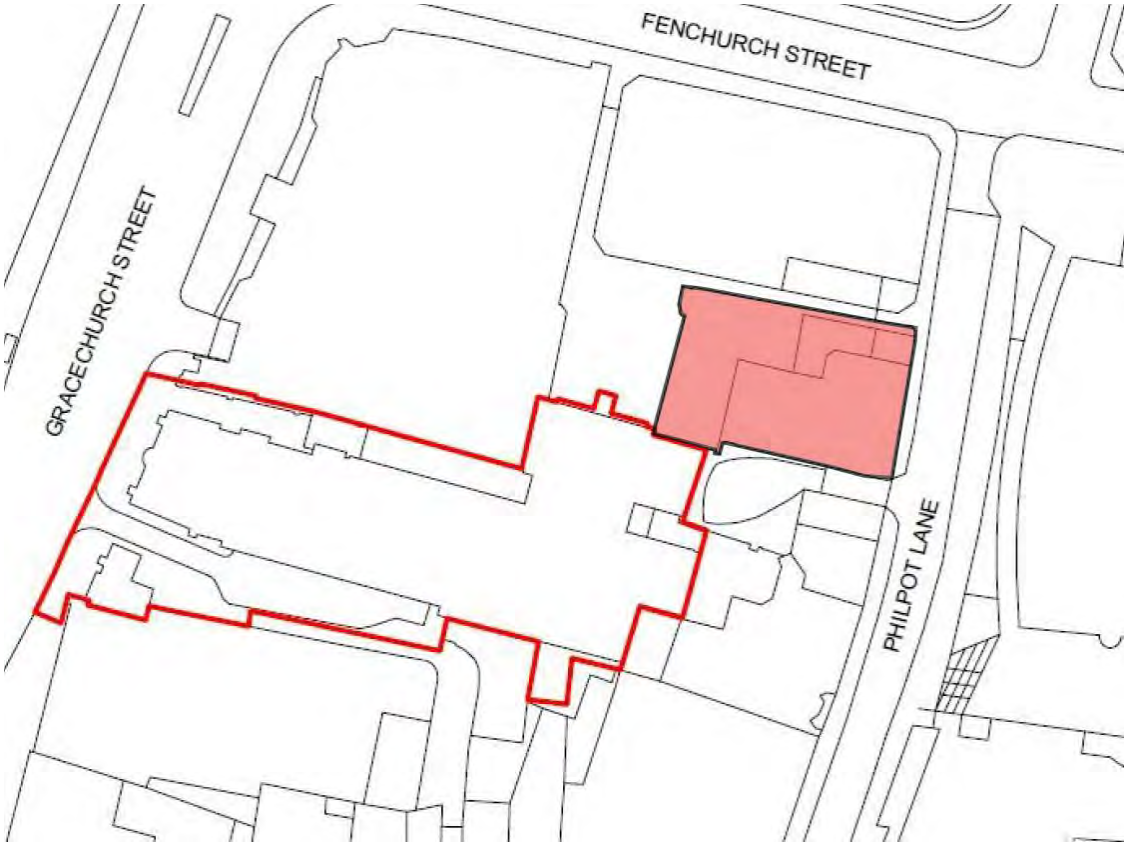


Fig. 1 - Location Plan of the application site (red outline) and clients site (red shade)

1.7 The entrance to 2 – 3 and 5 Philpot Lane is from Philpot Lane through an attractive archway with black iron gates. There is a small central courtyard used for arriving guests which is often used as an informal amenity space and small gatherings as it provides a quiet area away from Philpot Lane and Fenchurch Street.

1.8 The images below show a typical hotel apartment, which comprise a bedroom, living space and bathroom.



Fig. 2 – Typical living space for hotel occupants



Fig. 3 – Typical bedroom for hotel occupants

1.9 The hotel is arranged over seven storeys (lower ground and ground plus five) with outlooks from the bedrooms and living spaces predominantly to the south (towards the 'Northern Courtyard') and west (towards 'Brabant Court').

1.10 It is primarily on the basis of points 2 (location of a tall building and associated amenity impacts) and 3 (harm caused to the viability of an existing business) that our client, City Apartments, wish to reiterate and expand on the objections contained within the objection by Store Property.

2.0 Amenity Impacts

2.1 Our client is concerned that the proposals will have a significant impact on the wellbeing of future residents and occupants of the hotel. The 30 storey building will be located directly adjacent to the windows of properties, resulting in a range of impacts that are discussed below including loss of privacy and daylight, sunlight and wind impacts.

2.2 Policy DM 21.3 (Residential Environment) of the draft Local Plan seeks to protect the amenity of existing residents and all new development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential accommodation.

Loss of privacy and noise

2.3 The proposals would open up routes through the site, which have not been fully considered. The hotel bedrooms and living spaces look towards Babrant Court and the 'Northern Courtyard' at ground floor level. It appears that no consideration has been given to the potential impacts this could cause with a very significant number of people passing by those windows every day.

2.4 This would result in a lack of privacy for those occupants and also potential noise issues from people travelling through that area.

2.5 Additionally, during construction, there will be a range of impacts (discussed later in more detail) but scaffolding will be erected directly adjacent to windows, severely compromising the privacy of City Apartments' future guests.

Daylight / Sunlight and Wind / Microclimate

2.6 Our client agrees with the detailed summary of the comments raised by Store Property and considers the proposals will have a detrimental daylight and sunlight, wind and microclimate impact on the property. The position outlined within Store Property's Objection Report is fully supported regarding these matters.

2.7 The hotel apartment windows at 2 – 3 Philpot Lane face directly to the north east of the proposed tower. 5 Philpot Lane also has bedrooms and living areas with aspects to the south onto Brabrant Court.

2.8 These are not only bedrooms but include studios and living rooms for those tourist and business visitors to London who stay for much longer periods than a single week or weekend.

2.9 Our client is concerned that no assessment has been made of the impacts on 2 – 3 and 5 Philpot Lane with regards to daylight, sunlight and overshadowing. It is considered that future occupiers will experience a noticeable reduction in the daylight and sunlight levels to these units and the open space opposite will also be impacted. The hotel is a sensitive use, with bedrooms and living spaces which have not been subject to any form of consideration.

2.10 The applicant has produced a Wind and Microclimate assessment which has sought to assess a range of scenarios. The assessment includes the production of RWDI and CFD testing, which is in general conformity with the guidance contained within the Wind and Microclimate report.

2.11 Nevertheless, it is considered that the application documents have not tested the potential impacts of the proposals on the external amenity space of 2 – 3 and 5 Philpot Avenue, nor the entrance doorways to those buildings. Our client uses these spaces for a range of uses, including as a welcome courtyard, for resident amenity space and as a quiet area for guests to enjoy. It does not appear that the uses and impacts have been tested.

2.12 Our client can confirm that the wind environment is already significantly compromised in this area as a result of recent developments such as 20 Fenchurch Street. Therefore, robust testing is required which includes private entrances and amenity space.

2.13 This assessment process has not been undertaken robustly and has the potential to significantly impact the existing building, its entrance and amenity space.

2.14 It is therefore considered, without any supporting evidence to the contrary, that a proposal of 30 storeys in height, directly adjacent to a sensitive use would have a significant and material impact on the daylight, sunlight, overshadowing, wind and microclimate of the property and will negatively impact the occupants.

3.0 Heritage Impacts

3.1 In relation to heritage impacts, City Apartments supports the objections raised by Store Property in their Objection Report and the Heritage Objection produced by Cogent Heritage.

3.2 In particular, our client wishes to raise concerns relating to the economic viability of the heritage asset in relation to its current use. Paragraph 192 of the NPPF states that:

'In determining applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
(c) the desirability of new development making a positive contribution to local character and distinctiveness.'

3.3 The NPPG also states that LPAs:

- *'may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation'; and*
- *'It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset'*

3.4 Our client is a custodian of the Grade II listed property which is subject to irreversible damage as a result of the development proposals. Upkeep and maintenance of the building is required both internally and externally to ensure the property does not fall into disrepair whilst also running a business which supports London's tourism, business and cultural economy. Part of this is ensuring that the heritage asset can contribute towards the character and viability of the area and has a suitable end use which supports and makes a positive contribution towards London's economy in line with Para. 192 of the NPPF.

3.5 As a former large dwelling, the property is perfectly suited to a hotel use and should our clients business be extinguished as a result of the proposals, it is difficult to see how another, comparative use would be able to survive. The significant works undertaken in 2013, to bring

the building into use as a hotel are at risk of being undermined and could harm the positive impacts our client provides to the locality.

3.6 We strongly submit that the proposed development materially detracts from the significance of 2 – 3 Philpot Lane and as such is likely to damage its economic viability. This in turn, would impact on the properties on-going and long term conservation in conflict with the NPPG. As such, the proposals would fundamentally impact on the economic viability of the listed building; where the existing hotel use provides a positive contribution to the local and regional economy with a use which is consistent with its conservation.

4.0 Other matters for consideration

4.1 The following matters relate to additional points of fact or concern which may have implications on the way that the proposals can progress and how the development can be constructed. These specifically relate to the development proposals and how they adversely impact on City Apartments' business.

Demolition and Construction

4.2 On behalf of our client, we have reviewed the Outline Construction Environmental Management Plan, which is likely to be conditioned as part of any future consent. Whilst it is only possible to draw broad conclusions on the document at this stage, there are a range of concerns that our client wishes to raise.

i. There is limited acknowledgement of potential impacts on neighbouring buildings, especially during the de-construction period. Any further submission should state in detail how neighbouring properties and their occupiers will be safeguarded, informed and consulted when major stages of work take place.

ii. The dust and noise impacts associated with demolition, piling and construction have not been considered in so far as there are sensitive uses in adjacent buildings. This is likely to have a significant adverse impact on our clients business.

iii. Construction scaffold is proposed to be located directly adjacent to hotel room windows, with apparently no commentary on safeguarding, privacy or amenity impacts and how these will be addressed. This would seemingly require approval from neighbouring properties and therefore the owner of the property, and our client, will be required to approve the proposed construction methodology. Any further submission should state in detail how this will be requested and managed throughout the demolition and construction period of three years, along with any required mitigation.

iv. The build process is more than three years and by placing construction apparatus next to the windows of up to 10 apartments, this will have significant impacts on the viability of a City Apartments' existing business. The Outline CEMP does not acknowledge or set out how these impacts can be mitigated. In summary, the Outline CEMP appears to be an off-the-shelf report with little site specific analysis into how the proposals will be constructed and adverse impacts mitigated.

v. The existing operation also provides valuable space for visiting business persons who have been required to travel to and from the City during the pandemic. As there are living spaces within the hotel rooms, the use of the hotel for business persons quarantining and isolating has been a very important resource to City businesses. As a result of the current pandemic, the rooms are often occupied throughout the day. Due to the glazing requirements in the Grade II listed building (as required by CoL planners in 2012 / 2013), the noise suppression is limited and unabated construction would have a significant impact on the living conditions and welfare of those occupants, and would further strain the viability of the existing hotel use.

4.3 These items remain a significant concern for our client and should be fully considered and addressed by the Local Planning Authority.

Consultation

4.4 The NPPF is clear in outlining that effective engagement between applicants and communities is essential for achieving well-designed places. Paragraph 128 of the NPPF states that *"applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot".*

4.5 In this regard, the Planning Statement outlines that discussions have been undertaken with stakeholders and an online public exhibition was held between 6th July and 17th July 2020. For reference, the application was received by the Council on 24 August 2020. As a planning consultancy with significant experience in consultation and major developments, we can attest that it would not have been possible to run collaborative and open consultation just 6-weeks prior to the submission of a major planning application as this allows for virtually no time at all for stakeholders' comments to be taken on board or mitigated by the design team.

4.6 Our client always has staff in the property and they were not informed of the proposals prior to submission and there have been no discussions relating to the public exhibition or even an offer of a meeting prior to a planning application being submitted.

4.7 Whilst not a reason for refusal against adopted and emerging policy and guidance, in accordance with the NPPF, the City of London should not look at these proposals more

favourably as the proposals have not been subject to meaningful consultation with a range of appropriate stakeholders.

Summary

4.8 City Apartments considers that the proposals have not had due regard to their business operations and should therefore be refused.

5.0 Impact on the viability of the existing hotel use

5.1 The aforementioned concerns outlined in sections 2 and 3 of this report are likely to result in significant adverse impacts on the viability of the existing business at 2 – 3 and 5 Philpot Lane. City Apartments Ltd operates a successful and viable hotel and serviced apartment business, however, COVID-19 has been testing for the overall operation of the use. The business relies on providing high-quality apartments for visitors to London, helping the City of London and the London Plan meet its aims and objectives, which includes ensuring there is a suitable provision of tourist and business services including hotels.

5.2 City Apartments provides a valuable service and the property has recently undergone some costly upgrades of the facilities within 2 – 3 and 5 Philpot Lane, which has included extensive works to the Grade II Listed element of the site to ensure the continuing beneficial use of this historic building along with providing a high quality service for visitors to London, in line with Local Plan policy DM11.3.

5.3 Adopted and emerging policy supports hotel trade in the city and the emerging policy evidence bases estimate that visitor numbers are likely to increase – especially demand for visitor accommodation. Policy CV1 (Protection of Existing Visitor, Arts and Cultural Activities) sets out that proposals resulting in the loss of these facilities will be resisted. Whilst this is generally related to land use, the implications of the proposed development could extinguish the existing use at 2 – 3 and 5 Philpot Lane, which would be a detriment to the local and regional tourist economy. Policy E10 (Visitor Infrastructure) of the draft London Plan supports a sufficient supply of serviced visitor accommodation.

5.4 As demonstrated in the preceding paragraphs, the proposal will have a detrimental impact on both 2 – 3 and 5 Philpot Lane and the operation of City Apartments Limited. In a time where retaining existing businesses are under particular stress, the City of London is duty bound to protect these businesses from any unacceptable impacts. We therefore request, on behalf of our client, that the application is refused on the grounds that it will have a detrimental impact on local tourism and the economy and will also threaten the economic viability of the listed buildings.

6.0 Conclusions

6.1 We have considered this application for planning permission against the terms of the Development Plan and other material considerations. We conclude that the proposals will have a significant and detrimental impact on the operations and viability of an existing business and any planning benefits to the development are outweighed by these impacts.

6.2 The application is deficient in detail and contrary to the Council's planning policies. There are no planning merits and no justification whatsoever for the grant of planning permissions and the only decision that a reasonable local planning authority could possibly make is a decision of refusal.

6.3 The location of a tall building on this site is considered wholly unacceptable in principle, resulting in a range of impacts including most pertinently severe design and amenity impacts for 2 – 3 and 5 Philpot Lane and the operation of City Apartments.

6.4 As a result, the proposal will result in serious harm to an existing business that is already under significant strain from the current pandemic. The proposal will result in an oppressive 30-storey tower directly adjacent to the existing hotel with little to no consideration of the wide range of impacts on its operational use.

6.5 Should the City of London consider the proposals to be acceptable in principle, then a range of additional matters require urgent consideration to ensure they can be appropriately assessed to ensure no adverse impacts will arise in terms of daylight, sunlight, wind and microclimate

6.6 The spatial, design and heritage objections raised by Store Property Limited are fully supported.

6.7 To conclude, the proposals in their current form should be refused by the City of London and the reasons are outlined below.

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

PROPOSED REASON FOR REFUSAL 4:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

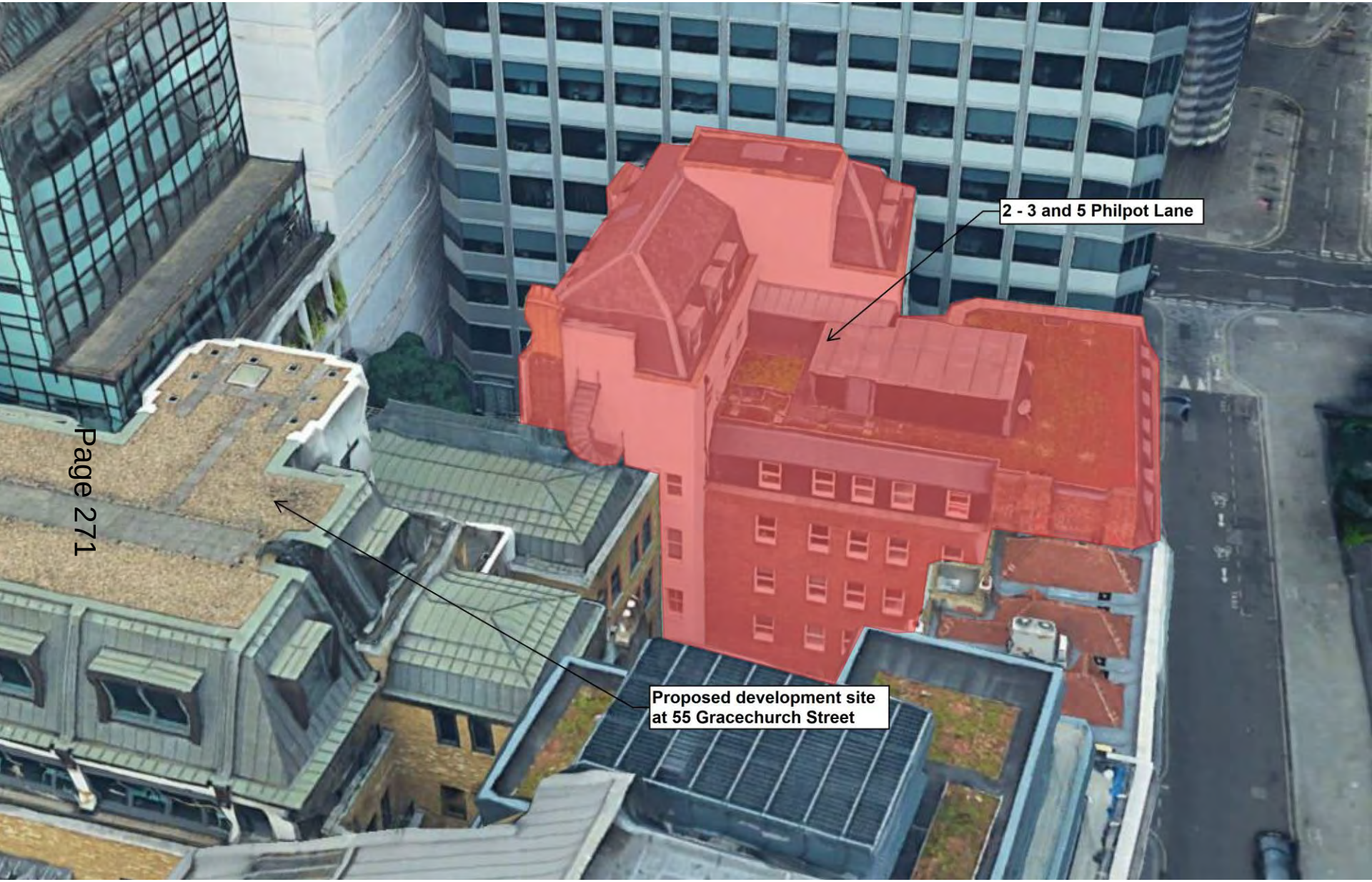
PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

PROPOSED REASON FOR REFUSAL 6:

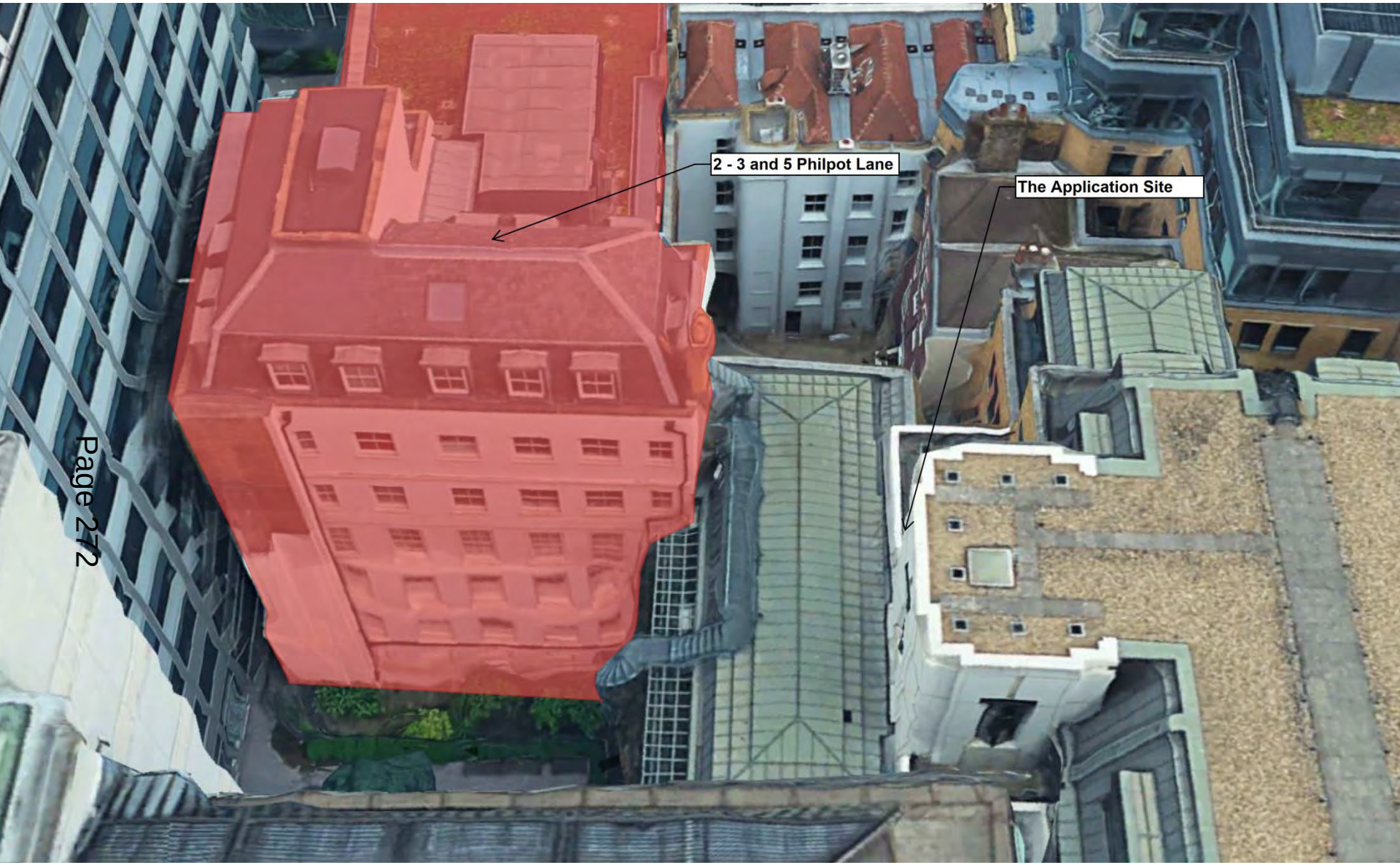
The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally effect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

Aerial Appendix 1



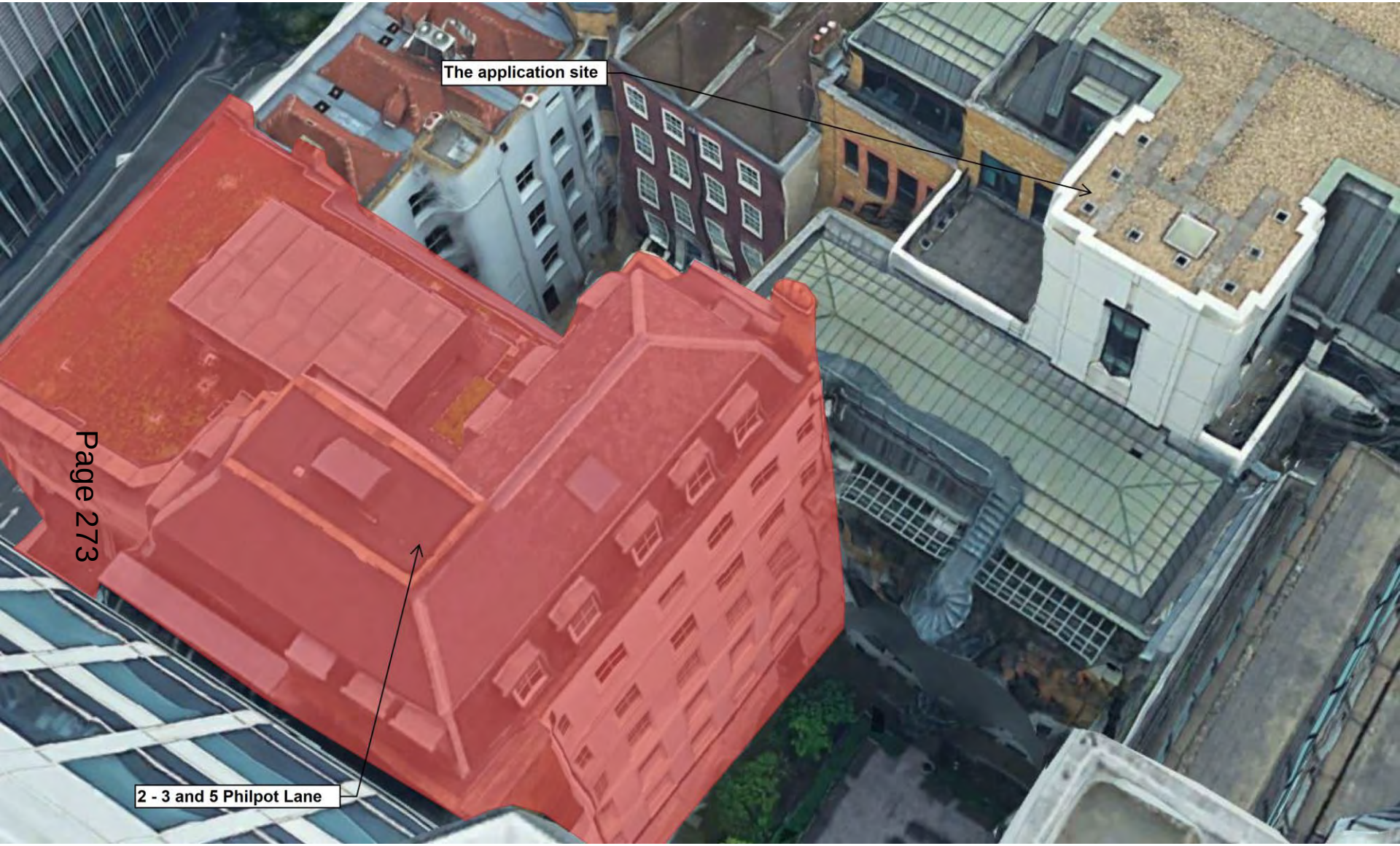
2 – 3 and 5 Philpot Lane from the south / south east, highlighted in red.

Aerial Appendix 2



2 – 3 and 5 Philpot Lane from the west, highlighted in red.

Aerial Appendix 3



2 – 3 and 5 Philpot Lane from the north west, highlighted in red.

Aerial Appendix 4

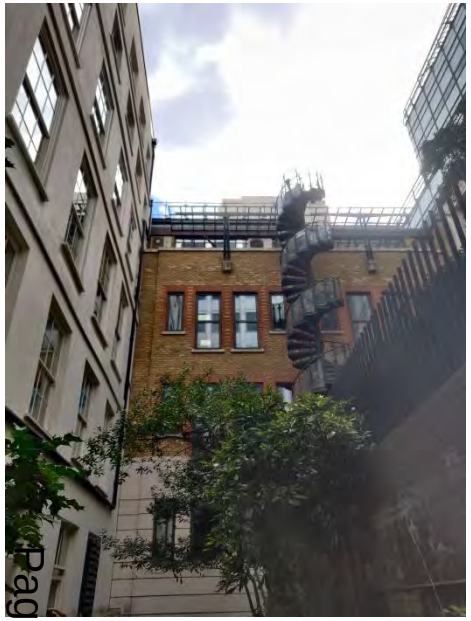








Photograph Appendix 1









1. Northern façade and fire escape of the existing building
2. Lower ground floor and ground floor windows to 2 – 3 Philpot Lane
3. Western façade of 2- 3 Philpot Lane with fire escape
4. Western façade of 2 – 3 Philpot Lane from lower ground floor

Photograph Appendix 2







1. 5th floor of 2 – 3 Philpot Lane towards site

2. 5th floor of 2 – 3 Philpot Lane to ground floor

3. 5th floor of 2 – 3 Philpot Lane towards office building opposite.

Photograph Appendix 3







1. 2 – 3 Philpot Lane from the application site (chimney and fire escape)

2. View from the north of fire escape on the application site

3. View from the south of 2 – 3 Philpot Lane chimney

The Office
Gridiron Building
One St Pancras Square
London N1C 4AG

Heritage Representation

55 Gracechurch Street, London (Application 20/00671/FULEIA)

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On behalf of:	Store Property Investments Limited	**Ref:**	0224

INTRODUCTION

1.1 This Note has been prepared by Ignus Froneman, Director at Cogent Consulting, and contains a representation on behalf of Store Property Investments Limited. The representation addresses the heritage impacts of the proposed redevelopment of 55 Gracechurch Street, London (City of London Application 20/00671/FULEIA) on the closest listed building, Nos. 2-3 Philpot Lane. The Note focuses on heritage matters relating to this building, although the nearby listed building at No. 4 Brabant Court is also considered, where relevant.

1.2 The building has not been subject to a full documentary research, but the information supplied in the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (August 2020), prepared by Citydesigner, has been referred to, alongside research undertaken by Ann Robey on behalf of Store Property Investments Limited in 2011, including a report by Julian Harrap, dated 1985, for the Georgian Group (**Appendix 1**). The author of this note has undertaken further online documentary research and has inspected the building in its context in September 2020, but it was partially occupied at the time of the site visit and only limited areas have been internally inspected.

OVERVIEW OF HISTORIC BACKGROUND

1.3 According to Historic England's online National Heritage List, Nos. 2 and 3 Philpot Lane was first listed on 5 June 1972. The list description, as is commonplace for listings of this time, is relatively short:

"*In Court at rear of No I. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed.*"

1.4 The *Pevsner* guide[1] describes Philpot Lane, and Nos. 2-3:

"*Named after Sir John Philpot, Lord Mayor 1378-9, who owned property hereabouts. Before that called after St Andrew Hubbard, burnt in 1666 and not rebuilt: it stood opposite the S junction with Eastcheap.*

Well-documented C17-C18 houses (w side) nicely demonstrate the tendency of greater dwellings of that time to lurk off the highways. Nos. 2-3 (N end) face a little court, reached through an archway from a demolished mid-c 19 building. Three stuccoed bays, part of the house of Nathaniel Letten, merchant, c. 1670, later divided and heightened by one storey. Handsome flat door hood on big brackets. Refurbished by David Landaw & Partners 1987-9, with rear extension."

1.5 Before that, in 1985, Julian Harrap wrote a detailed account of the building, which noted the following:

i. The west wall of the building was probably five bays wide, with 'various windows which appear to have been added at the south' and it was three storeys tall.

ii. The two top storeys were added later; an early 19th century extension and then a war damaged replacement top storey.

iii. Observations of some original elements suggest an original construction date of late 17th or early 18th century.

iv. The great height and large first floor windows indicate grand rooms.

v. The present front entrance was probably originally the back entrance, with the front facing the courtyard to the west.

1.6 According to Ann Robey, in 1838 the house went into multiple occupation, with the southern arm (or wing) of Nos. 3 & 4 entered from the south, and for a while it was known as No. 5 Brabant Court. In 1846 Nos. 2 & 3 were described as '*a capital messuage with courtyard abuting Philpot Lane, now known as Nos. 2 & 3, comprising a warehouse and room and counting house over premises to George Killick on the southside of the said No. 3, with an entrance from Brabent Court, known as No.5 Brabent Court, which warehouse and counting house are occupied by Messrs Lewis Nokes* [?] *Wholesale tea dealers, while nos. 2 and 3 are let out in separate rooms and chambers to tenants*'.

1.7 The building was most likely built as the high status house of a City merchant, although it has evidently been re-used, having been used as part of a bank in the 19th century, as well as offices, and the premises of a wine merchant. The building would have undergone alterations as part of these cycles of re-use. That is not unusual for a City

[1] *The Buildings of England, London 1: The City of London* (2002 edition) pp577-8.

house such as this, and this history of adaptation adds to the time depth and interest of the building.

1.8 The building was also damaged in WWII, when the top and the eastern return to Philpot Lane were partially rebuilt. Perhaps the best illustration of this is the sequence of oblique aerial photos, which record the building at different angles, and in different light, from 1922 to 1947. Extracts of these are replicated below and the south-western chimneystack, to be demolished as part of the proposed development, is highlighted with a red arrow for ease of reference.



Fig 1: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, 1922, from the SW. © Britain from Above EPW007740 ENGLAND.



Fig 2: Detailed extract from an oblique aerial photo of the eastern half of the City of London, 1938, from the east. © Britain from Above EPW057040 ENGLAND.



Fig 3: Detailed extract from an oblique aerial photo of Leadenhall Street and the city, London, from the east. © Britain from Above EAW000510 ENGLAND.



Fig 4: Detailed extract from an oblique aerial photo of the area around Monument, Gracechurch Street and King William Street, London, from the south, 1946. © Britain from Above EAW013047 ENGLAND.



Fig 5: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, London, 1947, from the south. © Britain from Above EAW011174 ENGLAND.

1.9 It is possible to tell from the sequence of oblique aerial photos that the building would have had a steep roof to the west in 1922, but seemingly with a taller east elevation, which had a shallower roof over. Over the years there were consistently two chimneystacks to the south elevation, which must reflect the internal use of the rooms

at the southern end of the building, and may include its adaptive reuse. It is possible to tell that the top storey, and certainly part of the east elevation, was rebuilt in the 1940s. The typical dense historic courtyard arrangement of the City block within which the building is set is also evident on the aerial photos, with buildings crowded around small courtyards and alleyways. Some of the buildings were taller than others, but the courtyards were defined by buildings of broadly consistent scale and height.

1.10 The former house has undoubtedly been altered over the years and the former rear warehouse type abutment on Brabant Court, as recorded on the 1978 photo (**Fig 6**), has been replaced with a modern apartment block.



Fig 6: The building to the north of Brabant Court in 1978; this has now been replaced. © City of London: London Metropolitan Archives http://collage.cityoflondon.gov.uk.

1.11 In the wider context there has been much replacement and rebuilding, with only fragmentary parts of the 18th century townscape surviving, especially within the courtyards. No. 4 Brabant Court is an example of another merchant's house off Philpot Lane, and in the absence of very much else of this period, aside from the Philpot Lane frontage (Nos. 7 & 8, listed grade II*), there is relatively little left of this once common, but now rare, historic townscape.

OBSERVATIONS ABOUT SIGNFICANCE AND SETTING

1.12 As has been stated at paragraph 8.B.35 of the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (the HTVIA), "*Although significantly altered, these listed buildings on Philpot Lane and Brabant Court are of historic and architectural interest owing to their age, architectural quality and original details* […]"

1.13 As a very brief and very broad summary of significance, this statement is correct. However, its brevity does not allow for a good understanding of how this significance can still be appreciated or understood, and how parts of the building, or its setting, are capable of assisting in its understanding, and of revealing its significance.

1.14 The HTVIA, in the same paragraph as quoted above, also includes a very brief summary of the setting of the buildings in the group that is assessed, and how that contributes to their significance:

"*The setting of this group of listed buildings has changed considerably with larger scale and tall contemporary buildings. The mix of historic and new, small scale and tall buildings, along with the constantly evolving nature of the City is part of the character of their immediate setting and does not detract from their significance, which lies principally in their age, history and surviving architectural details*."

1.15 It is here where the statement omits to say anything about the value of the rare merchants' houses on the west side of Philpot Lane, which now still "*demonstrate the tendency of greater dwellings of that time to lurk off the highways*" as *Pevsner* put it. It is possible to stand at the grade II listed merchant's house at No. 4 Brabant court and look at Nos. 2-3 Philpot Lane, as can be seen from **Photo 1** below. The photo shows that the depth of Nos. 2-3 Philpot Lane can be seen from Brabant Court, along with the chimneystack, both of which help to reveal something of the nature of this building, and allows for an understanding that these are two former merchants' houses. The chimneystack is a well-detailed domestic feature that visually ties the Brabant Court corner of the former house with the rest of the building and makes it instantly understandable (in spite of the modern spiral escape staircase that is also seen).



Photo 1: The grade II listed merchant's house at No. 4 Brabant court (left), looking towards Nos. 2-3 Philpot Lane (right).

1.16 The next section of this representation considers some of the pertinent guidance set out in Historic England's *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* referred to as GPA3 hereafter. The HTVIA does not contain any such equivalent assessment.

1.17 Paragraph 9 of GPA3, under the heading "*Change over time*", notes that settings of heritage assets change over time. Understanding this history of change will help to determine how further development within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset. Settings of heritage assets which closely resemble their original setting are likely to contribute particularly strongly to significance. Settings that have changed may also enhance significance, e.g. where the townscape character has been shaped by cycles of change over the long term. Settings may also have suffered negative impact from inappropriate past developments and may be enhanced by the removal of the inappropriate structure(s).

1.18 Nos. 2-3 Philpot Lane is an example of a building in a setting that has undergone considerable change. In certain respects, the building's setting bears very little resemblance to its original setting (e.g. the large scale modern adjoining blocks on Fenchurch/Gracechurch Streets, 9-11 storeys); this aspect of the present-day setting does not add to or reinforce its significance. The tall building at 20 Fenchurch Street is also an obvious case in point, although with the difference that it sits within a different street block and is morphologically distinct from the courtyard block of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane. However, despite much rebuilding and the modern replacement buildings, there is still a sense of the morphology of the historic street block and the former merchant's houses set within this context, and visible from Brabant Court (where the visual intrusion of the blocks on Fenchurch/Gracechurch Streets is not felt). Although some later development has increased the height of the street block and eroded some of its character, particularly on Fenchurch/Gracechurch Streets, something of the original scale remains.

1.19 Given the high rate of the loss of the historic setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane, the residual sense of the original arrangement, and the ability to understand these two former merchants' houses within the context of each other is all the more important, and the residual visual relationship between them, as is illustrated ta **Photo 1**, is all the more relevant. That includes the ability to perceive the depth of Nos. 2-3 Philpot Lane, along with the chimneystack. Paragraph 11 of GPA3, under the heading "*Views and setting*" Highlights views which contribute more to understanding the significance of a heritage asset include those where relationships between the asset and other heritage assets are particularly

relevant. This is clearly a case where the relationships between the former merchants' houses contribute to their understanding. Paragraph 26 of GPA3 notes that, when assessing whether the setting of a heritage asset makes a contribution to its significance, and the extent and/or nature of that contribution, the "*physical surroundings of the asset, including its relationship with other heritage assets*" is one of four things to consider, again highlighting the importance of this relationship.

1.20 Paragraph 9 of GPA3, under the heading "*Cumulative change*" highlights that, where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, consideration still needs to be given to whether additional change will further detract from (or can enhance), the significance of the asset. An example of negative change is severing the last link between an asset and its original setting.

1.21 This is relevant for two reasons. The changes to the setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane do not mean that further change is inconsequential, or does not need to be assessed in detail. Secondly, the proposed development would go some way towards severing any meaningful link between the two listed buildings; of course the corner of Nos. 2-3 Philpot Lane would remain in Brabant Court, but the legibility of the building – assisted in no small part by the chimneystack and south elevation – would be largely lost.

1.22 The heading "*Access and setting*" as part of paragraph 9 of GPA3 is relevant to the western courtyard of Nos. 2-3 Philpot Lane, which is likely to have been historically the principal elevation, as is evidenced by the plat bands and the residual cornice band, as well as the fenestration arrangement – all of this indicate that this was not designed as the back elevation of the building. Although this courtyard is not publicly accessible, it remains relevant, to the extent that the space contributes to the appreciation of the building, and its significance; this was the space that the building would originally have addressed. The same is true for the alleyway that gives access to the courtyard from Fenchurch Street. The quality and character of the courtyard has been somewhat compromised by the larger blocks to the north and west, which makes it a dark and slightly compromised space, but remains important as the space once addressed by the façade. It is also important as a residual courtyard space reminiscent of the historic courtyards the building would have been associated with (it is clear that by the 19th century much infill had occurred, though some of that has been reversed).

1.23 Again, under paragraph 9 of GPA3, the section headed "*Setting and urban design*" notes that the protection and enhancement of setting is intimately linked to townscape and urban design considerations. These often relate to townscape attributes such as enclosure, definition of spaces and spatial qualities. On the one hand the enclosure of courtyard spaces in the context of the listed buildings at No. 4 Brabant Court and Nos.

2-3 Philpot Lane is important: without the enclosure of the courtyards, there is no obviously definition of these spaces. On the other hand, as can be seen from the historic aerial images, there is also a distinction between the spatial quality and character of positive enclosure, and the type of enclosure that has resulted from the larger blocks on Fenchurch Street and Gracechurch Street (9-11 storeys). The latter have created something of a canyon-effect and the spatial quality and character of the courtyard and the passageway to it from Fenchurch Street has suffered.

1.24 The proposed development would see the creation of a sheer wall of 30 storeys enclosing the courtyard to the south. Such an enclosure of this small courtyard space, immediately to the west of Nos. 2-3 Philpot Lane, would create an wholly disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology (again, the tall building at 20 Fenchurch Street is not part of the urban fabric of the street block within which the listed buildings are set and, being separate, it has a different relationship with them). The quality of the courtyard space would be severely compromised.

1.25 The image below (**Fig 7**), from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303) illustrates the disproportionate sense of enclosure that would significantly distort the urban morphology and compromise the historic courtyard.

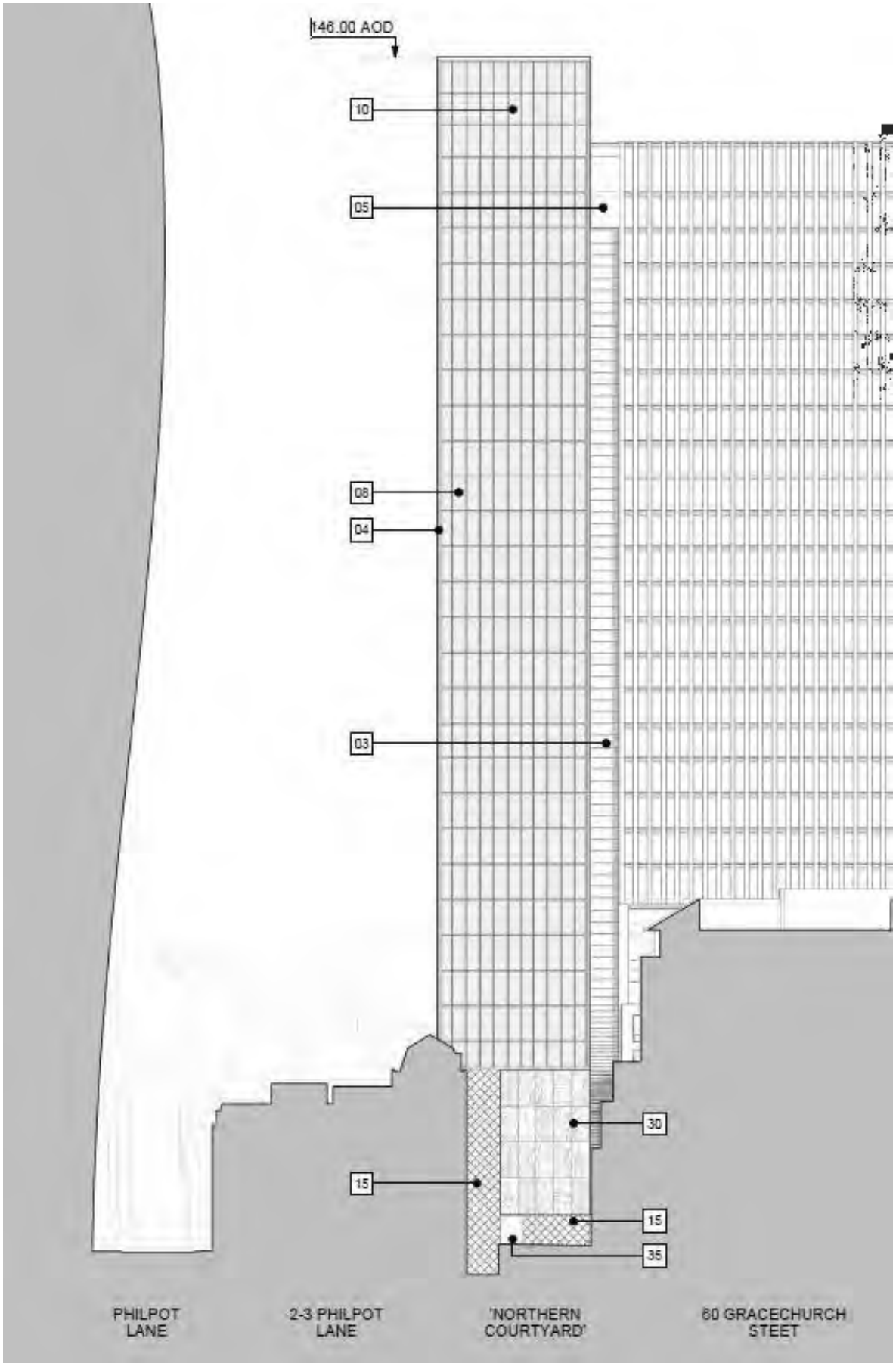


Fig 7: Extract from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303).

1.26 The final heading under paragraph 9 of GPA3 is entitled "*Setting and economic viability*". The guidance notes that the economic viability of a heritage asset can be reduced if the contribution made by its setting is diminished by badly designed or insensitively located development. In this case, it is hard to see how the economic viability of the listed building would not be reduced by the proposed sheer wall of 30 storeys in height immediately to the south of it, enclosing the courtyard. The building already faces a relatively dark lightwell (at basement level) and courtyard above. It is in use as a hotel with apartments but the desirability of these lodgings would diminish with a 30 storey tower effectively blocking the light from the southern aspect of the courtyard. Some of this can be seen from the drone photo at **Photo 2**; note the angle of the shadows.

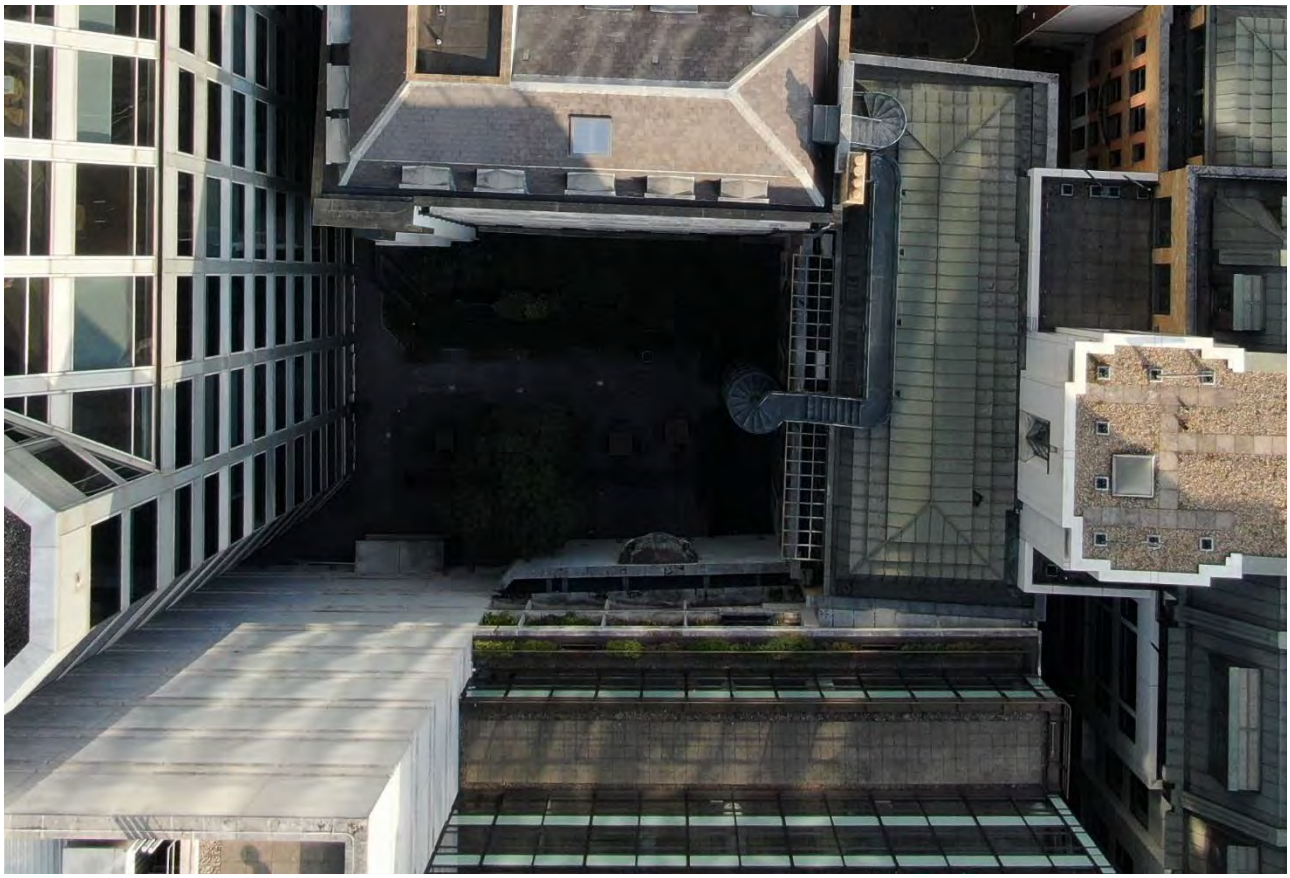


Photo 2: A vertical drone photo of the courtyard to the west of the grade II listed Nos. 2-3 Philpot Lane. The photo is orientated with north roughly to the left and the west elevation of the listed building is at the top. The application site is to the right.

1.27 The "*Assessment Step 2 Checklist*" in the text box on page 11 of GPA3 identifies typical things that an assessment may need to consider. Those most relevant to this case are cited below and their relevance is briefly discussed. The following are noted under the asset's physical surroundings:

1.28 Other heritage assets: This is clearly a case where the relationships between the former merchants' houses contribute to their understanding, as has already been discussed.

1.29 Definition, scale and 'grain' of surrounding spaces: As has been noted above, the type of enclosure of the small courtyard space to the west of Nos. 2-3 Philpot Lane that the sheer wall of 30 storeys would create, would be wholly disproportionate. This would significantly distort the urban morphology and sense of scale to the courtyard space.

1.30 Openness, enclosure: It may be added that the sense of space and openness provided by the sky in this tight urban context of alleys and courtyards encapsulates more than simply the spacing (i.e. dimensions) between buildings. It also encompasses the three dimensional sense of space, and the ability to see the sky above from within these courtyards. The proposed development would remove much, if not all of the sky seen to the south of the listed building on **Photo 3**. The courtyard at Brabant Court would also be significantly impacted, immediately to the south of Nos. 2-3 Philpot Lane and to the west of No. 4 Brabant Court. The proposed development would all but obliterate the narrow sky gap that defines the passageway to the north of the courtyard at Nos. 2-3 Philpot Lane, as can be seen from **Photo 4**.



Photo 3: The west elevation of Nos. 2-3 Philpot Lane, seen here addressing the courtyard to the west and the sky gap that would be occupied by the proposed development.



Photo 4: The passageway to the north of the courtyard at Nos. 2-3 Philpot Lane. The sky gap would be occupied by a 30 storey tower.

1.31 History and degree of change over time: As has been noted, there has been much redevelopment of the street blocks in the context of Nos. 2-3 Philpot Lane and No. 4 Brabant Court, meaning that these residual historical elements are especially important. Also, more recent development has gone taller than the historic townscape, especially the blocks on Fenchurch Street and Gracechurch Street, and these have diminished the quality and character of the courtyard to the west of the listed building. However, the street block has not been affected by more dramatic height, or skyscrapers. The proposed 30 storey tower would significantly and irreversibly change this.

1.32 Under the experience of the asset, the surrounding townscape character is also highlighted. This is again relevant to the way in which the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court can be experienced, together, in a courtyard arrangement that still, broadly, reflects something of the historic townscape, and which would be significantly harmed by the proposed tower, set within the depth of the street block.

1.33 A final observation is that, according to paragraph 8.B.36 of the HTVIA:

"*On Brabant Court, the lower 'podium' part of the proposed development* [to the east, adjacent to the listed No. 4 Brabant Court] *is of a similar height to that of the existing buildings facing the Court, and has been carefully considered in terms of scale, materials and details to respond sensitively to this group of listed buildings. The taller element steps back from the lower podium …*"

1.34 Similarly, according to section 4.3.5 of the submitted Design and Access Statement:

"*The proposed brick structure is aligned to the parapet of the adjoining 4 Brabant Court.* […] *The upper levels of the proposal* [to the east, adjacent to the listed No. 4 Brabant Court] *are set back three metres to help modulate the difference in scale between the scheme and the courtyard buildings*."

1.35 Both statements imply that the setback to Brabant Court was given careful consideration and was designed to 'sensitively' respond to the listed building. It is therefore particularly striking that no such sensitivity was recognised in respect of the western courtyard, where the proposed building would not only be located immediately next to the listed building at Nos. 2-3 Philpot Lane, but in fact partially overlap it. There is no setback. Instead, the proposed development demolishes the chimneystack of the listed building and subsumes it into a sheer, 30 storey wall. It is as if the care and sensitivity reserved for Brabant Court had been abandoned where the development

is hard up against a listed building, and the proposed building was designed instead as if there was no listed building.

OBSERVATIONS ABOUT THE PHYSICAL IMPACT OF THE PROPOSED DEVELOPMENT

1.36 The proposed development would see the demolition of the only remaining chimneystack to the listed building (there is a truncated stack at the north, but in its truncated state it is less legible). Although it is clear from the brickwork that the top of the stack has been rebuilt, it is also clear that the lower part of the stack is of some age (**Photo 6**).



Photo 6: The south elevation of the listed building at Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.37 The stack corresponds with chimneybreasts internally, and it is an external expression of the internal arrangement of the listed building. It is instantly recognisable as a traditional feature and it helps to reveal the former domestic function of the building, especially when seen from Brabant Court or when seen in conjunction with the formally arranged west elevation, formerly the front of the house (**Photo 7**).



Photo 7: Oblique view of the west elevation of Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.38 It would also appear that the top part of the west elevation of the listed building, where the abutting modern existing structure steps back (**Photo 8**) would become subsumed by the new building (**Fig 8**), although this is not entirely clear from the drawings.



Photo 5: The top part of the west elevation of the listed building, where the existing structure steps back.

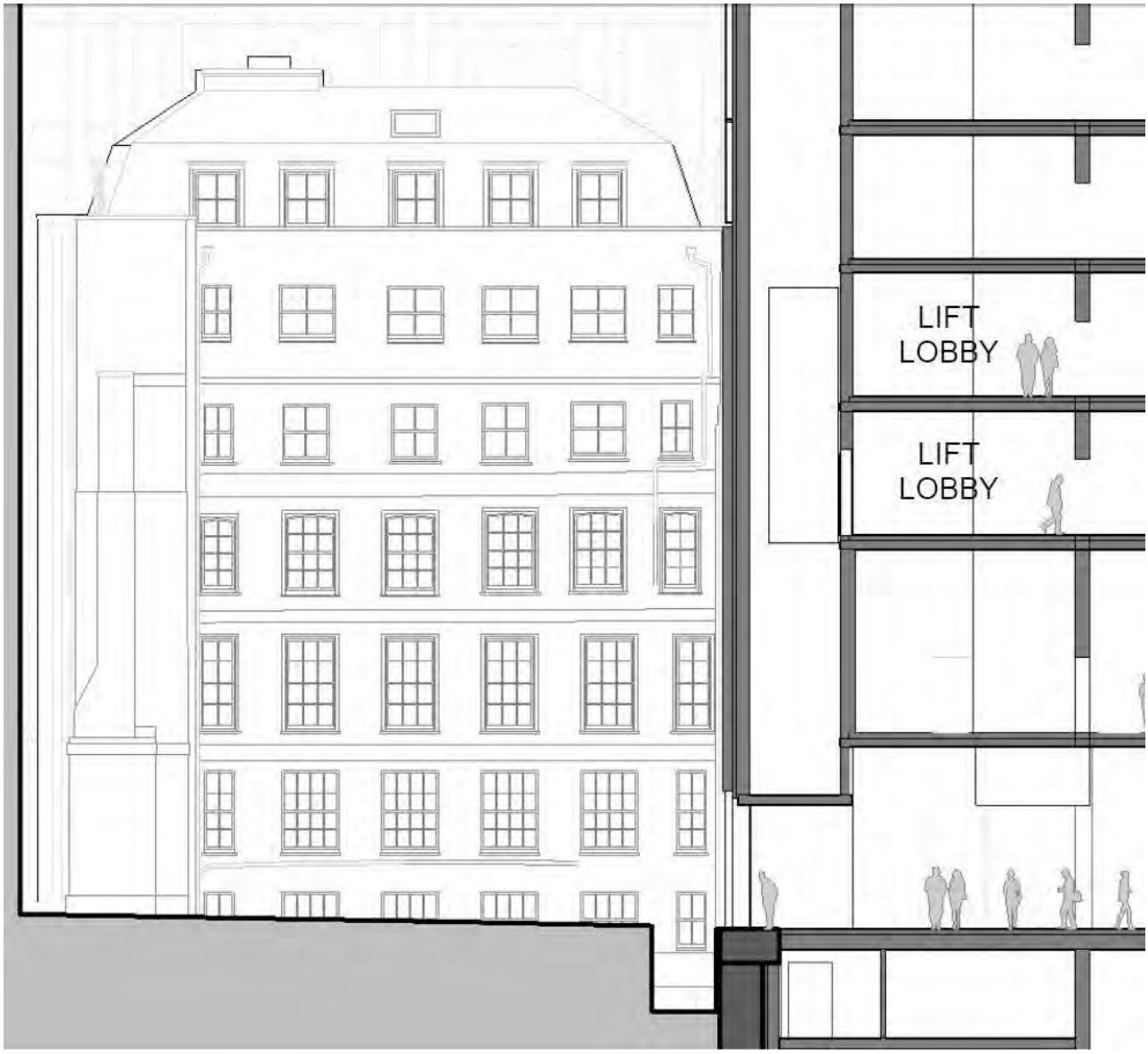


Fig 8: Extract from the submitted Proposed Section D-D (drawing PP-FPA-XX-XX-DR-A-16403).

1.39 The removal of the chimneystack would result in the loss of evidential value to the listed building and it would affect its legibility. This would harm the significance of the listed building, which would be compounded by the replacement of the stack with a 30 storey sheer elevation.

1.40 No listed building consent application has been submitted and it is not possible to comment in detail on the impact of this alteration to the listed building, or potential harm that would arise from the way in which the new building would overlap the listed building. In the absence of this detailed information, it is not possible to determine the potential impacts of this part of the proposed development.

CONCLUSIONS

1.41 The summary and very basic impact assessment in the HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3, and by omitting this; the applicant has failed to demonstrate adequate assessment regarding the proposals impact on nos. 2 – 3 Philpot Lane and no. 4 Brabant Court.

1.42 This representation has demonstrated the contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the existing urban morphology, and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed buildings at 2 – 3 Philpot Lane and 4 Brabant Court.

1.43 In addition, the removal of the chimneystack would compound the harm through the removal of a feature of the building that assists in its legibility through the loss of historic fabric and evidential value.

1.44 No other heritage assets have been assessed in this representation, although it is possible that the HTVIA has equally not properly assessed impacts on other heritage assets, meaning that the conclusions of the document may well be unreliable.

APPENDIX 1:

Report by Julian Harrap, 1985, for the Georgian Group

IAN HARRAP ARCHITECTS 21A STOKE NEWINGTON ROAD LONDON N16 8XA

Your reference

Our reference

2 and 3 PHILPOT LANE LONDON EC4

The house stands in backland surrounded by new office development. The west elevation of the house faces a courtyard. Entrance to the house is from Philpot Lane via a walled passageway. The house is of four floors over a basement with sub-basement. It is constructed of brick with timber floors and has sash windows punctuating the brickwork at regular intervals. An excellent fragment of late 17th/18th century brickwork remains in the north west corner. This has red-dressed reveals to the windows below rubbed brick arches, with old beaded flush box frames. At second floor level is a shallow projecting rubbed brick moulded band course and at third floor level a substantial dentilled cornice of rubbed brick. The remaining part of this elevation appears to have been reconstructed in the early 19th century. A buttress wall has been constructed against the eastern end of the north wall. The east elevation is three windows wide and there is an early mid-18th century doorcase at the north east corner, through which entry is provided to a raised ground floor. The south wall of the building abutts a new building. The west wall of the house was probably five windows wide originally and probably three floors high. The line of the band course at second floor level is evident, as is the line of the main cornice at third floor level. There is an abutting chimney breast at the northern end of this wall and various additional windows appear to have been added at the south end. There is a stone incorporated in the elevation at area level asserting that the wall belonged to C J King in 1871.

Should pre-dat Window act of 1709 (sash boxes set back 4") but, according to Construction many windows appeared to be built flush with wal till early 1730's

Ian Harrap Dip Arch RIBA 01-254 4358

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Above the original cornice level are two further storeys of accommodation, the lower one perhaps added in the early 19th century when the present staircase was installed and the upper one re-formed after war damage in 1951. The interior of the building is very substantially concealed by facings, linings, false floors and flase ceilings. Few fragments of the original phase of construction can be seen, but the following items seem consistent with an original construction date between 1690-1710. The sub-basement has a large timber beam perhaps 500mm sq. of oak and this shows evidence of having supported cogged floors. The upper basement covers the full extent of the site including a vault under the entrance passageway to Philpot Lane. At ground floor level, behind the north elevation of the building, are large timber baulks framed together to form the floor structure, with a principal beam running east-west the full width of the building and eastern wing. The area of the basement to the south is divided into two rooms be massive walls and the ceiling sags considerably in the central area, possibly because two large columns bear on this floor above. The existing ground floor is entirely encased with later finishes and partitions arranged as the attached plans. The most interesting features are two early 18th century Tuscan columns aligning with the second bay from the south. These must have once been part of a grand entrance hall, which would be consistent with a commercial use of the ground floor at the time of initial construction. At first floor level, the great height and very large windows are indicative of grand rooms. The floor void between ground and first floor is reportedly two to three feet deep which would be capable of concealing a deep cornice. The windows on the north elevation and some on the west elevation retain large ovolo beaded shutters with plain panels.

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There is a chimney breast on the south wall and on the east wall of this floor. At second floor level there are substantial remains of a late 17th century-early 18th century interior. Particularly valuable is a lined opening consisting of two fluted doric columns supporting a four centred arch, with six raised and fielded soffit panels and a key stone. This would have given access from main house to wing, before the lift was installed. In the north west corner of the plan is an almost complete 18th century interior with unusually raised and fielded panel shutter reveals to the window on the north elevation, a full box cornice and ovolo panelled walls. At the southern end of the plan entered through a very good eight panelled door is another grand room with full box cornice and perhaps plane moulding, enhanced with a mouse moulding. A fragment of box cornice remains adjacent to the eastern fire place on this floor. The middle room has a simple 19th century cornice. The third and fourth floors are of very little interest, but it is significant that the 19th century stair continues to the third floor level.

With the evidence described, there are grounds to suggest that this structure was once a grand City Merchants house, perhaps constructed in the late 17th/ early 18th century, probably retaining its original plan form except that the grand stair at ground and first floor has been removed and the well filled in. The present front entrance to the building was probably the back entrance and access to the wing would probably have been through lobbies where the lift now runs up through the building. The plan form of the building could well have been very similar to that remaining at second floor level with two large and one small principal rooms per floor.

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In order to reach a considered conclusion about the merit and worth of the building an architectural and archaeological investigation should be undertaken, with a view to testing the hypothesis of internal arrangement derived from this inspection. Only when more information is available, could a proper value be attached to the building from an architectural and historical viewpoint. With leases due to fall in over the next two to three years, sectional investigation and even repair, could be a practical proposition. The present application to completely gut the building would have to be resisted until further information was available.

Julian Harrap Architects

March 1985

Dip Arch RIBA
01-254 4358

19 October 2020

[redacted]

Lambert Smith Hampton

United Kingdom House 180 Oxford Street

London W1D 1NN

FOA Gywn Richards
Chief Planning Officer
PO Box 270
Guildhall
London EC2P 2EJ

Sent via e-mail (plans@cityoflondon.gov.uk)

Letter of Objection

Application reference: 20/00671/FULEIA
Description of Development: *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*
Address: 55 Gracechurch Street London EC3V 0EE

We write on behalf of our clients, Store Property Investments Limited to **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020.

In addition to this cover letter, the list of documents submitted for consideration are set out below.

Store Property Investments Limited
- Objection Report (Store Property Investments Limited, October 2020)
- Aerial Photographic Appendix (October 2020)
- Stevens & Bolton LLP letter (September 2020)

The Objection Report is also supplemented by a *Heritage Report, produced by Cogent Heritage*, which provides a professional summary on the impacts of the proposal on neighbouring heritage assets, and a letter from our clients solicitor to representatives of the applicant.

Store Property Limited are the freehold owners of 2 – 3 and 5 Philpot Lane, which is set to be adversely impacted by the development proposals as a result of the various impacts on both the property, the surrounding historic townscape and the existing hotel use.

Within the appended objection reports, we outline why the proposals are considered to be contrary to the policies set out within the adopted and emerging development plan and also set proposed reasons for refusal.

We summarise that the proposals in their current form should be refused by the City of London for the reasons outlined within the Objection Report. Should this not happen, our clients have signaled their intention to challenge the lawfulness of any future decision. Our client also reserves the right to supplement the above objection in respect of specific matters relating to the applications and to be re-consulted regarding any further amendments or additional documentation submitted.

We await confirmation that this objection has been acknowledged and logged and my client would be happy to demonstrate these impacts on site, should the case officer wish.

Should you have any queries, please contact either myself or my colleague Rob Reeds [redacted]

Yours faithfully,

[redacted]

Mary-Jane O'Neill
Head of Planning – London & South East
For: **Lambert Smith Hampton**
DL:
M: [redacted]
E:

Enc:
20-00671-FULEIA 55 Gracechurch Street Objection Letter (Store Property Investments Ltd)_Obj
Appendix - 20-00671-FULEIA 55 Gracechurch Street Appendix (Store Property Investments Ltd)
SB to Delva Patman Redler 18092020_1
2020 10 04 - 55 Gracechurch Street Heritage Representation 0224



Lambert Smith Hampton

www.lsh.co.uk

Objection to Planning Application

For the proposed development at

55 Gracechurch Street
London EC3V 0EE

On behalf of

Store Property Investments Limited

Prepared by
Lambert Smith Hampton
United Kingdom House
180 Oxford Street
London
W1D 1NN

October 2020

[redacted]

1.0 Introduction

1.1 We write on behalf of our client, Store Property Investments Limited, to strenuously **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020. The application particulars are outlined below.

> **Application reference:** 20/00671/FULEIA
>
> **Description of Development:** *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*
>
> **Address:** 55 Gracechurch Street London EC3V 0EE

1.2 Our client, Store Property, has a number of serious concerns relating to inadequacies and discrepancies in respect of the documentation submitted in support of the application, including issues regarding Heritage, Daylight, Sunlight and Overshadowing, Wind and Microclimate and adverse impacts on the operation and viability of our client's own premises. There are also a number of deficiencies in terms of the documents submitted, and in particular the failure by the applicant to submit an assessment of the impacts on 2 – 3 and 5 Philpot Lane and associated properties in the immediate vicinity. All of the points raised are considered in further detail within this submission and also assessed against the current planning policy framework for the City of London. In summary, the proposals represent a gross overdevelopment of the site and fail to adequately address the relationship of the site with the surrounding context.

1.3 Our client is the owner of 2 – 3 and 5 Philpot Lane, which is set to suffer significant adverse impacts caused by the proposed development. The property is currently in use as a hotel with 36 apartments across 7 floors (lower ground floor, ground floor plus five). 2 – 3 Philpot Lane is Grade II Statutory Listed. In this regard, a separate Heritage Objection Report *(by Cogent Heritage)* has been undertaken to assess the potential impacts of the proposal on this building. Number 5 Philpot Lane is not statutorily listed but does comprise hotel accommodation and is in the demise of our client.

1.4 Within this objection report, we outline why the proposals are contrary to the policies set out within the adopted and emerging development plan, which broadly comprises the City of

London Local Plan (2015), the City Plan 2036 (2020), the London Plan (2016, as amended) and the Intend to Publish London Plan (2019). This letter also sets out the reasons for refusal.

1.5 This objection is accompanied by a photographic and aerial appendix of the site which is referred to and attached. This report is split into sections outlining the background and context for the objection, the planning assessment across a variety of themes, additional considerations for the LPA which are material to the determination of the planning application and a summary. The contents are outlined below.

1. Introduction
2. 2 – 3 and 5 Philpot Lane
3. Planning Assessment
4. Principle and Design
    a. *Siting of a tall building in this location*
    b. *Justification for a tall building in this location*
    c. *Design approach*
    d. *Access*
5. Heritage
6. Daylight, Sunlight and Overshadowing
7. Wind and Microclimate
8. Impact on the viability of the existing hotel use
9. Other considerations
    a. *Site Boundary*
    b. *Existing escape stair*
    c. *Demolition and construction*
    d. *Construction Methodology*
    e. *Consultation*
    f. *Summary*
10. Conclusions

1.6 Sections 3 – 8 of this objection report outline the planning reasons why this proposal should be refused. Section 9 identifies a range of additional considerations which do not appear to have been addressed by the applicant in their submission. The cumulative adverse effects arising from the proposals amounts to serious concerns about how well prepared the application is and what due diligence has been undertaken in order to satisfy the City of London that the proposals can be delivered in a safe and appropriate way.

1.7 In addition to the planning concerns, there are also a range of legal issues that the applicant or their agents have not responded to, which are outlined in a letter from Stevens & Bolton LLP dated 18 September 2020, which is appended. These issues principally concern the legal rights of our client regarding the fire escape, the ownership boundary (specially the chimney stack),

the construction methods, over sailing, disruption and maintenance issues. As these are legal matters, they will not be discussed in significant detail within this representation but they nevertheless cast severe doubt on the deliverability of the scheme.

2.0 2 – 3 and 5 Philpot Lane

2.1 Our client owns the freehold to 2 – 3 and 5 Philpot Lane, which accommodates a hotel with 36 fully serviced apartments owned and operated by City Apartments. City Apartments provides high quality, furnished hotel apartments for business and tourist visitors for both short term and long term stays.

2.2 For clarity, we have marked our client's ownership and interests on the submitted site location plan in Figure 1, which is indicated to the north east of the application site in in block shading. Additionally, further photographic and aerial information is contained with the Appendix.

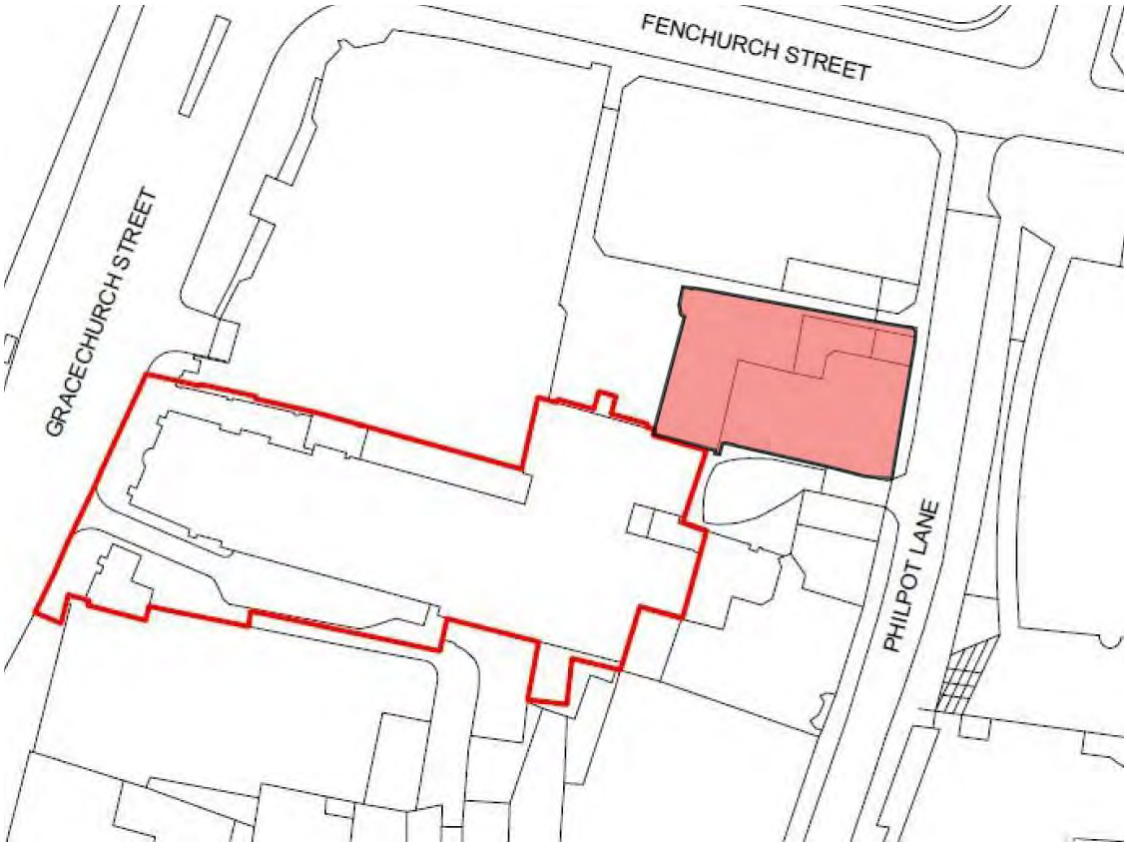


Fig. 1 - Location Plan of the application site (red outline) and clients site (red shade)

2.3 With regards to designations, Number 5 Philpot Lane is not listed however Numbers 2 and 3 Philpot Lane are Statutory Grade II listed and were first listed on 5 June 1972. The list description is relatively short but states:

> *"In Court at rear of No I. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed."*

2.4 The entrance to 2 – 3 and 5 Philpot Lane is from Philpot Lane through an attractive archway with black iron gates. There is a small central courtyard used for arriving guests which is often used as an informal amenity space and small gatherings as it provides a quiet area away from Philpot Lane and Fenchurch Street.

2.5 The images below show a typical hotel apartment, which comprise a bedroom, living space and bathroom.



Fig. 2 – Typical living space for hotel occupants



Fig. 3 – Typical bedroom for hotel occupants

2.6 The hotel is arranged over seven storeys (lower ground and ground plus five) with outlooks from the bedrooms and living spaces predominantly to the south (towards the 'Northern Courtyard') and west (towards 'Brabant Court').

3.0 Planning Assessment

3.1 On behalf of our client, we have reviewed the necessary planning application material and made an assessment of the proposals against both adopted and emerging planning policy. This comprises:

- The City of London Local Plan (2015);
- The City of London Local Plan Proposals Map (2015);
- The London Plan (2016, as amended).

3.2 The emerging policy background is as follows:

- The City Plan 2036 (proposed submission version)
- The New London Plan (Intend to Publish Version 2019)

3.3 In this regard, we have given due weight to the emerging policy background as so far it is material to the decision making of this proposal. With regards to the City Plan, this is considered limited, but relevant. With regards to the New London Plan, we have accorded this significant weight due to its advanced stage in the examination process.

3.4 We have also reviewed a number of other policy documents, including:

- The City Plan 2036 Policies Map;
- The City of London Wind Guidelines (2019)
- Archaeology and Development Guidance SPD (adopted July 2017);
- City of London Open Spaces Strategy (adopted January 2015);
- Eastcheap Conservation Area Character Summary and Management Strategy SPD (adopted March 2013).

3.5 There are various other documents that are material to the decision making process that do not form part of the Development Plan including various adopted Supplementary Planning Documents and Guidance although these are not considered material in the objections put forward as part of this report.

4.0 Principle of the Proposed Development and Design

4.1 This section will focus on the acceptability of siting a tall building in this location and the building's design, with specific assessment on the impacts related to 2 – 3 and 5 Philpot Lane.

4.2 Our client has a significant vested interest in ensuring that appropriate high-quality developments are permitted in City of London. It is on this basis that our client objects in the strongest possible terms to the proposals, which are spatially inappropriate with regard to the policies contained within the existing and emerging Local Plan and will, as a result, damage the viability of an existing business.

4.3 As identified in the description, the proposals consist of the demolition of all existing buildings and the erection of a thirty storey building (ground plus twenty-nine) comprising office, retail and a range of other uses in the building.

Siting of *a tall building in this location*

4.4 Policy D9 of The Intend to Publish Draft London Plan outlines a wide range of criteria to be assessed against including definition; locations; impacts; and public access. Policy D9 allows Local Planning Authorities to set the definition of tall buildings and where they are located. In Development Plans, tall buildings should be identified on maps and should only be developed in locations that are identified.

4.5 In accordance with Policy D9 of the Intend to Publish London Plan, the City of London Corporations "Core Strategy Policy CS14: Tall Buildings" sets the suitability criteria for the development of tall buildings in the City. The policy states that the City of London will support *'tall buildings of world class architecture and sustainable and accessible design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level'* subject to four key criteria, including being situated on suitable sites in the City's Eastern Cluster; refusing permission for tall buildings in inappropriate areas; only allowing proposals for tall buildings on suitable sites which have regard to the City Skyline, the character and amenity of neighbouring buildings and its impact on heritage assets.

4.6 The emerging City Plan "Strategic Policy S12 (Tall Buildings)" states that *'tall buildings with world class architecture and sustainable architecture will be encouraged on suitable sites, having regard to a range of criteria'* which includes effect on the skyline, character and amenity of the surroundings, impact on heritage assets, the provision of high quality public realm and environmental impacts.

4.7 With the submitted Planning Statement, the applicant appears to place great weight of spatial planning acceptability and justification on the basis that the proposals are in general conformity of the Eastern Cluster Policy Area, outlined within the Local Plan and the site being located within the "City Cluster" of the emerging City Plan.

4.8 It is important to note that the site is not located within the 'Eastern Cluster' Policy Area or located wholly within the 'City Cluster' and therefore does not automatically have the policy weighting to support taller buildings on suitable sites. Weight cannot be afforded to the content of these policies (Eastern Cluster Policy in the adopted plan or City Cluster Policy in the emerging City Plan) as the site is not located in these areas.

4.9 The applicant also points to 20 Fenchurch Street as being precedent for tall building development outside of the core development areas, however this site is considered to be an outlier when compared to the direction of travel within emerging policy documents.

4.10 Sites adjacent to the application site, however, are within the 'City Cluster'. The draft City Plan 2036 states that all of the City of London is sensitive to development of tall buildings and the City Cluster represents the most appropriate area for encouraging tall buildings in the City. Strategic Policy S21 (City Cluster) states, amongst other things, that delivering tall buildings on appropriate sites, including on "Renewal Opportunity Sites" will be encouraged. The City Cluster policy map identifies the surrounding plots of land as "Renewal Opportunity Sites". This presents a significant and compelling case not to allow a tall building in this location as it will firstly impede on the neighbouring "Renewal Opportunity Site" to come forward in a comprehensive form through an end-of block development but also result in a development which is located out of the area which is considered to taller buildings (i.e. The City Cluster).

4.11 Additionally, the site lies partly within the Eastcheap Conservation Area. Whilst it is argued that the tallest elements of the building are not located within the CA, the wider impacts and association of this location has not been fully considered and the proposal has not appropriately demonstrated that it does not impact on the setting or relationship with the Conservation Area and surrounding buildings. This is discussed in more detail within the Heritage Representation by Cogent Heritage.

4.12 In summary, and contrary to the applicants planning statement, the location of the site does not fall into an area that is readily accepted to accommodate a tall building and therefore the applicant must demonstrate acceptability across a range of criteria. This is discussed below.

Justification for a tall building in this location

4.13 In accordance with the Development Plan, the emerging London Plan and emerging City Plan 2036, should the site be considered suitable in principle for a tall building, the proposals will be required to satisfy a range of criteria related to design, urban design/townscape, heritage and environmental impacts (including wind, daylight & sunlight). The adopted and emerging policies relating to tall buildings also require development proposals to meet the highest quality of design to reduce and mitigate their impact on surrounding properties.

4.14 The policy tests are outlined below (note: CS14 has the same criteria as S12 therefore are being considered together).

S12 (Tall Buildings) Policy Test **CS14 (Tall Buildings) Policy Test**	**Assessment**
the potential effect on the City skyline, the wider London skyline and historic skyline features	The applicant has produced HTVIA and Design and Access Statement which has sought to demonstrates the impact of the proposed building on the City skyline. In many views outlined within the HTVIA, the proposal would continue the merging of the historical elements of the city southwards, presenting a solid mass of building when assessed against 20 Fenchurch Street and the cumulative scenario. This is especially prevalent in views from Butlers Wharf (View 10) and City Wharf (View 11). In many ways, the siting of the proposal is unfortunate, as 20 Fenchurch Street presents a significant and overbearing mass of a building which 55 Gracechurch Street adds to. It is clear that, when assessing the proposals from a distance, this part of the City should be dropping away in height significantly, especially when the height of 70 Gracechurch Street is taken into consideration. There is also the pertinent issue of view 19 in particular, which has a significant adverse impact on the setting of the Monument. Historic England has raised this as a significant concern within their objection letter of 2 October 2020. It is also the view of our client that the proposals cause significant harm to the City skyline and historic skyline features.
the character and amenity of their surroundings, including the relationship	The proposed building is located mid-terrace (block) and would present a tall building directly adjacent to mid-rise city blocks which is at odds with the fabric and grain of the existing

with existing tall buildings	buildings. The City has very successfully accommodated tall buildings, with exemplar architecture and high quality urban design across many sites in the City. There are numerous examples of where tall buildings have a successful relationship with the existing streetscape and townscape, provide ample open space and pedestrian movement and result in high-quality urban and spatial relationships with neighbouring buildings and development plots. In the case of 55 Gracechurch Street, the oppressive nature of the height and the direct relationship with neighbouring buildings is in direct conflict to the scale and grain of the existing setting. The narrow alleyways of Brabant Court, Talbot Court and St Benet's Place are unable to give the space required at the base of the building to result in a high quality environment. The proposals, therefore, appear cramped. The relationship with 20 Fenchurch Street is awkward, sitting slightly forward and when viewed from the south, presenting a mass of building which is oppressive, and detracts from the existing skyline which presents a collection of different designs and an interesting array of architectural style. All of this results in a proposal which is dominant and lacks any kind of positive relationship when considered against the current character of the area and existing tall buildings. Regarding amenity, the proposals have failed to assess the impacts on neighbouring properties and entrance spaces, which are discussed later in this objection.
the impact on the significance of heritage assets and their immediate and wider settings	See section 4 and the associated *Heritage Objection* for a summary of the impact of the proposals on the significance of heritage assets. The proposals introduce a tall building into this predominantly courtyard area, immediately adjacent to listed buildings which are discussed in more detail later within this objection. The proposed development would appear out of place and at odds with its surroundings, significantly impacting on the ability to appreciate the architectural significance of the neighbouring listed buildings. It is also considered that the proposal adversely impacts on the Eastcheap Conservation Area by virtue of its dominance and overbearing nature. In summary, allowing development on this mid-block site would begin the erosion of the finer grain, historic elements of the City and present an overbearing development with little consideration of the relationship or respect of neighbouring heritage assets including Statutory Listed Buildings and

	Conservation Areas. The adverse impact on adjacent listed buildings would be significant.
the provision of a high-quality public realm at street level	See the following sections for further details assessment relating to urban design, public realm and movement. In summary, the proposal does not provide high-quality public realm at street level. It is hemmed in from all directions aside from the west and the narrow streets and lanes it sits adjacent to are woefully inadequate to cope with 30 storey building with no set-off or appreciation for the existing context.
the environmental impact the tall building may have on the surrounding area, including the capacity of the City's streets and spaces to accommodate the development.	See sections 5 and 6 for an assessment against the submitted Daylight, Sunlight and Overshadowing Assessment and Wind and Microclimate Report. In summary, the application documentation fails to adequately assess the environmental impacts on neighbouring buildings and therefore cannot be considered to be robust.

4.15 Regarding the assessment required within Policy D9 of the Intend to Publish London Plan, an assessment has been made against the relevant criteria.

Intend to Publish London Plan Policy D9 (Tall Buildings)	**Assessment**
Visual Impact	The mid-range and short-range views of the proposal highlight the buildings failure to respond positively to the form and proportions of the surrounding neighbourhood. In particular, the proposal has a limited relationship with the street and lacks pedestrian scale and character in particular. The proposal does not reinforce the spatial hierarchy of the area, falling outside of the designated area promoted for the development of tall buildings. This results in an edge of cluster development which fails to positively respond to the character of the area.
Functional Impact	The proposal will have clear functional impacts on neighbouring properties, principally as a result of removing the fire escape to

	2 – 3 and 5 Philpot Lane. The opening of routes around and across the site are likely to have a detrimental impact on neighbouring properties so the public benefit of this does not outweigh the likely harm.
Environmental Impact	Wind, daylight and sunlight have not been adequately assessed with regard to the neighbouring buildings. It is clear that the comfort and enjoyment of neighbouring premises will be unacceptably impacted and harmed.

4.16 Contrary to the assertions within the applicants Planning Statement and Design and Access Statement, this area is not characterised by very tall buildings but instead mid-rise block formations which at least have some regard to adjacent relationships and bring a sense of scale and character to the area. The proposals, by virtue of its oppressive height and relationship with neighbouring buildings, results in low quality urban design characteristics, presents a significant overbearing presence to neighbouring buildings and fetters the ability of neighbouring sites to develop appropriately.

4.17 It is considered that the proposals fail to demonstrate a range of the core principles required to allow a tall building on this site, and the public benefits of the proposal do not outweigh the significant failings. We therefore request that the proposals are refused and the proposed reason for refusal is outlined below:

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

Design approach

4.18 The policy basis for assessing the detailed design approach to development is held within a range of policies within the existing and emerging Development Plan and included the policies related to tall buildings as outlined previously in 4.4 – 4.6 of this report. Also relevant are emerging policies D3 (Optimising site capacity through the design-led approach), D4 (Delivering

good design), D5 (Inclusive design) and D8 (Public Realm) of the Intend to Publish Draft London Plan, policies CS10 (Design) and DM10.1 (New development) of the adopted City of London Local Plan and Policy S8 (Design) and D2 (New development) of the emerging Local Plan 2036.

4.19 Whilst the detailed design approach, including fenestration and architectural detailing could be considered subjective, the urban design approach to the base of the building and relationship to its surroundings is clearly problematic, in the way there is little relevance or consideration of the synergy or correlation between neighbouring buildings.

4.20 Additionally, there is little reference to potential sensitive uses at the adjacent site and the *Opportunities and Constraints diagram* (3.1 of the submitted DAS) fails to recognise these sensitive uses. This is a *fundamental* failure by the applicant to properly and robustly assess the surrounding area.

4.21 Where tall buildings are acceptable in principle, their design must ensure safe and comfortable levels of wind, daylight and sunlight, solar glare and solar convergence within nearby buildings and the public realm within the vicinity of the building. This is made abundantly clear in a range of policies and supplementary guidance.

4.22 The proposed tower could be described as contemporary and it is considered that this has almost no consideration to the human-scale historic townscape, as seen in numerous views submitted within the HTVIA. The tower does not integrate into the base of the proposal and appears uncharacteristic in form and the building appears as an uncharacteristic solid mass in terms of its scale and prominence.

4.23 It is our opinion that the Design Team has considered this building in relative isolation and has given little thought to the relationships and urban design characteristics of the area and fails to meet the fundamental aim and objectives of Policy DM10.1 to ensure that *"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".*

4.24 The submitted proposed elevation and section drawings demonstrate this clearly, with *Proposed Elevation – North – Northern Courtyard (PP-FPA-XX-XX-DR-A-16303)* highlighting this stark relationship towards the existing buildings surrounding the proposal. *Proposed Elevation – Ground Level East - Brabant Court (PP-FPA-XX-XX-DR-A-16312)* also outlines the proposals impact, this time from Brabant Court.

4.25 The Design and Access Statement dedicates five pages of explanation about the future proposals of the Northern Courtyard without once referencing the relationship with the neighbouring uses or potential impacts on the adjacent property.

4.26 Therefore, in summary, the proposals are totally unacceptable, having regard to the aims and objectives of the City of London Local Plan, the emerging City Plan 2036 and the London Plan which seeks to encourage appropriate development across the City of London, the proposals will fall far short of meeting or exceeding those ambitions.

Ground floor access

4.27 Emerging City Plan 2036 Policy DE4 ('Pedestrian Permeability') states that development will be required to contribute towards the improvement of pedestrian permeability in the City by providing legible, good quality, safe and low pollution pedestrian connections between spaces; where feasible providing new pedestrian routes through buildings and development sites that respect the City's historic street pattern; where feasible providing publicly accessible ground floors; and, providing pedestrian routes of an adequate width that are step free.

4.28 Whilst our client generally supports the opening of routes through the city to improve permeability, the proposed routes through the Northern Courtyard and Brabant Court would have the potential to significantly impact on the quality of accommodation provided by the hotel operator.

4.29 The applicant is proposing to open up a closed route through Brabant Court, directly adjacent to ground floor hotel bedrooms and living spaces. There is no consideration of how neighbouring uses may be impacted by this and no mitigation provided. Given the Design and Access Statement has undertaken a study looking at hourly pedestrian flow capacity of between 500 and 1500 per hour, it is critical that the amenity and safety considerations are fully assessed and mitigated. In the absence of this, the proposal ought to be refused and our proposed reason for refusal is set out below.

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

5.0 Heritage

5.1 Both the adopted and emerging City Plan are clear in their support for the conservation and enhancement of existing heritage assets. Policy HE1 (Managing Change to Heritage Assets) states that *"Development should conserve and enhance the special architectural or historic interest and the significance of heritage assets and their settings. The demolition or removal of designated heritage assets will be resisted".*

5.2 A separate Heritage Objection, by Cogent Heritage, has been prepared to assess the impacts of the proposals on heritage matters relating to 2- 3 Philpot Lane and, although not in the ownership of the client, the nearby listed building at No. 4 Brabant Court has also been considered, where relevant.

5.3 The Heritage Objection provides a detailed summary of the site including:

- A historical summary of the site and surrounding area;
- Observations regarding the significance and setting of the building; and
- Observations about the physical impact of the proposed development.

5.4 The conclusions of the Heritage Objection are outlined below:

i. The HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3 and, by omitting this, the applicant has failed to demonstrate adequate assessment regarding the impact of the proposals on 2 – 3 Philpot Lane and 4 Brabant Court.

ii. The contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed building at 2 – 3 Philpot Lane and 4 Brabant Court.

iii. The removal of the chimneystack, which our client in no way consents to, would compound the harm through the removal of a feature of the building that assists in its legibility and through the loss of historic fabric and evidential value.

5.5 Historic England's objection letter dated 2 October 2020 supports the view that the proposals would cause harm to designated heritage assets.

5.6 It is therefore considered that the proposals would cause irreversible damage to the setting and significance of the existing heritage assets, as follows.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

6.0 Daylight / Sunlight

6.1 Adopted Local Plan policies 10.7 (Daylight and sunlight) and policy D8 (Daylight and sunlight) of the emerging City Plan both place emphasis on development proposals requiring to demonstrate that the daylight and sunlight available to nearby dwellings and open spaces is not reduced noticeably to unacceptable levels.

6.2 The applicant has produced a Daylight, Sunlight, Overshadowing and Solar Glare assessment which is included within the Environmental Statement (along with additional information outlined in the appendices). The report assesses the proposed scheme in the context of a number of scenarios including with cumulative schemes.

6.3 The submitted report has also sought to assess the impacts on sensitive properties and sensitive religious buildings. This is shown in the map below, taken from the applicants' submission.

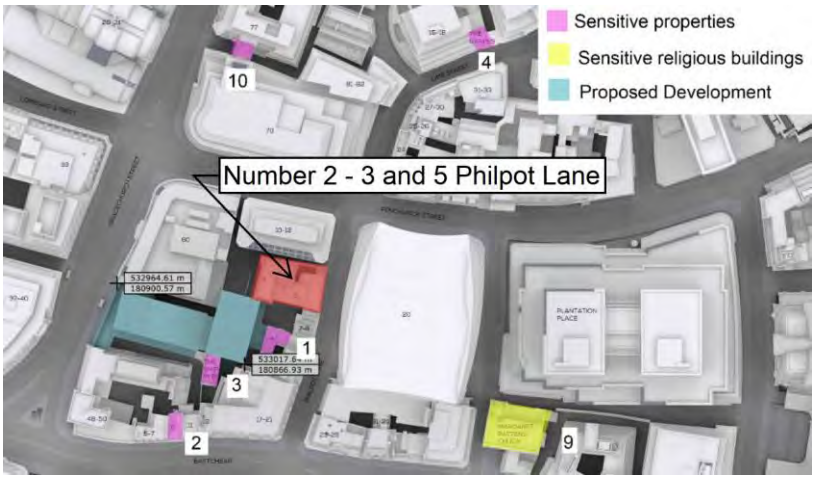


Fig. 4 - An extract from the applicants Daylight / Sunlight submission showing the assessed properties in the vicinity of the site

6.4 As outlined within the previous sections of this objection report, 2 – 3 Philpot Lane lie directly to the north east of the proposed tower and has a sensitive use as a hotel. These are not only bedrooms but include studios and living rooms for those tourist and business visitors to London who stay for much longer periods than a single week or weekend.

6.5 5 Philpot Lane has the same use and the bedrooms and living areas for the occupants generally have aspects to the south onto Brabrant Court. The relationship of the buildings is outlined in further detail in the aerial and photograph appendix.

6.6 Following a thorough review of the report, it does not appear that the properties at number 2 – 3 and 5 Philpot Lane have been assessed in any form to identify the potential impacts on those

rooms and occupiers with regards to daylight, sunlight and overshadowing. Policy DM10.7 is clear in stating that development will be resisted where it would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels. The hotel is a sensitive use, with bedrooms and living spaces which have not been subject to any form of consideration.

6.7 Additionally, and whilst not in the demise of the applicant, the Northern Courtyard does not appear to have been assessed for overshadowing.

6.8 The relationship between the two buildings can best be seen from the Northern Courtyard, where a 30 storey building will be erected directly adjacent to the flank wall of the hotel.



Fig. 5 - Proposed "Northern Courtyard" with hotel uses perpendicular to the proposals

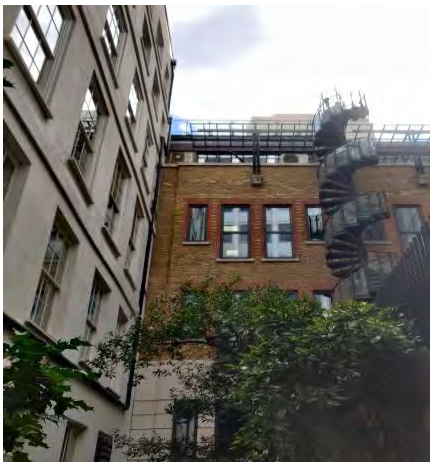


Fig 6 - The existing Northern Courtyard

6.9 It is therefore considered, without any supporting evidence to the contrary, that a proposal of 30 storeys in height, directly adjacent to a sensitive use would have a significant and material impact on the daylight and sunlight of those occupants. We therefore consider that the proposal ought to be refused on this basis, as set out below.

PROPOSED REASON FOR REFUSAL 1:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

7.0 Microclimate

7.1 Adopted City Local Plan Policy DM10.1 ('New development') seeks to ensure that development does not cause unacceptable wind impacts. Emerging City Plan 2036 Policy S8 ('Design') requires development to optimise microclimate conditions including in relation to wind and thermal comfort and air quality. Emerging Policy DE2 ('New Development') reiterates that design and materials must avoid unacceptable wind impacts. The City of London have also produced guidance relating to Wind and Microclimate and how applicants should approach this assessment.

7.2 The applicant has produced a Wind and Microclimate assessment which has sought to assess a range of scenarios. The assessment includes the production of RWDI and CFD testing, which is in general conformity with the guidance contained within the Wind and Microclimate report.

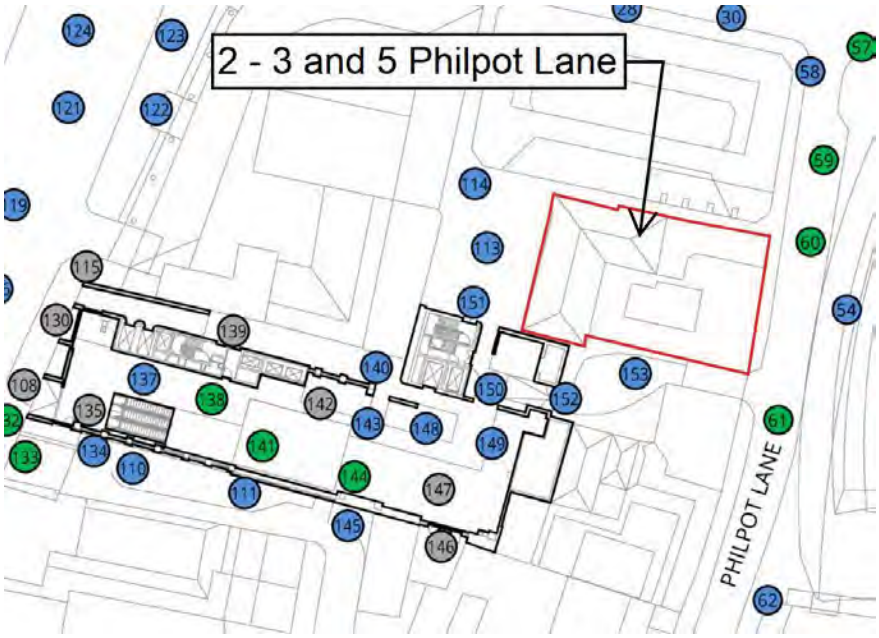


Figure 7 - An extract from the applicants Wind and Microclimate Appendix

7.3 Nevertheless, it is considered that the application documents have not tested the potential impacts of the proposals on the external amenity space of 2 – 3 and 5 Philpot Avenue, nor the entrance doorways to those buildings. These are identified in the images below.



Fig. 8 – External amenity space for residents of 2 – 3 and 5 Philpot Lane



Fig. 9 – Resident entrance to 2 – 3 and 5 Philpot Lane

7.4 As the City of London Planning Department can attest, the wind environment is already significantly compromised in this area as a result of recent developments such as 20 Fenchurch Street. Therefore, robust testing is required which includes private entrances and amenity space.

7.5 This assessment process has not been undertaken robustly and has the potential to significantly impact the existing building, its entrance and amenity space. Accordingly, it is considered that the application proposals should be refused on microclimate grounds and a proposed reason for refusal is set out below.

PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

8.0 Impact on the viability of the existing hotel use

8.1 City Apartments Ltd operate a successful and viable hotel and serviced apartment business, however COVID-19 has been testing for the overall operation of the use. The business relies on providing high-quality apartments for visitors to London, helping the City of London and the London Plan meet its aims and objectives, which includes ensuring there is a suitable provision of tourist and business services including hotels.

8.2 Our client has recently undertaken a costly upgrade of the facilities within 2 – 3 and 5 Philpot Lane, which has included extensive works to the Grade II Listed element of the site to ensure the continuing beneficial use of this historic building along with providing a high quality service for visitors to London, in line with Local Plan policy DM11.3.

8.3 Adopted and emerging policy supports hotel trade in the city and the emerging policy evidence bases estimate that visitor numbers are likely to increase – especially demand for visitor accommodation. Policy CV1 (Protection of Existing Visitor, Arts and Cultural Activities) sets out that proposals resulting in the loss of these facilities will be resisted. Whilst this is generally related to land use, the implications of the proposed development could extinguish the existing use at 2 – 3 and 5 Philpot Lane, which would be a detriment to the local and regional tourist economy. Policy E10 (Visitor Infrastructure) of the draft London Plan supports a sufficient supply of serviced visitor accommodation.

8.4 As demonstrated in the preceding paragraphs, the proposal will have a detrimental impact on both 2 – 3 and 5 Philpot Lane and the operation of the existing business on the site. In a time where retaining existing businesses are under particular stress, the City of London is duty bound to protect these businesses from any unacceptable impacts. We therefore request that the application is refused on the grounds that it will have a detrimental impact on local tourism and the economy and will also threaten the economic viability of the listed buildings.

PROPOSED REASON FOR REFUSAL 6:

The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally affect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

9.0 Other matters for consideration

9.1 The following matters relate to additional points of fact or concern which may have implications on the way that the proposals can progress and how the development can be constructed. The below items have also been raised directly with the applicant in a letter on 18 September from Stevens and Bolton LLP.

Site boundary

9.2 The red line boundary, which is the highlighted on the Site Location Plan and Existing Site Plan, appears to assume that part of the neighbouring property at 2 – 3 Philpot Lane is within the control of the applicant, although this is incorrect.

9.3 The Design and Access Statement submitted in support of the Planning Application suggests (at paragraph 2.4 page 19) *"the site includes a chimney stack attached to 2 -3 Philpot Lane"* whilst the Environmental Statement further suggests (at paragraph 3.13) that *"there are heritage assets located within the northern boundary of the site [including] Chimney attached to the Grade II listed 2 and 3 Philpot Lane".*

9.4 The chimney is within the control and ownership of our clients property, meaning the site cannot be delivered without our clients consent, which our client has no intention of giving.

9.5 On a secondary point, the Chimney Stack is identified on the Demolition Plan – Ground Floor (Drawing number PP-FPA-XX-00-DR-A-16602) as a structure to be demolished. The applicant proposes that the chimney will be subject to a separate Application for Listed Building Consent.

9.6 Following a review of the City of London Planning Database, this does not appear to have been submitted and our client has signalled their intention to, quite correctly, vehemently object to demolition of part of their building.

9.7 Finally, and despite the application form stating otherwise, our client has not received the relevant statutory notices regarding this application. The registered address of 2 – 3 and 5 Philpot Lane (Store Property Investment Limited main office) has been open throughout the recent pandemic so if this was served correctly, it could not have been missed.

Existing Escape Stair

9.8 Our client has a right of fire escape over the existing property at 55 Gracechurch Street. Further information as to the location and direction of this is contained within the photographic appendix.

9.9 Following a review of the proposals, the fire escape has not been considered or in any way accommodated. This is clearly problematic for our client, as it would fetter the ability to use this escape at a future date along with potentially fettering the ability for any future use or development.

9.10 The legal implications of this have been set out within a letter dated 18 September 2020 from our client's solicitors to the applicant which includes the Deeds and confirmation that the 2 – 3 Philpot Lane benefits from a right "to pass on foot and wheelchair only along the Fire Escape Route into Fenchurch Street". It now falls to the applicant to review this and explain how our client's requirements can be addressed.

Demolition and Construction

9.11 Notwithstanding the fundamental objections to the proposals outlined within sections 3 – 7 of this letter, we have also assessed the Outline Construction Environmental Management Plan, which is likely to be conditioned as part of any future consent. Whilst it is only possible to draw broad conclusions on the document at this stage, there are a range of concerns that our client wishes to raise.

i. There is limited acknowledgement of potential impacts on neighbouring buildings, especially during the de-construction period. Any further submission should state in detail how neighbouring properties and their occupiers will be safeguarded, informed and consulted when major stages of work take place.

ii. The dust and noise impacts associated with demolition, piling and construction have not been considered in so far as there are sensitive uses in adjacent buildings. This is likely to have a significant adverse impact on the occupiers and their business.

iii. Construction scaffold is proposed to be located directly adjacent to hotel room windows, with apparently no commentary on safeguarding, privacy or amenity impacts and how these will be addressed. This would seemingly require approval from neighbouring properties and therefore our client will be required to approve the proposed construction methodology. Any further submission should state in detail how this will be requested and managed throughout the demolition and construction period of three years, along with any required mitigation.

iv. The build process is more than three years and by placing construction apparatus next to the windows of up to 10 apartments, has will have significant impacts on the viability of an existing business. The Outline CEMP does not acknowledge or set out how these impacts can be mitigated. In summary, the Outline CEMP appears to be an off-the-shelf report with little site specific analysis into how the proposals will be constructed.

Construction Methodology

9.12 Following a review of the drawings, it is evident that the proposals adjoin and potentially build below / on top of the property at 2 – 3 Philpot Lane and it seems inconceivable that this is not the case given the proximity to this property and the proposals to demolish the existing chimney. Our client has not and does not intend to grant consent for any such works.

Consultation

9.13 The NPPF is clear in outlining that effective engagement between applicants and communities is essential for achieving well-designed places. Paragraph 128 of the NPPF states that *"applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot".*

9.14 In this regard, the Planning Statement outlines that discussions have been had with stakeholders and an online public exhibition was held between 6th July and 17th July 2020. For reference, the application was received by the Council on 24 August 2020. As a planning consultancy with significant experience in consultation and major developments, we can attest that it would not have been possible to run collaborative and open consultation just 6-weeks prior to the submission of a major planning application as this allows for virtually no time at all for stakeholders' comments to be taken on board or mitigated by the design team.

9.15 In addition, our client has not received any meaningful communication, in the form of plans or details, from the applicant prior to the submission of the application. A representative of the applicant contacted our client on 21 July (post exhibition) to discuss the land ownership however, despite the submission of a planning application imminently; the representative could not discuss the proposals as they were subject to a *'non-disclosure agreement'*. If the applicant was willing to discuss the details of the proposals prior to submission, some of the issues outlined above could have been raised and clarified. Our client subsequently wrote to raise specific enquiries of the applicant in relation to the chimney and the fire escape (as set out in the letter of 18 September 2020) and those enquiries have not been answered.

9.16 Whilst not a reason for refusal against adopted and emerging policy and guidance, in accordance with the NPPF, the City of London should not look at these proposals more favourably as the proposals have not been subject to meaningful consultation with a range of appropriate stakeholders.

Summary

9.17 The cumulative impacts of the above give rise to significant concerns that the proposals have not been developed having due and proper regard to the rights of neighbouring properties.

10.0 Conclusions

10.1 We have considered this application planning permission against the terms of the Development Plan and other material considerations. We conclude that the proposals are not consistent with National Planning Policy Guidance and the general terms of policies within the City of London Development Plan. We have considered the relevant material considerations, none of which out-weigh the reasons why planning permission should be allowed.

10.2 The application is deficient in detail and contrary to the Council's planning policies. There are no planning merits and no justification whatsoever for the grant of planning permissions and the only decision that a reasonable local planning authority could possibly make is a decision of refusal. Reasons for refusal are plentiful.

10.3 The location of a tall building on this is considered unacceptable in principle, resulting in a range of impacts including most pertinently severe design and amenity impacts for 2 – 3 and 5 Philpot Lane. The location, being mid-block, is not suitable for a very tall building and presents an urban design solution that is not harmonious to the existing environment.

10.4 As a result, the proposal will result in serious harm to an existing business that is already under significant strain from the current pandemic. The proposal will result in an oppressive 30-storey tower directly adjacent to our client's property with little to no consideration of the wide range of impacts on the listed status of the building or its operational use.

10.5 The heritage impacts, as outlined within this planning representation and the heritage representation, would be severe and irreversible causing substantial harm to the character and appearance of the historic environment. The local planning authority must be diligent in its duties as set out in s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and assess the proposals robustly having due regard to the requirements of the National Planning Policy Framework and London Plan in relation to preserving or enhancing the significance of designated heritage assets.

10.6 Should the City of London consider the proposals to be acceptable in principle, then a range of additional matters require urgent consideration to ensure they can be appropriately assessed to ensure no adverse impacts will arise in terms of daylight, sunlight, wind and microclimate.

10.7 To conclude, the proposals in their current form should be refused by the City of London for the reasons outlined above. Should this not happen, our client has signalled their intention to challenge the lawfulness of any future decision. Our client also reserves the right to supplement the above objection in respect of specific matters relating to the applications and to be re-consulted regarding any further amendments or additional documentation submitted. In

summary, the proposals represent a gross overdevelopment of the site and fail to adequately address the relationship of the site with the surrounding context.

10.8 Caution and common sense needs to prevail with this development. It is therefore respectfully requested that this applications is refused or withdrawn. Recommendations regarding the reasons for refusal are set out below.

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

PROPOSED REASON FOR REFUSAL 4:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

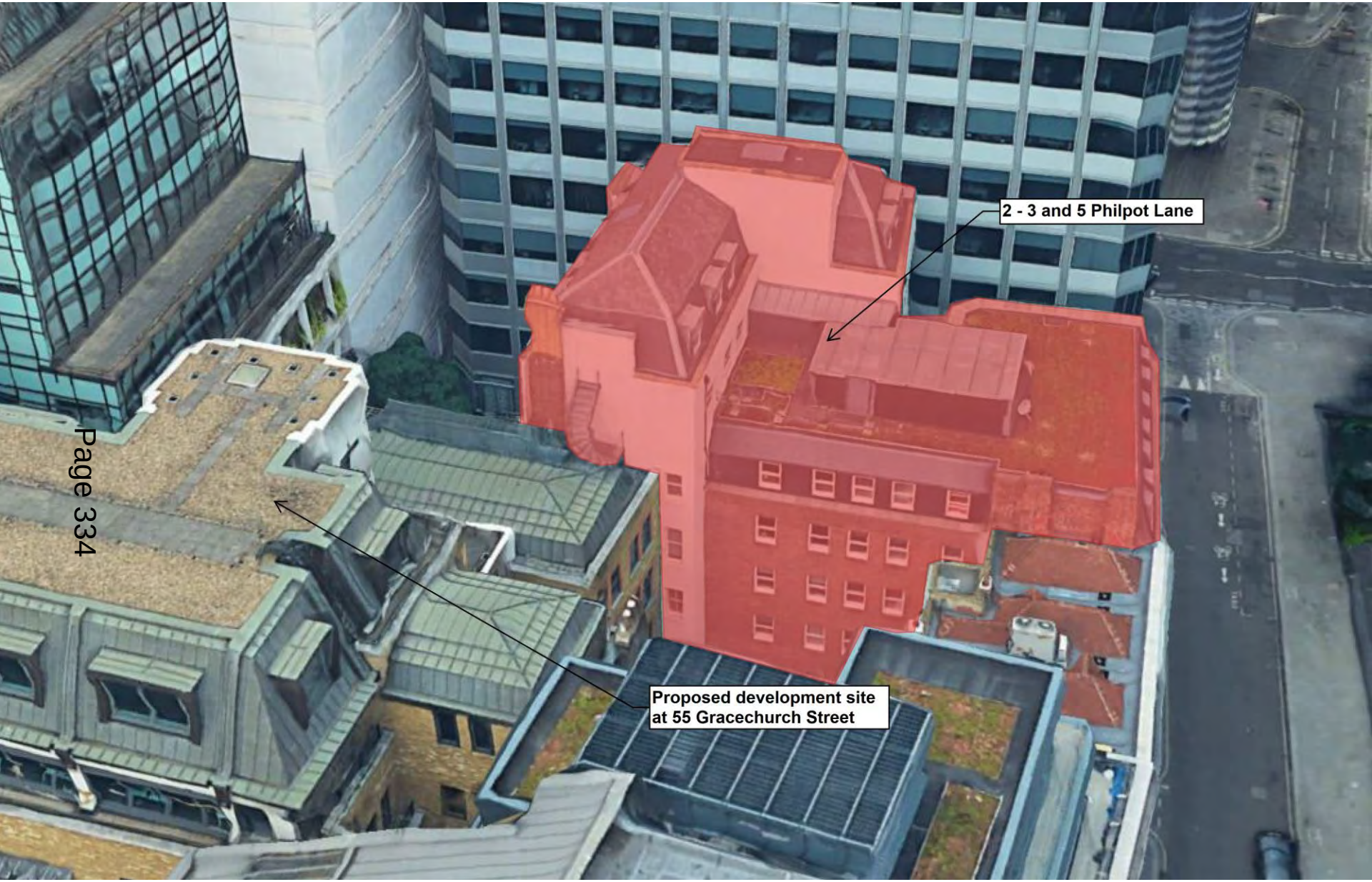
PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

PROPOSED REASON FOR REFUSAL 6:

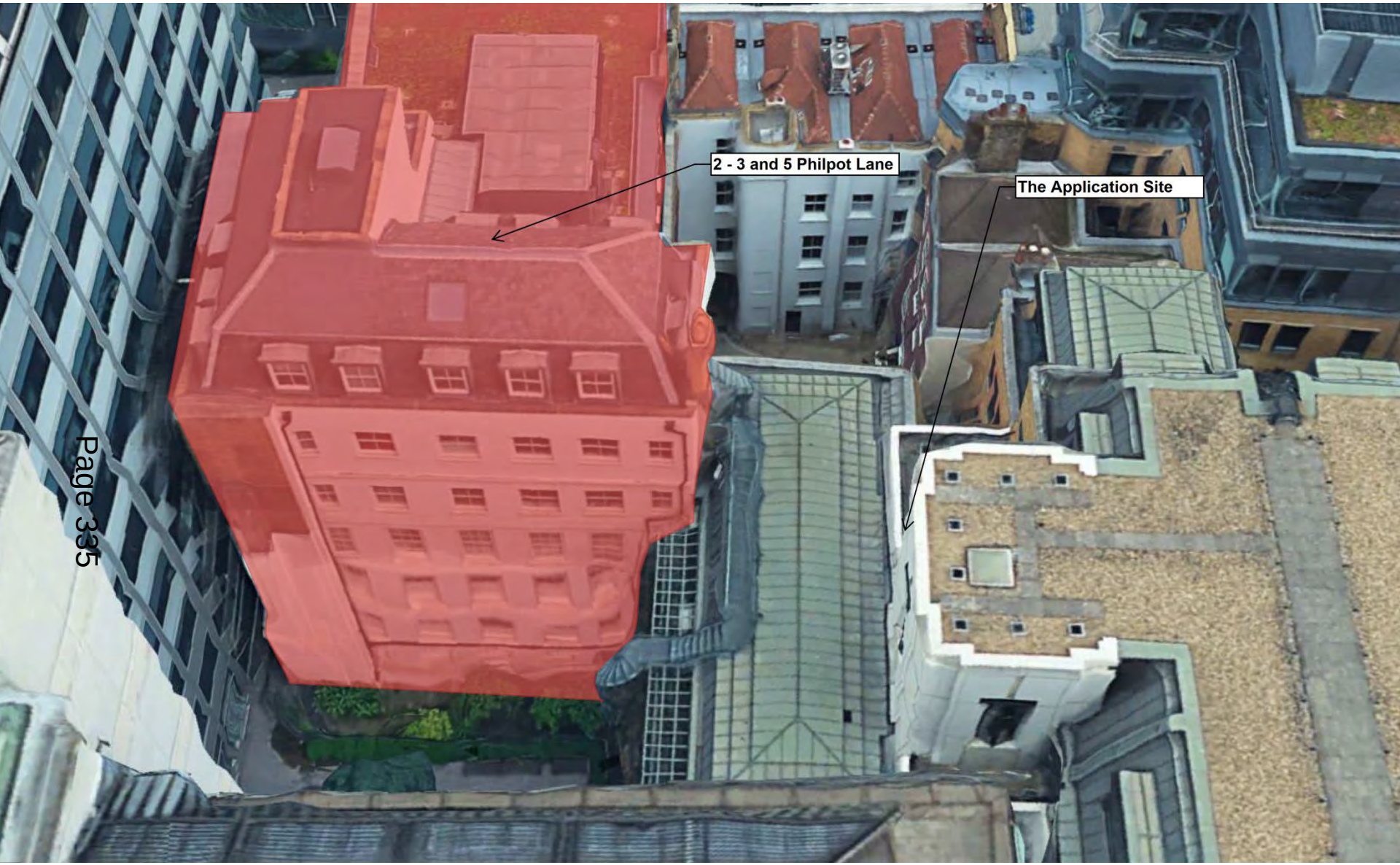
The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally effect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

Aerial Appendix 1



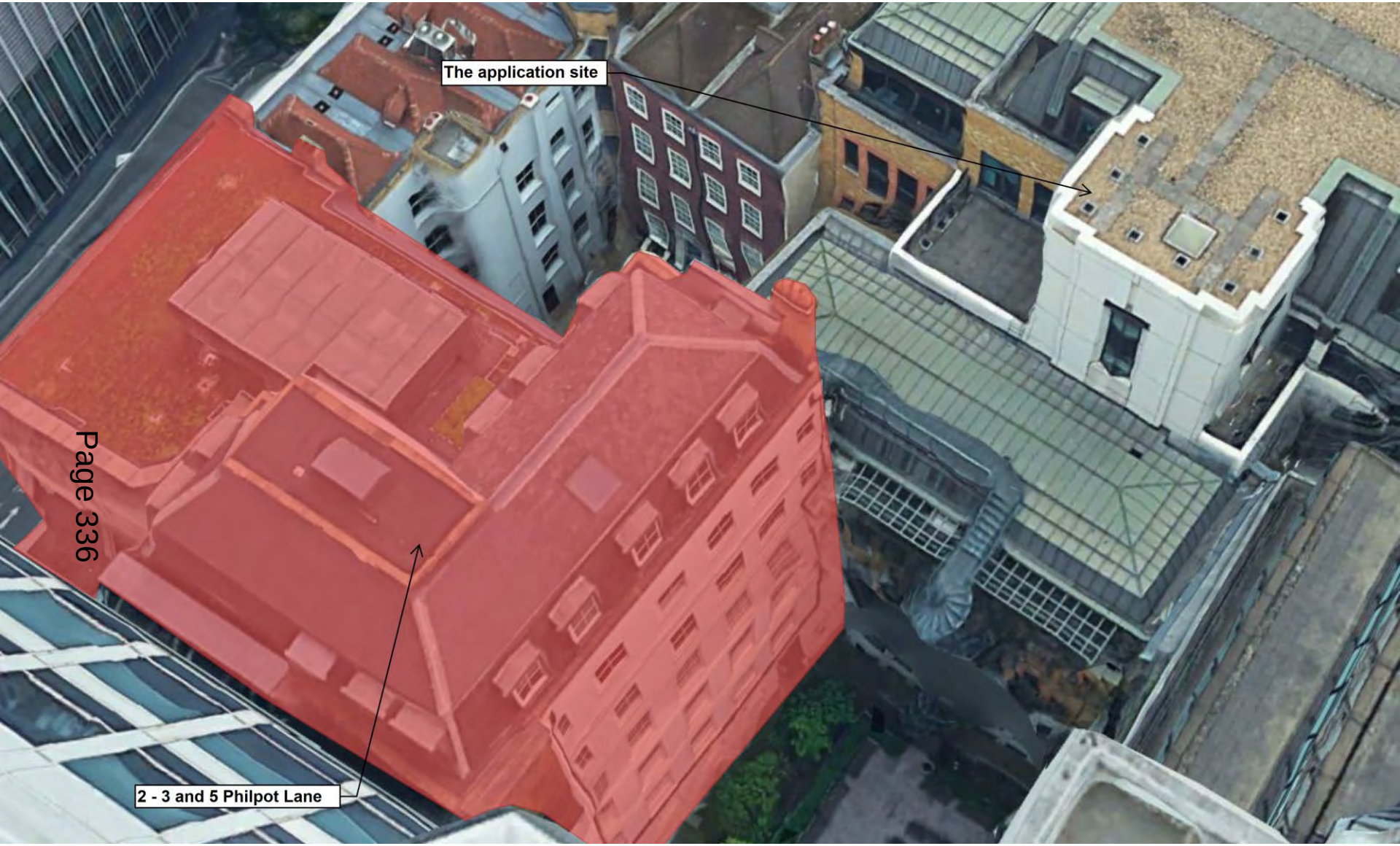
2 – 3 and 5 Philpot Lane from the south / south east, highlighted in red.

Aerial Appendix 2



2 – 3 and 5 Philpot Lane from the west, highlighted in red.

Aerial Appendix 3



2 – 3 and 5 Philpot Lane from the north west, highlighted in red.

Aerial Appendix 4

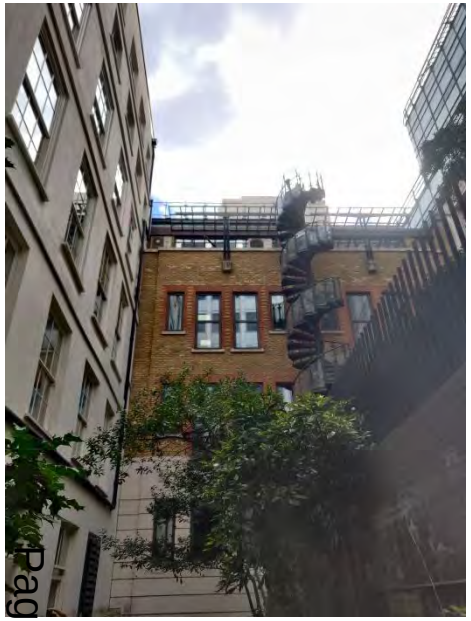








Photograph Appendix 1









1. Northern façade and fire escape of the existing building
2. Lower ground floor and ground floor windows to 2 – 3 Philpot Lane
3. Western façade of 2- 3 Philpot Lane with fire escape
4. Western façade of 2 – 3 Philpot Lane from lower ground floor

Photograph Appendix 2







1. 5th floor of 2 – 3 Philpot Lane towards site

2. 5th floor of 2 – 3 Philpot Lane to ground floor

3. 5th floor of 2 – 3 Philpot Lane towards office building opposite.

Photograph Appendix 3







1. 2 – 3 Philpot Lane from the application site (chimney and fire escape)

2. View from the north of fire escape on the application site

3. View from the south of 2 – 3 Philpot Lane chimney

STEVENS&BOLTON

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EC1N 2HA

Our ref: HEW.SJW.ST.1298.0764

[redacted]

By First Class Post and by
Email: ashley.patience@delvapatmanredler.co.uk

18 September 2020

Dear Sirs

PROPERTY: 55 GRACECHURCH STREET ADJACENT TO 2 - 3 PHILPOT LANE
OUR CLIENT: PHILPOT HOUSE LIMITED
PLANNING APPLICATION REFERENCE NUMBER : 20/00671/FULEIA ("THE PLANNING APPLICATION")

We write further to the submission of the Planning Application.

Our client will be lodging an objection to the Planning Application directly via the Planning Authority. Please confirm if you would like to receive a copy of that objection directly.

Without prejudice to our client's objections to the Planning Application, we set out below our client's concerns about the impact of your client's proposals on our client's property and its position generally.

Fire Escape

As you have acknowledged in your earlier correspondence, our client has a right of fire escape over the property which is the subject of the Planning Application.

We refer you to the Deed of Confirmation, Release and Grant dated 30 August 2006 and made between (1) The City of London Real Property Company (2) Land Securities PLC (3) LS City & West End Limited and (4) LS Portfolio Investments ("the August Deed"). Under the August Deed 2 – 3 Philpot Lane benefits from a right "*to pass on foot and wheelchair only along the Fire Escape Route into Fenchurch Street*".

The Fire Escape Route is the route down the existing fire escape staircase and along the Fire Escape Walkway on your client's property.

The August Deed is registered against your client's title (with title number NGL435633) at entry A9

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of the Property Register.

Our client benefits from a further right pursuant to the Deed of Easement dated 30 December 2006 and made between (1) Land Securities PLC (2) LS City & West End Limited and (3) LS Portfolio Investments ("the December Deed") to *"pass on foot along the Fire Escape Walkway"* in order to access the Escape Route granted by the August Deed.

The December Deed is registered against your client's title (with title number NGL435622) at entry C12 of the charges register.

We enclose copies of both the August Deed and the December Deed for your reference.

We note from Proposed Plan – Level 3 (drawing PP-FPA-XX-03-DR-A-16103) that the fire escape has not been accommodated in your proposals. Please confirm by return how your client proposes to accommodate our client's rights in the proposed development.

Chimney attached to 2 – 3 Philpot Lane ("the Chimney Stack")

As set out previously (we refer to our letter of 7 August 2020 a copy of which is enclosed) our client considers the Chimney Stack is within its title. We have provided Party Wall Awards and historic plans to support this position.

It is disappointing therefore that the Existing Site Plan (drawing PP-FPA-XX-XX-DR-A-16001) presents the Chimney Stack as within the development site.

The Design and Access Statement submitted in support of the Planning Application suggests (at paragraph 2.4 page 19) *"the site includes a chimney stack attached to 2 -3 Philpot Lane".* Your Environmental Statement further suggests (at paragraph 3.13) that *"there are heritage assets located within the northern boundary of the site [including] Chimney attached to the Grade II listed 2 and 2 Philpot Lane".*

These statements are misleading on the basis the development site does not include the chimney stack which is entirely on our client's property.

We request you correct these documents before they are considered by the Planning Authority or explain on what basis your client contends the Chimney Stack falls within its title or it has a right to demolish it.

The Chimney Stack is identified on the Demolition Plan – Ground Floor (Drawing number PP-FPA-XX-00-DR-A-16602) as a structure to be demolished and excavated with a note that the removal of the chimney will be subject to a separate Application for Listed Building Consent. We are not aware any such application has yet been submitted, but our client will object in the event any such application is made.

Clearly your client's plans do not envisage the chimney stack remaining (we refer to the Demolition Plan and Proposed Site Plan, drawing PP-FPA-XX-XX-DR-A-16050 and Proposed Eastern Elevation, drawing PP-FPA-XX-XX-DR-A-16302). Notably there is no mention of its demolition within the Construction Environmental Management Plan and neither is it included in paragraph 91 of the Environment Report, which is in our view misleading.

Our client's position is that the Chimney Stack is within its boundaries and should therefore be accommodated within any plans. Our client has no intention of transferring the Chimney Stack to your client.

Piling and cladding – encroachment

We refer to the Proposed Plans for the Basement, Levels 1, 1 Mezzanine, 2 and 3 (drawing numbers PP-FPA-XX-B1-DR-A-16098; PP-FPA-XX-B1M-DR-A-16099; PP-FPA-XX-B2-DR-A-16097 and PP-FPA-XX-B3-DR-A-16095) which indicate the piling for your client's development will encroach on our client's property. You have no rights to build below our client's property.

Our client has serious concerns about the detriment to its own property of such works. All our client's rights including applying as appropriate for injunctive relief are reserved in the event you commence development on or near to our client's property without following the requirements of the Party Wall Act 1996 ("the Act"). However, for the avoidance of doubt the works you propose appear to go further than works permitted under the Act and will amount to a trespass.

Our client is also concerned that the cladding proposed to the upper floors will encroach on the airspace above our client's property, and will also amount to a trespass into the airspace, as to which all our client's rights are reserved including applying as appropriate for injunctive relief.

Rights to Oversail and Rights for Lifting Platforms

The feasibility of your client's development suggests extensive rights for cranes and machinery to oversail our client's Property. We note the Construction and Environmental Management Plan anticipates no oversailing outside of the site boundary but given the arrangement of the properties in the vicinity this seems highly unlikely.

The proposed plans for Level 8 and Level 6 (drawing numbers PP-FPA-XX-06-DR-A-16106 and PP-FPA-XX-08-DR-A-16109) appear to anticipate such oversailing. All our client's rights including applying as appropriate for injunctive relief are reserved.

For the avoidance of doubt no such oversailing rights are accepted and will be resisted. The nature of our client's tenant's business means our client would be in breach of its obligations to its tenant to agree to the grant of any such rights.

Disruption

As you are aware, our client's tenant operates short stay accommodation from 2 – 3 Philpot Lane. A significant period of building work on the adjoining property is likely to be very disruptive for their business and we therefore consider the hours of operation suggested in the Outline Construction Management Plan (page 19) to be too wide.

Our client's tenant's building is to be operated as a 'live and work' space in line with current trends for out of office working. Without prejudice to our client's objections generally to the proposed scheme, our client will be seeking more restricted hours of operation and all possible noise mitigation measures. We note your noise vibration report identifies that there will be significant adverse impact on 2 – 3 Philpot Lane as a result of construction vibration.

All our client's rights to claim against your client in the event the works amount to an actionable nuisance are entirely reserved including applying as appropriate for injunctive relief. For the avoidance of doubt, we consider work of the nature required for the proposal submitted will amount to a substantial interference in the enjoyment of our client's property, and to the extent our client suffers any losses it will look to your client to recover these.

Rights to maintain

Our client will require access to maintain the flank wall. Please confirm how, on the basis of your client's proposals, access for any necessary maintenance will be provided.

We look forward to hearing from you.

Yours faithfully

[redacted]

Stevens & Bolton LLP

Encs. Letter dated 7 August 2020
Deed of Easement dated 30 August 2006
Deed of Easement dated 30 December 2006

cc Mighty Oasis International Limited of Vistra Corporate Services Centre, Wickhams Cay II, Tortola, VG1110, British Virgin Islands (By First Class Post and International Tracked)

The Office
Gridiron Building
One St Pancras Square
London N1C 4AG

Heritage Representation

55 Gracechurch Street, London (Application 20/00671/FULEIA)

Author:	Ignus Froneman B.Arch.Stud ACIfA IHBC	**Date:**	07 October 2020
On behalf of:	Store Property Investments Limited	**Ref:**	0224

INTRODUCTION

1.1 This Note has been prepared by Ignus Froneman, Director at Cogent Consulting, and contains a representation on behalf of Store Property Investments Limited. The representation addresses the heritage impacts of the proposed redevelopment of 55 Gracechurch Street, London (City of London Application 20/00671/FULEIA) on the closest listed building, Nos. 2-3 Philpot Lane. The Note focuses on heritage matters relating to this building, although the nearby listed building at No. 4 Brabant Court is also considered, where relevant.

1.2 The building has not been subject to a full documentary research, but the information supplied in the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (August 2020), prepared by Citydesigner, has been referred to, alongside research undertaken by Ann Robey on behalf of Store Property Investments Limited in 2011, including a report by Julian Harrap, dated 1985, for the Georgian Group (**Appendix 1**). The author of this note has undertaken further online documentary research and has inspected the building in its context in September 2020, but it was partially occupied at the time of the site visit and only limited areas have been internally inspected.

OVERVIEW OF HISTORIC BACKGROUND

1.3 According to Historic England's online National Heritage List, Nos. 2 and 3 Philpot Lane was first listed on 5 June 1972. The list description, as is commonplace for listings of this time, is relatively short:

"*In Court at rear of No I. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed.*"

1.4 The *Pevsner* guide[1] describes Philpot Lane, and Nos. 2-3:

"*Named after Sir John Philpot, Lord Mayor 1378-9, who owned property hereabouts. Before that called after St Andrew Hubbard, burnt in 1666 and not rebuilt: it stood opposite the S junction with Eastcheap.*

Well-documented C17-C18 houses (w side) nicely demonstrate the tendency of greater dwellings of that time to lurk off the highways. Nos. 2-3 (N end) face a little court, reached through an archway from a demolished mid-c 19 building. Three stuccoed bays, part of the house of Nathaniel Letten, merchant, c. 1670, later divided and heightened by one storey. Handsome flat door hood on big brackets. Refurbished by David Landaw & Partners 1987-9, with rear extension."

1.5 Before that, in 1985, Julian Harrap wrote a detailed account of the building, which noted the following:

i. The west wall of the building was probably five bays wide, with 'various windows which appear to have been added at the south' and it was three storeys tall.

ii. The two top storeys were added later; an early 19th century extension and then a war damaged replacement top storey.

iii. Observations of some original elements suggest an original construction date of late 17th or early 18th century.

iv. The great height and large first floor windows indicate grand rooms.

v. The present front entrance was probably originally the back entrance, with the front facing the courtyard to the west.

1.6 According to Ann Robey, in 1838 the house went into multiple occupation, with the southern arm (or wing) of Nos. 3 & 4 entered from the south, and for a while it was known as No. 5 Brabant Court. In 1846 Nos. 2 & 3 were described as '*a capital messuage with courtyard abuting Philpot Lane, now known as Nos. 2 & 3, comprising a warehouse and room and counting house over premises to George Killick on the southside of the said No. 3, with an entrance from Brabent Court, known as No.5 Brabent Court, which warehouse and counting house are occupied by Messrs Lewis Nokes* [?] *Wholesale tea dealers, while nos. 2 and 3 are let out in separate rooms and chambers to tenants*'.

1.7 The building was most likely built as the high status house of a City merchant, although it has evidently been re-used, having been used as part of a bank in the 19th century, as well as offices, and the premises of a wine merchant. The building would have undergone alterations as part of these cycles of re-use. That is not unusual for a City

[1] *The Buildings of England, London 1: The City of London* (2002 edition) pp577-8.

house such as this, and this history of adaptation adds to the time depth and interest of the building.

1.8 The building was also damaged in WWII, when the top and the eastern return to Philpot Lane were partially rebuilt. Perhaps the best illustration of this is the sequence of oblique aerial photos, which record the building at different angles, and in different light, from 1922 to 1947. Extracts of these are replicated below and the south-western chimneystack, to be demolished as part of the proposed development, is highlighted with a red arrow for ease of reference.



Fig 1: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, 1922, from the SW. © Britain from Above EPW007740 ENGLAND.



Fig 2: Detailed extract from an oblique aerial photo of the eastern half of the City of London, 1938, from the east. © Britain from Above EPW057040 ENGLAND.



Fig 3: Detailed extract from an oblique aerial photo of Leadenhall Street and the city, London, from the east. © Britain from Above EAW000510 ENGLAND.



Fig 4: Detailed extract from an oblique aerial photo of the area around Monument, Gracechurch Street and King William Street, London, from the south, 1946. © Britain from Above EAW013047 ENGLAND.



Fig 5: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, London, 1947, from the south. © Britain from Above EAW011174 ENGLAND.

1.9 It is possible to tell from the sequence of oblique aerial photos that the building would have had a steep roof to the west in 1922, but seemingly with a taller east elevation, which had a shallower roof over. Over the years there were consistently two chimneystacks to the south elevation, which must reflect the internal use of the rooms

at the southern end of the building, and may include its adaptive reuse. It is possible to tell that the top storey, and certainly part of the east elevation, was rebuilt in the 1940s. The typical dense historic courtyard arrangement of the City block within which the building is set is also evident on the aerial photos, with buildings crowded around small courtyards and alleyways. Some of the buildings were taller than others, but the courtyards were defined by buildings of broadly consistent scale and height.

1.10 The former house has undoubtedly been altered over the years and the former rear warehouse type abutment on Brabant Court, as recorded on the 1978 photo (**Fig 6**), has been replaced with a modern apartment block.



Fig 6: The building to the north of Brabant Court in 1978; this has now been replaced. © City of London: London Metropolitan Archives http://collage.cityoflondon.gov.uk.

1.11 In the wider context there has been much replacement and rebuilding, with only fragmentary parts of the 18th century townscape surviving, especially within the courtyards. No. 4 Brabant Court is an example of another merchant's house off Philpot Lane, and in the absence of very much else of this period, aside from the Philpot Lane frontage (Nos. 7 & 8, listed grade II*), there is relatively little left of this once common, but now rare, historic townscape.

OBSERVATIONS ABOUT SIGNFICANCE AND SETTING

1.12 As has been stated at paragraph 8.B.35 of the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (the HTVIA), "*Although significantly altered, these listed buildings on Philpot Lane and Brabant Court are of historic and architectural interest owing to their age, architectural quality and original details* […]"

1.13 As a very brief and very broad summary of significance, this statement is correct. However, its brevity does not allow for a good understanding of how this significance can still be appreciated or understood, and how parts of the building, or its setting, are capable of assisting in its understanding, and of revealing its significance.

1.14 The HTVIA, in the same paragraph as quoted above, also includes a very brief summary of the setting of the buildings in the group that is assessed, and how that contributes to their significance:

"*The setting of this group of listed buildings has changed considerably with larger scale and tall contemporary buildings. The mix of historic and new, small scale and tall buildings, along with the constantly evolving nature of the City is part of the character of their immediate setting and does not detract from their significance, which lies principally in their age, history and surviving architectural details*."

1.15 It is here where the statement omits to say anything about the value of the rare merchants' houses on the west side of Philpot Lane, which now still "*demonstrate the tendency of greater dwellings of that time to lurk off the highways*" as *Pevsner* put it. It is possible to stand at the grade II listed merchant's house at No. 4 Brabant court and look at Nos. 2-3 Philpot Lane, as can be seen from **Photo 1** below. The photo shows that the depth of Nos. 2-3 Philpot Lane can be seen from Brabant Court, along with the chimneystack, both of which help to reveal something of the nature of this building, and allows for an understanding that these are two former merchants' houses. The chimneystack is a well-detailed domestic feature that visually ties the Brabant Court corner of the former house with the rest of the building and makes it instantly understandable (in spite of the modern spiral escape staircase that is also seen).



Photo 1: The grade II listed merchant's house at No. 4 Brabant court (left), looking towards Nos. 2-3 Philpot Lane (right).

1.16 The next section of this representation considers some of the pertinent guidance set out in Historic England's *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* referred to as GPA3 hereafter. The HTVIA does not contain any such equivalent assessment.

1.17 Paragraph 9 of GPA3, under the heading "*Change over time*", notes that settings of heritage assets change over time. Understanding this history of change will help to determine how further development within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset. Settings of heritage assets which closely resemble their original setting are likely to contribute particularly strongly to significance. Settings that have changed may also enhance significance, e.g. where the townscape character has been shaped by cycles of change over the long term. Settings may also have suffered negative impact from inappropriate past developments and may be enhanced by the removal of the inappropriate structure(s).

1.18 Nos. 2-3 Philpot Lane is an example of a building in a setting that has undergone considerable change. In certain respects, the building's setting bears very little resemblance to its original setting (e.g. the large scale modern adjoining blocks on Fenchurch/Gracechurch Streets, 9-11 storeys); this aspect of the present-day setting does not add to or reinforce its significance. The tall building at 20 Fenchurch Street is also an obvious case in point, although with the difference that it sits within a different street block and is morphologically distinct from the courtyard block of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane. However, despite much rebuilding and the modern replacement buildings, there is still a sense of the morphology of the historic street block and the former merchant's houses set within this context, and visible from Brabant Court (where the visual intrusion of the blocks on Fenchurch/Gracechurch Streets is not felt). Although some later development has increased the height of the street block and eroded some of its character, particularly on Fenchurch/Gracechurch Streets, something of the original scale remains.

1.19 Given the high rate of the loss of the historic setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane, the residual sense of the original arrangement, and the ability to understand these two former merchants' houses within the context of each other is all the more important, and the residual visual relationship between them, as is illustrated ta **Photo 1**, is all the more relevant. That includes the ability to perceive the depth of Nos. 2-3 Philpot Lane, along with the chimneystack. Paragraph 11 of GPA3, under the heading "*Views and setting*" Highlights views which contribute more to understanding the significance of a heritage asset include those where relationships between the asset and other heritage assets are particularly

relevant. This is clearly a case where the relationships between the former merchants' houses contribute to their understanding. Paragraph 26 of GPA3 notes that, when assessing whether the setting of a heritage asset makes a contribution to its significance, and the extent and/or nature of that contribution, the "*physical surroundings of the asset, including its relationship with other heritage assets*" is one of four things to consider, again highlighting the importance of this relationship.

1.20 Paragraph 9 of GPA3, under the heading "*Cumulative change*" highlights that, where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, consideration still needs to be given to whether additional change will further detract from (or can enhance), the significance of the asset. An example of negative change is severing the last link between an asset and its original setting.

1.21 This is relevant for two reasons. The changes to the setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane do not mean that further change is inconsequential, or does not need to be assessed in detail. Secondly, the proposed development would go some way towards severing any meaningful link between the two listed buildings; of course the corner of Nos. 2-3 Philpot Lane would remain in Brabant Court, but the legibility of the building – assisted in no small part by the chimneystack and south elevation – would be largely lost.

1.22 The heading "*Access and setting*" as part of paragraph 9 of GPA3 is relevant to the western courtyard of Nos. 2-3 Philpot Lane, which is likely to have been historically the principal elevation, as is evidenced by the plat bands and the residual cornice band, as well as the fenestration arrangement – all of this indicate that this was not designed as the back elevation of the building. Although this courtyard is not publicly accessible, it remains relevant, to the extent that the space contributes to the appreciation of the building, and its significance; this was the space that the building would originally have addressed. The same is true for the alleyway that gives access to the courtyard from Fenchurch Street. The quality and character of the courtyard has been somewhat compromised by the larger blocks to the north and west, which makes it a dark and slightly compromised space, but remains important as the space once addressed by the façade. It is also important as a residual courtyard space reminiscent of the historic courtyards the building would have been associated with (it is clear that by the 19th century much infill had occurred, though some of that has been reversed).

1.23 Again, under paragraph 9 of GPA3, the section headed "*Setting and urban design*" notes that the protection and enhancement of setting is intimately linked to townscape and urban design considerations. These often relate to townscape attributes such as enclosure, definition of spaces and spatial qualities. On the one hand the enclosure of courtyard spaces in the context of the listed buildings at No. 4 Brabant Court and Nos.

2-3 Philpot Lane is important: without the enclosure of the courtyards, there is no obviously definition of these spaces. On the other hand, as can be seen from the historic aerial images, there is also a distinction between the spatial quality and character of positive enclosure, and the type of enclosure that has resulted from the larger blocks on Fenchurch Street and Gracechurch Street (9-11 storeys). The latter have created something of a canyon-effect and the spatial quality and character of the courtyard and the passageway to it from Fenchurch Street has suffered.

1.24 The proposed development would see the creation of a sheer wall of 30 storeys enclosing the courtyard to the south. Such an enclosure of this small courtyard space, immediately to the west of Nos. 2-3 Philpot Lane, would create an wholly disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology (again, the tall building at 20 Fenchurch Street is not part of the urban fabric of the street block within which the listed buildings are set and, being separate, it has a different relationship with them). The quality of the courtyard space would be severely compromised.

1.25 The image below (**Fig 7**), from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303) illustrates the disproportionate sense of enclosure that would significantly distort the urban morphology and compromise the historic courtyard.

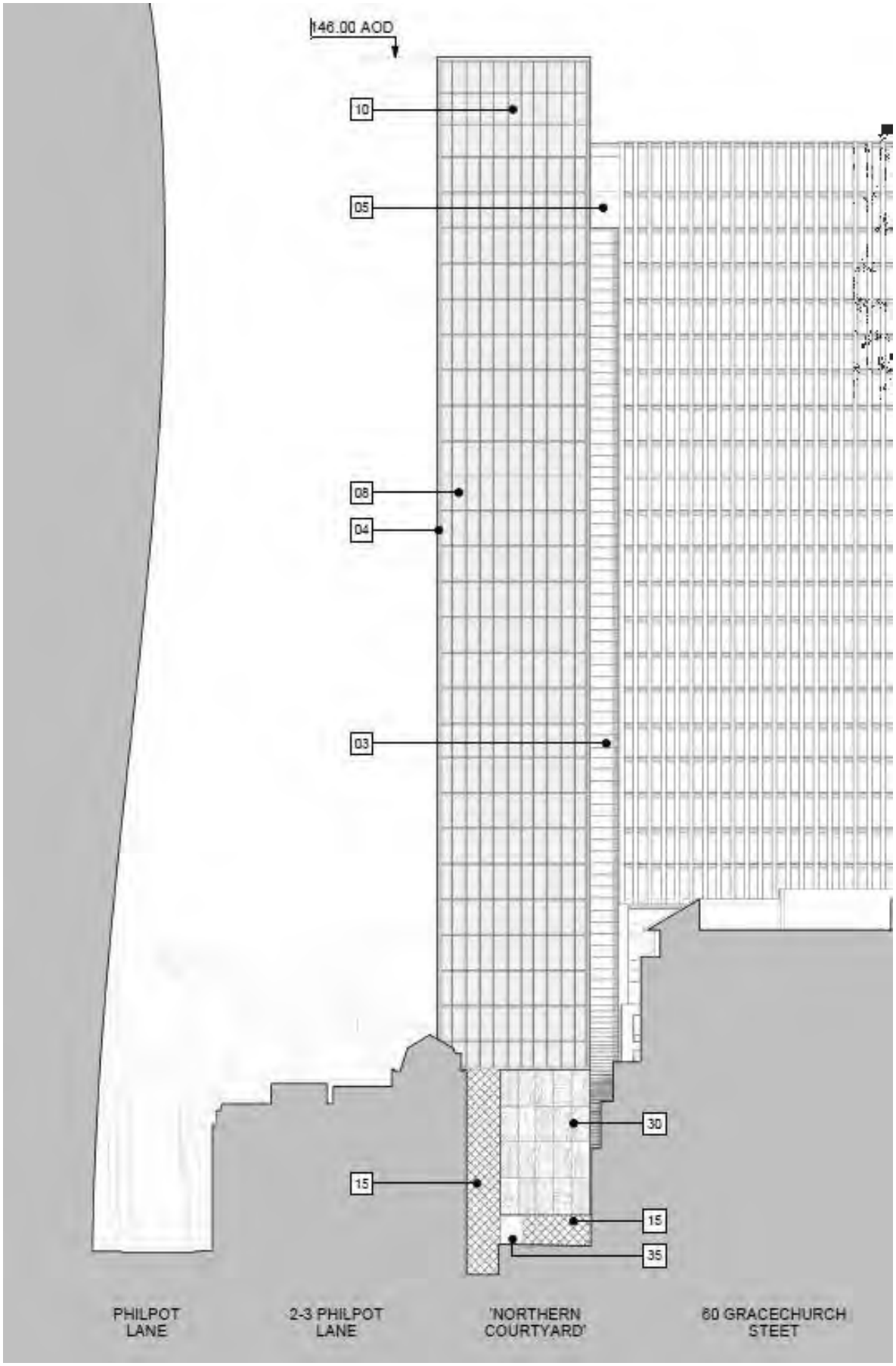


Fig 7: Extract from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303).

1.26 The final heading under paragraph 9 of GPA3 is entitled "*Setting and economic viability*". The guidance notes that the economic viability of a heritage asset can be reduced if the contribution made by its setting is diminished by badly designed or insensitively located development. In this case, it is hard to see how the economic viability of the listed building would not be reduced by the proposed sheer wall of 30 storeys in height immediately to the south of it, enclosing the courtyard. The building already faces a relatively dark lightwell (at basement level) and courtyard above. It is in use as a hotel with apartments but the desirability of these lodgings would diminish with a 30 storey tower effectively blocking the light from the southern aspect of the courtyard. Some of this can be seen from the drone photo at **Photo 2**; note the angle of the shadows.

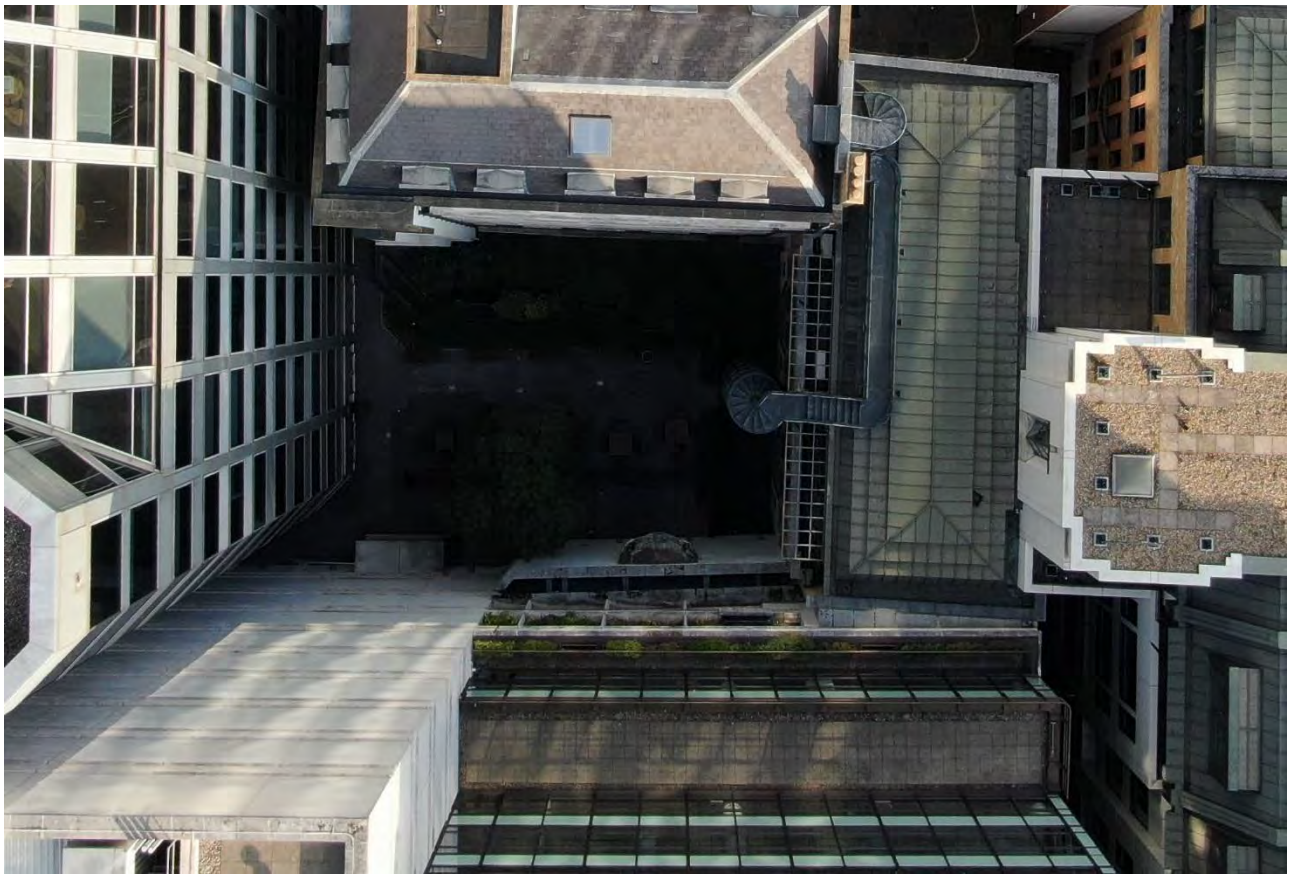


Photo 2: A vertical drone photo of the courtyard to the west of the grade II listed Nos. 2-3 Philpot Lane. The photo is orientated with north roughly to the left and the west elevation of the listed building is at the top. The application site is to the right.

1.27 The "*Assessment Step 2 Checklist*" in the text box on page 11 of GPA3 identifies typical things that an assessment may need to consider. Those most relevant to this case are cited below and their relevance is briefly discussed. The following are noted under the asset's physical surroundings:

1.28 Other heritage assets: This is clearly a case where the relationships between the former merchants' houses contribute to their understanding, as has already been discussed.

1.29 Definition, scale and 'grain' of surrounding spaces: As has been noted above, the type of enclosure of the small courtyard space to the west of Nos. 2-3 Philpot Lane that the sheer wall of 30 storeys would create, would be wholly disproportionate. This would significantly distort the urban morphology and sense of scale to the courtyard space.

1.30 Openness, enclosure: It may be added that the sense of space and openness provided by the sky in this tight urban context of alleys and courtyards encapsulates more than simply the spacing (i.e. dimensions) between buildings. It also encompasses the three dimensional sense of space, and the ability to see the sky above from within these courtyards. The proposed development would remove much, if not all of the sky seen to the south of the listed building on **Photo 3**. The courtyard at Brabant Court would also be significantly impacted, immediately to the south of Nos. 2-3 Philpot Lane and to the west of No. 4 Brabant Court. The proposed development would all but obliterate the narrow sky gap that defines the passageway to the north of the courtyard at Nos. 2-3 Philpot Lane, as can be seen from **Photo 4**.



Photo 3: The west elevation of Nos. 2-3 Philpot Lane, seen here addressing the courtyard to the west and the sky gap that would be occupied by the proposed development.



Photo 4: The passageway to the north of the courtyard at Nos. 2-3 Philpot Lane. The sky gap would be occupied by a 30 storey tower.

1.31 History and degree of change over time: As has been noted, there has been much redevelopment of the street blocks in the context of Nos. 2-3 Philpot Lane and No. 4 Brabant Court, meaning that these residual historical elements are especially important. Also, more recent development has gone taller than the historic townscape, especially the blocks on Fenchurch Street and Gracechurch Street, and these have diminished the quality and character of the courtyard to the west of the listed building. However, the street block has not been affected by more dramatic height, or skyscrapers. The proposed 30 storey tower would significantly and irreversibly change this.

1.32 Under the experience of the asset, the surrounding townscape character is also highlighted. This is again relevant to the way in which the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court can be experienced, together, in a courtyard arrangement that still, broadly, reflects something of the historic townscape, and which would be significantly harmed by the proposed tower, set within the depth of the street block.

1.33 A final observation is that, according to paragraph 8.B.36 of the HTVIA:

"*On Brabant Court, the lower 'podium' part of the proposed development* [to the east, adjacent to the listed No. 4 Brabant Court] *is of a similar height to that of the existing buildings facing the Court, and has been carefully considered in terms of scale, materials and details to respond sensitively to this group of listed buildings. The taller element steps back from the lower podium …*"

1.34 Similarly, according to section 4.3.5 of the submitted Design and Access Statement:

"*The proposed brick structure is aligned to the parapet of the adjoining 4 Brabant Court.* […] *The upper levels of the proposal* [to the east, adjacent to the listed No. 4 Brabant Court] *are set back three metres to help modulate the difference in scale between the scheme and the courtyard buildings*."

1.35 Both statements imply that the setback to Brabant Court was given careful consideration and was designed to 'sensitively' respond to the listed building. It is therefore particularly striking that no such sensitivity was recognised in respect of the western courtyard, where the proposed building would not only be located immediately next to the listed building at Nos. 2-3 Philpot Lane, but in fact partially overlap it. There is no setback. Instead, the proposed development demolishes the chimneystack of the listed building and subsumes it into a sheer, 30 storey wall. It is as if the care and sensitivity reserved for Brabant Court had been abandoned where the development

is hard up against a listed building, and the proposed building was designed instead as if there was no listed building.

OBSERVATIONS ABOUT THE PHYSICAL IMPACT OF THE PROPOSED DEVELOPMENT

1.36 The proposed development would see the demolition of the only remaining chimneystack to the listed building (there is a truncated stack at the north, but in its truncated state it is less legible). Although it is clear from the brickwork that the top of the stack has been rebuilt, it is also clear that the lower part of the stack is of some age (**Photo 6**).



Photo 6: The south elevation of the listed building at Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.37 The stack corresponds with chimneybreasts internally, and it is an external expression of the internal arrangement of the listed building. It is instantly recognisable as a traditional feature and it helps to reveal the former domestic function of the building, especially when seen from Brabant Court or when seen in conjunction with the formally arranged west elevation, formerly the front of the house (**Photo 7**).



Photo 7: Oblique view of the west elevation of Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.38 It would also appear that the top part of the west elevation of the listed building, where the abutting modern existing structure steps back (**Photo 8**) would become subsumed by the new building (**Fig 8**), although this is not entirely clear from the drawings.



Photo 5: The top part of the west elevation of the listed building, where the existing structure steps back.

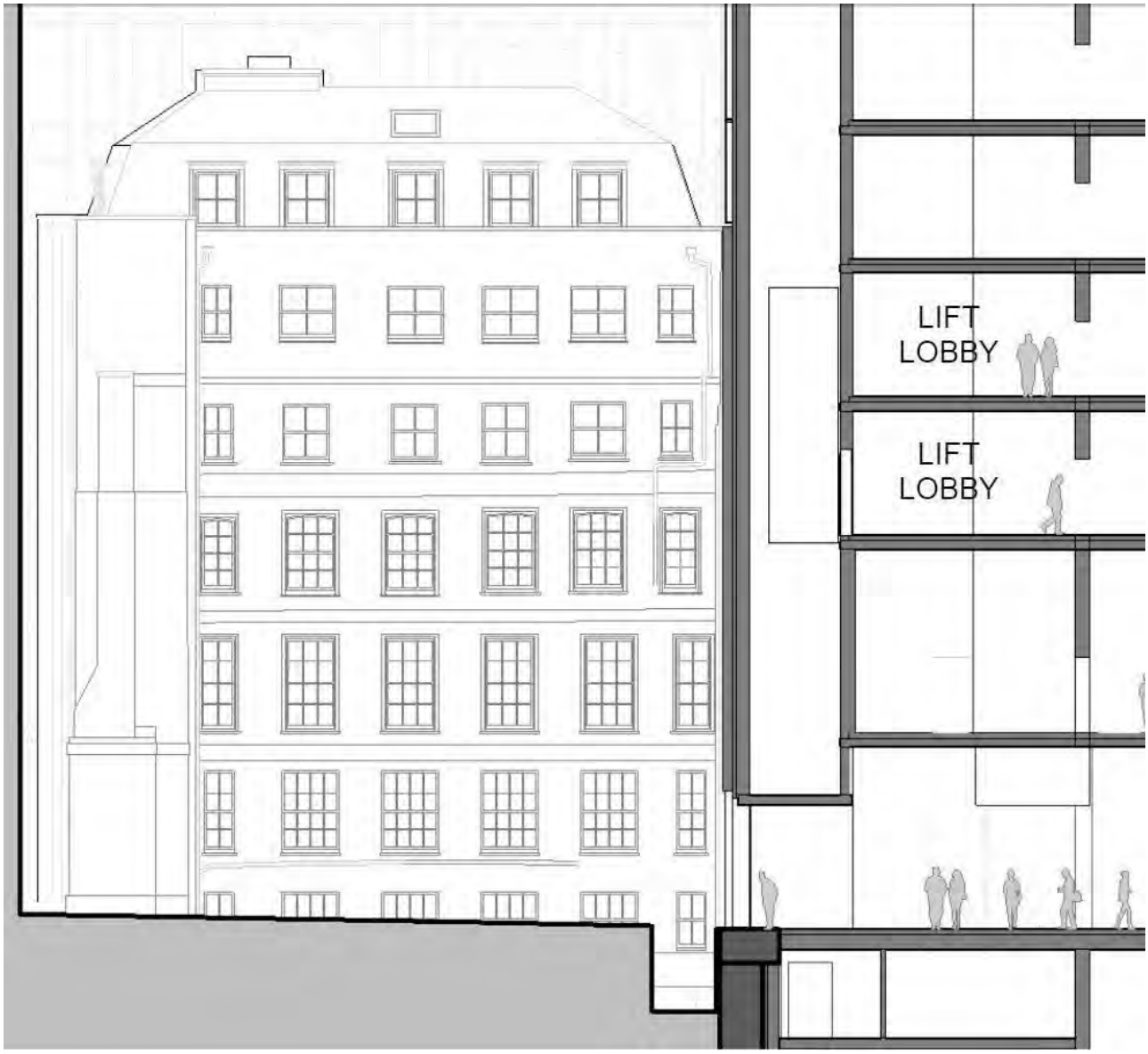


Fig 8: Extract from the submitted Proposed Section D-D (drawing PP-FPA-XX-XX-DR-A-16403).

1.39 The removal of the chimneystack would result in the loss of evidential value to the listed building and it would affect its legibility. This would harm the significance of the listed building, which would be compounded by the replacement of the stack with a 30 storey sheer elevation.

1.40 No listed building consent application has been submitted and it is not possible to comment in detail on the impact of this alteration to the listed building, or potential harm that would arise from the way in which the new building would overlap the listed building. In the absence of this detailed information, it is not possible to determine the potential impacts of this part of the proposed development.

CONCLUSIONS

1.41 The summary and very basic impact assessment in the HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3, and by omitting this; the applicant has failed to demonstrate adequate assessment regarding the proposals impact on nos. 2 – 3 Philpot Lane and no. 4 Brabant Court.

1.42 This representation has demonstrated the contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the existing urban morphology, and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed buildings at 2 – 3 Philpot Lane and 4 Brabant Court.

1.43 In addition, the removal of the chimneystack would compound the harm through the removal of a feature of the building that assists in its legibility through the loss of historic fabric and evidential value.

1.44 No other heritage assets have been assessed in this representation, although it is possible that the HTVIA has equally not properly assessed impacts on other heritage assets, meaning that the conclusions of the document may well be unreliable.

APPENDIX 1:

Report by Julian Harrap, 1985, for the Georgian Group

IAN HARRAP ARCHITECTS 21A STOKE NEWINGTON ROAD LONDON N16 8XA

Your reference

Our reference

2 and 3 PHILPOT LANE LONDON EC4

The house stands in backland surrounded by new office development. The west elevation of the house faces a courtyard. Entrance to the house is from Philpot Lane via a walled passageway. The house is of four floors over a basement with sub-basement. It is constructed of brick with timber floors and has sash windows punctuating the brickwork at regular intervals. An excellent fragment of late 17th/18th century brickwork remains in the north west corner. This has red-dressed reveals to the windows below rubbed brick arches, with old beaded flush box frames. At second floor level is a shallow projecting rubbed brick moulded band course and at third floor level a substantial dentilled cornice of rubbed brick. The remaining part of this elevation appears to have been reconstructed in the early 19th century. A buttress wall has been constructed against the eastern end of the north wall. The east elevation is three windows wide and there is an early mid-18th century doorcase at the north east corner, through which entry is provided to a raised ground floor. The south wall of the building abutts a new building. The west wall of the house was probably five windows wide originally and probably three floors high. The line of the band course at second floor level is evident, as is the line of the main cornice at third floor level. There is an abutting chimney breast at the northern end of this wall and various additional windows appear to have been added at the south end. There is a stone incorporated in the elevation at area level asserting that the wall belonged to C J King in 1871.

Should pre-dat Window act of 1709 (sash boxes set back 4") but, according to Construction many windows continued to be built flush with wal till early 1730's

Ian Harrap Dip Arch RIBA 01-254 4358

VAT No. 375 5873 07

Above the original cornice level are two further storeys of accommodation, the lower one perhaps added in the early 19th century when the present staircase was installed and the upper one re-formed after war damage in 1951. The interior of the building is very substantially concealed by facings, linings, false floors and flase ceilings. Few fragments of the original phase of construction can be seen, but the following items seem consistent with an original construction date between 1690-1710. The sub-basement has a large timber beam perhaps 500mm sq. of oak and this shows evidence of having supported cogged floors. The upper basement covers the full extent of the site including a vault under the entrance passageway to Philpot Lane. At ground floor level, behind the north elevation of the building, are large timber baulks framed together to form the floor structure, with a principal beam running east-west the full width of the building and eastern wing. The area of the basement to the south is divided into two rooms be massive walls and the ceiling sags considerably in the central area, possibly because two large columns bear on this floor above. The existing ground floor is entirely encased with later finishes and partitions arranged as the attached plans. The most interesting features are two early 18th century Tuscan columns aligning with the second bay from the south. These must have once been part of a grand entrance hall, which would be consistent with a commercial use of the ground floor at the time of initial construction. At first floor level, the great height and very large windows are indicative of grand rooms. The floor void between ground and first floor is reportedly two to three feet deep which would be capable of concealing a deep cornice. The windows on the north elevation and some on the west elevation retain large ovolo beaded shutters with plain panels.

check

ullen Herrep Dip Arch RIBA 01-354 4358 VAT No. 375 5873 07

There is a chimney breast on the south wall and on the east wall of this floor. At second floor level there are substantial remains of a late 17th century-early 18th century interior. Particularly valuable is a lined opening consisting of two fluted doric columns supporting a four centred arch, with six raised and fielded soffit panels and a key stone. This would have given access from main house to wing, before the lift was installed. In the north west corner of the plan is an almost complete 18th century interior with unusually raised and fielded panel shutter reveals to the window on the north elevation, a full box cornice and ovolo panelled walls. At the southern end of the plan entered through a very good eight panelled door is another grand room with full box cornice and perhaps plane moulding, enhanced with a mouse moulding. A fragment of box cornice remains adjacent to the eastern fire place on this floor. The middle room has a simple 19th century cornice. The third and fourth floors are of very little interest, but it is significant that the 19th century stair continues to the third floor level.

With the evidence described, there are grounds to suggest that this structure was once a grand City Merchants house, perhaps constructed in the late 17th/ early 18th century, probably retaining its original plan form except that the grand stair at ground and first floor has been removed and the well filled in. The present front entrance to the building was probably the back entrance and access to the wing would probably have been through lobbies where the lift now runs up through the building. The plan form of the building could well have been very similar to that remaining at second floor level with two large and one small principal rooms per floor.

Julian Harrap Dip Arch RIBA 01-254 4358 VAT No. 375 5823 07

In order to reach a considered conclusion about the merit and worth of the building an architectural and archaeological investigation should be undertaken, with a view to testing the hypothesis of internal arrangement derived from this inspection. Only when more information is available, could a proper value be attached to the building from an architectural and historical viewpoint. With leases due to fall in over the next two to three years, sectional investigation and even repair, could be a practical proposition. The present application to completely gut the building would have to be resisted until further information was available.

Julian Harrap Architects

March 1985

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01-254 4358



Lambert Smith Hampton

www.lsh.co.uk

Objection to Planning Application

For the proposed development at

55 Gracechurch Street
London EC3V 0EE

On behalf of

Store Property Investments Limited

Prepared by
Lambert Smith Hampton
United Kingdom House
180 Oxford Street
London
W1D 1NN

October 2020

[redacted]

1.0 Introduction

1.1 We write on behalf of our client, Store Property Investments Limited, to strenuously **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020. The application particulars are outlined below.

> **Application reference:** 20/00671/FULEIA
>
> **Description of Development:** *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*
>
> **Address:** 55 Gracechurch Street London EC3V 0EE

1.2 Our client, Store Property, has a number of serious concerns relating to inadequacies and discrepancies in respect of the documentation submitted in support of the application, including issues regarding Heritage, Daylight, Sunlight and Overshadowing, Wind and Microclimate and adverse impacts on the operation and viability of our client's own premises. There are also a number of deficiencies in terms of the documents submitted, and in particular the failure by the applicant to submit an assessment of the impacts on 2 – 3 and 5 Philpot Lane and associated properties in the immediate vicinity. All of the points raised are considered in further detail within this submission and also assessed against the current planning policy framework for the City of London. In summary, the proposals represent a gross overdevelopment of the site and fail to adequately address the relationship of the site with the surrounding context.

1.3 Our client is the owner of 2 – 3 and 5 Philpot Lane, which is set to suffer significant adverse impacts caused by the proposed development. The property is currently in use as a hotel with 36 apartments across 7 floors (lower ground floor, ground floor plus five). 2 – 3 Philpot Lane is Grade II Statutory Listed. In this regard, a separate Heritage Objection Report *(by Cogent Heritage)* has been undertaken to assess the potential impacts of the proposal on this building. Number 5 Philpot Lane is not statutorily listed but does comprise hotel accommodation and is in the demise of our client.

1.4 Within this objection report, we outline why the proposals are contrary to the policies set out within the adopted and emerging development plan, which broadly comprises the City of

London Local Plan (2015), the City Plan 2036 (2020), the London Plan (2016, as amended) and the Intend to Publish London Plan (2019). This letter also sets out the reasons for refusal.

1.5 This objection is accompanied by a photographic and aerial appendix of the site which is referred to and attached. This report is split into sections outlining the background and context for the objection, the planning assessment across a variety of themes, additional considerations for the LPA which are material to the determination of the planning application and a summary. The contents are outlined below.

1. Introduction
2. 2 – 3 and 5 Philpot Lane
3. Planning Assessment
4. Principle and Design
    a. *Siting of a tall building in this location*
    b. *Justification for a tall building in this location*
    c. *Design approach*
    d. *Access*
5. Heritage
6. Daylight, Sunlight and Overshadowing
7. Wind and Microclimate
8. Impact on the viability of the existing hotel use
9. Other considerations
    a. *Site Boundary*
    b. *Existing escape stair*
    c. *Demolition and construction*
    d. *Construction Methodology*
    e. *Consultation*
    f. *Summary*
10. Conclusions

1.6 Sections 3 – 8 of this objection report outline the planning reasons why this proposal should be refused. Section 9 identifies a range of additional considerations which do not appear to have been addressed by the applicant in their submission. The cumulative adverse effects arising from the proposals amounts to serious concerns about how well prepared the application is and what due diligence has been undertaken in order to satisfy the City of London that the proposals can be delivered in a safe and appropriate way.

1.7 In addition to the planning concerns, there are also a range of legal issues that the applicant or their agents have not responded to, which are outlined in a letter from Stevens & Bolton LLP dated 18 September 2020, which is appended. These issues principally concern the legal rights of our client regarding the fire escape, the ownership boundary (specially the chimney stack),

the construction methods, over sailing, disruption and maintenance issues. As these are legal matters, they will not be discussed in significant detail within this representation but they nevertheless cast severe doubt on the deliverability of the scheme.

2.0 2 – 3 and 5 Philpot Lane

2.1 Our client owns the freehold to 2 – 3 and 5 Philpot Lane, which accommodates a hotel with 36 fully serviced apartments owned and operated by City Apartments. City Apartments provides high quality, furnished hotel apartments for business and tourist visitors for both short term and long term stays.

2.2 For clarity, we have marked our client's ownership and interests on the submitted site location plan in Figure 1, which is indicated to the north east of the application site in in block shading. Additionally, further photographic and aerial information is contained with the Appendix.

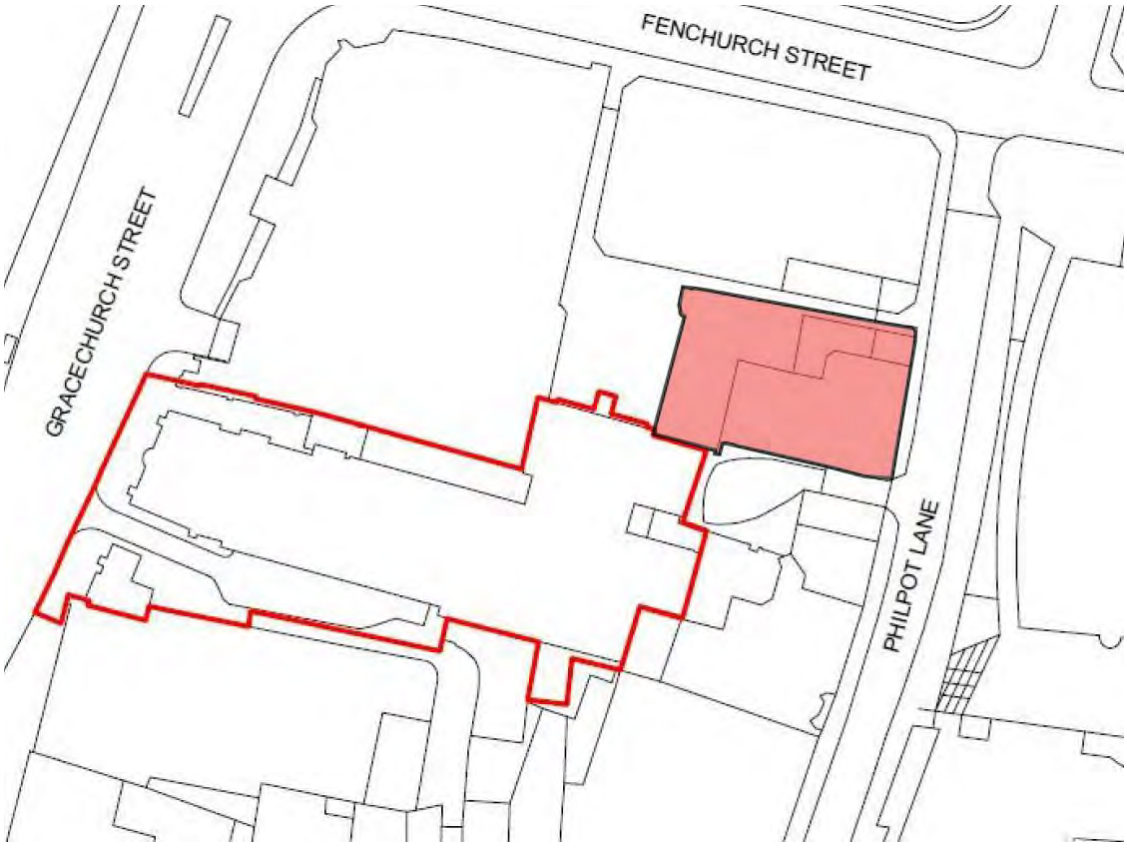


Fig. 1 - Location Plan of the application site (red outline) and clients site (red shade)

2.3 With regards to designations, Number 5 Philpot Lane is not listed however Numbers 2 and 3 Philpot Lane are Statutory Grade II listed and were first listed on 5 June 1972. The list description is relatively short but states:

> *"In Court at rear of No I. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed."*

2.4 The entrance to 2 – 3 and 5 Philpot Lane is from Philpot Lane through an attractive archway with black iron gates. There is a small central courtyard used for arriving guests which is often used as an informal amenity space and small gatherings as it provides a quiet area away from Philpot Lane and Fenchurch Street.

2.5 The images below show a typical hotel apartment, which comprise a bedroom, living space and bathroom.



Fig. 2 – Typical living space for hotel occupants



Fig. 3 – Typical bedroom for hotel occupants

2.6 The hotel is arranged over seven storeys (lower ground and ground plus five) with outlooks from the bedrooms and living spaces predominantly to the south (towards the 'Northern Courtyard') and west (towards 'Brabant Court').

3.0 Planning Assessment

3.1 On behalf of our client, we have reviewed the necessary planning application material and made an assessment of the proposals against both adopted and emerging planning policy. This comprises:

- The City of London Local Plan (2015);
- The City of London Local Plan Proposals Map (2015);
- The London Plan (2016, as amended).

3.2 The emerging policy background is as follows:

- The City Plan 2036 (proposed submission version)
- The New London Plan (Intend to Publish Version 2019)

3.3 In this regard, we have given due weight to the emerging policy background as so far it is material to the decision making of this proposal. With regards to the City Plan, this is considered limited, but relevant. With regards to the New London Plan, we have accorded this significant weight due to its advanced stage in the examination process.

3.4 We have also reviewed a number of other policy documents, including:

- The City Plan 2036 Policies Map;
- The City of London Wind Guidelines (2019)
- Archaeology and Development Guidance SPD (adopted July 2017);
- City of London Open Spaces Strategy (adopted January 2015);
- Eastcheap Conservation Area Character Summary and Management Strategy SPD (adopted March 2013).

3.5 There are various other documents that are material to the decision making process that do not form part of the Development Plan including various adopted Supplementary Planning Documents and Guidance although these are not considered material in the objections put forward as part of this report.

4.0 Principle of the Proposed Development and Design

4.1 This section will focus on the acceptability of siting a tall building in this location and the building's design, with specific assessment on the impacts related to 2 – 3 and 5 Philpot Lane.

4.2 Our client has a significant vested interest in ensuring that appropriate high-quality developments are permitted in City of London. It is on this basis that our client objects in the strongest possible terms to the proposals, which are spatially inappropriate with regard to the policies contained within the existing and emerging Local Plan and will, as a result, damage the viability of an existing business.

4.3 As identified in the description, the proposals consist of the demolition of all existing buildings and the erection of a thirty storey building (ground plus twenty-nine) comprising office, retail and a range of other uses in the building.

Siting of *a tall building in this location*

4.4 Policy D9 of The Intend to Publish Draft London Plan outlines a wide range of criteria to be assessed against including definition; locations; impacts; and public access. Policy D9 allows Local Planning Authorities to set the definition of tall buildings and where they are located. In Development Plans, tall buildings should be identified on maps and should only be developed in locations that are identified.

4.5 In accordance with Policy D9 of the Intend to Publish London Plan, the City of London Corporations "Core Strategy Policy CS14: Tall Buildings" sets the suitability criteria for the development of tall buildings in the City. The policy states that the City of London will support *'tall buildings of world class architecture and sustainable and accessible design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level'* subject to four key criteria, including being situated on suitable sites in the City's Eastern Cluster; refusing permission for tall buildings in inappropriate areas; only allowing proposals for tall buildings on suitable sites which have regard to the City Skyline, the character and amenity of neighbouring buildings and its impact on heritage assets.

4.6 The emerging City Plan "Strategic Policy S12 (Tall Buildings)" states that *'tall buildings with world class architecture and sustainable architecture will be encouraged on suitable sites, having regard to a range of criteria'* which includes effect on the skyline, character and amenity of the surroundings, impact on heritage assets, the provision of high quality public realm and environmental impacts.

4.7 With the submitted Planning Statement, the applicant appears to place great weight of spatial planning acceptability and justification on the basis that the proposals are in general conformity of the Eastern Cluster Policy Area, outlined within the Local Plan and the site being located within the "City Cluster" of the emerging City Plan.

4.8 It is important to note that the site is not located within the 'Eastern Cluster' Policy Area or located wholly within the 'City Cluster' and therefore does not automatically have the policy weighting to support taller buildings on suitable sites. Weight cannot be afforded to the content of these policies (Eastern Cluster Policy in the adopted plan or City Cluster Policy in the emerging City Plan) as the site is not located in these areas.

4.9 The applicant also points to 20 Fenchurch Street as being precedent for tall building development outside of the core development areas, however this site is considered to be an outlier when compared to the direction of travel within emerging policy documents.

4.10 Sites adjacent to the application site, however, are within the 'City Cluster'. The draft City Plan 2036 states that all of the City of London is sensitive to development of tall buildings and the City Cluster represents the most appropriate area for encouraging tall buildings in the City. Strategic Policy S21 (City Cluster) states, amongst other things, that delivering tall buildings on appropriate sites, including on "Renewal Opportunity Sites" will be encouraged. The City Cluster policy map identifies the surrounding plots of land as "Renewal Opportunity Sites". This presents a significant and compelling case not to allow a tall building in this location as it will firstly impede on the neighbouring "Renewal Opportunity Site" to come forward in a comprehensive form through an end-of block development but also result in a development which is located out of the area which is considered to taller buildings (i.e. The City Cluster).

4.11 Additionally, the site lies partly within the Eastcheap Conservation Area. Whilst it is argued that the tallest elements of the building are not located within the CA, the wider impacts and association of this location has not been fully considered and the proposal has not appropriately demonstrated that it does not impact on the setting or relationship with the Conservation Area and surrounding buildings. This is discussed in more detail within the Heritage Representation by Cogent Heritage.

4.12 In summary, and contrary to the applicants planning statement, the location of the site does not fall into an area that is readily accepted to accommodate a tall building and therefore the applicant must demonstrate acceptability across a range of criteria. This is discussed below.

Justification for a tall building in this location

4.13 In accordance with the Development Plan, the emerging London Plan and emerging City Plan 2036, should the site be considered suitable in principle for a tall building, the proposals will be required to satisfy a range of criteria related to design, urban design/townscape, heritage and environmental impacts (including wind, daylight & sunlight). The adopted and emerging policies relating to tall buildings also require development proposals to meet the highest quality of design to reduce and mitigate their impact on surrounding properties.

4.14 The policy tests are outlined below (note: CS14 has the same criteria as S12 therefore are being considered together).

S12 (Tall Buildings) Policy Test **CS14 (Tall Buildings) Policy Test**	**Assessment**
the potential effect on the City skyline, the wider London skyline and historic skyline features	The applicant has produced HTVIA and Design and Access Statement which has sought to demonstrates the impact of the proposed building on the City skyline. In many views outlined within the HTVIA, the proposal would continue the merging of the historical elements of the city southwards, presenting a solid mass of building when assessed against 20 Fenchurch Street and the cumulative scenario. This is especially prevalent in views from Butlers Wharf (View 10) and City Wharf (View 11). In many ways, the siting of the proposal is unfortunate, as 20 Fenchurch Street presents a significant and overbearing mass of a building which 55 Gracechurch Street adds to. It is clear that, when assessing the proposals from a distance, this part of the City should be dropping away in height significantly, especially when the height of 70 Gracechurch Street is taken into consideration. There is also the pertinent issue of view 19 in particular, which has a significant adverse impact on the setting of the Monument. Historic England has raised this as a significant concern within their objection letter of 2 October 2020. It is also the view of our client that the proposals cause significant harm to the City skyline and historic skyline features.
the character and amenity of their surroundings, including the relationship	The proposed building is located mid-terrace (block) and would present a tall building directly adjacent to mid-rise city blocks which is at odds with the fabric and grain of the existing

with existing tall buildings	buildings. The City has very successfully accommodated tall buildings, with exemplar architecture and high quality urban design across many sites in the City. There are numerous examples of where tall buildings have a successful relationship with the existing streetscape and townscape, provide ample open space and pedestrian movement and result in high-quality urban and spatial relationships with neighbouring buildings and development plots. In the case of 55 Gracechurch Street, the oppressive nature of the height and the direct relationship with neighbouring buildings is in direct conflict to the scale and grain of the existing setting. The narrow alleyways of Brabant Court, Talbot Court and St Benet's Place are unable to give the space required at the base of the building to result in a high quality environment. The proposals, therefore, appear cramped. The relationship with 20 Fenchurch Street is awkward, sitting slightly forward and when viewed from the south, presenting a mass of building which is oppressive, and detracts from the existing skyline which presents a collection of different designs and an interesting array of architectural style. All of this results in a proposal which is dominant and lacks any kind of positive relationship when considered against the current character of the area and existing tall buildings. Regarding amenity, the proposals have failed to assess the impacts on neighbouring properties and entrance spaces, which are discussed later in this objection.
the impact on the significance of heritage assets and their immediate and wider settings	See section 4 and the associated *Heritage Objection* for a summary of the impact of the proposals on the significance of heritage assets. The proposals introduce a tall building into this predominantly courtyard area, immediately adjacent to listed buildings which are discussed in more detail later within this objection. The proposed development would appear out of place and at odds with its surroundings, significantly impacting on the ability to appreciate the architectural significance of the neighbouring listed buildings. It is also considered that the proposal adversely impacts on the Eastcheap Conservation Area by virtue of its dominance and overbearing nature. In summary, allowing development on this mid-block site would begin the erosion of the finer grain, historic elements of the City and present an overbearing development with little consideration of the relationship or respect of neighbouring heritage assets including Statutory Listed Buildings and

	Conservation Areas. The adverse impact on adjacent listed buildings would be significant.
the provision of a high-quality public realm at street level	See the following sections for further details assessment relating to urban design, public realm and movement. In summary, the proposal does not provide high-quality public realm at street level. It is hemmed in from all directions aside from the west and the narrow streets and lanes it sits adjacent to are woefully inadequate to cope with 30 storey building with no set-off or appreciation for the existing context.
the environmental impact the tall building may have on the surrounding area, including the capacity of the City's streets and spaces to accommodate the development.	See sections 5 and 6 for an assessment against the submitted Daylight, Sunlight and Overshadowing Assessment and Wind and Microclimate Report. In summary, the application documentation fails to adequately assess the environmental impacts on neighbouring buildings and therefore cannot be considered to be robust.

4.15 Regarding the assessment required within Policy D9 of the Intend to Publish London Plan, an assessment has been made against the relevant criteria.

Intend to Publish London Plan Policy D9 (Tall Buildings)	**Assessment**
Visual Impact	The mid-range and short-range views of the proposal highlight the buildings failure to respond positively to the form and proportions of the surrounding neighbourhood. In particular, the proposal has a limited relationship with the street and lacks pedestrian scale and character in particular. The proposal does not reinforce the spatial hierarchy of the area, falling outside of the designated area promoted for the development of tall buildings. This results in an edge of cluster development which fails to positively respond to the character of the area.
Functional Impact	The proposal will have clear functional impacts on neighbouring properties, principally as a result of removing the fire escape to

	2 – 3 and 5 Philpot Lane. The opening of routes around and across the site are likely to have a detrimental impact on neighbouring properties so the public benefit of this does not outweigh the likely harm.
Environmental Impact	Wind, daylight and sunlight have not been adequately assessed with regard to the neighbouring buildings. It is clear that the comfort and enjoyment of neighbouring premises will be unacceptably impacted and harmed.

4.16 Contrary to the assertions within the applicants Planning Statement and Design and Access Statement, this area is not characterised by very tall buildings but instead mid-rise block formations which at least have some regard to adjacent relationships and bring a sense of scale and character to the area. The proposals, by virtue of its oppressive height and relationship with neighbouring buildings, results in low quality urban design characteristics, presents a significant overbearing presence to neighbouring buildings and fetters the ability of neighbouring sites to develop appropriately.

4.17 It is considered that the proposals fail to demonstrate a range of the core principles required to allow a tall building on this site, and the public benefits of the proposal do not outweigh the significant failings. We therefore request that the proposals are refused and the proposed reason for refusal is outlined below:

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

Design approach

4.18 The policy basis for assessing the detailed design approach to development is held within a range of policies within the existing and emerging Development Plan and included the policies related to tall buildings as outlined previously in 4.4 – 4.6 of this report. Also relevant are emerging policies D3 (Optimising site capacity through the design-led approach), D4 (Delivering

good design), D5 (Inclusive design) and D8 (Public Realm) of the Intend to Publish Draft London Plan, policies CS10 (Design) and DM10.1 (New development) of the adopted City of London Local Plan and Policy S8 (Design) and D2 (New development) of the emerging Local Plan 2036.

4.19 Whilst the detailed design approach, including fenestration and architectural detailing could be considered subjective, the urban design approach to the base of the building and relationship to its surroundings is clearly problematic, in the way there is little relevance or consideration of the synergy or correlation between neighbouring buildings.

4.20 Additionally, there is little reference to potential sensitive uses at the adjacent site and the *Opportunities and Constraints diagram* (3.1 of the submitted DAS) fails to recognise these sensitive uses. This is a *fundamental* failure by the applicant to properly and robustly assess the surrounding area.

4.21 Where tall buildings are acceptable in principle, their design must ensure safe and comfortable levels of wind, daylight and sunlight, solar glare and solar convergence within nearby buildings and the public realm within the vicinity of the building. This is made abundantly clear in a range of policies and supplementary guidance.

4.22 The proposed tower could be described as contemporary and it is considered that this has almost no consideration to the human-scale historic townscape, as seen in numerous views submitted within the HTVIA. The tower does not integrate into the base of the proposal and appears uncharacteristic in form and the building appears as an uncharacteristic solid mass in terms of its scale and prominence.

4.23 It is our opinion that the Design Team has considered this building in relative isolation and has given little thought to the relationships and urban design characteristics of the area and fails to meet the fundamental aim and objectives of Policy DM10.1 to ensure that *"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".*

4.24 The submitted proposed elevation and section drawings demonstrate this clearly, with *Proposed Elevation – North – Northern Courtyard (PP-FPA-XX-XX-DR-A-16303)* highlighting this stark relationship towards the existing buildings surrounding the proposal. *Proposed Elevation – Ground Level East - Brabant Court (PP-FPA-XX-XX-DR-A-16312)* also outlines the proposals impact, this time from Brabant Court.

4.25 The Design and Access Statement dedicates five pages of explanation about the future proposals of the Northern Courtyard without once referencing the relationship with the neighbouring uses or potential impacts on the adjacent property.

4.26 Therefore, in summary, the proposals are totally unacceptable, having regard to the aims and objectives of the City of London Local Plan, the emerging City Plan 2036 and the London Plan which seeks to encourage appropriate development across the City of London, the proposals will fall far short of meeting or exceeding those ambitions.

Ground floor access

4.27 Emerging City Plan 2036 Policy DE4 ('Pedestrian Permeability') states that development will be required to contribute towards the improvement of pedestrian permeability in the City by providing legible, good quality, safe and low pollution pedestrian connections between spaces; where feasible providing new pedestrian routes through buildings and development sites that respect the City's historic street pattern; where feasible providing publicly accessible ground floors; and, providing pedestrian routes of an adequate width that are step free.

4.28 Whilst our client generally supports the opening of routes through the city to improve permeability, the proposed routes through the Northern Courtyard and Brabant Court would have the potential to significantly impact on the quality of accommodation provided by the hotel operator.

4.29 The applicant is proposing to open up a closed route through Brabant Court, directly adjacent to ground floor hotel bedrooms and living spaces. There is no consideration of how neighbouring uses may be impacted by this and no mitigation provided. Given the Design and Access Statement has undertaken a study looking at hourly pedestrian flow capacity of between 500 and 1500 per hour, it is critical that the amenity and safety considerations are fully assessed and mitigated. In the absence of this, the proposal ought to be refused and our proposed reason for refusal is set out below.

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

5.0 Heritage

5.1 Both the adopted and emerging City Plan are clear in their support for the conservation and enhancement of existing heritage assets. Policy HE1 (Managing Change to Heritage Assets) states that *"Development should conserve and enhance the special architectural or historic interest and the significance of heritage assets and their settings. The demolition or removal of designated heritage assets will be resisted".*

5.2 A separate Heritage Objection, by Cogent Heritage, has been prepared to assess the impacts of the proposals on heritage matters relating to 2- 3 Philpot Lane and, although not in the ownership of the client, the nearby listed building at No. 4 Brabant Court has also been considered, where relevant.

5.3 The Heritage Objection provides a detailed summary of the site including:

- A historical summary of the site and surrounding area;
- Observations regarding the significance and setting of the building; and
- Observations about the physical impact of the proposed development.

5.4 The conclusions of the Heritage Objection are outlined below:

i. The HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3 and, by omitting this, the applicant has failed to demonstrate adequate assessment regarding the impact of the proposals on 2 – 3 Philpot Lane and 4 Brabant Court.

ii. The contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed building at 2 – 3 Philpot Lane and 4 Brabant Court.

iii. The removal of the chimneystack, which our client in no way consents to, would compound the harm through the removal of a feature of the building that assists in its legibility and through the loss of historic fabric and evidential value.

5.5 Historic England's objection letter dated 2 October 2020 supports the view that the proposals would cause harm to designated heritage assets.

5.6 It is therefore considered that the proposals would cause irreversible damage to the setting and significance of the existing heritage assets, as follows.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

6.0 Daylight / Sunlight

6.1 Adopted Local Plan policies 10.7 (Daylight and sunlight) and policy D8 (Daylight and sunlight) of the emerging City Plan both place emphasis on development proposals requiring to demonstrate that the daylight and sunlight available to nearby dwellings and open spaces is not reduced noticeably to unacceptable levels.

6.2 The applicant has produced a Daylight, Sunlight, Overshadowing and Solar Glare assessment which is included within the Environmental Statement (along with additional information outlined in the appendices). The report assesses the proposed scheme in the context of a number of scenarios including with cumulative schemes.

6.3 The submitted report has also sought to assess the impacts on sensitive properties and sensitive religious buildings. This is shown in the map below, taken from the applicants' submission.

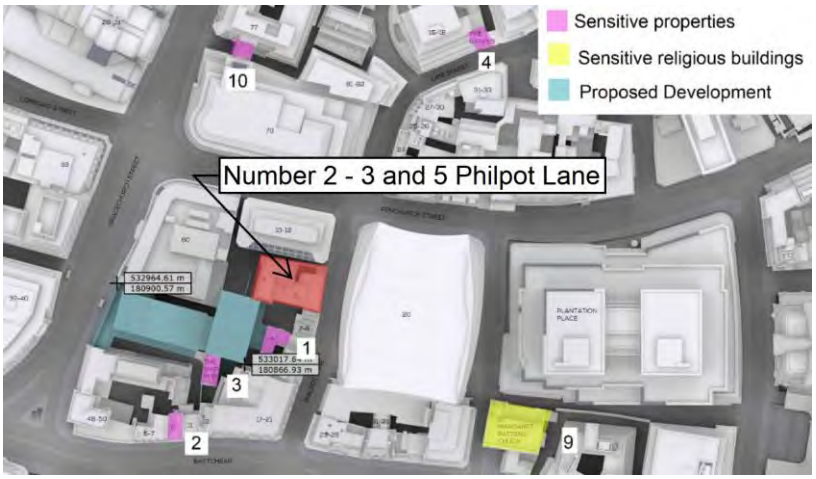


Fig. 4 - An extract from the applicants Daylight / Sunlight submission showing the assessed properties in the vicinity of the site

6.4 As outlined within the previous sections of this objection report, 2 – 3 Philpot Lane lie directly to the north east of the proposed tower and has a sensitive use as a hotel. These are not only bedrooms but include studios and living rooms for those tourist and business visitors to London who stay for much longer periods than a single week or weekend.

6.5 5 Philpot Lane has the same use and the bedrooms and living areas for the occupants generally have aspects to the south onto Brabrant Court. The relationship of the buildings is outlined in further detail in the aerial and photograph appendix.

6.6 Following a thorough review of the report, it does not appear that the properties at number 2 – 3 and 5 Philpot Lane have been assessed in any form to identify the potential impacts on those

rooms and occupiers with regards to daylight, sunlight and overshadowing. Policy DM10.7 is clear in stating that development will be resisted where it would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels. The hotel is a sensitive use, with bedrooms and living spaces which have not been subject to any form of consideration.

6.7 Additionally, and whilst not in the demise of the applicant, the Northern Courtyard does not appear to have been assessed for overshadowing.

6.8 The relationship between the two buildings can best be seen from the Northern Courtyard, where a 30 storey building will be erected directly adjacent to the flank wall of the hotel.



Fig. 5 - Proposed "Northern Courtyard" with hotel uses perpendicular to the proposals

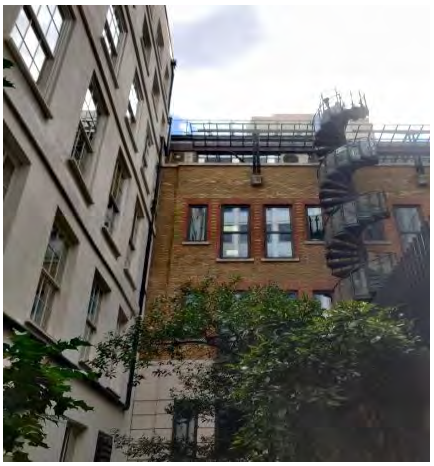


Fig 6 - The existing Northern Courtyard

6.9 It is therefore considered, without any supporting evidence to the contrary, that a proposal of 30 storeys in height, directly adjacent to a sensitive use would have a significant and material impact on the daylight and sunlight of those occupants. We therefore consider that the proposal ought to be refused on this basis, as set out below.

PROPOSED REASON FOR REFUSAL 1:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

7.0 Microclimate

7.1 Adopted City Local Plan Policy DM10.1 ('New development') seeks to ensure that development does not cause unacceptable wind impacts. Emerging City Plan 2036 Policy S8 ('Design') requires development to optimise microclimate conditions including in relation to wind and thermal comfort and air quality. Emerging Policy DE2 ('New Development') reiterates that design and materials must avoid unacceptable wind impacts. The City of London have also produced guidance relating to Wind and Microclimate and how applicants should approach this assessment.

7.2 The applicant has produced a Wind and Microclimate assessment which has sought to assess a range of scenarios. The assessment includes the production of RWDI and CFD testing, which is in general conformity with the guidance contained within the Wind and Microclimate report.

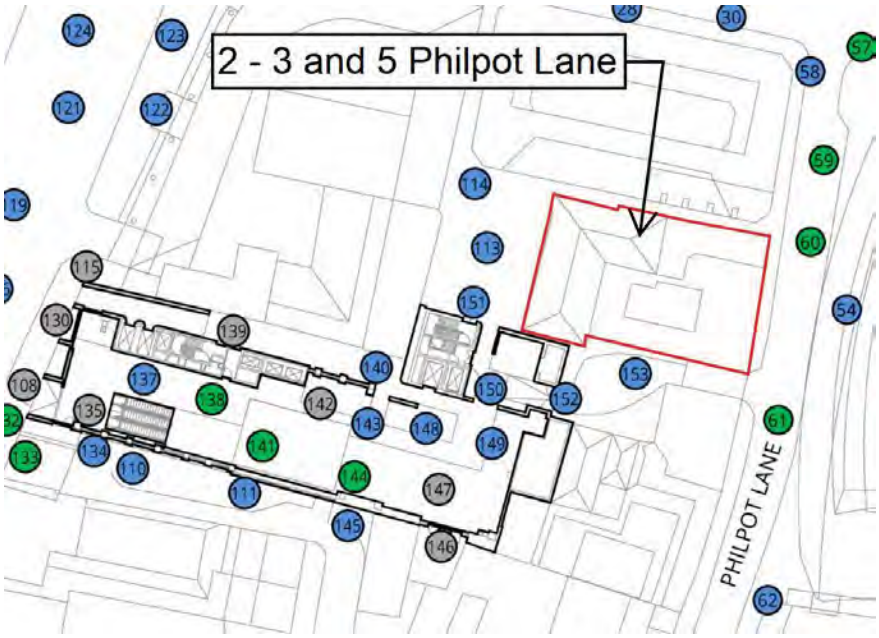


Figure 7 - An extract from the applicants Wind and Microclimate Appendix

7.3 Nevertheless, it is considered that the application documents have not tested the potential impacts of the proposals on the external amenity space of 2 – 3 and 5 Philpot Avenue, nor the entrance doorways to those buildings. These are identified in the images below.



Fig. 8 – External amenity space for residents of 2 – 3 and 5 Philpot Lane



Fig. 9 – Resident entrance to 2 – 3 and 5 Philpot Lane

7.4 As the City of London Planning Department can attest, the wind environment is already significantly compromised in this area as a result of recent developments such as 20 Fenchurch Street. Therefore, robust testing is required which includes private entrances and amenity space.

7.5 This assessment process has not been undertaken robustly and has the potential to significantly impact the existing building, its entrance and amenity space. Accordingly, it is considered that the application proposals should be refused on microclimate grounds and a proposed reason for refusal is set out below.

PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

8.0 Impact on the viability of the existing hotel use

8.1 City Apartments Ltd operate a successful and viable hotel and serviced apartment business, however COVID-19 has been testing for the overall operation of the use. The business relies on providing high-quality apartments for visitors to London, helping the City of London and the London Plan meet its aims and objectives, which includes ensuring there is a suitable provision of tourist and business services including hotels.

8.2 Our client has recently undertaken a costly upgrade of the facilities within 2 – 3 and 5 Philpot Lane, which has included extensive works to the Grade II Listed element of the site to ensure the continuing beneficial use of this historic building along with providing a high quality service for visitors to London, in line with Local Plan policy DM11.3.

8.3 Adopted and emerging policy supports hotel trade in the city and the emerging policy evidence bases estimate that visitor numbers are likely to increase – especially demand for visitor accommodation. Policy CV1 (Protection of Existing Visitor, Arts and Cultural Activities) sets out that proposals resulting in the loss of these facilities will be resisted. Whilst this is generally related to land use, the implications of the proposed development could extinguish the existing use at 2 – 3 and 5 Philpot Lane, which would be a detriment to the local and regional tourist economy. Policy E10 (Visitor Infrastructure) of the draft London Plan supports a sufficient supply of serviced visitor accommodation.

8.4 As demonstrated in the preceding paragraphs, the proposal will have a detrimental impact on both 2 – 3 and 5 Philpot Lane and the operation of the existing business on the site. In a time where retaining existing businesses are under particular stress, the City of London is duty bound to protect these businesses from any unacceptable impacts. We therefore request that the application is refused on the grounds that it will have a detrimental impact on local tourism and the economy and will also threaten the economic viability of the listed buildings.

PROPOSED REASON FOR REFUSAL 6:

The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally affect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

9.0 Other matters for consideration

9.1 The following matters relate to additional points of fact or concern which may have implications on the way that the proposals can progress and how the development can be constructed. The below items have also been raised directly with the applicant in a letter on 18 September from Stevens and Bolton LLP.

Site boundary

9.2 The red line boundary, which is the highlighted on the Site Location Plan and Existing Site Plan, appears to assume that part of the neighbouring property at 2 – 3 Philpot Lane is within the control of the applicant, although this is incorrect.

9.3 The Design and Access Statement submitted in support of the Planning Application suggests (at paragraph 2.4 page 19) *"the site includes a chimney stack attached to 2 -3 Philpot Lane"* whilst the Environmental Statement further suggests (at paragraph 3.13) that *"there are heritage assets located within the northern boundary of the site [including] Chimney attached to the Grade II listed 2 and 3 Philpot Lane".*

9.4 The chimney is within the control and ownership of our clients property, meaning the site cannot be delivered without our clients consent, which our client has no intention of giving.

9.5 On a secondary point, the Chimney Stack is identified on the Demolition Plan – Ground Floor (Drawing number PP-FPA-XX-00-DR-A-16602) as a structure to be demolished. The applicant proposes that the chimney will be subject to a separate Application for Listed Building Consent.

9.6 Following a review of the City of London Planning Database, this does not appear to have been submitted and our client has signalled their intention to, quite correctly, vehemently object to demolition of part of their building.

9.7 Finally, and despite the application form stating otherwise, our client has not received the relevant statutory notices regarding this application. The registered address of 2 – 3 and 5 Philpot Lane (Store Property Investment Limited main office) has been open throughout the recent pandemic so if this was served correctly, it could not have been missed.

Existing Escape Stair

9.8 Our client has a right of fire escape over the existing property at 55 Gracechurch Street. Further information as to the location and direction of this is contained within the photographic appendix.

9.9 Following a review of the proposals, the fire escape has not been considered or in any way accommodated. This is clearly problematic for our client, as it would fetter the ability to use this escape at a future date along with potentially fettering the ability for any future use or development.

9.10 The legal implications of this have been set out within a letter dated 18 September 2020 from our client's solicitors to the applicant which includes the Deeds and confirmation that the 2 – 3 Philpot Lane benefits from a right "to pass on foot and wheelchair only along the Fire Escape Route into Fenchurch Street". It now falls to the applicant to review this and explain how our client's requirements can be addressed.

Demolition and Construction

9.11 Notwithstanding the fundamental objections to the proposals outlined within sections 3 – 7 of this letter, we have also assessed the Outline Construction Environmental Management Plan, which is likely to be conditioned as part of any future consent. Whilst it is only possible to draw broad conclusions on the document at this stage, there are a range of concerns that our client wishes to raise.

i. There is limited acknowledgement of potential impacts on neighbouring buildings, especially during the de-construction period. Any further submission should state in detail how neighbouring properties and their occupiers will be safeguarded, informed and consulted when major stages of work take place.

ii. The dust and noise impacts associated with demolition, piling and construction have not been considered in so far as there are sensitive uses in adjacent buildings. This is likely to have a significant adverse impact on the occupiers and their business.

iii. Construction scaffold is proposed to be located directly adjacent to hotel room windows, with apparently no commentary on safeguarding, privacy or amenity impacts and how these will be addressed. This would seemingly require approval from neighbouring properties and therefore our client will be required to approve the proposed construction methodology. Any further submission should state in detail how this will be requested and managed throughout the demolition and construction period of three years, along with any required mitigation.

iv. The build process is more than three years and by placing construction apparatus next to the windows of up to 10 apartments, has will have significant impacts on the viability of an existing business. The Outline CEMP does not acknowledge or set out how these impacts can be mitigated. In summary, the Outline CEMP appears to be an off-the-shelf report with little site specific analysis into how the proposals will be constructed.

Construction Methodology

9.12 Following a review of the drawings, it is evident that the proposals adjoin and potentially build below / on top of the property at 2 – 3 Philpot Lane and it seems inconceivable that this is not the case given the proximity to this property and the proposals to demolish the existing chimney. Our client has not and does not intend to grant consent for any such works.

Consultation

9.13 The NPPF is clear in outlining that effective engagement between applicants and communities is essential for achieving well-designed places. Paragraph 128 of the NPPF states that *"applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot".*

9.14 In this regard, the Planning Statement outlines that discussions have been had with stakeholders and an online public exhibition was held between 6th July and 17th July 2020. For reference, the application was received by the Council on 24 August 2020. As a planning consultancy with significant experience in consultation and major developments, we can attest that it would not have been possible to run collaborative and open consultation just 6-weeks prior to the submission of a major planning application as this allows for virtually no time at all for stakeholders' comments to be taken on board or mitigated by the design team.

9.15 In addition, our client has not received any meaningful communication, in the form of plans or details, from the applicant prior to the submission of the application. A representative of the applicant contacted our client on 21 July (post exhibition) to discuss the land ownership however, despite the submission of a planning application imminently; the representative could not discuss the proposals as they were subject to a *'non-disclosure agreement'*. If the applicant was willing to discuss the details of the proposals prior to submission, some of the issues outlined above could have been raised and clarified. Our client subsequently wrote to raise specific enquiries of the applicant in relation to the chimney and the fire escape (as set out in the letter of 18 September 2020) and those enquiries have not been answered.

9.16 Whilst not a reason for refusal against adopted and emerging policy and guidance, in accordance with the NPPF, the City of London should not look at these proposals more favourably as the proposals have not been subject to meaningful consultation with a range of appropriate stakeholders.

Summary

9.17 The cumulative impacts of the above give rise to significant concerns that the proposals have not been developed having due and proper regard to the rights of neighbouring properties.

10.0 Conclusions

10.1 We have considered this application planning permission against the terms of the Development Plan and other material considerations. We conclude that the proposals are not consistent with National Planning Policy Guidance and the general terms of policies within the City of London Development Plan. We have considered the relevant material considerations, none of which out-weigh the reasons why planning permission should be allowed.

10.2 The application is deficient in detail and contrary to the Council's planning policies. There are no planning merits and no justification whatsoever for the grant of planning permissions and the only decision that a reasonable local planning authority could possibly make is a decision of refusal. Reasons for refusal are plentiful.

10.3 The location of a tall building on this is considered unacceptable in principle, resulting in a range of impacts including most pertinently severe design and amenity impacts for 2 – 3 and 5 Philpot Lane. The location, being mid-block, is not suitable for a very tall building and presents an urban design solution that is not harmonious to the existing environment.

10.4 As a result, the proposal will result in serious harm to an existing business that is already under significant strain from the current pandemic. The proposal will result in an oppressive 30-storey tower directly adjacent to our client's property with little to no consideration of the wide range of impacts on the listed status of the building or its operational use.

10.5 The heritage impacts, as outlined within this planning representation and the heritage representation, would be severe and irreversible causing substantial harm to the character and appearance of the historic environment. The local planning authority must be diligent in its duties as set out in s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and assess the proposals robustly having due regard to the requirements of the National Planning Policy Framework and London Plan in relation to preserving or enhancing the significance of designated heritage assets.

10.6 Should the City of London consider the proposals to be acceptable in principle, then a range of additional matters require urgent consideration to ensure they can be appropriately assessed to ensure no adverse impacts will arise in terms of daylight, sunlight, wind and microclimate.

10.7 To conclude, the proposals in their current form should be refused by the City of London for the reasons outlined above. Should this not happen, our client has signalled their intention to challenge the lawfulness of any future decision. Our client also reserves the right to supplement the above objection in respect of specific matters relating to the applications and to be re-consulted regarding any further amendments or additional documentation submitted. In

summary, the proposals represent a gross overdevelopment of the site and fail to adequately address the relationship of the site with the surrounding context.

10.8 Caution and common sense needs to prevail with this development. It is therefore respectfully requested that this applications is refused or withdrawn. Recommendations regarding the reasons for refusal are set out below.

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

PROPOSED REASON FOR REFUSAL 4:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

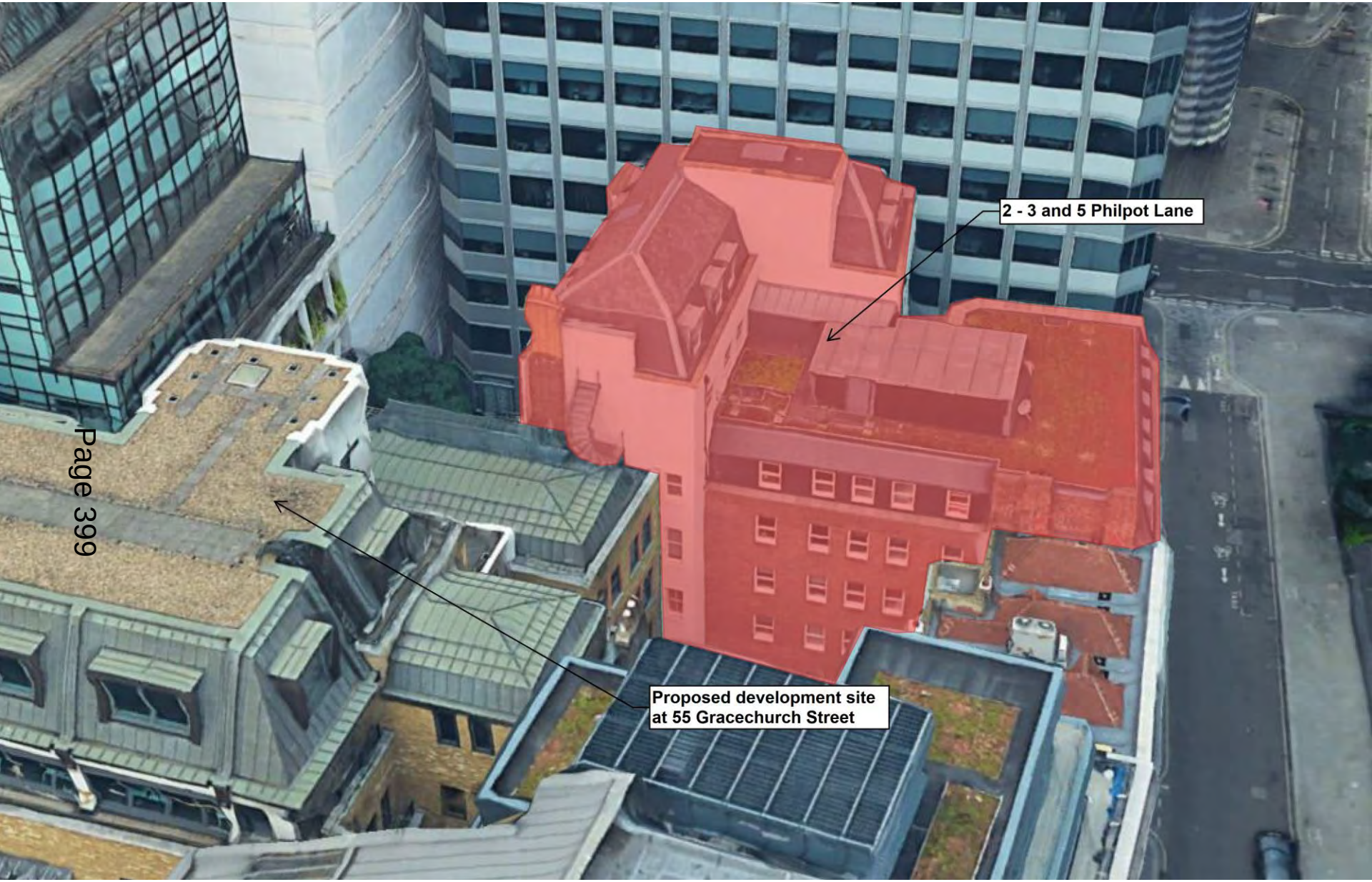
PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

PROPOSED REASON FOR REFUSAL 6:

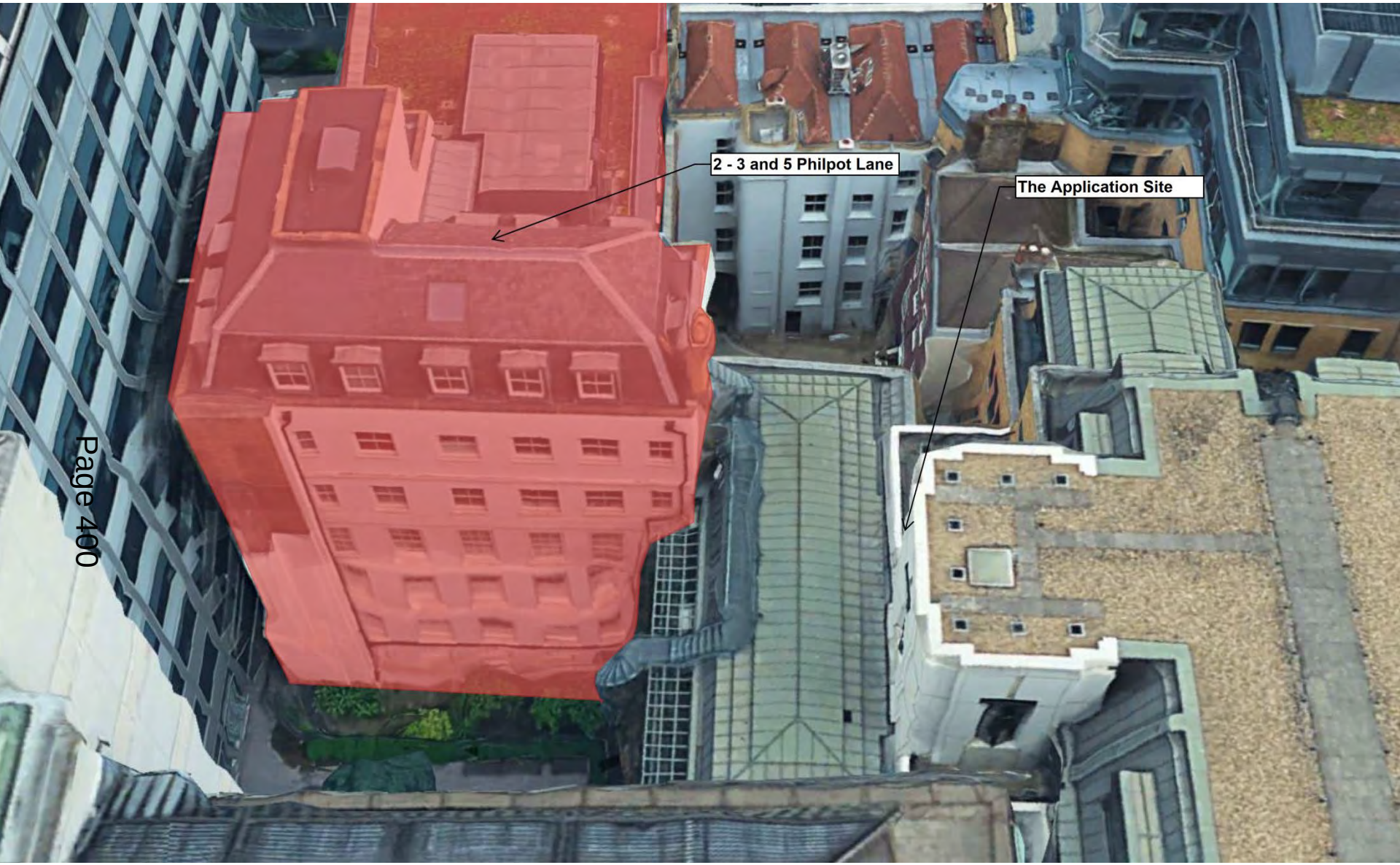
The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally effect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

Aerial Appendix 1



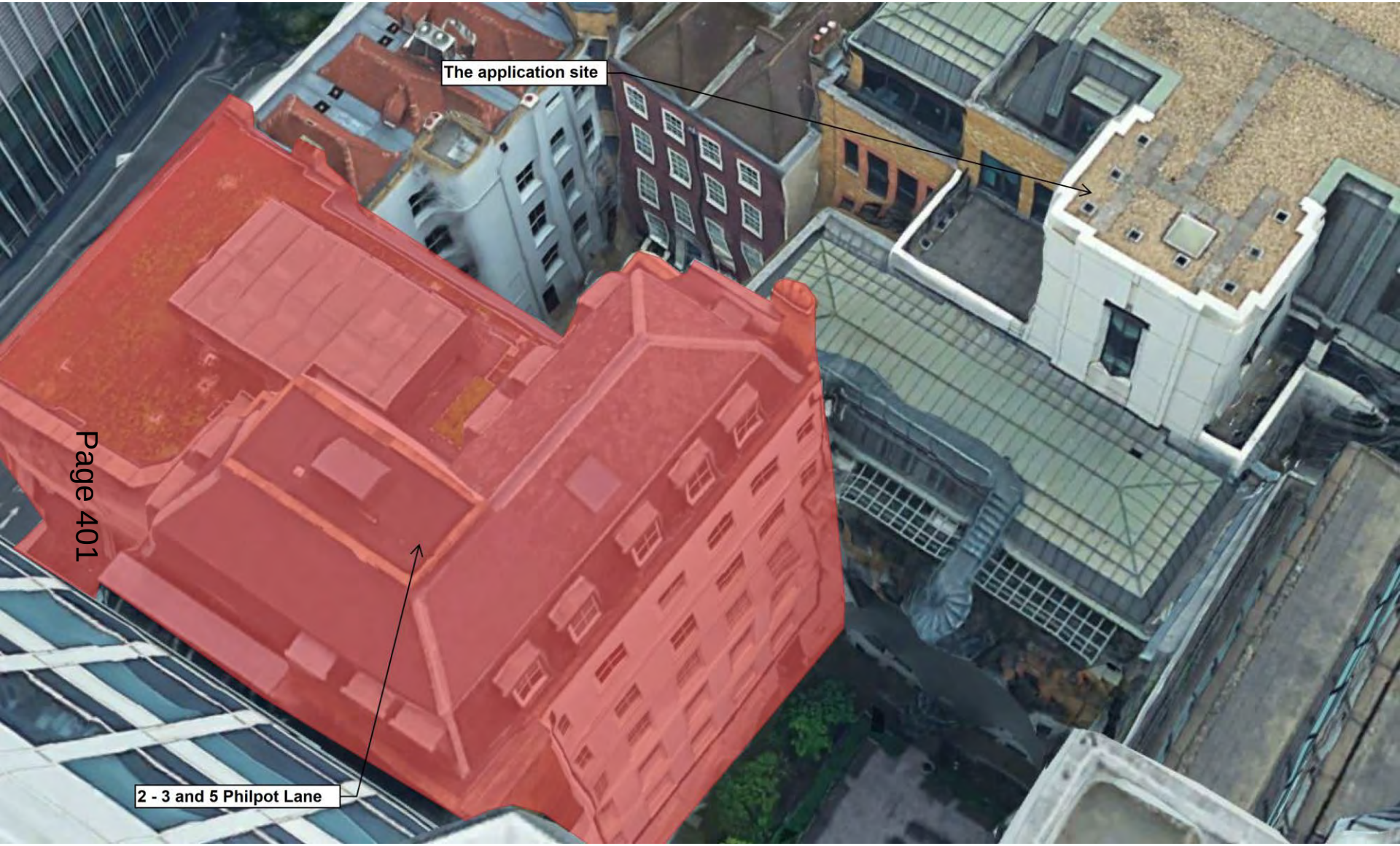
2 – 3 and 5 Philpot Lane from the south / south east, highlighted in red.

Aerial Appendix 2



2 – 3 and 5 Philpot Lane from the west, highlighted in red.

Aerial Appendix 3



2 – 3 and 5 Philpot Lane from the north west, highlighted in red.

Aerial Appendix 4

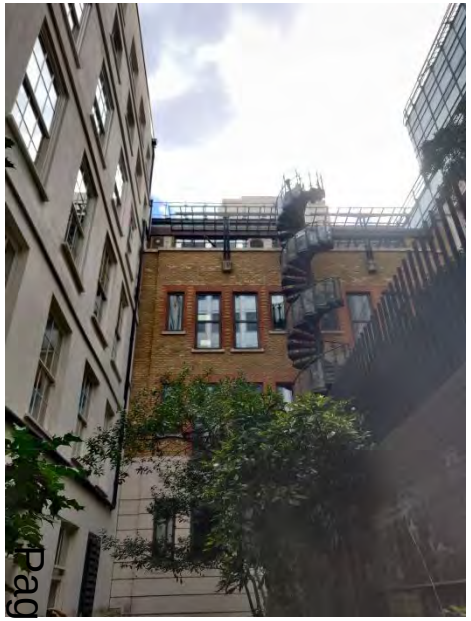








Photograph Appendix 1









1. Northern façade and fire escape of the existing building
2. Lower ground floor and ground floor windows to 2 – 3 Philpot Lane
3. Western façade of 2- 3 Philpot Lane with fire escape
4. Western façade of 2 – 3 Philpot Lane from lower ground floor

Photograph Appendix 2







1. 5th floor of 2 – 3 Philpot Lane towards site

2. 5th floor of 2 – 3 Philpot Lane to ground floor

3. 5th floor of 2 – 3 Philpot Lane towards office building opposite.

Photograph Appendix 3







1. 2 – 3 Philpot Lane from the application site (chimney and fire escape)

2. View from the north of fire escape on the application site

3. View from the south of 2 – 3 Philpot Lane chimney

The Office
Gridiron Building
One St Pancras Square
London N1C 4AG

Heritage Representation

55 Gracechurch Street, London (Application 20/00671/FULEIA)

Author:	Ignus Froneman B.Arch.Stud ACIfA IHBC	**Date:**	07 October 2020
On behalf of:	Store Property Investments Limited	**Ref:**	0224

INTRODUCTION

1.1 This Note has been prepared by Ignus Froneman, Director at Cogent Consulting, and contains a representation on behalf of Store Property Investments Limited. The representation addresses the heritage impacts of the proposed redevelopment of 55 Gracechurch Street, London (City of London Application 20/00671/FULEIA) on the closest listed building, Nos. 2-3 Philpot Lane. The Note focuses on heritage matters relating to this building, although the nearby listed building at No. 4 Brabant Court is also considered, where relevant.

1.2 The building has not been subject to a full documentary research, but the information supplied in the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (August 2020), prepared by Citydesigner, has been referred to, alongside research undertaken by Ann Robey on behalf of Store Property Investments Limited in 2011, including a report by Julian Harrap, dated 1985, for the Georgian Group (**Appendix 1**). The author of this note has undertaken further online documentary research and has inspected the building in its context in September 2020, but it was partially occupied at the time of the site visit and only limited areas have been internally inspected.

OVERVIEW OF HISTORIC BACKGROUND

1.3 According to Historic England's online National Heritage List, Nos. 2 and 3 Philpot Lane was first listed on 5 June 1972. The list description, as is commonplace for listings of this time, is relatively short:

"*In Court at rear of No I. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed.*"

1.4 The *Pevsner* guide[1] describes Philpot Lane, and Nos. 2-3:

"*Named after Sir John Philpot, Lord Mayor 1378-9, who owned property hereabouts. Before that called after St Andrew Hubbard, burnt in 1666 and not rebuilt: it stood opposite the S junction with Eastcheap.*

Well-documented C17-C18 houses (w side) nicely demonstrate the tendency of greater dwellings of that time to lurk off the highways. Nos. 2-3 (N end) face a little court, reached through an archway from a demolished mid-c 19 building. Three stuccoed bays, part of the house of Nathaniel Letten, merchant, c. 1670, later divided and heightened by one storey. Handsome flat door hood on big brackets. Refurbished by David Landaw & Partners 1987-9, with rear extension."

1.5 Before that, in 1985, Julian Harrap wrote a detailed account of the building, which noted the following:

i. The west wall of the building was probably five bays wide, with 'various windows which appear to have been added at the south' and it was three storeys tall.

ii. The two top storeys were added later; an early 19th century extension and then a war damaged replacement top storey.

iii. Observations of some original elements suggest an original construction date of late 17th or early 18th century.

iv. The great height and large first floor windows indicate grand rooms.

v. The present front entrance was probably originally the back entrance, with the front facing the courtyard to the west.

1.6 According to Ann Robey, in 1838 the house went into multiple occupation, with the southern arm (or wing) of Nos. 3 & 4 entered from the south, and for a while it was known as No. 5 Brabant Court. In 1846 Nos. 2 & 3 were described as '*a capital messuage with courtyard abuting Philpot Lane, now known as Nos. 2 & 3, comprising a warehouse and room and counting house over premises to George Killick on the southside of the said No. 3, with an entrance from Brabent Court, known as No.5 Brabent Court, which warehouse and counting house are occupied by Messrs Lewis Nokes* [?] *Wholesale tea dealers, while nos. 2 and 3 are let out in separate rooms and chambers to tenants*'.

1.7 The building was most likely built as the high status house of a City merchant, although it has evidently been re-used, having been used as part of a bank in the 19th century, as well as offices, and the premises of a wine merchant. The building would have undergone alterations as part of these cycles of re-use. That is not unusual for a City

[1] *The Buildings of England, London 1: The City of London* (2002 edition) pp577-8.

house such as this, and this history of adaptation adds to the time depth and interest of the building.

1.8 The building was also damaged in WWII, when the top and the eastern return to Philpot Lane were partially rebuilt. Perhaps the best illustration of this is the sequence of oblique aerial photos, which record the building at different angles, and in different light, from 1922 to 1947. Extracts of these are replicated below and the south-western chimneystack, to be demolished as part of the proposed development, is highlighted with a red arrow for ease of reference.



Fig 1: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, 1922, from the SW. © Britain from Above EPW007740 ENGLAND.



Fig 2: Detailed extract from an oblique aerial photo of the eastern half of the City of London, 1938, from the east. © Britain from Above EPW057040 ENGLAND.



Fig 3: Detailed extract from an oblique aerial photo of Leadenhall Street and the city, London, from the east. © Britain from Above EAW000510 ENGLAND.



Fig 4: Detailed extract from an oblique aerial photo of the area around Monument, Gracechurch Street and King William Street, London, from the south, 1946. © Britain from Above EAW013047 ENGLAND.



Fig 5: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, London, 1947, from the south. © Britain from Above EAW011174 ENGLAND.

1.9 It is possible to tell from the sequence of oblique aerial photos that the building would have had a steep roof to the west in 1922, but seemingly with a taller east elevation, which had a shallower roof over. Over the years there were consistently two chimneystacks to the south elevation, which must reflect the internal use of the rooms

at the southern end of the building, and may include its adaptive reuse. It is possible to tell that the top storey, and certainly part of the east elevation, was rebuilt in the 1940s. The typical dense historic courtyard arrangement of the City block within which the building is set is also evident on the aerial photos, with buildings crowded around small courtyards and alleyways. Some of the buildings were taller than others, but the courtyards were defined by buildings of broadly consistent scale and height.

1.10 The former house has undoubtedly been altered over the years and the former rear warehouse type abutment on Brabant Court, as recorded on the 1978 photo (**Fig 6**), has been replaced with a modern apartment block.



Fig 6: The building to the north of Brabant Court in 1978; this has now been replaced. © City of London: London Metropolitan Archives http://collage.cityoflondon.gov.uk.

1.11 In the wider context there has been much replacement and rebuilding, with only fragmentary parts of the 18th century townscape surviving, especially within the courtyards. No. 4 Brabant Court is an example of another merchant's house off Philpot Lane, and in the absence of very much else of this period, aside from the Philpot Lane frontage (Nos. 7 & 8, listed grade II*), there is relatively little left of this once common, but now rare, historic townscape.

OBSERVATIONS ABOUT SIGNFICANCE AND SETTING

1.12 As has been stated at paragraph 8.B.35 of the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (the HTVIA), "*Although significantly altered, these listed buildings on Philpot Lane and Brabant Court are of historic and architectural interest owing to their age, architectural quality and original details* […]"

1.13 As a very brief and very broad summary of significance, this statement is correct. However, its brevity does not allow for a good understanding of how this significance can still be appreciated or understood, and how parts of the building, or its setting, are capable of assisting in its understanding, and of revealing its significance.

1.14 The HTVIA, in the same paragraph as quoted above, also includes a very brief summary of the setting of the buildings in the group that is assessed, and how that contributes to their significance:

"*The setting of this group of listed buildings has changed considerably with larger scale and tall contemporary buildings. The mix of historic and new, small scale and tall buildings, along with the constantly evolving nature of the City is part of the character of their immediate setting and does not detract from their significance, which lies principally in their age, history and surviving architectural details*."

1.15 It is here where the statement omits to say anything about the value of the rare merchants' houses on the west side of Philpot Lane, which now still "*demonstrate the tendency of greater dwellings of that time to lurk off the highways*" as *Pevsner* put it. It is possible to stand at the grade II listed merchant's house at No. 4 Brabant court and look at Nos. 2-3 Philpot Lane, as can be seen from **Photo 1** below. The photo shows that the depth of Nos. 2-3 Philpot Lane can be seen from Brabant Court, along with the chimneystack, both of which help to reveal something of the nature of this building, and allows for an understanding that these are two former merchants' houses. The chimneystack is a well-detailed domestic feature that visually ties the Brabant Court corner of the former house with the rest of the building and makes it instantly understandable (in spite of the modern spiral escape staircase that is also seen).



Photo 1: The grade II listed merchant's house at No. 4 Brabant court (left), looking towards Nos. 2-3 Philpot Lane (right).

1.16 The next section of this representation considers some of the pertinent guidance set out in Historic England's *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* referred to as GPA3 hereafter. The HTVIA does not contain any such equivalent assessment.

1.17 Paragraph 9 of GPA3, under the heading "*Change over time*", notes that settings of heritage assets change over time. Understanding this history of change will help to determine how further development within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset. Settings of heritage assets which closely resemble their original setting are likely to contribute particularly strongly to significance. Settings that have changed may also enhance significance, e.g. where the townscape character has been shaped by cycles of change over the long term. Settings may also have suffered negative impact from inappropriate past developments and may be enhanced by the removal of the inappropriate structure(s).

1.18 Nos. 2-3 Philpot Lane is an example of a building in a setting that has undergone considerable change. In certain respects, the building's setting bears very little resemblance to its original setting (e.g. the large scale modern adjoining blocks on Fenchurch/Gracechurch Streets, 9-11 storeys); this aspect of the present-day setting does not add to or reinforce its significance. The tall building at 20 Fenchurch Street is also an obvious case in point, although with the difference that it sits within a different street block and is morphologically distinct from the courtyard block of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane. However, despite much rebuilding and the modern replacement buildings, there is still a sense of the morphology of the historic street block and the former merchant's houses set within this context, and visible from Brabant Court (where the visual intrusion of the blocks on Fenchurch/Gracechurch Streets is not felt). Although some later development has increased the height of the street block and eroded some of its character, particularly on Fenchurch/Gracechurch Streets, something of the original scale remains.

1.19 Given the high rate of the loss of the historic setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane, the residual sense of the original arrangement, and the ability to understand these two former merchants' houses within the context of each other is all the more important, and the residual visual relationship between them, as is illustrated ta **Photo 1**, is all the more relevant. That includes the ability to perceive the depth of Nos. 2-3 Philpot Lane, along with the chimneystack. Paragraph 11 of GPA3, under the heading "*Views and setting*" Highlights views which contribute more to understanding the significance of a heritage asset include those where relationships between the asset and other heritage assets are particularly

relevant. This is clearly a case where the relationships between the former merchants' houses contribute to their understanding. Paragraph 26 of GPA3 notes that, when assessing whether the setting of a heritage asset makes a contribution to its significance, and the extent and/or nature of that contribution, the "*physical surroundings of the asset, including its relationship with other heritage assets*" is one of four things to consider, again highlighting the importance of this relationship.

1.20 Paragraph 9 of GPA3, under the heading "*Cumulative change*" highlights that, where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, consideration still needs to be given to whether additional change will further detract from (or can enhance), the significance of the asset. An example of negative change is severing the last link between an asset and its original setting.

1.21 This is relevant for two reasons. The changes to the setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane do not mean that further change is inconsequential, or does not need to be assessed in detail. Secondly, the proposed development would go some way towards severing any meaningful link between the two listed buildings; of course the corner of Nos. 2-3 Philpot Lane would remain in Brabant Court, but the legibility of the building – assisted in no small part by the chimneystack and south elevation – would be largely lost.

1.22 The heading "*Access and setting*" as part of paragraph 9 of GPA3 is relevant to the western courtyard of Nos. 2-3 Philpot Lane, which is likely to have been historically the principal elevation, as is evidenced by the plat bands and the residual cornice band, as well as the fenestration arrangement – all of this indicate that this was not designed as the back elevation of the building. Although this courtyard is not publicly accessible, it remains relevant, to the extent that the space contributes to the appreciation of the building, and its significance; this was the space that the building would originally have addressed. The same is true for the alleyway that gives access to the courtyard from Fenchurch Street. The quality and character of the courtyard has been somewhat compromised by the larger blocks to the north and west, which makes it a dark and slightly compromised space, but remains important as the space once addressed by the façade. It is also important as a residual courtyard space reminiscent of the historic courtyards the building would have been associated with (it is clear that by the 19th century much infill had occurred, though some of that has been reversed).

1.23 Again, under paragraph 9 of GPA3, the section headed "*Setting and urban design*" notes that the protection and enhancement of setting is intimately linked to townscape and urban design considerations. These often relate to townscape attributes such as enclosure, definition of spaces and spatial qualities. On the one hand the enclosure of courtyard spaces in the context of the listed buildings at No. 4 Brabant Court and Nos.

2-3 Philpot Lane is important: without the enclosure of the courtyards, there is no obviously definition of these spaces. On the other hand, as can be seen from the historic aerial images, there is also a distinction between the spatial quality and character of positive enclosure, and the type of enclosure that has resulted from the larger blocks on Fenchurch Street and Gracechurch Street (9-11 storeys). The latter have created something of a canyon-effect and the spatial quality and character of the courtyard and the passageway to it from Fenchurch Street has suffered.

1.24 The proposed development would see the creation of a sheer wall of 30 storeys enclosing the courtyard to the south. Such an enclosure of this small courtyard space, immediately to the west of Nos. 2-3 Philpot Lane, would create an wholly disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology (again, the tall building at 20 Fenchurch Street is not part of the urban fabric of the street block within which the listed buildings are set and, being separate, it has a different relationship with them). The quality of the courtyard space would be severely compromised.

1.25 The image below (**Fig 7**), from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303) illustrates the disproportionate sense of enclosure that would significantly distort the urban morphology and compromise the historic courtyard.

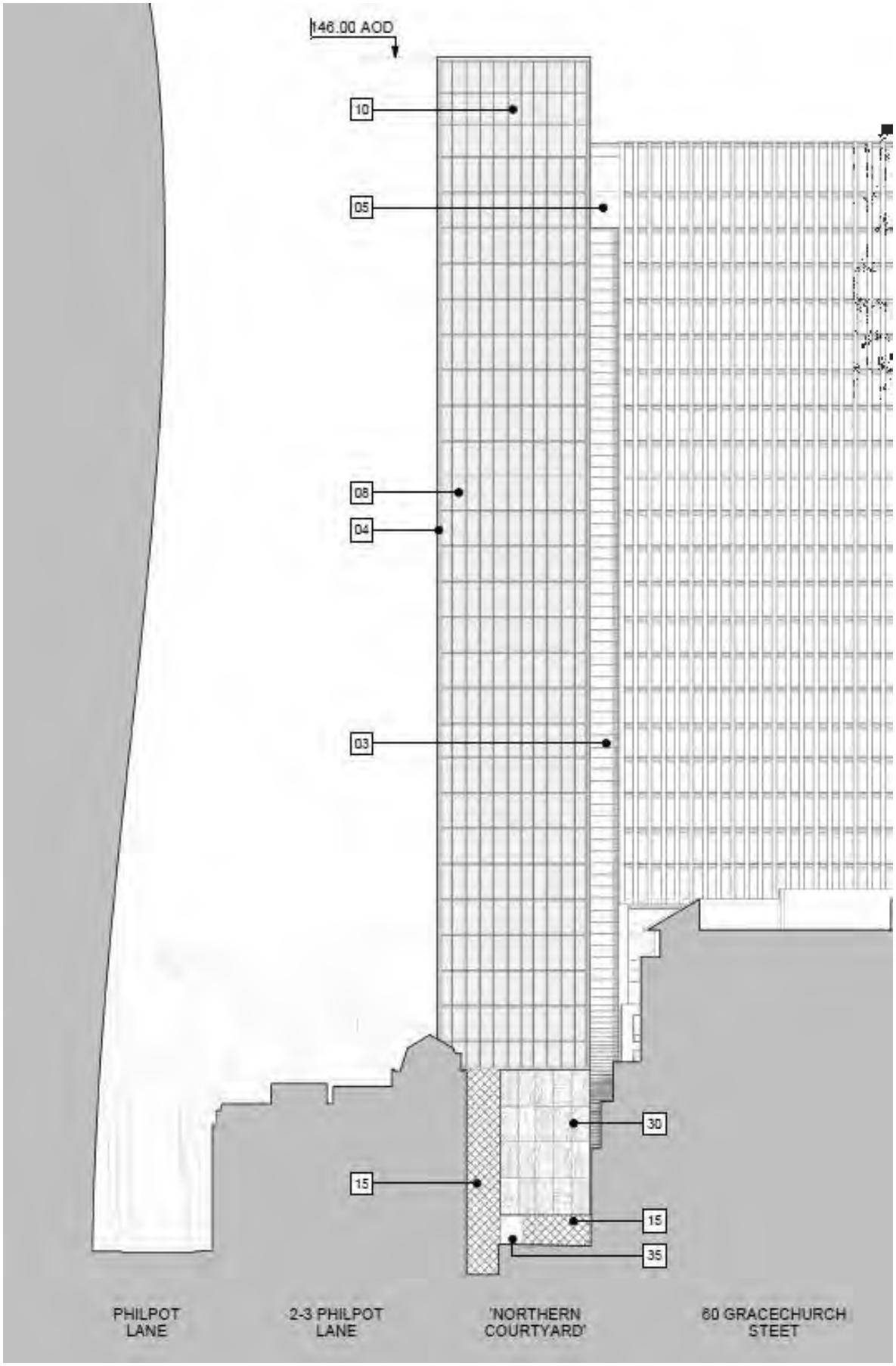


Fig 7: Extract from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303).

1.26 The final heading under paragraph 9 of GPA3 is entitled "*Setting and economic viability*". The guidance notes that the economic viability of a heritage asset can be reduced if the contribution made by its setting is diminished by badly designed or insensitively located development. In this case, it is hard to see how the economic viability of the listed building would not be reduced by the proposed sheer wall of 30 storeys in height immediately to the south of it, enclosing the courtyard. The building already faces a relatively dark lightwell (at basement level) and courtyard above. It is in use as a hotel with apartments but the desirability of these lodgings would diminish with a 30 storey tower effectively blocking the light from the southern aspect of the courtyard. Some of this can be seen from the drone photo at **Photo 2**; note the angle of the shadows.

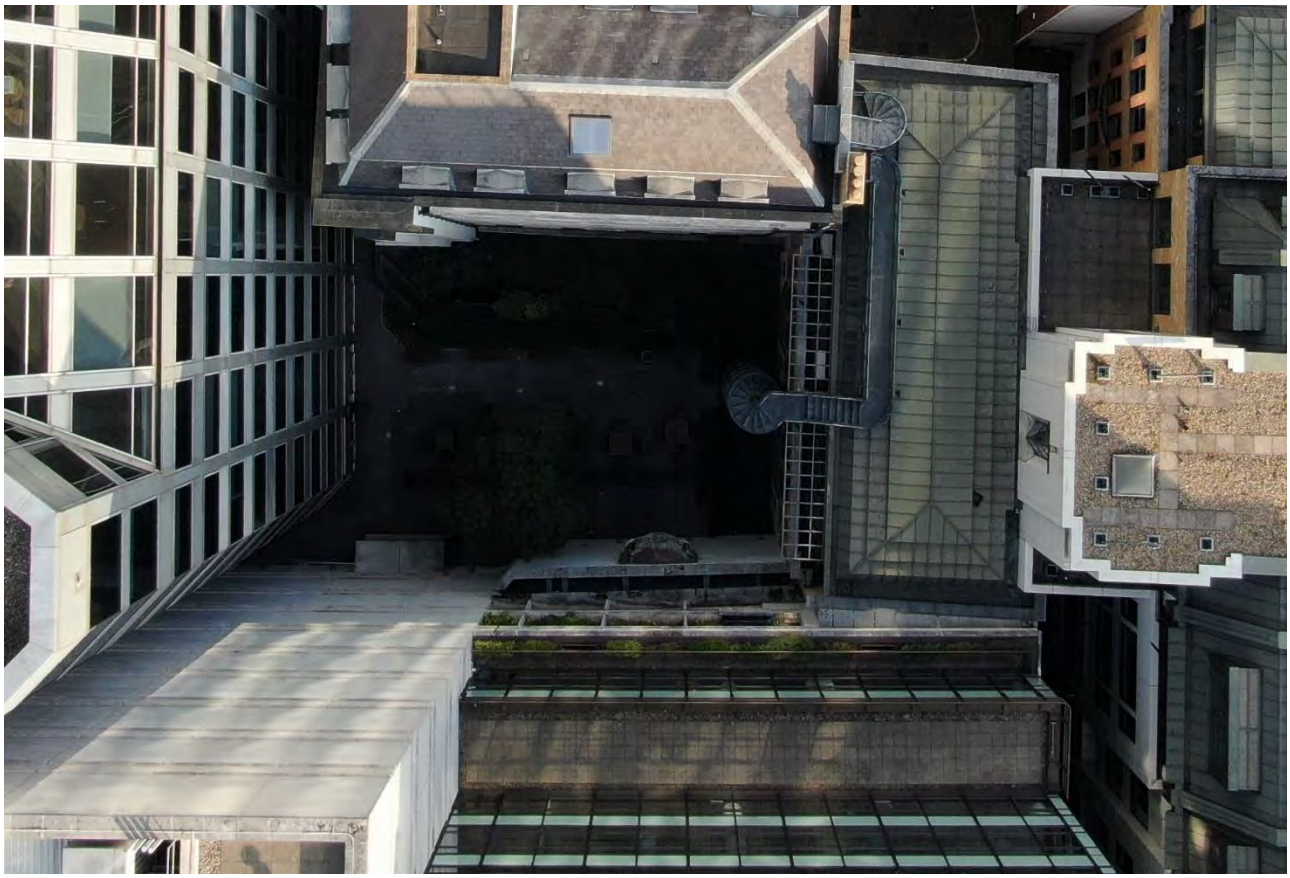


Photo 2: A vertical drone photo of the courtyard to the west of the grade II listed Nos. 2-3 Philpot Lane. The photo is orientated with north roughly to the left and the west elevation of the listed building is at the top. The application site is to the right.

1.27 The "*Assessment Step 2 Checklist*" in the text box on page 11 of GPA3 identifies typical things that an assessment may need to consider. Those most relevant to this case are cited below and their relevance is briefly discussed. The following are noted under the asset's physical surroundings:

1.28 Other heritage assets: This is clearly a case where the relationships between the former merchants' houses contribute to their understanding, as has already been discussed.

1.29 Definition, scale and 'grain' of surrounding spaces: As has been noted above, the type of enclosure of the small courtyard space to the west of Nos. 2-3 Philpot Lane that the sheer wall of 30 storeys would create, would be wholly disproportionate. This would significantly distort the urban morphology and sense of scale to the courtyard space.

1.30 Openness, enclosure: It may be added that the sense of space and openness provided by the sky in this tight urban context of alleys and courtyards encapsulates more than simply the spacing (i.e. dimensions) between buildings. It also encompasses the three dimensional sense of space, and the ability to see the sky above from within these courtyards. The proposed development would remove much, if not all of the sky seen to the south of the listed building on **Photo 3**. The courtyard at Brabant Court would also be significantly impacted, immediately to the south of Nos. 2-3 Philpot Lane and to the west of No. 4 Brabant Court. The proposed development would all but obliterate the narrow sky gap that defines the passageway to the north of the courtyard at Nos. 2-3 Philpot Lane, as can be seen from **Photo 4**.



Photo 3: The west elevation of Nos. 2-3 Philpot Lane, seen here addressing the courtyard to the west and the sky gap that would be occupied by the proposed development.



Photo 4: The passageway to the north of the courtyard at Nos. 2-3 Philpot Lane. The sky gap would be occupied by a 30 storey tower.

1.31 History and degree of change over time: As has been noted, there has been much redevelopment of the street blocks in the context of Nos. 2-3 Philpot Lane and No. 4 Brabant Court, meaning that these residual historical elements are especially important. Also, more recent development has gone taller than the historic townscape, especially the blocks on Fenchurch Street and Gracechurch Street, and these have diminished the quality and character of the courtyard to the west of the listed building. However, the street block has not been affected by more dramatic height, or skyscrapers. The proposed 30 storey tower would significantly and irreversibly change this.

1.32 Under the experience of the asset, the surrounding townscape character is also highlighted. This is again relevant to the way in which the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court can be experienced, together, in a courtyard arrangement that still, broadly, reflects something of the historic townscape, and which would be significantly harmed by the proposed tower, set within the depth of the street block.

1.33 A final observation is that, according to paragraph 8.B.36 of the HTVIA:

"*On Brabant Court, the lower 'podium' part of the proposed development* [to the east, adjacent to the listed No. 4 Brabant Court] *is of a similar height to that of the existing buildings facing the Court, and has been carefully considered in terms of scale, materials and details to respond sensitively to this group of listed buildings. The taller element steps back from the lower podium …*"

1.34 Similarly, according to section 4.3.5 of the submitted Design and Access Statement:

"*The proposed brick structure is aligned to the parapet of the adjoining 4 Brabant Court.* […] *The upper levels of the proposal* [to the east, adjacent to the listed No. 4 Brabant Court] *are set back three metres to help modulate the difference in scale between the scheme and the courtyard buildings*."

1.35 Both statements imply that the setback to Brabant Court was given careful consideration and was designed to 'sensitively' respond to the listed building. It is therefore particularly striking that no such sensitivity was recognised in respect of the western courtyard, where the proposed building would not only be located immediately next to the listed building at Nos. 2-3 Philpot Lane, but in fact partially overlap it. There is no setback. Instead, the proposed development demolishes the chimneystack of the listed building and subsumes it into a sheer, 30 storey wall. It is as if the care and sensitivity reserved for Brabant Court had been abandoned where the development

is hard up against a listed building, and the proposed building was designed instead as if there was no listed building.

OBSERVATIONS ABOUT THE PHYSICAL IMPACT OF THE PROPOSED DEVELOPMENT

1.36 The proposed development would see the demolition of the only remaining chimneystack to the listed building (there is a truncated stack at the north, but in its truncated state it is less legible). Although it is clear from the brickwork that the top of the stack has been rebuilt, it is also clear that the lower part of the stack is of some age (**Photo 6**).



Photo 6: The south elevation of the listed building at Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.37 The stack corresponds with chimneybreasts internally, and it is an external expression of the internal arrangement of the listed building. It is instantly recognisable as a traditional feature and it helps to reveal the former domestic function of the building, especially when seen from Brabant Court or when seen in conjunction with the formally arranged west elevation, formerly the front of the house (**Photo 7**).



Photo 7: Oblique view of the west elevation of Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.38 It would also appear that the top part of the west elevation of the listed building, where the abutting modern existing structure steps back (**Photo 8**) would become subsumed by the new building (**Fig 8**), although this is not entirely clear from the drawings.



Photo 5: The top part of the west elevation of the listed building, where the existing structure steps back.

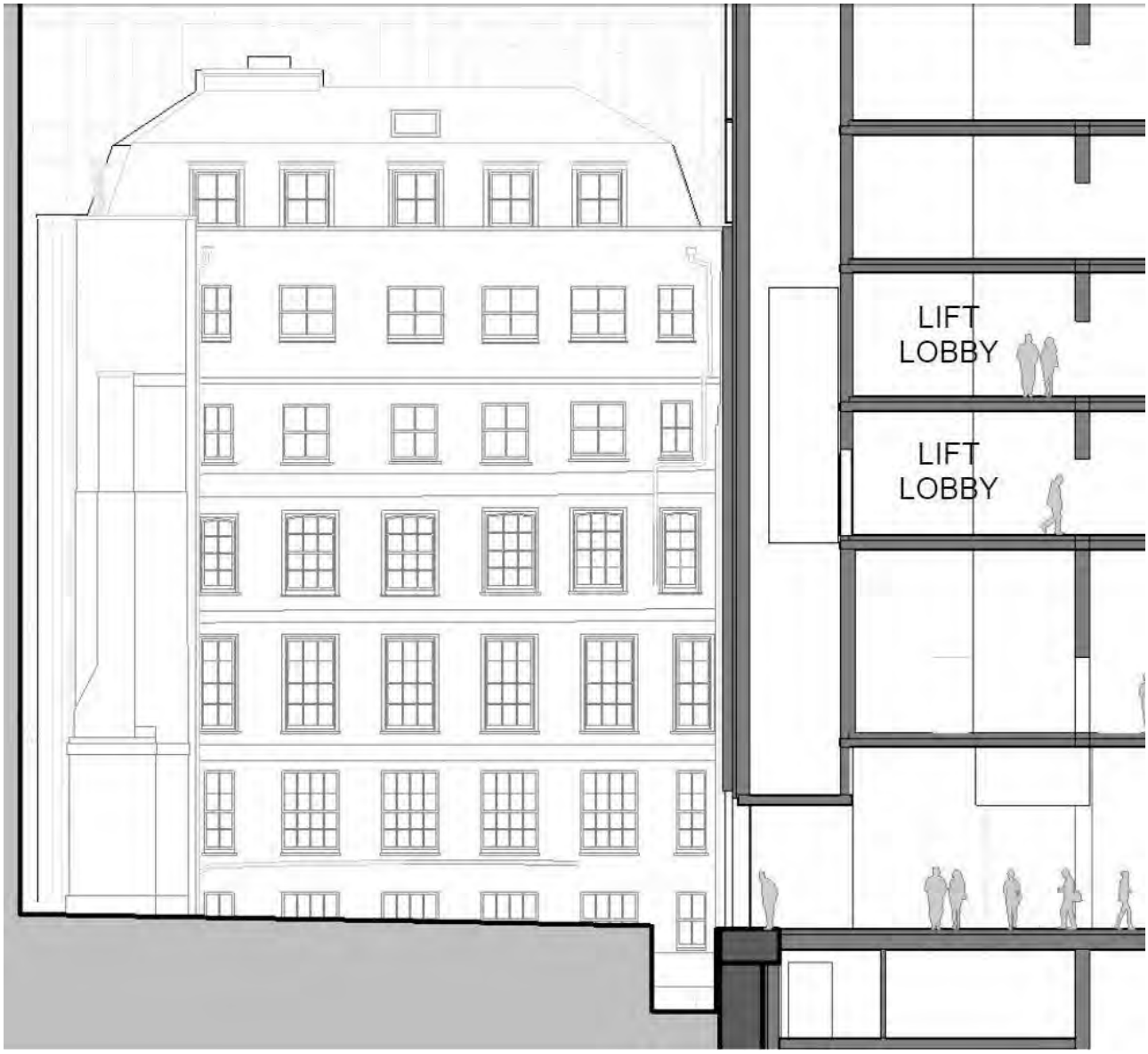


Fig 8: Extract from the submitted Proposed Section D-D (drawing PP-FPA-XX-XX-DR-A-16403).

1.39 The removal of the chimneystack would result in the loss of evidential value to the listed building and it would affect its legibility. This would harm the significance of the listed building, which would be compounded by the replacement of the stack with a 30 storey sheer elevation.

1.40 No listed building consent application has been submitted and it is not possible to comment in detail on the impact of this alteration to the listed building, or potential harm that would arise from the way in which the new building would overlap the listed building. In the absence of this detailed information, it is not possible to determine the potential impacts of this part of the proposed development.

CONCLUSIONS

1.41 The summary and very basic impact assessment in the HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3, and by omitting this; the applicant has failed to demonstrate adequate assessment regarding the proposals impact on nos. 2 – 3 Philpot Lane and no. 4 Brabant Court.

1.42 This representation has demonstrated the contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the existing urban morphology, and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed buildings at 2 – 3 Philpot Lane and 4 Brabant Court.

1.43 In addition, the removal of the chimneystack would compound the harm through the removal of a feature of the building that assists in its legibility through the loss of historic fabric and evidential value.

1.44 No other heritage assets have been assessed in this representation, although it is possible that the HTVIA has equally not properly assessed impacts on other heritage assets, meaning that the conclusions of the document may well be unreliable.

APPENDIX 1:

Report by Julian Harrap, 1985, for the Georgian Group

IAN HARRAP ARCHITECTS 21A STOKE NEWINGTON ROAD LONDON N16 8XA

Your reference

Our reference

2 and 3 PHILPOT LANE LONDON EC4

The house stands in backland surrounded by new office development. The west elevation of the house faces a courtyard. Entrance to the house is from Philpot Lane via a walled passageway. The house is of four floors over a basement with sub-basement. It is constructed of brick with timber floors and has sash windows punctuating the brickwork at regular intervals. An excellent fragment of late 17th/18th century brickwork remains in the north west corner. This has red-dressed reveals to the windows below rubbed brick arches, with old beaded flush box frames. At second floor level is a shallow projecting rubbed brick moulded band course and at third floor level a substantial dentilled cornice of rubbed brick. The remaining part of this elevation appears to have been reconstructed in the early 19th century. A buttress wall has been constructed against the eastern end of the north wall. The east elevation is three windows wide and there is an early mid-18th century doorcase at the north east corner, through which entry is provided to a raised ground floor. The south wall of the building abutts a new building. The west wall of the house was probably five windows wide originally and probably three floors high. The line of the band course at second floor level is evident, as is the line of the main cornice at third floor level. There is an abutting chimney breast at the northern end of this wall and various additional windows appear to have been added at the south end. There is a stone incorporated in the elevation at area level asserting that the wall belonged to C J King in 1871.

Should pre-dat Window act of 1709 (sash boxes set back 4") but, according to Construction many windows continued to be built flush with wal till early 1730's

Ian Harrap Dip Arch RIBA 01-254 4358

VAT No. 375 5873 07

Above the original cornice level are two further storeys of accommodation, the lower one perhaps added in the early 19th century when the present staircase was installed and the upper one re-formed after war damage in 1951. The interior of the building is very substantially concealed by facings, linings, false floors and flase ceilings. Few fragments of the original phase of construction can be seen, but the following items seem consistent with an original construction date between 1690-1710. The sub-basement has a large timber beam perhaps 500mm sq. of oak and this shows evidence of having supported cogged floors. The upper basement covers the full extent of the site including a vault under the entrance passageway to Philpot Lane. At ground floor level, behind the north elevation of the building, are large timber baulks framed together to form the floor structure, with a principal beam running east-west the full width of the building and eastern wing. The area of the basement to the south is divided into two rooms be massive walls and the ceiling sags considerably in the central area, possibly because two large columns bear on this floor above. The existing ground floor is entirely encased with later finishes and partitions arranged as the attached plans. The most interesting features are two early 18th century Tuscan columns aligning with the second bay from the south. These must have once been part of a grand entrance hall, which would be consistent with a commercial use of the ground floor at the time of initial construction. At first floor level, the great height and very large windows are indicative of grand rooms. The floor void between ground and first floor is reportedly two to three feet deep which would be capable of concealing a deep cornice. The windows on the north elevation and some on the west elevation retain large ovolo beaded shutters with plain panels.

check

ullen Herrep Dip Arch RIBA 01-354 4358 VAT No. 375 5873 07

There is a chimney breast on the south wall and on the east wall of this floor. At second floor level there are substantial remains of a late 17th century-early 18th century interior. Particularly valuable is a lined opening consisting of two fluted doric columns supporting a four centred arch, with six raised and fielded soffit panels and a key stone. This would have given access from main house to wing, before the lift was installed. In the north west corner of the plan is an almost complete 18th century interior with unusually raised and fielded panel shutter reveals to the window on the north elevation, a full box cornice and ovolo panelled walls. At the southern end of the plan entered through a very good eight panelled door is another grand room with full box cornice and perhaps plane moulding, enhanced with a mouse moulding. A fragment of box cornice remains adjacent to the eastern fire place on this floor. The middle room has a simple 19th century cornice. The third and fourth floors are of very little interest, but it is significant that the 19th century stair continues to the third floor level.

With the evidence described, there are grounds to suggest that this structure was once a grand City Merchants house, perhaps constructed in the late 17th/ early 18th century, probably retaining its original plan form except that the grand stair at ground and first floor has been removed and the well filled in. The present front entrance to the building was probably the back entrance and access to the wing would probably have been through lobbies where the lift now runs up through the building. The plan form of the building could well have been very similar to that remaining at second floor level with two large and one small principal rooms per floor.

Julian Harrap Dip Arch RIBA 01-254 4358 VAT No. 375 5823 07

In order to reach a considered conclusion about the merit and worth of the building an architectural and archaeological investigation should be undertaken, with a view to testing the hypothesis of internal arrangement derived from this inspection. Only when more information is available, could a proper value be attached to the building from an architectural and historical viewpoint. With leases due to fall in over the next two to three years, sectional investigation and even repair, could be a practical proposition. The present application to completely gut the building would have to be resisted until further information was available.

Julian Harrap Architects

March 1985

Dip Arch RIBA
01-254 4358

From:	Aidan Cosgrave
To:	Williams, Sonia; PLN - Comments
Cc:	Ellie Smith
Subject:	RE: Planning application ref. 20/00671/FULEIA - 55 Gracechurch Street
Date:	20 October 2020 00:04:21
Attachments:	image207671.png image003055.png image004.png image011.png image012.png image013.jpg image014.png

Dear Ms Williams

I am writing on behalf of my clients, 51-54 Gracechurch Street (No.1) Limited and 51-54 Gracechurch Street (No.2) Limited, being the freehold owners of 51-54 Gracechurch Street and 8-9 Talbot Court, to confirm their objection to the planning application ref. 20/00671/FULEIA for the redevelopment of 55 Gracechurch Street.

My clients object to the proposed development for the following reasons:-

1. Excessive bulk, height and massing, which would be outside the designated Eastern Cluster of the Local Plan and would create an overbearing relationship with the neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, and would harm the significance of a number of heritage assets;

2. Significant adverse impact on daylight to neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, which would be harmful to the health and wellbeing of their occupiers and result in increased reliance upon electric lighting and increased energy consumption;

3. Adverse effects on existing users of Talbot Court due to proposed servicing arrangements and use of retractable bollards.

4. Traffic generation and highway safety

5. Potential for adverse effects from wind

6. Adverse environmental effects during construction

My clients respectfully request that the Committee refuses permission for the proposed development.

Yours sincerely

Aidan Cosgrave

Aidan Cosgrave BSc(Hons) MRICS
Partner
0207 936 3668 | [redacted]
Aidan.Cosgrave@delvapatmanredler.co.uk
www.delvapatmanredler.co.uk

Rights of Light | Party Walls | Dilapidations | Measured Surveys | Daylight & Sunlight | Access Licences | Occupier Services | Boundary Determination

LONDON Thavies Inn House, 3-4 Holborn Circus, London, EC1N 2HA **LIVERPOOL** The Plaza, 100 Old Hall Street, Liverpool, L3 9QJ

Coronavirus (COVID-19) Planning: We remain fully set up to work normally during the coronavirus outbreak.

Our main office and direct line phone numbers and email adddresses continue to work as normal for all staff who need to work remotely.

From: [redacted]
To: Williams, Sonia
Cc: [redacted]
Subject: RE: Planning application ref. 20/00671/FULEIA - 55 Gracechurch Street
Date: 04 November 2020 16:12:49
Attachments:

Dear Ms Williams

I write further to my email dated 20 October 2020 and, again, on behalf of my clients, 51-54 Gracechurch Street (No.1) Limited and 51-54 Gracechurch Street (No.2) Limited, being the freehold owners of 51-54 Gracechurch Street. My clients hereby retract from their reasons for objection the following grounds: harm to heritage assets, traffic generation and adverse effects of wind, and clarify that their objection on highway safety grounds relates to the proposed servicing arrangements and use of retractable bollards in Talbot Court. My clients maintain their objection on the other grounds stated in my email of 20 October 2020.

Yours sincerely

Aidan Cosgrave

Aidan Cosgrave BSc(Hons) MRICS
[redacted]
DELVA PATMAN REDLER
Chartered Surveyors
www.delvapatmanredler.co.uk
Celebrating 40 Years
Rights of Light | Party Walls | Dilapidations | Measured Surveys | Daylight & Sunlight | Access Licences | Occupier Services | Boundary Determination
LONDON Thavies Inn House, 3-4 Holborn Circus, London, EC1N 2HA
LIVERPOOL The Plaza, 100 Old Hall Street, Liverpool, L3 9QJ

Coronavirus (COVID-19) Planning: We remain fully set up to work normally during the coronavirus outbreak. Our main office and direct line phone numbers and email adddresses continue to work as normal for all staff who need to work remotely.

From: Aidan Cosgrave [redacted]
Sent: 20 October 2020 00:04
To: Williams, Sonia <Sonia.Williams@cityoflondon.gov.uk>; PLNComments@cityoflondon.gov.uk
Cc: [redacted]
Subject: RE: Planning application ref. 20/00671/FULEIA - 55 Gracechurch Street

Dear Ms Williams

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2. Significant adverse impact on daylight to neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, which would be harmful to the health and wellbeing of their occupiers and result in increased reliance upon electric lighting and increased energy consumption;

3. Adverse effects on existing users of Talbot Court due to proposed servicing arrangements and use of retractable bollards.

4. Traffic generation and highway safety

5. Potential for adverse effects from wind

6. Adverse environmental effects during construction

My clients respectfully request that the Committee refuses permission for the proposed development.

Yours sincerely

Aidan Cosgrave

Aidan Cosgrave BSc(Hons) MRICS
Partner
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LONDON Thavies Inn House, 3-4 Holborn Circus, London, EC1N 2HA **LIVERPOOL** The Plaza, 100 Old Hall Street, Liverpool, L3 9QJ

Coronavirus (COVID-19) Planning: We remain fully set up to work normally during the coronavirus outbreak. Our main office and direct line phone numbers and email adddresses continue to work as normal for all staff who need to work remotely.

THE GEORGIAN GROUP

27/10/20

Application: Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and a garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.

LPA ID: 20/00671/FULEIA

Address: 55 Gracechurch Street London, EC3V 0EE

Dear Sonia Williams,

Thank you for informing the Georgian Group of the above application for Planning Permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining this application.

Significance of Area and Surrounding Assets

The site of 55 Gracechurch street sits within close proximity to three conservation area, these being: Eastcheap Conservation which sits immediately to the east; Leadenhall Conservation Area to the North and Bank Conservation Area to the West. Within the aforementioned conservation areas, there are several designated heritage assets of national importance. Within this letter, it is only those buildings that date within The Georgian Group's remit (1700-1840) which I will discuss - this does not mean that any buildings I do not describe will not be harmed by the proposed development.

St Mary Woolnoth Church is located to the west of the site within the Bank Conservation Area and is a grade I designated heritage asset. Constructed between 1716-1727 and designed by Nicholas Hawksmoor with the assistance of John James, the church is of considerable architectural and artistic interest, and historic interest. It was Hawksmoor's only city church and is a unique work of English Baroque architecture.

Proposal

6 Fitzroy Square, London W1T 5DX
[redacted]
www.georgiangroup.org.uk
Registered Charity No. 209934

Patron HRH The Prince of Wales
Vice-Patron The Rt Rev. and Rt Hon. Lord Chartres GCVO
President The Duchess of Argyll
Chairman Paul Zisman
Secretary David Adshead

THE GEORGIAN GROUP

The applicant intends to demolish all of the existing building on the site of 55 Gracechurch street. On the site will be a new building rising to 29 storeys above the ground-floor level which will be used as a mixed-use office building. A full description of the proposed works can be found at the head of this letter.

The Georgian Group Advice

The new building will be clearly visible when viewing St Mary Woolnoth Church from the Bank interchange. Currently, the view of the church from this position is largely undisturbed and this enhances the significance of this grade I designated heritage asset, allowing for the two square turrets located on the central tower to be appreciated. The introduction of the 30-storey building will cause harm to the setting of the church and also the significance of the church as a landmark within the City of London.

Recommendation

The Georgian Group objects to the application in its current form.

Your Local Authority should be minded to abide by the policies set out within the London Plan - especially policy 7.7. Policy 7.7 states that 'the impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings'.

The Group would additionally like to remind your local authority of its obligations in line with section 66 (1) and 72 (1) of the Planning (Listed Building and Conservation Area) Act 1990. Within the Act, it states that special regard should be given to the desirability of preserving a building or its setting; and in reference to conservation areas (section 72), that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Your Authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely,

Edward Waller (Conservation Adviser for South East England and London)

6 Fitzroy Square, London W1T 5DX
[redacted]
www.georgiangroup.org.uk
Registered Charity No. 209934

Patron HRH The Prince of Wales
Vice-Patron The Rt Rev. and Rt Hon. Lord Chartres GCVO
President The Duchess of Argyll
Chairman Paul Zisman
Secretary David Adshead

THE
GEORGIAN
GROUP

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Vice-Patron The Rt Rev. and Rt Hon. Lord Chartres GCVO
President The Duchess of Argyll
Chairman Paul Zisman
Secretary David Adshead

FORMAL COMMENTS TO ADJOINING BOROUGH

LBS Registered Number: 20/OB/0048

Date of issue of this decision: 04/11/2020

www.southwark.gov.uk

LBS Reg. No.: 20/OB/0048 **Date of Issue of Decision:** 04/11/2020
Your Ref No.:

Applicant Sonia Williams
City of London

With reference to your consultation on the following development:

Request for observations from City of London for: Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD (reference: 20/00671/FULEIA).

At 55 Gracechurch Street London EC3V 0EE

In accordance with your letter received on 4 September 2020 and supporting documents.

The Council's formal response is

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FORMAL COMMENTS TO ADJOINING BOROUGH

LBS Registered Number: 20/OB/0048

Date of issue of this decision: 04/11/2020

www.southwark.gov.uk

Victoria Lewis

Objection is raised to the proposed development on the following grounds:

The proposal is for a new 29-storey tower at 55 Gracechurch Street, near to the development know as the 'Walkie Talkie' tower in Fenchurch Street. The proposal is designed as two simple extruded rectangular forms clad in steel and glass. Its height appears to simply echo that of the Walkie Talkie tower, but the design is much less refined than its neighbour, and more pragmatic in character.

The proposed development, due to its alignment and its substantial scale, would combine with the Walkie Talkie in a number of views from the Southwark River Walk and would interact substantially with the Grade I Listed Tower Bridge when viewed from the riverside at Butlers Wharf. It is considered that the interaction in View 10 is likely to cause harm to this view,

adding to the visual clutter and extending the tall buildings cluster at the City further to the west.

In Views 11 and 12 from the River Walk the proposed development would be isolated from its neighbour and more prominent in the river view, rising sheer behind on the river frontage. Its simple, rectangular design appears more stark in these views and detracts from this sensitive river setting. The proposal appears to mark a new south-west edge to the City Cluster and appears to rise abruptly from a well-established street-scene. As a consequence, its relationship to the City cluster appears unresolved.

The harm which the development would cause to these important river views must be recognised. The proposal should be substantially amended to reduce its scale in order avoid its harmful visual impact on the setting of Tower Bridge and its river frontage setting.

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FORMAL COMMENTS TO ADJOINING BOROUGH

LBS Registered Number: 20/OB/0048

Date of issue of this decision: 04/11/2020

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FORMAL COMMENTS TO ADJOINING BOROUGH

LBS Registered Number: 20/OB/0048

Date of issue of this decision: 04/11/2020

www.southwark.gov.uk

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Signed: *Simon Bevan* Director of Planning

Site address: 55 Gracechurch Street London EC3V 0EE

Reference: 20/OB/0048

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Comments for Planning Application 20/00671/FULEIA

Application Summary
Application Number: 20/00671/FULEIA
Address: 55 Gracechurch Street London EC3V 0EE
Proposal: Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.|cr|The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.|cr|This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Electronic copies of the ES can also be issued by Trium Environmental Consulting LLP; for further details contact hello@triumenv.co.uk or Tel: +44 (0) 203 887 7118.
Case Officer: Sonia Williams

Customer Details
Name: Mrs Meghan Allen
Address: Clareville House 26-27 Oxendon Street London

Comment Details
Commenter Type: Other
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment:Sonia

Are you able to confirm the statutory consultation period for this application? Are you able to accept representations after this date?

I appreciate that we are at a relatively early stage in the process but do you have a feel for timing for determination?

Thank you in advance for your assistance.

Kind regards

Meghan

55 Gracechurch Street

Applicant's Response to Planning Application Representations

Application ref: 20/00671/FULEIA

Mighty Oasis International Limited

DP9 Limited

DP9 Ltd
100 Pall Mall

London

SW1Y 5NQ
Tel: 020 7004 1700
Fax: 020 7004 1790

1. INTRODUCTION

1.1 This Report is prepared by DP9 in response to representations submitted to the City of London's public consultation on current planning application ref: 20/00671/FULEIA.

1.2 The purpose of this Report is to identify and address all individual comments contained within the representations, with a view to demonstrating the acceptability of the planning application proposals and alleviating any concerns contained within representations. It is worth noting that this response is issued alongside a set of additional planning application documentation including amended proposed drawings, which will be subject to a re-consultation exercise. Additional and amended documentation is referred to where of relevance.

1.3 This Report has been prepared with input of the following professional consultants who form part of the applicant's consultant team:

- **Fletcher Priest Architects**;
- **Spacehub** (landscape architects);
- **Trium Environmental** (EIA coordinators);

- **Citydesigner** (heritage and townscape consultants);
- **Momentum** (transport consultants);
- **RWDI and Wirth** (wind consultants);
- **GIA** (daylight, sunlight, overshadowing and solar glare consultants).

1.4 For each representation, the Report extracts all substantive comments (shown in italics) and queries and provides an answer to each.

2. OVERVIEW OF REPRESENTATIONS

2.1. All representations received to date are set out in Table 1. Parties that have submitted representations have been set into the following categories[1], which correspond to the sections of this Report:

a) **Public bodies**;

b) **Other bodies**; and

c) **Neighbouring and nearby landowners**.

Table 1 – overview of consultation responses

Date	Submitted by	Type
10/09/2020	Royal Borough of Greenwich	Public body
10/09/2020	TfL Crossrail Safeguarding	Public body
11/09/2020	NATS Safeguarding	Other body
11/09/2020	London City Airport	Other body

[1] Note – no local resident or individual representations have been submitted/published to date.

15/09/2020	Historic Royal Palaces	Public body
17/09/2020	Westminster City Council	Public body
29/09/2020	London Borough of Tower Hamlets	Public body
02/10/2020	PL 10 S.à.r.l, freeholders of 10 Philpot Lane	Neighbouring landowner
02/10/2020	Historic England	Public body
05/10/2020	Transport for London	Public body
05/10/2020	Environment Agency	Public body
09/10/2020	City of London Conservation Area Advisory Committee	Other body
16/09/2020	Victorian Society	Other body
19/10/2020	Store Property Investments Limited, freeholders of 2-3 Philpot Lane	Neighbouring landowner
19/10/2020	City Apartments Limited, Leaseholders of 2-3 Philpot Lane	Neighbouring landowner
20/10/2020	51-54 Gracechurch Street (No.1) Limited and 51-54 Gracechurch Street (No.2) Limited	Neighbouring landowner
27/10/2020	The Georgian Group	Other body
04/11/2020	Southwark Council	Public body

3. PUBLIC BODY REPRESENTATIONS

Royal Borough of Greenwich

Comment ref	Comment	Response
RBG1	*The Royal Borough has now formally considered the matter and raises no objections. The Council has NO further observations to make.*	Noted – no response.

Transport for London (Crossrail Safeguarding)

Comment ref	Comment	Response
TFLCS1	*The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited does not wish to make any comment on the application as submitted.*	Noted – no response.

Historic Royal Palaces

Comment ref	Comment	Response
HRP1	*In views from the Tower, the development appears on the west side of the emerging cluster. We regret the 'legitimisation' of including 20 Fenchurch in the City Cluster and the potential consequences that will have, but do not object to this particular proposal because its impact on the Tower World Heritage Site would not be significant.*	We note HRP's view that the scheme would not have a significant impact on the Tower of London World Heritage site and have no response.

Westminster City Council

Comment ref	Comment	Response
WCC1	*The City Council has considered the proposals described below and has decided it DOES NOT WISH TO COMMENT ON THE PROPOSAL(S).*	Noted, no response.

London Borough of Tower Hamlets

Comment ref	Comment	Response
LBTH1	*No comments*	Noted, no response.

Historic England

Comment ref	Comment	Response
HE1	***Tower Bridge:*** *View 10 Butler's Wharf in the accompanying townscape analysis report is a view looking upstream towards Tower Bridge, with the City cluster beyond. The existing building at No. 20 Fenchurch Street is prominently visible in the backdrop of Tower Bridge, framed by the Grade I listed bridge's iconic form. The proposed new development would add considerable additional built form to this framed view and further reduce the amount of clear sky within the space between the two towers and upper and lower decks of the bridge that allows the unique form of the bridge to be appreciated and understood. The result is that the new proposals would add some harm to the*	It is acknowledged in the HTVIA that there will be an increase in visible mass seen through the Bridge, however this will be experienced as part of the visual interaction of the Bridge with background buildings in the City, in kinetic views. The effect on the setting of the Grade I Tower Bridge is therefore considered to be neutral not least because of the satisfactory handling of the massing, the stepping down and the high quality of the design as experienced in the kinetic sequence along the Butler's Wharf embankment. Further analysis is provided in: Chapter 8 (section B, pages 53 and 54) and Chapter 10 (View 10) of the HTVIA.

	considerable harm already caused by the presence of No. 20 Fenchurch Street to the significance of Tower Bridge through development within its setting.	
HE2	***The Tower**: View 50a Tower of London: Inner Wall/East of Wakefield Tower is a view from within the Inner Ward of the Tower of London towards the historic group of buildings that make up the Queen's House. The tall building at No. 20 Fenchurch Street rises above the historic group as described above. The proposed new building will appear alongside No. 20 Fenchurch Street adding a layer of new development to the view and reducing the prominence of the historic buildings. In this case, the harm to the significance of the Tower of London through an increase of modern development in its backdrop would be minor, but the status of the Tower as a World Heritage Site means that preserving its significance must be given the greatest possible weight.*	In respect of the Tower of London, the visibility of the proposed scheme is considered to be minor in comparison to the Eastern Cluster buildings, and it ameliorates the singular powerful form of 20 Fenchurch Street in a number of views. Its addition is not considered to affect the Outstanding Universal Value (OUV) of the World Heritage Site. Historic Royal Palaces agree that it does not harm the OUV and have stated that they do not object to this proposal as *"its impact on the Tower of London WHS would not be significant"*. Further analysis is provided in: Chapter 8 (section A, pages 39 to 46) and Chapter 10 (Views 11, 45 to 49 and 50A to 50F) of the HTVIA.
HE3	***The Tower:** View 50d Tower of London: Inner Ward - North-west corner of the White Tower is a view towards the Chapel of St. Peter ad Vincula and the Victorian barracks block. The tall building at No. 20 Fenchurch Street rises above the roofline of the chapel. As in View 50a, the proposed new building*	The response to HE2 applies equally to this comment.

	will appear as new development alongside No. 20 Fenchurch Street. The proposal would increase the amount of modern development encroaching into the Inner Ward and appearing in the backdrop of the chapel, and would therefore cause minor additional harm to its significance and that of the Tower of London in general. Overall the cumulative harm caused by successive developments in the City Cluster encroaching upon Tower as seen from the Inner Ward would increase, but would remain at a low level as the new development is well integrated into the established cluster of commercial office buildings. However, again the status of the Tower as a World Heritage Site means that preserving its significance must be given the greatest possible weight.	
HE4	***The Monument:*** *View 19 Lower Thames Street outside the gates of the Church of St. Magnus the Martyr looks north towards the Monument with the City cluster in the background. The location of the view is significant, as it was along the alignment of Old London Bridge, and historically was part of an important processional route into the City from the south. The Monument appears prominently with most of its classical column visible and towering over*	It is not unusual that tall buildings in the historic environment of the City may result in some level of harm to the setting of nearby heritage assets. In the case of the proposed development, it occurs only in one instance shown in View 19 of the visual assessment. From this position, it appears as a backdrop to Wren's Grade I listed Monument, although it largely only affects the shaft of the Monument and not the 'capital' where the viewing platform is, and

	the neighbouring development in much the same way it has since completion in the late 17th century. The new proposal would appear in the backdrop of the Monument, rising to the level of the viewing platform. It would cause marked harm to the significance of the Grade I listed building and scheduled monument by encroaching upon its setting and reducing its intended prominence from this important view leading into the City from the south.	which remains with generous amounts of sky behind it. Nevertheless, the loss of sky behind the upper part of the shaft constitutes a low level of less than substantial harm while being mitigated by the high quality of the architecture. The decision to make a simple form with an uncomplicated facade treatment, i.e. a plain backdrop, is a result of an early understanding of this effect on an important setting and testing throughout design development. In views south from Bishopsgate and Gracechurch Street (View 42A to 42E), the proposed development improves the view of the gilded top of the Monument where the current site building interferes with the lower part of it from certain positions. The contrasting rectilinear form of the proposed scheme draws the viewer's eye to the gilded top where currently it is somewhat lost amongst the foreground buildings in these views. The balance of these effects reduces the overall harm. Further analysis is provided in: Chapter 8 (section B, pages 50 to 52) and Chapter 10 (Views 13, 19, 20 and 21) of the HTVIA.
HE5	*Finally, the proposals would cause harm to the significance of the Church of **St. Mary Woolnoth** by impacting upon its setting in the view from Bank*	In views of Hawksmoor's Grade I listed Church of St Mary Woolnoth, when approaching Bank junction, (shown in View 39A of the visual assessment), the

	Interchange towards the development site. The distinctive silhouette of the towers of the Grade I listed church and the way in which Hawksmoor has composed a dramatic interplay of forms, currently accentuated by open sky beyond, would be encroached upon and disturbed by the proposed new development appearing in the backdrop, thereby causing a degree of harm.	viewer is aware of No.20 Fenchurch Street's presence in the background and the more immediate lower office backdrop to this powerful but small church. The proposed development will sit in harmony with the geometry of the Church's west towers. At the same time, it lessens the otherwise overpowering scale of No.20 Fenchurch Street. There is no harm recorded in this view, partly on account of the hostile vehicular surroundings of the viewpoint and a result of the high quality of design that balances out any potential harm from its visibility. As the Church is approached from the front of the Mansion House and, alternatively, approaching from Lombard Street, the best views of the Church are experienced, where its form and detail can be better appreciated; here the development will play no part. Further analysis is provided in: Chapter 8 (section B, pages 69 to 70) and Chapter 10 (View 39A to 39C) of the HTVIA.
HE6	*The replacement of the existing building, which is not of architectural or historic interest, would not in our view cause harm to heritage significance.*	Noted, no comment.
HE7	*However, the impacts identified above to the settings of designated heritage assets beyond the*	The analysis within the HTVIA finds one instance of harm as set out above in response to HE4, the setting

	application site would result in a series of harmful impacts to assets of the highest possible significance. The NPPF requires great weight to be given to the conservation of designated heritage assets, and the more significant the asset, the greater the weight that should be given (paragraph 193). The significance of the designated assets affected by the proposals means that the greatest possible weight should be given to their conservation.	of the Monument when viewed from the position of View 19 in the HTVIA. This is considered to be at the lower end of less than substantial harm. The HTVIA does not identify any other instances of harm to the setting or significance of other designated heritage assets.
HE8	*As the proposals have an impact on the Tower WHS we also advise that you ensure that a Heritage Impact Statement in line with ICOMOS guidance has been submitted.*	The HTVIA assessment on the Tower of London (chapter 8, section A) follows the stepped 'assessment framework' set out in the Mayor of London's World Heritage Sites Guidance on Settings SPG 2012, which is in line with ICOMOS guidance. This is confirmed in paragraph 5.2 of the SPG, *"This framework is based on ICOMOS guidance on undertaking Heritage Impact Assessments for World Heritage Sites and has been adapted for use in the UK context."*
HE9	*Where a development proposal causes harm, and the harm has been minimised and is less than substantial, Local Authorities need to weigh the residual harm against the public benefits of the proposal (paragraph 196). We recognise the opportunities for enhancement of the public realm through the reinstatement of a network of*	Citydesigner is of the view that potential harm to heritage has been minimised through sensitive and high quality design and less than substantial harm at the lower end occurs only to the setting of The Monument when viewed from near the gates of the Church of St Magnus the Martyr (View 19 in the HTVIA). This is

	permeable alleyways that once characterised the area. The urban design improvements in and around the site might also be welcome, and the images we have seen suggest the proposals would enhance the settings of the adjacent listed buildings around Brabant Court. However, we do not think these benefits would outweigh the harm to the historic environment that would result from the current scheme.	balanced by the improved visibility of its gilded top in views looking down Gracechurch Street. The heritage and public benefits of the scheme are extensive, including the reinstatement of historic routes, the improved setting to the listed buildings around Brabant Court, and the provision of a free-to-enter public viewing gallery offering unique public views of The Monument. Citydesigner is of the view that the heritage and other public benefits clearly outweigh the one instance of less than substantial harm at the lower end.

Transport for London (Transport Policy and Highways)

Comment ref	Comment	Response
TFL1	*The proposal will provide 24 short stay cycle spaces. This falls short of the 112 short stay cycle spaces needed to meet the minimum requirements set out in policy T5 of the draft London Plan. However, TfL acknowledges the proposal will provide 492 long stay cycle spaces. This exceeds the minimum spaces set out in the Intend to Publish London Plan. Given the applicants commitment to provide more than the*	Noted, no response.

	required long stay cycle parking in compensation for the shortfall in short stay parking, TfL is satisfied with the overall amount of cycle parking proposed.	
TFL2	*In line with Policy T7 of the Intend to Publish London Plan, development proposals should facilitate sustainable deliveries. Therefore, the 3 cargo bike spaces proposed on the ground floor for daytime deliveries are welcomed by TfL.*	Noted, no response.
TFL3	*The Intend to Publish London Plan requires development proposals to demonstrate how cycle parking will accommodate larger cycles, including adapted cycles for disabled people. TfL notes that 5% of the long stay cycle spaces and all the 24 short stay cycle spaces will be in the form of Sheffield stands. TfL requests the applicant to confirm that the Sheffield Stands will be able to cater for larger and adapted cycles.*	There are 16 non-standard cycle parking spaces currently on St Benet's Place which are used by users of the gym currently on site, which is not proposed to be retained in the scheme. Four of the proposed short stay parking spaces would be located in St Benet's Place.
TFL4	*TfL supports the provision of the shower facilities and lockers associated with the cycle parking.*	Noted, no response.
TFL5	*All long stay cycle parking will be located within the building at lower ground levels. These spaces will be accessed via two dedicated cycle lifts, with access from St Benet's Place. TfL requests the applicant provides information on the lift dimensions, layout, spacing and manoeuvring areas around the cycle*	This information is included in a Transport Assessment Addendum prepared by Momentum and submitted to the City of London.

	parking, including information on how many people and cycles can fit into the lift at once.	
TFL6	*TfL strongly supports the car free nature of this development.*	Noted, no response.
TFL7	*Where a development is car free, disabled persons parking should still be provided in line with policy T6 of the Intend to Publish London Plan. This should be in the form of an off-street parking bay. Acknowledging the sites space restrictions, TfL would not object in principle to the provision of only one disabled parking bay only on site.*	No accessible parking spaces are proposed on site due to the unavailability of a suitable location. The Transport Assessment prepared by Momentum notes the proximity to accessible parking spaces nearby and discusses the potential for support to increase local provision by providing an off-street accessible car parking space on Philpot Lane (accessed from the site via Brabant Court or Eastcheap), the closest feasible location.
TFL8	*In table 3.5, page 26 of the Transport Assessment, the Central line service through Bank is closer to 30 trains per hour rather than 20 trains per hour. Similarly, the Jubilee line through London Bridge. TfL suspects the assessment is focused on specific services rather than all the trains passing through the stations.*	This information is included in a Transport Assessment Addendum prepared by Momentum and submitted to the City of London.. The additional impact assessments refer to NUMBAT data, as recommended by TfL. It is considered that an update to the ES Chapter is not necessary given the changes would only have a positive effect.
TFL9	*Additionally, on page 26 of the TA, the frequency of the London Underground trains during AM/PM hour is provided, but it is not specified which hour this is for. Also, the frequencies presented do no match*	This information is included in a Transport Assessment Addendum prepared by Momentum and submitted to the City of London. The additional impact assessments refer to NUMBAT data, as recommended by TfL. It is considered that an update to the ES Chapter is not

	exactly with the Numbat frequencies TfL have published.	necessary given the changes would only have a positive effect.
TFL10	*TfL acknowledges that the applicant has carried out a good assessment of the impact on train service capacity from the additional demand generated by the development. However, no appraisal of the impact on the stations affected have been undertaken. TfL expects the impact to be low, however, the applicant is still required to identify the distribution between the stations and what the change in flows and capacity would be, especially regarding gate lines and escalators.*	While this request could be considered to be relatively onerous noting TfL's admission that the impact would be low and was not specifically identified during pre-application engagement with TfL (where the issue was specifically discussed), Momentum confirms that this additional assessment work is provided in the Transport Assessment Addendum. It is also acknowledged and understood that this form of assessment will be a standard requirement for TfL, moving forward. Momentum confirms that the additional work will not affect their Environmental Statement Transport and Highways Assessment.
TFL11	*As explained in the pre-app comments, TfL accepts the ATZ being undertaken as a desk-based study due to the Covid-19 pandemic and travel restrictions.*	Noted, no response.
TFL12	*TfL and City of London are working to deliver a Safer Junctions scheme to improve the junction of Fenchurch Street and Gracechurch Street and all external works proposed as part of the ATZ assessment should complement and integrate safely and successfully with that safety improvement*	TfL is requested to clarify under what circumstances the contribution may be sought and what is meant by a "proportionate and reasonable financial contribution", preferably with an estimated figure, which will allow the applicant to confirm their position.

	project. We may request a proportionate and reasonable financial contribution to enable the timely delivery of this scheme in line with policies T2 Healthy Streets and T4 Assessing and mitigating transport impacts) of the Intend to Publish London Plan.	It is noted that this figure does not necessarily need to be agreed prior to Planning Committee but an indication is sought urgently.
TFL13	*In line with policy T2 (Healthy Streets), TfL welcomes the proposed seating located on Talbot Court, however, please may the applicant confirm what the useable footway width would be when the seating is in use.*	This information is included in a Transport Assessment Addendum prepared by Momentum and submitted to the City of London.
TFL14	*TfL understands that the lifts when not in operation will provide an area for pop-up retail and street furniture. TfL questions where the furniture associated with these facilities will be stored when the lift is in use by a delivery vehicle.*	There is storage space (36sqm) located on the mezzanine level (B1 Mezzanine) which would accommodate the furniture referred to.
TFL15	*The proposed Bus Stop layout is not acceptable to TfL as there are technical and practical problems with the layout. There are also long term maintenance issues associated with locating a bus shelter on private land in a non-standard format.*	Momentum is of the view that the issues identified should not be insurmountable and would seek to work with TfL and City of London Highways to find a workable solution. It is noted that the relocation of the bus stop is only indicatively shown as mitigation at this stage (see Proposed Ground Floor Plan annotation stating *"indicative location for relocated bus shelter, subjection to future consideration"*), although it has been considered in the context of PCL assessment. It is

		also noted that the context has changed somewhat since the submission of the Planning Application with the City of London widening the footway, an opportunity already highlighted by TfL. Therefore, it is considered that discussions regarding the location of bus stop should be reserved for determination by a suitably worded Planning Condition, potentially requiring further PCL assessment work to ensure the agreed option is acceptable in this regard. There is no need or benefit to resolving this issue prior to Planning Committee as an acceptable solution can be found and there will be a benefit to retaining flexibility at this early stage in the development process. The Transport Assessment Addendum sets out further information in relation to the proposed approach.
TFL16	*The applicant claims the bus shelter position is the cause of the poor pedestrian comfort level, however that can't be true, because the shelter is cantilever over the footway.*	Momentum took a different view in preparing its PCL assessment due to its assessment of the obvious likelihood of people standing at and within the bus shelter and as noted within TfL's PCL Guidance Document. However, it is noted that if the TfL position is correct then the submitted PCL assessment is very much a "worst case scenario" with regard to the existing bus stop location and the actual results could be improved, retaining acceptability. This could open up the potential for a retained edge-of-pavement bus

		stop location subject to future negotiation and agreement in response to a planning condition. It is relevant that the footway has been widened beyond the current bus stop location in response to COVID-19 resilience, so movement will be required in the long-term in any event.
TFL17	*The proposal should not remove the bus stop flag but should permit TfL or the City of London to reposition the bus shelter to an alternative location if needed.*	No comments beyond those to TFL15 and TFL16.
TFL18	*TfL appears to have a scheme to reallocate carriageway to cycling and footway. Providing a shelter as proposed would constrain our ability to deliver the scheme, as the bus stop and shelter would end up further apart.*	The bus shelter relocation is not formally proposed and therefore does not constrain future TfL schemes provided a solution that retains an acceptable footway width/PCL. To be clear, Momentum would support in principle an edge-of-footway bus shelter if the TfL footway widening scheme were to come forward. As set out in response to TFL15 and in the Transport Assessment Addendum, this issue is likely to be best dealt with through the imposition of a suitably worded Planning Condition.
TFL19	*Although a commentary of the Road Safety Audit (RSA) was provided on page 111 of the RSA, a full copy was not found alongside the application. TfL requires the applicant to send the Stage 1 Road*	The Road Safety Audit summary was provided in the Transport Assessment and a full version has been supplied to TfL and the City of London Corporation.

	Safety Audit and the designers' response before the City decides the application.	
TFL20	*TfL supports the adoption of CLOCS standards for all delivery vehicles and the use of FORS accredited contractors. This supports the Mayor's Vision Zero approach which aims to eradicate all deaths and serious injuries from the Capital's road.*	Noted, no response.
TFL21	*The CEMP states that the Transport for London Road Network (TLRN) will be used as part of the route for construction traffic. Therefore, TfL must be consulted on the access routes to and from the site prior to the commencement of work.*	Noted, no response.
TFL22	*The CEMP should outline the likely number of construction trips generated and mitigation should be proposed to limit the number of construction vehicles.*	This information is provided in the Outline Construction Logistics Plan submitted in support of the Planning Application.
TFL23	*TfL welcomes the use of a booking system to arrange construction deliveries to reduce construction induced congestion.*	Noted, no response.
TFL24	*The applicant will need to fully consider the siting of any abnormal load / crane (if needed) directly above the shallow Metropolitan Line.*	This issue will be considered carefully during the development of a Construction Environmental Management Plan and construction method statements more generally.
TFL25	*2 mechanical lifts accessed from Talbot Court are proposed to enable vehicle access to the basement*	Noted. The Transport Assessment sets out the approach to maintenance of the lifts and a Delivery and

	levels of the building. These lifts will likely require maintenance at some point. To ensure maintenance can occur without impacting the operation of deliveries, TfL encourages all maintenance work to take place on weekends and suggests both lifts do not undergo maintenance at the same time to ensure one lift is always still operational, providing the maintenance is not urgent.	Servicing Plan (expected to be required by Condition/Obligation) can provide more detail on maintenance. This is a building management issue and the applicant is aware of the need for a robust strategy.
TFL26	*At the pre-application stage, TfL raised concerns about the potential failure of the vehicular lifts and the possibility of entrapment. Mitigation of this risk was requested. TfL acknowledges this has been addressed in the DSMP and is satisfied with the proposed steps that would be taken in the event of a lift breakdown/failure. However, the Delivery and Servicing Plan (DSP) should demonstrate how servicing activity would be able to continue safely in the event of lifts breaking, especially as pop-up retail is proposed directly over the servicing lifts.*	The Framework Delivery and Servicing Plan sets out the approach to maintenance and, as noted, the Delivery and Servicing Plan will provide more detail including addressing the points raised in this comment. It should be noted that pop-up retail will operate during daytime hours and the lifts will operate overnight, so any incidents would be expected to be resolved/mitigated prior to daytime use of the space. The operation of the ground floor will be carefully managed given the positive proposals for adaptable use that make best use of space.
TFL27	*There appears to be a canopy situated above the vehicle lift on Talbot Court. The height of this canopy need to be provided.*	The canopy is 6.3m above ground to its underside.
TFL28	*TfL encourages the inclusion of three cargo bike spaces at ground level. TfL would expect to see all*	The approach set out in the Framework Delivery and Servicing Plan accords with this request.

	daytime deliveries to be made by cargo bikes or foot. No vehicle deliveries should be coming on site outside of the designated delivery hours.	
TFL29	*TfL notes the implementation of the Electric Vehicle (EV) charging facilities in the loading bay area, allowing EV's to re-charge during delivery. This is line with policy T7 of the Intend to Publish London Plan.*	Noted, no response.
TFL30	*A DSP will be required. TfL suggests this should be secured by a condition.*	Noted, agreed and no response.
TFL31	*TfL supports the use of a delivery booking system. However, deliveries will be occurring from the start. Therefore, this system should be implemented from occupation rather than within one year of occupation.*	Noted, the applicant is willing to commit to this being a requirement from first occupation.
TFL32	*Talbot Court is a public highway, consequently the following statement made within the application documents: 'Vehicles that do not book an allocated slot would not be permitted to enter Talbot Court' is unacceptable. The development does not have control over who can use and drive Talbot Court.*	An alternative HVM arrangement has been identified following further consultation with the City of London and City of London Police. The revised proposal is reflected on the revised proposed ground floor plan and does not include bollards across Talbot Court, ensuring unencumbered vehicle access.

Environment Agency

Comment ref	Comment	Response
EA1	*Having reviewed the submitted plans and site location, there are no environmental constraints that fall within our remit as a statutory consultee at this site and we therefore have no comments to make on this planning application.*	Noted, no response.

London Borough of Southwark

Comment ref	Comment	Response
LBS1	*The proposal is for a new 29-storey tower at 55 Gracechurch Street, near to the development know as the 'Walkie Talkie' tower in Fenchurch Street. The proposal is designed as two simple extruded rectangular forms clad in steel and glass. Its height appears to simply echo that of the Walkie Talkie tower, but the design is much less refined than its neighbour, and more pragmatic in character.*	The height doesn't 'simply echo' that of the Walkie Talkie (20 Fenchurch Street); it is lower in height and clearly steps down in form. Contrary to it being less refined than 20 Fenchurch Street, it is in fact more refined through its simplicity, an architectural achievement of some measure and one that is designed to soften the overtly individualistic and visually challenging form of 20 Fenchurch Street. The development's interaction with the latter and Tower Bridge is a massing and townscape virtue in this regard.
LBS2	*The proposed development, due to its alignment and its substantial scale, would combine with the Walkie*	The HTVIA view assessment for View 10 records a moderate and balanced effect on the view; there is no

	Talkie in a number of views from the Southwark River Walk and would interact substantially with the Grade I Listed Tower Bridge when viewed from the riverside at Butlers Wharf. It is considered that the interaction in View 10 is likely to cause harm to this view, adding to the visual clutter and extending the tall buildings cluster at the City further to the west.	effect on the significance of the Grade I listed bridge itself, taking into account the longstanding juxtaposition between it and the City's cluster. To describe the City's world-famous cluster of high buildings as 'visual clutter' to which the proposed development adds, seems misjudged.
LBS3	*In Views 11 and 12 from the River Walk the proposed development would be isolated from its neighbour and more prominent in the river view, rising sheer behind on the river frontage. Its simple, rectangular design appears more stark in these views and detracts from this sensitive river setting. The proposal appears to mark a new south-west edge to the City Cluster and appears to rise abruptly from a well-established street-scene. As a consequence, its relationship to the City cluster appears unresolved. The harm which the development would cause to these important river views must be recognised. The proposal should be substantially amended to reduce its scale in order avoid its harmful visual impact on the setting of Tower Bridge and its river frontage setting.*	The criticism that the proposed development 'would be isolated from its neighbour' contradicts the earlier comment that it 'combines' with its neighbour in other views. This observation is no more than a record of the gap between the two buildings when seen across the Thames in kinetic views. The phrases 'rising sheer behind on the river frontage' and 'its rectangular design appears more stark' do not adequately explain the notion that it 'detracts from the sensitive river setting'. The actual riverfront buildings are well established, and their characteristics and significance will remain just as visible and understood as they have been in the context of the City's evolving cluster. Similarly, the statement that the proposed development appears unresolved in relation to the cluster is not adequately explained by the comments. In conclusion, it is not accepted that there is harm to the significance

		of the Grade I listed Tower Bridge as a result of the proposed development.

4. OTHER BODY REPRESENTATIONS

NATS Safeguarding

Comment ref	Comment	Response
NATS1	*The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.*	Noted, no response.

London City Airport

Comment ref	Comment	Response
LCY1	*London City Airport suggests the following condition/s are added to this application. London City Airport's response must change to an objection unless these conditions are applied to this planning permission: "No cranes or scaffolding shall be erected on the site unless and until construction methodology and diagrams clearly presenting the location, maximum operating height, radius and*	Noted, no objection to the proposed condition.

	start/finish dates for the use of cranes during the Development has been submitted to and approved by the Local Planning Authority, the Local Planning Authority having consulted London City Airport."	

City of London Conservation Area Advisory Committee

Comment ref	Comment	Response
CAAC1	*The Committee strongly objected to this proposal. Whilst there were no objections to the loss of the existing buildings, the height and bulk of the proposed replacement represented 'tall building creep' into an area characterised by buildings of seven or eight storeys which neither enhanced the Eastcheap Conservation Area nor the neighbouring Conservation Areas in this core area of the City.*	It is acknowledged that the proposed development would result in the development of a tall building. However, the applicant does not accept that this would amount to 'creep', rather that it would be carefully planned and considered development to the southern edge of the City Cluster as defined in the emerging City Plan 2036, thus making a contribution to the City's envisaged southward extension of the Cluster from its current adopted state as the Eastern Cluster. It should be noted that both the adopted City Local Plan 2015 and emerging City Plan 2036 identify the site of the proposed building as outside of areas that are considered inappropriate for tall buildings. The proposed development has been designed to be sensitive to its neighbouring buildings of lower height,

		with the tall elements rising above a lower podium, with a richly landscaped 6th floor publicly accessible garden. The stepping of the two forms is informed from the views which show it as the last likely tall building immediately to the south-west of the Eastern Cluster and at the periphery of and partially within the emerging City Cluster. Stepping up from the periphery and rising towards the peak of the Cluster is not only appropriate in theory, it is also helpful in softening the singularity of No.20 Fenchurch Street. The change to the setting of Eastcheap and other neighbouring conservation areas as a result of the proposed development will be significant but its effect is not considered to harm the significance (character and appearance) of any of these conservation areas owing to the carefully considered and high quality of the proposed design. The proposed development has been subject to a Heritage, Townscape and Visual Impact Assessment (HTVIA) which concludes that the proposed development in isolation would better reveal the significance of the Eastcheap Conservation Area, by way of the reinstated historic east-west link through Brabant Court and St Benet's Place, the improved

		settings of the listed buildings near Brabant Court (as acknowledged by HE), and replacement of the narrow lightwell to the south of the site, with new public realm. It would have no effect on the significance of the Bank or Leadenhall Market Conservation Areas. It further concludes that there would be no effects on the significance of the Conservation Areas when considered alongside cumulative schemes. We note the findings of the HTVIA are not contested in the representation. Further analysis is provided in: Chapter 6 (pages 31 to 34) Chapter 8 (section C, pages 80 to 86) and Chapter 10 (Views 39A to 39C, 40, 41, 42A to 42E, 44 and 53 to 58)

Victorian Society

Comment ref	Comment	Response
VS1	*55 Gracechurch Street is out of our remit, and we therefore have no comment to make on its demolition. However, the scale of the existing building is much more sympathetic to the scale of Gracechurch Street, a prominent thoroughfare in the City. Moreover, it broadly respects the building*	It is acknowledged that the proposed development would result in the development of a tall building. It should be noted that both the adopted City Local Plan 2015 and emerging City Plan 2036 identify the site of the proposed building as outside of areas that are considered inappropriate for tall buildings.

	heights of surrounding heritage assets, including 39-40 Lombard Street, and the Grade II 33 & 35 Eastcheap to the south east. The settings of these surrounding listed buildings make this a sensitive site, and this is only increased by its proximity to Eastcheap Conservation Area, noted in the appraisal for the architectural quality of its listed and unlisted buildings. Bank Conservation Area is also located to the west, and the Leadenhall Conservation Area to the north of the site. Listed buildings and conservation areas were designated to protect the rich history and architectural quality of the City of London, and the NPPF requires appropriate weight should be given to the preservation of their significance. The construction of a 30-storey building in this location would not do this and would instead cause great and unwarranted harm to these heritage assets. The prominent and listed 39-40 Lombard St. building would be dwarfed, despite its own large scale, and the significance of buildings along Eastcheap further reduced. The views produced within the application also demonstrate the alarming extent to which Gracechurch Street would be overshadowed. The proposed building moreover shows little respect to the conservation areas around*	As stated in response to the comments of the CAAC, proposed development has been designed to be sensitive to its neighbouring buildings of lower height, with the tall elements rising above a lower podium, with a richly landscaped 6th floor publicly accessible garden. The stepping of the two forms is informed from the views which show it as the last likely tall building immediately to the south-west of the Eastern Cluster and at the periphery of and partially within the emerging City Cluster. Stepping up from the periphery and rising towards the peak of the Cluster is not only appropriate in theory, it is also helpful in softening the singularity of No.20 Fenchurch Street. The change to the setting of Eastcheap and other neighbouring conservation areas as a result of the proposed development will be significant but its effect is not considered to harm the significance (character and appearance) of any of these conservation areas owing to the carefully considered and high quality of the proposed design. The HTVIA concludes that the proposed development in isolation would better reveal the significance of the Eastcheap Conservation Area by way of the reinstated

	it, seeking instead to respond to the scale and materiality of the skyscrapers to the north.	historic east-west link through Brabant Court and St Benet's Place, the improved settings of the listed buildings near Brabant Court (as acknowledged by HE), and replacement of the lightwell to the south of the site, with new publicly accessible space. It would have no effect on the significance of the Bank or Leadenhall Market Conservation Areas. It further concludes that there would be no effects on the significance of the Conservation Areas when considered alongside cumulative schemes. The HTVIA considers the proposed development to have no effect on the significance of 39-40 Lombard Street or 33 & 35 Eastcheap either in isolation or in cumulative scenarios (see Chapter 8, Section B). We note the findings of the HTVIA are not contested in the representation. Further analysis is provided in: Chapter 6 (pages 31 to 34) Chapter 8 (section C, pages 80 to 86) and Chapter 10 (Views 39A to 39C, 40, 41, 42A to 42E, 44 and 53 to 58).
VS2	*Most worrying is the precedent that this building could set, and the harm this would cause to the City in the long term. The Eastern Cluster is located to the north of the site, with a clear separation. 20 Fenchurch Street 'The Walkie Talkie' is an anomaly,*	The proposed development would not be a "starting point" for the southward progression of tall buildings (as acknowledged by the comment with reference to 20 Fenchurch Street). The emerging City Plan 2036 seeks to move the Eastern Cluster southwards in its

	constructed much further towards the river. It is imperative that this should not be seen a starting point for bringing the front line of tall buildings forward. The cumulative impact of similar development over time would irreversibly alter the character of the City and its significance viewed from the River Thames. Moreover, the impact on some of the most important buildings in London, such as the Tower of London, and Tower Bridge would be considerable.	transformation to the City Cluster and this proposal has been in the public domain for longer than the proposed development. Neither the adopted Eastern Cluster boundary nor the emerging City Cluster boundary is envisaged to be hard edges with "clear separation" as suggested in the representation. The site is partially within the area of the City Cluster in the emerging City Plan 2036 and is therefore reasonably referred to in the Planning Statement supporting the application as a "periphery site". It should be noted that both the adopted City Local Plan 2015 and emerging City Plan 2036 identify the site of the proposed building as outside of areas that are considered inappropriate for tall buildings.
VS3	*Policy 7.7 of the London Plan states that "the impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings…" Paragraph 193 of the NPPF states that "great weight should be given to the asset's conservation". This includes the setting of heritage assets. The construction of this building*	As stated above in response to VS2, both the adopted City Local Plan 2015 and emerging City Plan 2036 identify the site of the proposed building as outside of areas that are considered inappropriate for tall buildings. The character of the City of London is distinctive for its rich townscape character consisting of both historic and contemporary, often high, buildings. These must be of

	would cause great, and unjustified, harm to a number of heritage assets. This would include those nationally recognised, and those designated by the Council to protect their borough's heritage. The precedent which would be set would only increase this harm, and the principle of such a tall building in this location is therefore insupportable.	the highest architectural quality and sensitivity to their context for this dynamic dual characteristic to be maintained in a balanced way. The proposed scheme has been designed with this duality in mind and a full knowledge of the heritage assets near the site. The juxtaposition of traditional scale historic buildings alongside high quality tall buildings does not in itself constitute harm in such a context as the City. This scheme is considered to be a sensitive, high quality response to its broader and immediate context, in the latter case a group of listed buildings and 20 Fenchurch Street beyond them.

The Georgian Group

Comment ref	Comment	Response
GG1	*The new building will be clearly visible when viewing St Mary Woolnoth Church from the Bank interchange. Currently, the view of the church from this position is largely undisturbed and this enhances the significance of this grade I designated heritage asset, allowing for the two square turrets located on the central tower to be appreciated. The introduction of the 30-storey building will cause harm to the*	As stated previously in response to HE5 above, in views of the Grade I listed Church of St Mary Woolnoth, when approaching Bank junction, (View 39A of Chapter 10 of the HTVIA), the viewer is aware of No.20 Fenchurch Street's presence in the background and the more immediate lower office backdrop to this powerful but small church. The proposed development will sit in harmony with the geometry of the Church's west

	setting of the church and also the significance of the church as a landmark within the City of London.	towers while lessening the otherwise overpowering scale of No.20 Fenchurch Street. The busy and hostile vehicular surroundings of the viewpoint make it an unpleasant position for a viewer to stand and appreciate the significance of the Church. In addition, the high quality of design balances out any potential harm due to its visibility from this viewpoint. As the viewer approaches the Church from the front of the Mansion House, or alternatively from Lombard Street, the best views of the Church are experienced within a less busy environment; the development will not be seen in these closer views. It is therefore concluded there is no overall harm to the significance of the Church or the ability to appreciate it. Further analysis is provided in: Chapter 8 (section B, pages 69 to 70) and Chapter 10 (Views 39A to 39C)

5. NEIGHBOURING AND NEARBY LANDOWNER REPRESENTATIONS

PL 10 S.à.r.l (freeholders of 10 Philpot Lane)

Comment ref	Comment	Response
IMPACT ON HERIAGE AND TOWNSCAPE (COMMENTS TAKEN FROM THE MAIN REPORT AND SUPPORTING LICHFIELDS HERITAGE, TOWNSCAPE AND VISUAL IMPACT REPORT)		
10PL1	*[The building] falls considerably below the requirement for world class architecture and represents a missed opportunity to enhance the skyline.* *In comparison to other landmark buildings in the Eastern Cluster ('the Gherkin', the Grade I listed Lloyds Building and 122 Leadenhall Street ('the Cheesegrater'), amongst others), landmark buildings outside the Eastern Cluster (20 Fenchurch Street) and elsewhere in London ('the Shard') which have distinctive and memorable forms with international renown as part of London's skyline, designed by world-renowned architects, there is little to distinguish the proposal for 55 Gracechurch Street from other tall buildings in London's skyline, and the*	The scheme, by award-winning Fletcher Priest Architects, naturally follows the 'L' shaped site by dividing into two rectilinear forms set at 90 degrees, joined by an expressed ventilation slot. The eastern element is set north-south and is higher by two floors and the western rectangle is set east-west. The stepped skyline, materiality, elevational details and the 'fifth elevation' on top have all been carefully considered to enrich street level views, the City's skyline and upper level views from No 20 Fenchurch's public gallery. The decision to make a simple form with an uncomplicated facade treatment is a result of an early understanding of nearby important heritage assets and potential effects on views. The proposed scheme is considered to be a sensitive response to its heritage context and one of high architectural quality.

	addition to it would be of a form found in many urban skylines throughout the world.	Further analysis is provided in: Chapter 6 (pages 31 to 34) and Chapter 10 (All views) of the HTVIA.
10PL2	*Within Brabant Court, the proposed development replaces coherent active, low-rise townscape with a blank wall containing the arched walkway entrance. The wall has been modelled to include a textured, diaper-work pattern within the brick and 'greening' which help to mitigate the starkness of the blank façade. However, when compared to the existing position – that of coherent, active townscape with regular fenestration and clear articulation of elevational hierarchy – the proposed development represents an adverse change to the townscape. The low, narrow window does not reflect the regularity of fenestration characteristic of the courtyard, nor does it relate to the windows of the adjacent listed building.*	The proposed development vastly improves the quality of the public realm on Brabant Court with the reinstatement of a historic east-west route from Philpot Lane to Gracechurch Street through a permeable ground floor. The proposed architecture is of a much higher quality than the current building. This is also acknowledged by Historic England (in their letter dated 2nd October 2020) who state that the *"proposals would enhance the settings of the listed buildings around Brabant Court"*. Further analysis is provided in: Chapter 8 (section B, pages 55 to 57) and Chapter 10 (View 57) of the HTVIA.
10PL3	*Both views 42A and B demonstrate how the tower of the proposal sits uncomfortably close to the gilded top of the Monument (which was integral to its original design and therefore significance), competing with, and drawing one's eye away from the Monument, and further decreasing the*	As stated above at point 4, the views looking south along Bishopsgate and Gracechurch Street are considered to reveal and draw the viewer's eye to the gilded top of the Monument, which is currently marred by the existing building. The simplicity of the scheme's design in both form and materiality means that it does not compete with the Monument in these views; in fact

	prominence of the listed structure from its current state.	the schemes highlights it through counterpoint. Further analysis is provided in: Chapter 10 (Views 42A to 42E) of the HTVIA.
10PL4	*The legibility of the church [St Mary Woolnoth] as a landmark, and ability to appreciate its architectural significance, would be considerably decreased as a result of the proposed development appearing behind the two square turrets as seen in View 39A, removing the blue-sky background and adding significant height above the tower in distant axial views of the church's east front. This would decrease the distinction of the towers from the wider mid-rise townscape in the middle ground. While there are other close-up views in which the blue sky background would be preserved, it is the more distant views which particularly contribute to its status as a landmark. In comparison to 20 Fenchurch Street (which appears to the side of, and frames views of, the church's tower), the proposed development appears directly behind it. The fan-shaped roofline of 20 Fenchurch Street enhances the background views of the church as seen in View 39A, creating a stepped transition from the dome of 1 Cornhill to the tower of the church which draws*	As stated in response to HE5 and GG1 above, in views of Hawksmoor's Grade I listed Church of St Mary Woolnoth, when approaching Bank junction, (shown in View 39A of the visual assessment), the viewer is aware of No.20 Fenchurch Street's presence in the background and the more immediate lower office backdrop to this powerful but small church. The proposed development will sit in harmony with the geometry of the Church's west towers. It also lessens the otherwise overpowering scale of No.20 Fenchurch Street. The partial visibility of the proposed scheme from this view position is not considered to harm the significance of the Church, partly on account of the hostile vehicular surroundings of the viewpoint and as a result of the high quality of the proposed design. As the Church is approached from the front of the Mansion House and, alternatively, approaching from Lombard Street, the best views of the Church are experienced from where its form and detail can be better appreciated; the development will play no part in these views.

	one's eye to its turrets. The proposed development instead adds additional bulk in front of 20 Fenchurch obscuring its curved edge, and behind the church's tower, having a negative effect on the skyline by distracting from the view of the church.	Further analysis is provided in: Chapter 8 (section B, pages 69 to 70) and Chapter 10 (View 39A to 39C) of the HTVIA.
10PL5	*As set out in para. 4.17, the intrusion of the proposed development in the background view [of St Mangus the Martyr Church] would reduce the legibility of the Monument in this view, harming the setting of the church.*	The visibility of the proposed development in the background of the Monument from the gates of the Church of St Magnus the Martyr (as seen in View 19) would affect the church's wider northern setting but not its significance or the ability to appreciate it. This view is not one identified in the City's Protected Views SPD. Notably, the view from the Queen's Walk on the south bank of the river, an important view in the Protected Views SPD, from where both the Monument and the church are seen in relation to each other is unharmed. Further analysis is provided in: Chapter 8 (section B, pages 50 to 52 and pages 62 and 63) and Chapter 10 (Views 13 and 19).
10PL6	*The proposed development sits to the north of the Monument, outside the designated immediate setting' but in the next city block to the north of this designated area. However, while the Protected Views SPD does not identify any panoramas to the*	The Protected Views SPD states that the northern views from the Monument, which are not included in the five principal views, are considered to "collectively form a spectacular panorama of diverse City buildings" , and "the principal axial views are provided by King William

	north which are protected, in practice the panoramic, 360-degree views in all directions from the viewing platform of the Monument are integral to its special interest. Originally, the Monument would have towered over all of the surrounding development. Over time, redevelopment of its surroundings has changed the scale of the surrounding townscape to low/mid-rise buildings, though the consistency of the height of buildings in short- and mid-range views has helped to preserve the ability to view and understand the development of London over centuries. Views from the Monument across the townscape are integral to its significance as they allow the viewer the ability to understand the post-Fire rebuilding of the city centre. The proposal would effectively screen the majority of the Eastern Cluster, including its high-quality and iconic buildings such as 30 St Mary Axe ('the Gherkin') and 122 Leadenhall Street, as well as the Grade I Lloyds Building (causing harm to the ability to appreciate the Grade I building's architectural interest as a result of the loss of ability to view it from the Monument, a key historic viewing location).	Street and Gracechurch Street / Bishopsgate, leading the eye into the Bank conservation area and the fringe of the City's Eastern Cluster of tall buildings to the north." The proposed development does not impinge on views to the Bank Conservation Area along King William Street and Gracechurch Street, and the historic townscape remains visible. It obscures most of the Eastern Cluster but introduces a building of high quality architecture which can be enjoyed at close quarters. The loss of the partial upper level view of the Grade I listed Lloyds Building, seen amongst other buildings, would not harm its significance which is best appreciated from street level where its sculptural form and elements can be clearly seen. Further analysis is provided in: Chapter 8 (section B, pages 50 to 52) and Chapter 10 (View 21) of the HTVIA.
10PL7	*The [Eastcheap] conservation area appraisal notes a number of key views making a strong contribution to*	It is acknowledged in the HTVIA that the proposed development will result in a significant change to

	the character of the area. An oblique view west along Eastcheap to Nos. 11-19 is noted – this is No. 53 as shown in the HTVIA. The tower appears to project out from behind the façade and roof of No. 19, an awkward and uncharacteristic protrusion introduced into a blue-sky backdrop. This would harm the ability to appreciate the townscape of the conservation area due to the dominance and conspicuousness of the proposed development's tower.	setting of listed buildings within Eastcheap Conservation Area, but the juxtaposition of historic buildings and contemporary buildings is a common phenomenon in the City and the change in setting is not considered to harm the significance of the conservation area or the listed buildings within it. Further analysis is provided in: Chapter 8 (section B, pages 58 to 59 and section C, pages 81 to 82) and Chapter 10 (Views 52 and 53) of the HTVIA.
10PL8	*In addition, there would be harm to 2-3 Philpot Lane. The HTVIA notes this is subject to separate application for listed building consent to remove a chimneystack. The building is of significance and architectural interest as a rare survival of a post-Fire house in the City; and the chimney is integral to the historic functioning of the house and is a key part of its architectural character – even if rebuilt (it is not known when). Removal of the chimneystack would therefore harm the special interest and significance of the listed building.*	Historic research on the Grade II listed building at Nos. 2-3 Philpot Lane has revealed that the building has undergone extensive change since its late 17th/early 18th century origins. The date of the chimney in relation to the original house is set out in the Heritage Statement that accompanies a separate LBC application (ref: 20/00769/LBC). Its loss is not considered to harm either the significance of the listed building or that of the Eastcheap Conservation Area in which it lies. Further analysis is provided in: Chapter 8 (section B, pages 55 to 57) and Heritage Statement for Listed Building Consent, October 2020.
10PL9	*[The building] does not take account of the character of the surroundings, notably the prevailing scale of*	It is acknowledged that the proposed design is for a tall building within a townscape that includes lower, small

	development in the three adjacent conservation areas and other non-designation but complementary townscape on Gracechurch Street.	scale historic buildings within nearby conservation areas. This is typical of the townscape character of the City, which is distinctive for its mix of historic and contemporary buildings, reflecting its history of continual change. The proposed design has taken this fully into account. Also see response to comment 10PL16 below. Further details can be found in the Design and Access Statement and Chapter 6 (pg 31-34) of the HTVIA which summarises the key principles and details of the design.
10PL10	*[The building] creates a substantial and alien protrusion in the centre of the city block in an area of low/mid-rise courtyard character which is uncharacteristic of the townscape.*	The response to 10PL9 applies to this comment.
10PL11	*[The building] affects the quality of townscape views on the ground and screens existing views of dynamic and varied townscape/roofscape and buildings of the highest significance as seen from The Monument.*	It is considered that townscape views at street level are improved as a result of the high architectural quality of the proposed design, as demonstrated in the visual assessment within Chapter 10 of the HTVIA. Only in one case is an adverse effect identified namely, the view of the Grade I listed Monument from the gates of the Church of St Magnus the Martyr. The view from the Monument retains views of the historic townscape of the Bank Conservation Area. It

		obscures the Eastern Cluster but allows viewers to enjoy the high quality of the proposed design at close quarters. The comments in response to 10PL6 applies here.
10PL12	*[The building] would cause harm to the significance of a number of the heritage assets of the highest importance including the Grade I Church of St Mary Woolnoth, the Grade I Church of St Magnus the Martyr, the Grade I Monument and the Grade II* 7 and 8 Philpot Lane.*	This comment has been addressed in response to comments 10PL2, 10PL3, 10PL4 and 10PL5.
10PL13	*[The building] would result in harm to the character of a small portion of the Eastcheap Conservation Area and harm more widely to its setting (including harm to the setting of Grade II Brabant Court), as well as harm to the significance of the Grade II 2 and 3 Philpot Lane due to the impact upon its setting and removal of its chimneystack. There would also be harm to the setting of the Leadenhall Market and Bank Conservation Areas.*	This comment is addressed in response to comments 10PL7 and 10PL8. It is to be noted that HE consider the proposals to enhance the settings of the listed buildings around Brabant Court. The building would further improve the character of Eastcheap Conservation Area by replacing a narrow lightwell with an enlarged planted publicly accessible space, where the proposed building steps back from the existing building line, to outside the conservation area boundary.
10PL14	*For the reasons set out in the Lichfield's Review, we do not agree with a range of the findings of the Heritage, Townscape and Visual Impact Assessment ("HTVIA") and have concerns as to the balanced and objective consideration of the findings of the assessment. In addition the HTVIA appears to*	The HTVIA assessments have been carried out based on a detailed and accepted assessment methodology (Chapter 2 of the HTVIA). It sets out analysis for heritage assets in a proportionate manner (as required by para 189 of the NPPF) identifying specific aspects of significance and assessing whether any of those aspects

	underplay the impact of the proposed development on the setting of a range of other very important heritage assets.	of significance or the ability to appreciate that significance is affected.
10PL15	*It is, for these reasons, clear in review of the HTVIA submitted with the planning application that the proposed development will, at the very least, cause less than substantial harm, to the character of a range of heritage assets by virtue of its height, form and design and does not satisfy a number of key requirements of Policy CS14. The proposed rectangular interconnected design falls well below the required standard of world class architecture and would clash with those buildings that do meet this standard in the immediate vicinity.*	The assessments in the HTVIA show that the proposed development does satisfy all the requirements of the Policy CS14. The proposed design has taken full account of the history of the site and its immediate surroundings, the current character of this part of the City including the settings of heritage assets, and has been sensitively designed to improve the quality of public realm through a permeable ground floor and the enhancement of adjacent open spaces (also listed in the response to 2PL5 below). It is not in an area considered inappropriate for tall buildings as defined on the Policies map. Further analysis of the design approach and qualities of the design are set out in Chapter 6 of the HTVIA and the DAS.
10PL16	*Whilst the applicant makes reference to and acknowledges major change to the skyline composition as a consequence of the development, it fails to grapple with the specific terms of [Policy DM10.1 of the adopted Local Plan]. As a consequence, very limited reference to massing, form and scale is included in the HTVIA.*	The bulk and massing of the scheme responds directly to the position of the site at the south-western edge of the emerging City Cluster and to the west of 20 Fenchurch Street. It responds to the historic grain of the City and indeed restores the specific historic lanes thereby creating an enriched pedestrian permeability. The podium element not only follows the traditional parapet line of Gracechurch Street but assists in

		improving views of the Monument as they are revealed moving south along Gracechurch Street (Views 42A to 42E). While the two tower elements express a contemporary architecture with vertical texture to their surfaces, the podium is of masonry and is skilfully composed in proportion and scale to traditional Gracechurch Street frontages. Where the building faces courtyards to the north and east, it responds with an architecture appropriate to each condition.
10PL17	*This approach, to put it at its lowest level, oversimplifies the townscape and visual assessment process by failing to fully grabble with the requirements of Policy DM 10.1. As a consequence, the assessment fails to provide any detailed and proper consideration of the "general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality" and then falls short of adequately explaining the proposal's contribution of the development to "the character of streets, squares, lanes, alleys and passageways". It is our opinion that this is a failure of the submitted assessment and that the requirements of Policy DM 10.1 remain to be properly addressed by the applicant.*	This comment is a repeat of 10PL16 and has been addressed in the responses to 10PL15 and 10PL16.

10PL18	*We believe, in any event, that any robust and effective assessment of the planning application against planning policy would demonstrate that the proposed development will dilute and harm the special architectural qualities and distinctiveness of the City of London.*	The special architectural qualities and distinctiveness of the City of London lie in its rich palimpsest of new and old, small scale and large scale, and world-class architecture. It is considered that the proposed development is a fitting high-quality response to this character of the City and will enrich its townscape.
10PL19	*In short, we consider that the planning balance when considered through the lens of established and emerging policy is very firmly tipped against the planning application proposal.*	The proposal includes numerous benefits which include the addition of high quality architecture to the City's townscape, the increased permeability through the site, reinstating historic east-west links and opening up the potential for new north-south links, improved public realm, high quality mixed-use spaces, and a 6th floor publicly accessible garden and walkway allowing views to historic monuments to the east, south and west. The public realm improvements are set out in more detail in the response to point PL2 5 below.
Adequacy of the Environmental Assessment		
10PL20	*It is not currently clear whether the submitted Environmental Statement adequately considers and assesses the proposed development.* *The application documents, including the Environmental Statement, all refer to the proposed development as being office led (Class B1) with flexible retail use (Classes A1-A5) at ground and first*	It is noted that the text does not expressly state that there is an issue, but rather raises two points which we summarise as follows: (i) An assertion that the amendment to the description to include reference to Class E enables a

	floor. The impact of the proposed development has therefore been assessed against these proposed uses to determine whether it is acceptable and appropriate in this location. *Paragraph 5.4 of the Planning Statement explicitly states that notwithstanding the recent amendments brought forward in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the planning application is to be determined in accordance with reference to the Use Classes as defined in the Town and Country Planning (Use Classes) Order 1987 as at 31 August 2020.* *Notwithstanding the above, the City of London's planning website has amended the description of the proposed development so that it no longer refers to the Use Classes Order as at 31 August 2020 but refers instead to the new Use Class E that came into force on 1 September 2020. The changes of use permitted through the creation of Class E represent a marked change from the previous position, and amending the description of the development in this way would allow a significantly different range of uses to that stated in the application and which*	wider range of uses than that those stated in the application, and those assessed in the ES. (ii) A challenge to the City to ensure they are satisfied the ES and other assessments comprised in the application remain suitable in light of the asserted effect of the amended development description. Looking at these in turn: (i) The assertion that a wider range of uses may be permitted is not borne out when reviewing the new description. The wording retains the same clear and express 'descriptions' of the specific uses being clearly sought in application documentation (office, flexible retail (including drinking establishment and hot food takeaway), viewing gallery, and terrace). It does not state or purport to state that the development seeks unrestricted Class E business and commercial uses. The additional Use class 'labels' merely reflect the appropriate Use Class most closely aligned to the specific uses being sought by the development and reflects the Use Classes on the date on which the City determined the application to be valid, 1st September 2020. The floorspace figures accurately reflect those detailed in the application submission. Based on the

	formed the basis of assessment in the Environmental Statement. *As a result of the above inconsistency the City of London need to determine that the Environmental Statement, as well as other assessments, submitted as part of the application are suitable following the amendment to the description of development and continue to adequately assess the proposed development.*	description (even as revised), it will be necessary to carry out, complete and bring into use the specific uses as set out in development description and in accordance with the approved plans. Only after that has taken place, would the user of the building potentially benefit from the revised Use Class Order to effect changes of use without the need for additional express consent (save where these might otherwise be restricted by specific planning conditions). This sequence would apply equally under the original description submitted with the application as it would under the amended description. In other words, the consequence of the revisions would not be that the whole building could from the outset be developed and opened in alternative Class E uses, though the changes in the UCO would affect future changes of use as they do for any property. (ii) The application documentation including the Environmental Statement is based on the actual uses proposed, namely office, flexible retail space and public terrace uses. On the basis that the change to the description of development has not actually changed the uses which are being sought by the application, this is not considered to be an issue.

		On the basis that both descriptions represent the same proposals and are consistent with what actual uses are applied for and assess in the ES – and noting that the City's validation date is the 1st September (after the Use Class Order Amendments took effect) – we do not consider that there is any need to revert back to using the previous use classes in the description of development nor are any amendments to submitted documents required.
TRANSPORT AND SERVICING		
10PL21	*The pedestrian network in the vicinity of the proposed development is heavily congested, as identified in the Pedestrian Comfort Level (PCL) assessment. The proposed development will put an additional burden on this infrastructure and whilst the proposal seeks to mitigate this impact through the relocation of the existing bus shelter, this does not appear to be a practical solution for a number of reasons. Should the bus stop not be on the side of the road, as is standard, there is an increased likelihood of not being able to flag the bus to stop. There is also a concern as to the general visibility of the revised location for bus users to stand and to wait without causing obstruction to pedestrians. Of*	The PCL assessment focuses on a worst-case narrow point opposite the proposed development. The proposal has a limited area of influence as the site has a 14m wide frontage to Gracechurch Street and the pavements increase in width to the north and south of the site. Whilst it is acknowledged that this area accommodates high pedestrian volumes, the PCL assessment concluded that the proposed development would deliver an improvements in future baseline scenarios, generally improving PCLs through the reinstatement of historic routes through the site.

	the most significance is the likelihood that users of the relocated bus shelter will have to make conflicting movements across the footway and the flow of pedestrians so as to access the bus in a timely manner, a problem that will be compounded for users with mobility or disability concerns.	The bus stop relocation is considered to be a positive solution which merits further investigation, however, it is not formally proposed and the proposal could be subject to future discussions/agreement with TfL and City of London Highways as expressed in response to TfL comments. This exercise could be supported by further PCL assessment if required and it is noted that the footway in this location has been widened since the submission of the planning application. The PCL assessment finds that the proposed development would deliver an acceptable impact in future baseline scenarios, generally improving PCLs through the reinstatement of historic routes through the site. The bus stop relocation is considered to be a positive solution which merits further investigation, however, it is not formally proposed and the proposal could be subject to future discussions/agreement with TfL and City of London Highways as expressed in response to TfL comments. This exercise could be supported by further PCL assessment if required and it is noted that the footway in this location has been widened since the submission of the planning application.

10PL22	*The transport documents identify that the proposed development will be serviced using Talbot Close (sic), which will utilise two relatively small vehicle lifts as part of the ground floor public realm for use overnight. It is understood that the proposed lift sizes will provide a maximum vehicle length of 7.21m for the service of up to a 7.5 tonne panel van which results in very little clearance for anticipated vehicles to access the lift and a constrained layout at basement level which requires onerous turning manoeuvres. There is a clear practical concern that if the lifts are note easy to access or use, it may result in delivery vehicles not using the loading facilities at all , and instead unloading on Talbot Court and simply using the lifts for the movement of goods – a practice which we understand is commonplace at the moment. Not only could such a use lead to congestion on Talbot Court, which serves other uses such as the public house, it could result in safety issues with vehicles reversing into Talbot Court across the footway from Gracechurch Street, with the associated highway safety risks. There appears to be a general lack of contingency planning should the proposed servicing arrangements not be available for any reason.*	The Applicant is committed to overnight servicing from 11pm – 7am (potentially 9pm – 7am Sunday and Monday) and expects a planning condition/obligation in this regard which would apply to future occupants. This will ensure deliveries are restricted to overnight, save for any made by cargo bike which would have a dedicated space within the building. It is proposed that servicing vehicles will be required to service the building from within the site and forward entry and exit manoeuvres are proposed. The proposed servicing facilities have undergone extensive design development and analysis. Momentum has demonstrated to both CoL and TfL that: 1. the development can feasibly be serviced with smaller vehicles. 2. The space provided will allow for vehicles to access the loading areas with appropriate clearances provided. 3. Extensive contingency planning has been produced and documented in the comprehensive DSMP document which covers low probability events such as lift malfunction and contingency measures of how the site would be serviced on those rare occasions. In this

		regard, we disagree with the statement that there is a lack of contingency planning, noting TfL and CoL has confirmed that we have suitably addressed contingency concerns. Concerns have been raised regarding safety, however, the development will accommodate all vehicles on site and furthermore – overnight which removes vehicles currently servicing the site.
10PL23	*It is also noted that the servicing assessment submitted is based on Net Internal Area, although a sensitivity test based on Gross External Area, the assessment indicates that the number of daily deliveries exceeds the theoretical capacity, being 48 daily servicing movements.*	As noted within the DSMP, this sensitivity test was requested by CoL for reassurance. Also as noted within the DSMP, there would be three cargo bikes provided on-site, which are not considered within the servicing assessments, as well as the ability to extend servicing hours beyond the proposed eight-hour servicing window on Sundays and Mondays. Together there would be sufficient capacity to accommodate the demand generated by the sensitivity test. CoL has accepted the 48 daily servicing movements as a worst case and that the proposed contingency planning would address the potential for this level of demand to occur.
10PL24	*With regard to trip generation potential of the proposed development, it is not clear why a survey of*	The trip rates applied within the assessments were presented to CoL and TfL at the pre application stage.

	the existing site has not been undertaken and this should be clarified by the applicant. The trip generation is set out in section 5.3 of the Transport Assessment and is not split between uses and therefore it is difficult to understand the data and how the total trip generation has been calculated, which should also be clarified by the applicant. In light of the uncertainties identified above, further investigation of the site selection process within TRICS is required as it is not clear if the applicant has provided a like for like comparison of existing and proposed office uses. From an initial review, it appears as though an assessment may have been undertaken for the existing office based on floorspace and the proposed office based on number of employees. Further clarification is required.	Office number estimates were referred to in order to validate the trip generation figures for the office component of the development and confirmed that the numbers were reasonable.
10PL25	*Finally, we note that a Healthy Streets Checklist assessment does not appear to have been provided. This is typically required by the GLA for highways/public realm works greater than around £100,000 in value. As such, we would be grateful if further details could be provided as to why a Healthy Streets Checklist assessment has not been provided.*	An Active Travel Assessment was included as part of the Transport Assessment. The public realm works are subject to detailed design and a Healthy Streets Checklist would be provided at a later stage if required by TfL. TfL has not requested a Healthy Streets Checklist Assessment.
WIND IMPACTS		

10PL26	*A request to provide a comparison of the simulated atmospheric boundary layer in the wind tunnel with the output from the wind climate model of the proposed development site for consistency with the City of London Guidelines. If any mismatch between the target and the measured profile should be present, commentary should be provided on the relevance of this mismatch to the results of the wind tunnel study.*	The simulated boundary layer in the wind tunnel was generated to closely match that of the Proposed Development Site in line with the methodology and atmospheric boundary layer profile set out in the City of London Wind Microclimate Guidelines. The wind tunnel profiles used by RWDI are proprietary, having been developed to ensure close conformity to the atmospheric boundary layer for a wide range of urban and suburban environments.
10PL27	*A request to provide the blockage ratio for the worst case configuration (most build up/worst wind direction) for wind tunnel tests to demonstrate compliance with the City of London Guidelines and confirmation as to how blockage is calculated.*	An open wind tunnel was used for the wind tunnel assessment (as opposed to a closed return wind tunnel), with the model sitting outside of the wind tunnel mouth (please refer to Figure 11.1 of Chapter 11: Wind Microclimate). As such, the blockage is not significant as the flow is not constrained by working section walls.
10PL28	*A request to provide a short report showing and discussing the comparison between the CFD and wind tunnel results submitted. It is noted that the results of the wind tunnel studies and CFD studies are presented separately. In particular ES Chapter 11 only contains the results of the wind tunnel studies. While it is acknowledged that the full set of information for the peer review might have been documented, it is impractical to review two separate*	Plots displaying the wind conditions are shown in both the CFD and Wind Tunnel reports and can be compared. Specific clarifications can be provided if requested. The windiest season in the RWDI wind tunnel assessment is the winter season, and therefore the plots for the windiest season in the wind tunnel assessment and winter season in the CFD plots can be compared.

	documents that present results in different ways. For instance the results of the wind tunnel studies are presented for the windiest season while those of CFD studies for the winter season. The reviewer cannot assume that this be the same without confirmation from the respective wind consultants.	
10PL29	*Confirmation that the final configuration of the building and the surrounds/landscaping analysed through CFD and wind tunnel studies correspond to the latest building design.*	RWDI and Wirth confirm that the building and the surroundings/landscaping analysed in wind tunnel and CFD studies represent the latest proposed development.
10PL30	*A request for the description of the methodology adopted for the CFD studies to include all relevant input parameters (for example methodology, number of cells, profile etc). The appropriateness of the CFD study cannot be reviewed as the report mainly presents the results of the study.*	Please refer to **Appendix A** for a technical summary prepared by Wirth.
DAYLIGHT AND SUNLIGHT IMPACTS		
10PL31	*Anstey Horne have identified that there would be a material impact upon daylight [of No 10 Philpot Lane] which is not surprising as the proposed scheme will present a 30 storey obstruction, the width of which will extend across the full extent of the rear boundary of our building and significantly beyond, to that a number of windows will face a continuous 30 storey wall of obstruction.*	GIA assesses that 10 Philpot Lane is not in residential use by virtue of no council tax entries being shown on the VOA website. This is confirmed in the representation. As set out within the Environmental Statement Chapter for Daylight and Sunlight; commercial spaces such as offices and retail areas are not considered sensitive

	In particular, we are concerned with the impacts of the proposed development on the offices on the lower floors of our property that are lit through windows in two facades of a small lightwell. Some of the rooms served by those windows are not well lit in the existing condition and the proposed development would virtually obliterate that existing light, leaving them with little or no natural light. One or two floors above that have a greater level of existing light and that too will be virtually obliterated in certain rooms. These impacts will definitely impact upon the use and enjoyment of the relevant office space. In effect, the development entirely ignores the windows in our property. *The impact upon our building was scoped out of the daylight and sunlight assessment undertaken by GIA on behalf of the applicant. In Anstey Horne's opinion our building should have been included because of its close proximity to the site, but absent a technical assessment from GIA at present it is still clear and evident that any reductions in daylight are likely to be materially beyond the 20% guideline set out in the BRE document.*	receptors and are therefore not assessed, an approach that is industry standard and recommended by BRE Guidelines: Site Layout Planning for Daylight and Sunlight 2011, A Guide to Good Practice (Section 2.2). The adopted and emerging Development Plan do not require assessment of daylight and sunlight impact to commercial properties. We would also note that the proximity to the site has no bearing on which properties are assessed, as this is solely based on sensitive receptors as detailed above.

Store Property Investments Limited and City Apartments Limited (freeholder and leaseholders of 2-3 Philpot Lane, with matching representations)

The table addresses all relevant comments contained in each of the representations submitted by Lambert Smith Hampton on behalf of Store Property Investments Limited and City Apartments Limited.

Comment ref	Comment	Response
Principle of the Proposed Development and Design		
2PL1	Policy D9 of The Intend to Publish Draft London Plan outlines a wide range of criteria to be assessed against including definition; locations; impacts; and public access. Policy D9 allows Local Planning Authorities to set the definition of tall buildings and where they are located. In Development Plans, tall buildings should be identified on maps and should only be developed in locations that are identified. In accordance with Policy D9 of the Intend to Publish London Plan, the City of London Corporations "Core Strategy Policy CS14: Tall Buildings" sets the	The adopted City Local Plan 2015, at paragraph 3.1.4.1 defines tall buildings as *"those which significantly exceed the height of their general surroundings"*. It is acknowledged that by this definition the proposed development is a tall building. The proposed building is not sited in an area considered inappropriate for tall buildings in either the adopted City Plan 2015 or the emerging City Plan 2036 and therefore the City's position is that it will permit tall buildings only on sites that are considered suitable in the context of the City skyline, the character and

	suitability criteria for the development of tall buildings in the City. The policy states that the City of London will support *'tall buildings of world class architecture and sustainable and accessible design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level'* subject to four key criteria, including being situated on suitable sites in the City's Eastern Cluster; refusing permission for tall buildings in inappropriate areas; only allowing proposals for tall buildings on suitable sites which have regard to the City Skyline, the character and amenity of neighbouring buildings and its impact on heritage assets. The emerging City Plan "Strategic Policy S12 (Tall Buildings)" states that *'tall buildings with world class architecture and sustainable architecture will be encouraged on suitable sites, having regard to a range of criteria'* which includes effect on the skyline, character and amenity of the surroundings, impact on heritage assets, the provision of high quality public realm and environmental impacts.	amenity of their surroundings, including the relationship with existing tall buildings, the significance of heritage assets and their settings and the effect on historic skyline features. Emerging Policy S12 seeks to add additional criteria as noted in the representation. The Planning Statement clearly acknowledges the site's position in relation to the adopted Eastern Cluster and emerging City Cluster and the justification for the proposed development is not based on an erroneous assessment of the location of the site in relation to these features. The assessment of the acceptability of the proposed development is correctly considered in line with relevant tests for sites outside of areas inappropriate for tall buildings. There are examples of tall buildings being considered to be acceptable outside of the Eastern Cluster within the City of London, including most recently the scheme at site bounded by Fenchurch Street, Mark Lane, Dunster Court And Mincing Lane (19/01307/FULEIA), which occupies a similar proximity to the Eastern Cluster and on 14th May 2020 received a Resolution to Grant Planning Permission for a 165.1m AOD tower.

	With the submitted Planning Statement, the applicant appears to place great weight of spatial planning acceptability and justification on the basis that the proposals are in general conformity of the Eastern Cluster Policy Area, outlined within the Local Plan and the site being located within the "City Cluster" of the emerging City Plan. It is important to note that the site is not located within the 'Eastern Cluster' Policy Area or located wholly within the 'City Cluster' and therefore does not automatically have the policy weighting to support taller buildings on suitable sites. Weight cannot be afforded to the content of these policies (Eastern Cluster Policy in the adopted plan or City Cluster Policy in the emerging City Plan) as the site is not located in these areas. The applicant also points to 20 Fenchurch Street as being precedent for tall building development outside of the core development areas, however this site is considered to be an outlier when compared to the direction of travel within emerging policy documents.	The representation suggests that the proposed development could inhibit the redevelopment of renewal opportunity sites to the north as identified in the City Plan 2036. Firstly, the site is considered to be partially within the renewal opportunity site. Secondly, the applicant team refute any suggestion that the ability to redevelopment sites to the north would be impeded and note that no reasoning is supplied for this assertion. The proposed development retains the historic pattern of streets in the vicinity including St Benet's Place, which lies between the proposed development and Allianz House to the north, meaning separation would be maintained. The proposed development is actually cognisant of future development opportunity sites, for example through making an allowance for a future pedestrian link through the "northern courtyard" subject to the agreement and action of neighbouring landowners. It should be noted that the proposed building does not cover the very small part of the site that lies within the Eastcheap Conservation Area, an area considered inappropriate for tall buildings. Instead, this area is proposed for an attractive courtyard that makes better use of a currently inaccessible space.

	Sites adjacent to the application site, however, are within the 'City Cluster'. The draft City Plan 2036 states that all of the City of London is sensitive to development of tall buildings and the City Cluster represents the most appropriate area for encouraging tall buildings in the City. Strategic Policy S21 (City Cluster) states, amongst other things, that delivering tall buildings on appropriate sites, including on "Renewal Opportunity Sites" will be encouraged. The City Cluster policy map identifies the surrounding plots of land as "Renewal Opportunity Sites". This presents a significant and compelling case not to allow a tall building in this location as it will firstly impede on the neighbouring "Renewal Opportunity Site" to come forward in a comprehensive form through an end-of block development but also result in a development which is located out of the area which is considered to taller buildings (i.e. The City Cluster). Additionally, the site lies partly within the Eastcheap Conservation Area. Whilst it is argued that the tallest elements of the building are not located within the CA, the wider impacts and association of this location has not been fully considered and the	The small part of the site that falls within the Eastcheap Conservation Area is currently occupied by a thin slither of the existing building and an inaccessible lightwell. The replacement of the existing building with the proposed building, which steps back from the current building line and will be outside the conservation area boundary, would result in the opening up and enlargement of this space for public use. This is set out in more detail in the DAS Addendum. The presence of 20 Fenchurch Street is not used as justification for the proposed development and is clearly referred to as an outlier to the Eastern Cluster in the HTVIA, however, the relationship with 20 Fenchurch Street and the contribution of the scheme to its setting is correctly considered throughout submission documents. As previously stated at 10PL2, there is considered to be no harm to the settings or significance of neighbouring listed buildings on Brabant Court which lie within the Eastcheap Conservation Area.

	proposal has not appropriately demonstrated that it does not impact on the setting or relationship with the Conservation Area and surrounding buildings. This is discussed in more detail within the Heritage Representation by Cogent Heritage. In summary, and contrary to the applicants planning statement, the location of the site does not fall into an area that is readily accepted to accommodate a tall building and therefore the applicant must demonstrate acceptability across a range of criteria. This is discussed below.	
TALL BUILDING JUSTIFICATION		
2PL2	*[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 1 - "the potential effect on the City skyline, the wider London skyline and historic skyline features"]* *The applicant has produced HTVIA and Design and Access Statement which has sought to demonstrates the impact of the proposed building on the City skyline. In many views outlined within the HTVIA, the proposal would continue the merging of the historical elements of the city southwards,*	The proposed scheme is considered to relate successfully to the larger scale and taller buildings of the Eastern Cluster to its north by way of its lower height, restrained architectural expression and subtly stepped profile which is appropriately deferential to the more animated architecture and skyline of the Eastern Cluster buildings. It is evident from the visual material provided in the HTVIA that it does not detract from the Eastern Cluster buildings or interfere with any protected historic skyline features.

	presenting a solid mass of building when assessed against 20 Fenchurch Street and the cumulative scenario. This is especially prevalent in views from Butlers Wharf (View 10) and City Wharf (View 11). *In many ways, the siting of the proposal is unfortunate, as 20 Fenchurch Street presents a significant and overbearing mass of a building which 55 Gracechurch Street adds to. It is clear that, when assessing the proposals from a distance, this part of the City should be dropping away in height significantly, especially when the height of 70 Gracechurch Street is taken into consideration.* *There is also the pertinent issue of view 19 in particular, which has a significant adverse impact on the setting of the Monument. Historic England has raised this as a significant concern within their objection letter of 2 October 2020.* *It is also the view of our client that the proposals cause significant harm to the City skyline and historic skyline features.*	In the case of the Grade I listed Monument, where an adverse effect is acknowledged in the view from in front of the Church of St Magnus (not a view specified in the Protected Views SPD), its capital with gilded top and its skyline are unaffected. In response to harm in the other views listed here, previous comments made in response to HE1 to HE9 and 10PL11 and 10PL12 apply.
2PL3	*[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 2 - "the character and amenity of their surroundings,*	As in the previous response at 2PL2, the proposed scheme is considered to relate successfully to the larger scale and taller buildings of the Eastern Cluster by way of its lower height and restrained architectural expression. The proposition of a high building on this

	including the relationship with existing tall buildings"] *The proposed building is located mid-terrace (block) and would present a tall building directly adjacent to mid-rise city blocks which is at odds with the fabric and grain of the existing buildings. The City has very successfully accommodated tall buildings, with exemplar architecture and high quality urban design across many sites in the City. There are numerous examples of where tall buildings have a successful relationship with the existing streetscape and townscape, provide ample open space and pedestrian movement and result in high-quality urban and spatial relationships with neighbouring buildings and development plots.* *In the case of 55 Gracechurch Street, the oppressive nature of the height and the direct relationship with neighbouring buildings is in direct conflict to the scale and grain of the existing setting.* *The narrow alleyways of Brabant Court, Talbot Court and St Benet's Place are unable to give the space required at the base of the building to result in a high*	site is premised on the fact that 20 Fenchurch Street can be better integrated into the cityscape by the introduction of slightly lower buildings surrounding it, thus modifying its overt and unfortunate isolation. The proposal is therefore considered to be a positive addition to this part of the City. The lower podium level, separated from the tower by the 6th floor garden terrace/walkway on the west, and set back from the podium on the east, creates a visual separation that allows it to relate successfully to the existing streetscape, while the architectural treatment of the street and courtyard facades have been derived from their particular architectural character and spatial conditions, along with historical references. The high level of permeability of the ground floor allows it to 'extend' and connect the narrow alleyways while retaining their alleyway/courtyard character; this is a distinct improvement to the current condition without diluting their special character.

	quality environment. The proposals, therefore, appear cramped. *The relationship with 20 Fenchurch Street is awkward, sitting slightly forward and when viewed from the south, presenting a mass of building which is oppressive, and detracts from the existing skyline which presents a collection of different designs and an interesting array of architectural style.* *All of this results in a proposal which is dominant and lacks any kind of positive relationship when considered against the current character of the area and existing tall buildings.* *Regarding amenity, the proposals have failed to assess the impacts on neighbouring properties and entrance spaces, which are discussed later in this objection.*	
2PL4	*[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 3 - "the impact on the significance of heritage assets and their immediate and wider settings"]*	As previously set out in response to comments VS3 and 2PL3, a mixed urban character encompassing old and new, small and large scale, the historic and contemporary is part of the City's distinctive townscape. The juxtaposition of traditional scale historic buildings alongside high quality tall buildings

	See section 4 and the associated Heritage Objection for a summary of the impact of the proposals on the significance of heritage assets. *The proposals introduce a tall building into this predominantly courtyard area, immediately adjacent to listed buildings which are discussed in more detail later within this objection. The proposed development would appear out of place and at odds with its surroundings, significantly impacting on the ability to appreciate the architectural significance of the neighbouring listed buildings.* *It is also considered that the proposal adversely impacts on the Eastcheap Conservation Area by virtue of its dominance and overbearing nature.* *In summary, allowing development on this mid-block site would begin the erosion of the finer grain, historic elements of the City and present an overbearing development with little consideration of the relationship or respect of neighbouring heritage assets including Statutory Listed Buildings and Conservation Areas.*	does not in itself constitute harm in such a context as the City. The proposed development would add a contemporary building of high architectural quality which complements through contrast the special interest of the neighbouring listed buildings, in particular those on Brabant Court. It does not erode the historic grain, in fact it restores it through the reinstatement of the historic east-west route from Philpot Lane to Gracechurch Street, complemented by the permeable ground floor, and offers the potential for a north-south connection. The responses to comments at CAAC1 and VS1 apply here in relation to the effects on the Eastcheap Conservation Area.

	The adverse impact on adjacent listed buildings would be significant.	
2PL5	*[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 4 – "the provision of a high-quality public realm at street level"]* *See the following sections for further details assessment relating to urban design, public realm and movement.* *In summary, the proposal does not provide high-quality public realm at street level. It is hemmed in from all directions aside from the west and the narrow streets and lanes it sits adjacent to are woefully inadequate to cope with 30 storey building with no set-off or appreciation for the existing context.*	The applicant team strongly contest the assertion that the proposed development does not provide high quality public realm in the context of its mid-terrace position. The street level public realm provides generous routes and widths to cater for the anticipated footfall through the site while providing a significant contribution to public realm as follows: – A west-east historic permissive route through the site would be reinstated, connecting St Benet's Place and Talbot Court to Brabant Court. The form and arrangement of this route reflects modern requirements in terms of generous widths and accessibility whilst building upon the unique character of the City of London with its network of ginnels and alleyways; – The ground floor plane would have considerable public access; – Provision is made for potential future north-south permissive routes through the site subject to future discussions/agreement with neighbouring landowners;

		– Creation of a new publicly accessible courtyard (the south east courtyard) in a currently inaccessible area; – Significant improvements to the perceived nature of Talbot Court by providing a pedestrian-focused streetscape (resurfacing, , active frontages); – Significant improvements to the public realm in St Benet's Place (resurfacing and activation); – Significant improvements to the public realm in Brabant Court (activation); and – Improvements to Gracechurch Street (resurfacing, Talbot Court junction improvement).
2PL6	*[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 5 – "the environmental impact the tall building may have on the surrounding area, including the capacity of the City's streets and spaces to accommodate the development"]* *See sections 5 and 6 for an assessment against the submitted Daylight, Sunlight and Overshadowing Assessment and Wind and Microclimate Report.*	Comments addressed separately in direct response to daylight/sunlight and wind microclimate comments.

	In summary, the application documentation fails to adequately assess the environmental impacts on neighbouring buildings and therefore cannot be considered to be robust.	
2PL7	*[Test of compliance with Policy D9 of the Intend to Publish New London Plan – visual impact]* *The mid-range and short-range views of the proposal highlight the buildings failure to respond positively to the form and proportions of the surrounding neighbourhood.* *In particular, the proposal has a limited relationship with the street and lacks pedestrian scale and character in particular.* *The proposal does not reinforce the spatial hierarchy of the area, falling outside of the designated area promoted for the development of tall buildings. This results in an edge of cluster development which fails to positively respond to the character of the area.*	Responses to comments VS1, VS3, 10PL16 and 10PL18 apply here.
2PL8	*[Test of compliance with Policy D9 of the Intend to Publish New London Plan – functional impact]*	The fire escape over 55 Gracechurch Street is currently bricked over and inaccessible.

	The proposal will have clear functional impacts on neighbouring properties, principally as a result of removing the fire escape to 2 – 3 and 5 Philpot Lane. The opening of routes around and across the site are likely to have a detrimental impact on neighbouring properties so the public benefit of this does not outweigh the likely harm.	It is apparent from the revised internal layouts (fitted kitchens across the southern walls internally) and external works (infilling of the doors) that 2-3 Philpot Lane has abandoned the historic means of escape route over the site. This followed the amalgamation of 2-3 and 5 Philpot Lane as Philpot House and associated change in fire strategy. The proposed lift core and Tower structure do not enclosure over the former door openings, and thus should 2-3 Philpot Lane require that the escape route is maintained, alternative provision can be made for a new escape stair onto the L02 green roof and out through the building. Discussions with the owners of 2-3 Philpot Lane are ongoing in this regard.
2PL9	*[Test of compliance with Policy D9 of the Intend to Publish New London Plan – environmental impact]* *Wind, daylight and sunlight have not been adequately assessed with regard to the neighbouring buildings. It is clear that the comfort and enjoyment of neighbouring premises will be unacceptably impacted and harmed.*	These issues are addressed below in response to specific comments.
2PL10	*Contrary to the assertions within the applicants Planning Statement and Design and Access Statement, this area is not characterised by very tall buildings but instead mid-rise block formations*	The application submission documents correctly and accurately define the sites immediate and wider setting in the context of features such as the Eastern Cluster and other tall buildings (e.g. 20 Fenchurch Street) and

	which at least have some regard to adjacent relationships and bring a sense of scale and character to the area. The proposals, by virtue of its oppressive height and relationship with neighbouring buildings, results in low quality urban design characteristics, presents a significant overbearing presence to neighbouring buildings and fetters the ability of neighbouring sites to develop appropriately.	surrounding Conservation Areas characterised more typically by mid-height blocks as stated. The applicant team do not agree that the proposed development would be overbearing and, as stated in response to 2PL1, refute the suggestion that it would inhibit or fetter the redevelopment of neighbouring sites, a claim that is not supported with evidence.
2PL11	*It is considered that the proposals fail to demonstrate a range of the core principles required to allow a tall building on this site, and the public benefits of the proposal do not outweigh the significant failings. We therefore request that the proposals are refused and the proposed reason for refusal is outlined below:* *PROPOSED REASON FOR REFUSAL 1:* *The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local*	The Applicant's team disagree with the view that the "spatial location" of the proposed building means a tall building is unacceptable in principle and this position is not consistent with policy. The proposed building footprint is wholly outside of areas considered inappropriate for tall buildings in both the adopted City of London Local Plan 2015 and the emerging City Plan 2036. For the reasons stated in 2PL1-2PL10, the applicant does not agree with the proposed reason for refusal.

	Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).	
2PL12	*Whilst the detailed design approach, including fenestration and architectural detailing could be considered subjective, the urban design approach to the base of the building and relationship to its surroundings is clearly problematic, in the way there is little relevance or consideration of the synergy or correlation between neighbouring buildings.*	The project team disagrees with this view, considerable work has gone into designing a building which responds to the varied local context. The proposed building would open up and improve a number of historic courts and alleyways through the block with the building responding to the unique characteristics of each frontage set by neighbouring buildings of merit.
2PL13	*Additionally, there is little reference to potential sensitive uses at the adjacent site and the Opportunities and Constraints diagram (3.1 of the submitted DAS) fails to recognise these sensitive uses. This is a fundamental failure by the applicant to properly and robustly assess the surrounding area.*	The hotel use is not considered sensitive in terms of daylight and sunlight impact, whereas all residential developments in the locality have been assessed. Noise will be managed at both the construction and operational stages and is not expected to be irregular when compared to other commercial buildings in the City.
2PL14	*The proposed tower could be described as contemporary and it is considered that this has almost no consideration to the human-scale historic townscape, as seen in numerous views submitted within the HTVIA. The tower does not integrate into the base of the proposal and appears uncharacteristic in form and the building appears as*	Responses to comments VS1, VS3, 10PL16 and 10PL18 apply here.

	an uncharacteristic solid mass in terms of its scale and prominence.	
2PL15	*It is our opinion that the Design Team has considered this building in relative isolation and has given little thought to the relationships and urban design characteristics of the area and fails to meet the fundamental aim and objectives of Policy DM10.1 to ensure that "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".*	This has been addressed in the response to comment 10PL16.
2PL16	*The Design and Access Statement dedicates five pages of explanation about the future proposals of the Northern Courtyard without once referencing the relationship with the neighbouring uses or potential impacts on the adjacent property.*	The Design and Access Statement and Planning Application submission documents clearly reference the importance of engagement with neighbouring landowners prior to advancing any proposal to open up access into the Northern Courtyard. The proposals do not seek approval for an access into the Northern Courtyard. The consideration of neighbouring properties is inherent in the design with the proposal removing the overlooking and light spill from the existing offices of

		55GCS into the Northern Courtyard and Brabant Court. This will substantially reduce the impact of 55GCS on the neighbouring buildings.
GROUND FLOOR ACCESS		
2PL17	*Whilst our client generally supports the opening of routes through the city to improve permeability, the proposed routes through the Northern Courtyard and Brabant Court would have the potential to significantly impact on the quality of accommodation provided by the hotel operator.* *The applicant is proposing to open up a closed route through Brabant Court, directly adjacent to ground floor hotel bedrooms and living spaces. There is no consideration of how neighbouring uses may be impacted by this and no mitigation provided. Given the Design and Access Statement has undertaken a study looking at hourly pedestrian flow capacity of between 500 and 1500 per hour, it is critical that the amenity and safety considerations are fully assessed and mitigated. In the absence of this, the proposal ought to be refused and our proposed reason for refusal is set out below.* *PROPOSED REASON FOR REFUSAL 2:*	The planning application does not propose a route into the Northern Courtyard. This is marked as an opportunity subject to future discussions and agreement with neighbouring landowners. The supporting documentation does not expect the delivery of this route in carrying out assessments. Therefore, it is considered that there is no need for this objection and the associated amenity impacts referenced in the proposed reason for refusal. It is noted that there are wider considerations in the proposed reason for refusal, however, these issues are considered to be adequately addressed above.

	The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.	
HERITAGE		
2PL18	*The HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3 and, by omitting this, the applicant has failed to demonstrate adequate assessment regarding the impact of the proposals on 2 – 3 Philpot Lane and 4 Brabant Court.*	The HTVIA methodology for heritage assessments refers to HE's GPA Note 3 and is set out in paras 2.27 to 2.32, pg 5-6 of the HTVIA. The methodology takes into account NPPF policies, relevant guidance from the NPPG and HE's GPA Note 3 and is considered to be a robust and accepted methodology.
2PL19	*The contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology and the proposed 30 storey tower would*	It is accepted that the proposal would result in change to the setting of the nearby listed buildings, but this change is not considered to be harmful to the setting or the significance of the heritage assets, or the ability to appreciate their significance.

	significantly and irreversibly change the significance and setting of the listed building at 2 – 3 Philpot Lane and 4 Brabant Court.	The urban morphology near the site is not distorted by the proposals, it is in fact clarified by returning alleyways to meaningful purpose, the dynamic contrast between scales bringing an emphasis and better revealing the historic grain and pedestrian permeability.
2PL20	*The removal of the chimneystack, which our client in no way consents to, would compound the harm through the removal of a feature of the building that assists in its legibility and through the loss of historic fabric and evidential value.*	The south-western chimney of 2-3 Philpot Lane is a later addition to the original late 17th/early 18th century building, with a late 20th century extension to its upper part which is the only part that is visible in oblique views from Brabant Court. As can be seen from the photographs within the HTVIA, the Heritage Statement accompanying the separate LBC application (20/00769/LBC) and on page 8 of the Heritage Representation by Cogent Consulting. The removal of this non-original chimney will not affect the significance (or the legibility) of this heritage asset which is principally enjoyed from Philpot Lane from where this chimney is not visible. The response to comment 10PL8 also applies.
2PL21	*Our client is a custodian of the Grade II listed property which is subject to irreversible damage as a result of the development proposals. Upkeep and maintenance of the building is required both internally and externally to ensure the property does*	As set out in the paragraph above, the development proposals will not harm the significance of the listed building or its ability to contribute to the character of the area.

	not fall into disrepair whilst also running a business which supports London's tourism, business and cultural economy. Part of this is ensuring that the heritage asset can contribute towards the character and viability of the area and has a suitable end use which supports and makes a positive contribution towards London's economy in line with Para. 192 of the NPPF.	
2PL22	*It is therefore considered that the proposals would cause irreversible damage to the setting and significance of the existing heritage assets, as follows.* *PROPOSED REASON FOR REFUSAL 3:* *The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).*	As stated above at 2PL19, it is accepted that the proposal would result in change to the setting of the nearby listed buildings, but this change would not result in harm to the setting or the significance of the heritage assets, or the ability to appreciate their significance. The proposals would in fact result in an enhancement to their settings through public realm improvements and reinstatement of historic alleyways – HE has noted this in their letter of 2nd October 2020. There would be no harm to the significance of the two listed buildings as a result of the proposals.
LOSS OF PRIVACY AND NOISE		
2PL23	*The proposals would open up routes through the site, which have not been fully considered. The hotel*	Brabant Court is an existing public right of way and the proposals do not seek to alter its status. There is

	bedrooms and living spaces look towards Babrant (sic) Court and the 'Northern Courtyard' at ground floor level. It appears that no consideration has been given to the potential impacts this could cause with a very significant number of people passing by those windows every day. *This would result in a lack of privacy for those occupants and also potential noise issues from people travelling through that area.*	currently no restriction on people entering the court and passing by windows within it. The proposed development seeks to facilitate a route through the site to Brabant Court and this is seen as a positive reinstatement of a historic City route.
2PL24	*Additionally, during construction, there will be a range of impacts (discussed later in more detail) but scaffolding will be erected directly adjacent to windows, severely compromising the privacy of City Apartments' future guests.*	A Construction Environmental Management Plan will be agreed with the City of London and will consider the relationship with neighbouring properties during construction, the hours of which will be limited.
DAYLIGHT/SUNLIGHT		
2PL25	*Following a thorough review of the report, it does not appear that the properties at number 2 – 3 and 5 Philpot Lane have been assessed in any form to identify the potential impacts on those rooms and occupiers with regards to daylight, sunlight and overshadowing. Policy DM10.7 is clear in stating that development will be resisted where it would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to*	We are of the understanding that the apartments at 2-3 & 5 Philpot Lane are used as a hotel (C1 Use Class), rather than dwellings (C3 Use Class). Hotel use was permitted in Planning Application ref: 10/00435/FULL and we have not identified any subsequent permissions for use as dwellings. As set out within the Environmental Statement Chapter for Daylight and Sunlight, hotels are not considered

	unacceptable levels. The hotel is a sensitive use, with bedrooms and living spaces which have not been subject to any form of consideration. *Additionally, and whilst not in the demise of the applicant, the Northern Courtyard does not appear to have been assessed for overshadowing.* *The relationship between the two buildings can best be seen from the Northern Courtyard, where a 30 storey building will be erected directly adjacent to the flank wall of the hotel.* *It is therefore considered, without any supporting evidence to the contrary, that a proposal of 30 storeys in height, directly adjacent to a sensitive use would have a significant and material impact on the daylight and sunlight of those occupants. We therefore consider that the proposal ought to be refused on this basis, as set out below.* *PROPOSED REASON FOR REFUSAL:* *The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5*	sensitive receptors and are therefore not assessed, an approach that is industry standard and recommended by BRE Guidelines: Site Layout Planning for Daylight and Sunlight 2011, A Guide to Good Practice (Section 2.2). The adopted and emerging Development Plan do not require assessment of daylight and sunlight impact to hotels. The ES assessment does not consider overshadowing impact to the Northern Courtyard as a private open space and this approach was not challenged in the EIA Scoping Opinion issued by the City of London Corporation. However, the applicant has prepared an overshadowing assessment which is submitted with the additional documentation. This shows that the space as existing fails the BRE overshadowing recommendation of two hours of sunshine at the Spring Equinox.

	Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.	
WIND MICROCLIMATE		
2PL26	*it is considered that the application documents have not tested the potential impacts of the proposals on the external amenity space of 2 – 3 and 5 Philpot Avenue, nor the entrance doorways to those buildings. These are identified in the images below.* *As the City of London Planning Department can attest, the wind environment is already significantly compromised in this area as a result of recent developments such as 20 Fenchurch Street. Therefore, robust testing is required which includes private entrances and amenity space.* *This assessment process has not been undertaken robustly and has the potential to significantly impact the existing building, its entrance and amenity space. Accordingly, it is considered that the application proposals should be refused on microclimate*	The entrances of 2-3 and 5 Philpot Lane, along with the amenity spaces have been modelled within the CFD wind microclimate assessment. Conditions at the entrances are standing which is acceptable for use. Conditions within the external amenity space are frequent sitting, with occasional sitting and standing in passageways. Hence these conditions are acceptable for use.

	grounds and a proposed reason for refusal is set out below. *PROPOSED REASON FOR REFUSAL 5:* *The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.*	
IMPACT ON THE VIABILITY OF THE EXISTING HOTEL USE		
2PL27	*Adopted and emerging policy supports hotel trade in the city and the emerging policy evidence bases estimate that visitor numbers are likely to increase – especially demand for visitor accommodation. Policy CV1 (Protection of Existing Visitor, Arts and Cultural Activities) sets out that proposals resulting in the loss of these facilities will be resisted. Whilst this is generally related to land use, the implications of the proposed development could extinguish the existing use at 2 – 3 and 5 Philpot Lane, which would be a detriment to the local and regional tourist economy. Policy E10 (Visitor Infrastructure) of the draft London*	There is no evidence for the claim that the proposed development will affect the viability of the hotel use at 2-3 Philpot Lane and the claim appears to be speculative. To the contrary, we consider that the proposed development would make a significant contribution to the visitor economy through the delivery of visitor facilities in the form of the public garden terrace. We expect that this, coupled with the significant uplift in commercial floorspace that the scheme would deliver, as well as provision of retail uses, would be to the

	Plan supports a sufficient supply of serviced visitor accommodation. *As demonstrated in the preceding paragraphs, the proposal will have a detrimental impact on both 2 – 3 and 5 Philpot Lane and the operation of the existing business on the site. In a time where retaining existing businesses are under particular stress, the City of London is duty bound to protect these businesses from any unacceptable impacts. We therefore request that the application is refused on the grounds that it will have a detrimental impact on local tourism and the economy and will also threaten the economic viability of the listed buildings.* *PROPOSED REASON FOR REFUSAL 6:* *The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally affect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.*	benefit of the visitor economy in the City and the demand for hotel bed spaces in the vicinity.

OTHER MATTERS FOR CONSIDERATION		
2PL28	*The red line boundary, which is the highlighted on the Site Location Plan and Existing Site Plan, appears to assume that part of the neighbouring property at 2 – 3 Philpot Lane is within the control of the applicant, although this is incorrect.* *The Design and Access Statement submitted in support of the Planning Application suggests (at paragraph 2.4 page 19) "the site includes a chimney stack attached to 2 -3 Philpot Lane" whilst the Environmental Statement further suggests (at paragraph 3.13) that "there are heritage assets located within the northern boundary of the site [including] Chimney attached to the Grade II listed 2 and 3 Philpot Lane".* *The chimney is within the control and ownership of our client's property, meaning the site cannot be delivered without our clients consent, which our client has no intention of giving.* *On a secondary point, the Chimney Stack is identified on the Demolition Plan – Ground Floor (Drawing number PP-FPA-XX-00-DR-A-16602) as a structure to*	The red line boundary does not match the applicant's ownership boundary. There is no requirement for planning application red lines to do so. It is acknowledged that works outside of the boundary would require third party agreements but that these do not need to be in place prior to the determination of the planning application. The applicant's party wall surveyor advises that the ownership of the chimney stack to 2-3 Philpot Lane is presently unknown. However, based upon site inspections and available historic party wall awards, is presently of the view that it is in the ownership of the applicant. Further survey work is ongoing to assist in determining ownership with this neighbour. It is noted that this matter does not need to be resolved prior to the determination of a planning application as property matters are not generally material planning considerations. A Listed Building Consent application has now been submitted (20/00769/LBC)

	be demolished. The applicant proposes that the chimney will be subject to a separate Application for Listed Building Consent. *Following a review of the City of London Planning Database, this does not appear to have been submitted and our client has signalled their intention to, quite correctly, vehemently object to demolition of part of their building.* *Finally, and despite the application form stating otherwise, our client has not received the relevant statutory notices regarding this application. The registered address of 2 – 3 and 5 Philpot Lane (Store Property Investment Limited main office) has been open throughout the recent pandemic so if this was served correctly, it could not have been missed.*	The applicant's property lawyers carried out a search prior to the submission of the planning application and identified Philpot House Limited as the freeholders of 2-3 Philpot Lane, whom notice was correctly served on to the company registered address. As an aside, it is noted that the registered address of Philpot House Limited is the same as Store Property Investments Limited (Farr House, 4 New Park Road, Chichester, West Sussex PO19 7XA). The applicant considers that notice was correctly served.
2PL29	*Our client has a right of fire escape over the existing property at 55 Gracechurch Street. Further information as to the location and direction of this is contained within the photographic appendix.* *Following a review of the proposals, the fire escape has not been considered or in any way*	Please refer to comment 2PL8.

	accommodated. This is clearly problematic for our client, as it would fetter the ability to use this escape at a future date along with potentially fettering the ability for any future use or development. *The legal implications of this have been set out within a letter dated 18 September 2020 from our client's solicitors to the applicant which includes the Deeds and confirmation that the 2 – 3 Philpot Lane benefits from a right "to pass on foot and wheelchair only along the Fire Escape Route into Fenchurch Street". It now falls to the applicant to review this and explain how our client's requirements can be addressed.*	
2PL30	*Notwithstanding the fundamental objections to the proposals outlined within sections 3 – 7 of this letter, we have also assessed the Outline Construction Environmental Management Plan, which is likely to be conditioned as part of any future consent. Whilst it is only possible to draw broad conclusions on the document at this stage, there are a range of concerns that our client wishes to raise.* *There is limited acknowledgement of potential impacts on neighbouring buildings, especially during*	Noted and a future CEMP could address these issues in consultation with neighbouring landowners. While the Outline CEMP takes account of all City-wide requirements, it has been developed with specific reference to the Site and therefore the view that it is 'off-the-shelf' is contested.

	the de-construction period. Any further submission should state in detail how neighbouring properties and their occupiers will be safeguarded, informed and consulted when major stages of work take place. *The dust and noise impacts associated with demolition, piling and construction have not been considered in so far as there are sensitive uses in adjacent buildings. This is likely to have a significant adverse impact on the occupiers and their business.* *Construction scaffold is proposed to be located directly adjacent to hotel room windows, with apparently no commentary on safeguarding, privacy or amenity impacts and how these will be addressed. This would seemingly require approval from neighbouring properties and therefore our client will be required to approve the proposed construction methodology. Any further submission should state in detail how this will be requested and managed throughout the demolition and construction period of three years, along with any required mitigation.* *The build process is more than three years and by placing construction apparatus next to the windows*	

	of up to 10 apartments, has will have significant impacts on the viability of an existing business. The Outline CEMP does not acknowledge or set out how these impacts can be mitigated. In summary, the Outline CEMP appears to be an off-the-shelf report with little site specific analysis into how the proposals will be constructed.	
2PL31	*Following a review of the drawings, it is evident that the proposals adjoin and potentially build below / on top of the property at 2 – 3 Philpot Lane and it seems inconceivable that this is not the case given the proximity to this property and the proposals to demolish the existing chimney. Our client has not and does not intend to grant consent for any such works.*	The Applicant's Party Wall Surveyor responded to the neighbour on 21st October 2020 as follows: *"Alleged Piling and Cladding encroachment* *Following the rationale above, being that the southern wall of 2-3 Philpot Lane is in fact an historic party wall, the proposed piling and associated capping beam, whilst encroaching on the land presently occupied by the chimney stack, would remain in my client's [the applicant's] title, as the boundary line would run through the centre of the historic party wall.* *Similarly, where the cladding has presently been designed to overhang the southern part of the party wall, such cladding would remain within the 55 Gracechurch Street Title and constitute a raising of half the thickness of a party wall on a cantilever. This*

		principle was discussed with Mr Lovelock on the telephone many weeks ago, following your client's indication that Mr Lovelock would be instructed in this matter. *I have worked on several other tall buildings in the City of London where the modern façade of the said building has been raised on a cantilever above half the thickness of an historic party wall within the client's [the applicant's] title.* *In connection with access rights associated with such works, S. 8 of the Party Wall etc Act 1996 affords statutory rights of access, where such works are executed in pursuance of that Act. This would include the raising of the party wall and raising a new wall against a party wall.* *Again, it is important that we meet with your party wall surveyor as soon as possible, following circulation of all available historic and survey information, in order that the principles of the boundary, party wall status and associated access rights can be discussed and agreed."*

		It is noted that this matter does not need to be resolved prior to the determination of a planning application as property/boundary matters are not generally material planning considerations.
2PL32	*The NPPF is clear in outlining that effective engagement between applicants and communities is essential for achieving well-designed places. Paragraph 128 of the NPPF states that "applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot".* *In this regard, the Planning Statement outlines that discussions have been had with stakeholders and an online public exhibition was held between 6th July and 17th July 2020. For reference, the application was received by the Council on 24 August 2020. As a planning consultancy with significant experience in consultation and major developments, we can attest that it would not have been possible to run collaborative and open consultation just 6-weeks prior to the submission of a major planning application as this allows for virtually no time at all for stakeholders' comments to be taken on board or mitigated by the design team.*	We believe that we have demonstrated a proactive and effective approach to community and stakeholder engagement on the proposals for 55 Gracechurch Street in line with the NPPF. Discussions with local stakeholders including local and neighbouring ward members began in January 2019 and have continued until submission and beyond and have shaped the application that was submitted to the City of London. Due to the, ongoing restrictions on social gatherings caused by the Covid-19 pandemic, a traditional public consultation exercise was not possible and this necessitated a move to online public consultation – an approach that was discussed and agreed with CoL Officers in advance. Rather than minimising the opportunity for genuine, open and collaborative engagement, this approach allowed stakeholders a greater opportunity to view and

	In addition, our client has not received any meaningful communication, in the form of plans or details, from the applicant prior to the submission of the application. A representative of the applicant contacted our client on 21 July (post exhibition) to discuss the land ownership however, despite the submission of a planning application imminently; the representative could not discuss the proposals as they were subject to a 'non-disclosure agreement'. If the applicant was willing to discuss the details of the proposals prior to submission, some of the issues outlined above could have been raised and clarified. Our client subsequently wrote to raise specific enquiries of the applicant in relation to the chimney and the fire escape (as set out in the letter of 18 September 2020) and those enquiries have not been answered. *Whilst not a reason for refusal against adopted and emerging policy and guidance, in accordance with the NPPF, the City of London should not look at these proposals more favourably as the proposals have not*	respond to the proposals than through traditional means. Whereas traditionally, an in person public exhibition would be held over a fixed period of two or three days in a fixed location(s) in the City, the online consultation remained open and accessible to all stakeholders regardless of their location for two weeks from 8th July – 22nd July. This exercise saw over 2,000 page views and over 630 unique home page visitors – far in excess of the numbers of visitors that could be realistically expected at a traditional drop in event in pre-Covid times, with the feedback received overwhelmingly positive. The Applicant advised of the launch of the consultation through the distribution of a leaflet to approximately 1,000 commercial and residential properties in closest proximity to the site and the publication of a local media advert in the Evening Standard. The Applicant has also taken a proactive approach to engagement with its closest neighbours and wrote to each of the nine properties surrounding the site at 55 Gracechurch Street in advance of the public consultation. This letter ensured the neighbouring properties were informed of the proposals prior to the

	been subject to meaningful consultation with a range of appropriate stakeholders.	public consultation and sought to arrange a meeting and site visit to discuss the proposals and any potential impacts on neighbouring properties well in advance of the submission of the planning application. Further to this letter, and in addition to the consultation website further images of the proposals were also made available to neighbouring properties on request. A number of these site inspections and meetings were held in July 2020, with members of the project team visiting neighbouring properties, providing further information on the proposals and answering any questions they had about the planning application.

51-54 Gracechurch Street (No.1) Limited and 51-54 Gracechurch Street (No.2) Limited (freeholders of 51-54 Gracechurch Street)

Comment ref	Comment	Response
51GS1	*Excessive bulk, height and massing, which would be outside the designated Eastern Cluster of the Local Plan and would create an overbearing relationship with the neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, and would harm the significance of a number of heritage assets*	The proposed development is not considered to be of an excessive bulk, height and massing as addressed in the planning application submission documents and addressed throughout this Report. Nor is it considered to be overbearing given the careful siting of tower elements and the considered podium design.

		As stated in response to 10PL16, the bulk and massing of the scheme responds directly to the position of the site at the south-western edge of the emerging City Cluster and to the west of 20 Fenchurch Street. It responds to the historic grain of the City and restores the specific historic lanes thereby creating an enriched pedestrian permeability. The podium element follows the traditional parapet line of Gracechurch Street while the two tower elements express a contemporary architecture with vertical texture to their surfaces, the podium is of masonry and is skilfully composed in proportion and scale to traditional Gracechurch Street frontages. Where the building faces courtyards to the north and east, it responds with an architecture appropriate to each condition.
51GS2	*Significant adverse impact on daylight to neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, which would be harmful to the health and wellbeing of their occupiers and result in increased reliance upon electric lighting and increased energy consumption*	As set out within the Environmental Statement Chapter for Daylight and Sunlight, commercial uses are not considered sensitive receptors and are therefore not assessed, an approach that is industry standard and recommended by BRE Guidelines: Site Layout Planning for Daylight and Sunlight 2011, A Guide to Good Practice (Section 2.2). The adopted and emerging Development Plan do not require assessment of daylight and sunlight impact to hotels.

51GS3	*Adverse effects on existing users of Talbot Court due to proposed servicing arrangements and use of retractable bollards.*	An alternative approach is now proposed which no longer seeks to provide bollards across the Talbot Court entrance.
51GS4	*Traffic generation and highway safety.*	The proposed development would be car free and so the only traffic generated by the development would be servicing which would be taken overnight when pedestrians would not be in the vicinity. Vehicles would enter and exit Talbot Court in forward gear (turning within the site).
51GS5	*Potential for adverse effects from wind.*	Wind impact is addressed throughout the submission and responses to detailed points are included in this note.
51GS6	*Adverse environmental effects during construction.*	An Outline Construction Environmental Management Plan and Outline Construction Logistics Plan are submitted with the Planning Application and would be agreed prior to commencement. These would ensure construction impact is effectively managed.

ENDS

DP9 Limited

27.11.2020

APPENDIX A – CFD METHODOLOGY

Wirth Research – Wind Engineering

Technical Summary

55 Gracechurch Street, City of London

13.10.2020

The CFD was performed using Ansys Fluent.

Meshed using a hybrid mesh of hexahedral, tetrahedral and prismatic elements:

- On site building edge length: 0.05m - 0.3m
- Surrounding context edge length: 0.3m - 1m

The total mesh size was between 163 and 259 million cells, depending on the scenario. Mesh detail is shown in Figure 1

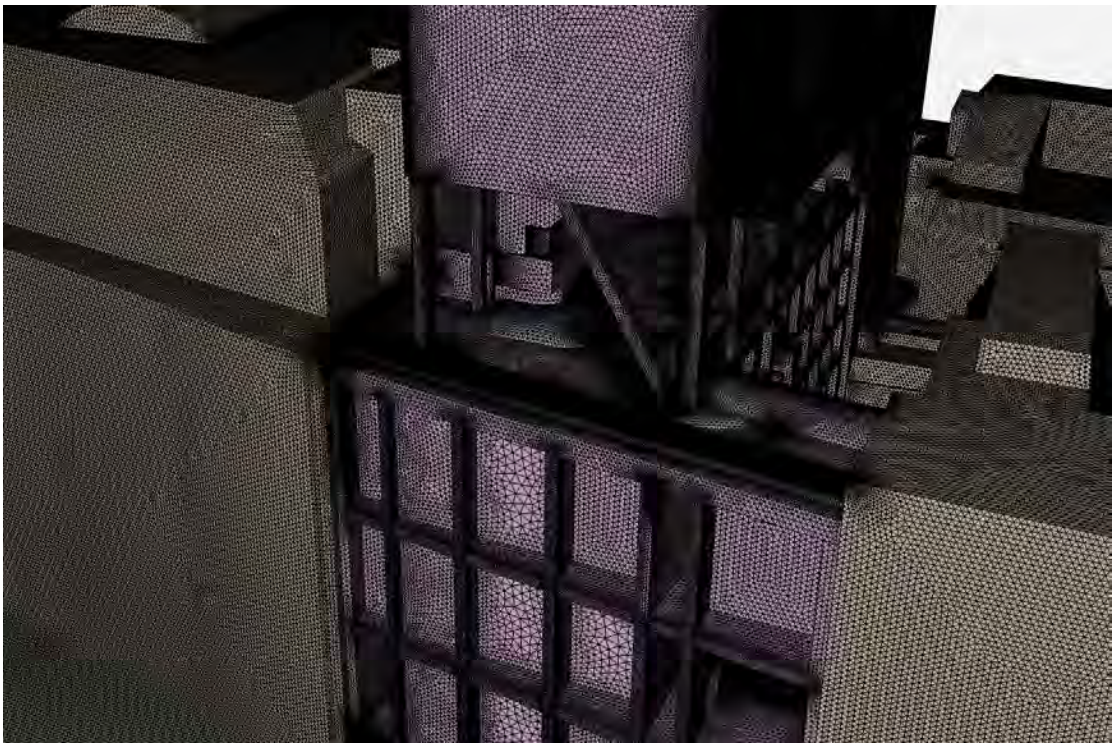


Figure 1: Mesh Detail on Site Buildings

Buildings within 400m of the site were included.

The domain was 3420mx1800m, with a blockage ratio of 0.8%

Run using the industry standard Realisable k-epsilon turbulence model with non-equilibrium wall functions.

The simulations were steady state and isothermal.

A combination of 2nd and 3rd order discretisation schemes was used.

Convergence was measured as the residuals of the continuity, x-velocity, y-velocity, z-velocity, k and epsilon equations all falling by at least 2 orders of magnitude, and by measured static pressure on the site buildings varying by less than 1% over the final 100 iterations.

The wind speed is corrected into a “gust-equivalent” mean. Which is calculated using a proprietary method which uses the Turbulent Kinetic Energy (TKE) field and the velocity field from the CFD to estimate the gust velocity across the domain.

The use of TKE has been questioned due to the known limitations of RANS in predicting absolute TKE values, but for the purposes of generating GEM only the additional TKE generated by the flow structures within the domain is relevant.

There is published literature which demonstrates that discrepancies between mean velocities from CFD and GEM from wind tunnels are mainly concerned with the gustiness associated with flow accelerations around the corners of buildings.

As can be seen on the left of Figure 2, the TKE field generated shows a clear increase in TKE in the region of corner accelerations.

The WR method has been correlated against wind tunnel data. The studies used for this are confidential, but an anonymised section is shown to the right of Figure 2 to demonstrate the benefits from changing from mean velocity to GEM.

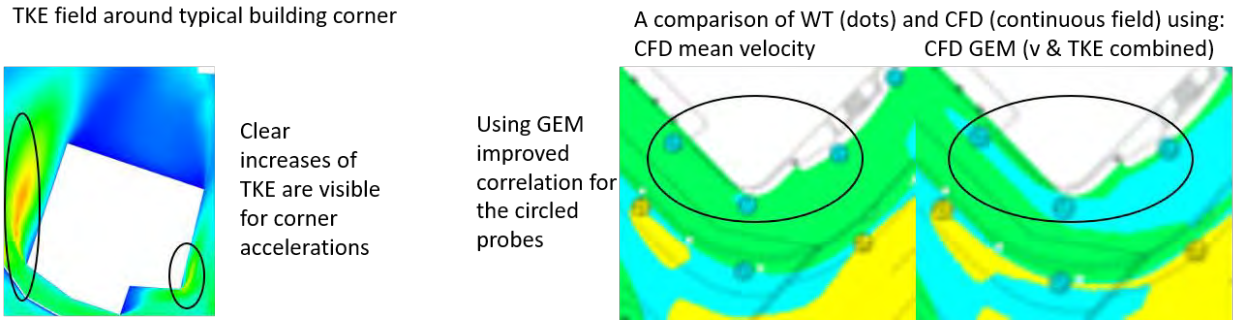


Figure 2: TKE and GEM using WR method

When trees are required to be modelled, they are incorporated by setting a momentum sink and turbulence source, in keeping with the method described by Mochida et al in "Examining tree canopy models for CFD prediction of wind environment at pedestrian level" (Journal of Wind Engineering 96, p1667-1677, 2008). This method accounts for the tree type/leaf, height, canopy spread and trunk height, and is correlated to physical measurements.

All trees are modelled in winter leaf conditions, to ensure their impact is not over-stated.

The simulations were performed form 36 equally spaced wind directions.

The measured wind speeds were compared with the directional Weibull coefficients provided in the Wind Microclimate Guidelines for Developments in the City of London to obtain pedestrian comfort and safety categorisation.

The target wind profile was defined in the City of London guidelines, comparison with the measured profile from the CFD is shown below.

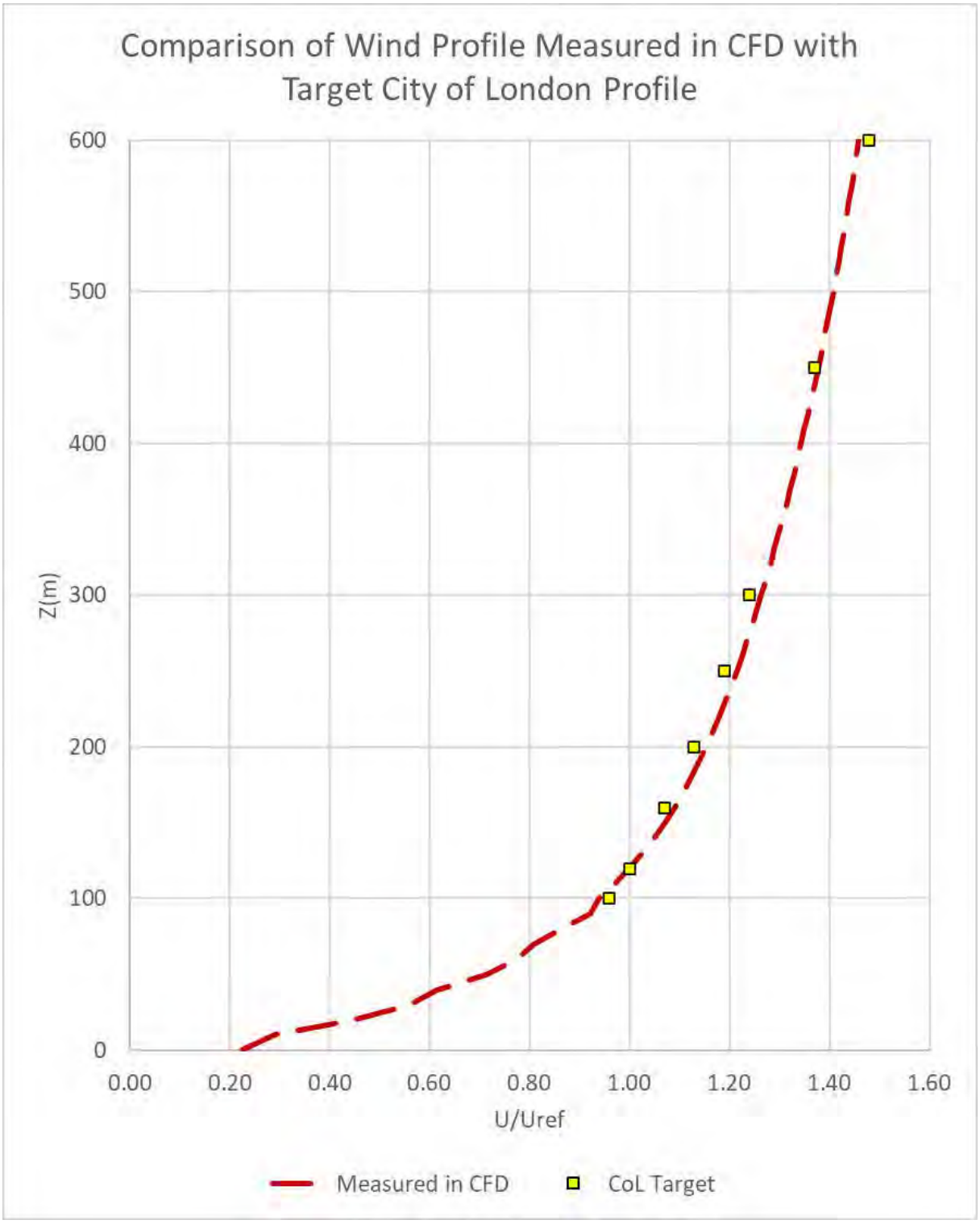


Figure 3: Wind Profile for 55 Gracechurch Street Study

Comments for Planning Application 20/00671/FULEIA

Application Summary

Application Number: 20/00671/FULEIA
Address: 55 Gracechurch Street London EC3V 0EE
Proposal: Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. |cr|REVISIONS and ADDENDUMS RECEIVED. THESE INCLUDE: revised drawings to incorporate a revised HVM bollard layout, revisions to elevational design detailing, alterations to ground floor layout and to cycle parking provision, Design and Access Statement Addendum, ES Addendum (relating to daylight, sunlight, overshadowing and solar glare effects and wind microclimate effects), Transport Assessment Addendum, revised BREEAM pre-assessment, revised Construction Environmental Management Plan all as detailed in DP9 cover letter dated 11 December 2020.|cr|The proposal would provide 34,004sq.m gea of Class E offices; 2456sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1603sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.|cr|This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Electronic copies of the ES can also be issued by Trium Environmental Consulting LLP; for further details contact hello@triumenv.co.uk or Tel: +44 (0) 203 887 7118.|cr||cr||cr|
Case Officer: Sonia Williams

Customer Details

Name: Mrs Elizabeth Webb
Address: The Aldgate School St James's Passage, Dukes Place London

Comment Details

Commenter Type: Other
Stance: Customer made comments in support of the Planning Application
Comment Reasons:
- Other

Comment:Planning application reference: 20/00671/FULEIA

The school would like to show support for the planning application at 55 Gracechurch Street. It will provide a number of positive benefits to our school community and their education:

- Provision of new pedestrian routes which are away from traffic providing clean air as our children walk to the new building.

- Provision of a new public space for our school community to use just 10 minutes from the school
- A place for the local community to gather benefitting their wellbeing
- A new garden area on the upper floor providing a green canopy for the community to sit in; away from traffic and providing a sanctuary.
- An educational space for the children to learn in and have lessons in; in particular in relation to plants and how they are affected by climate change and also the historic streets in which the building is situated.

E. Webb

From: [redacted]
Subject: RE: 20-00671-FULEIA 55 Gracechurch Street Objection - Store Property Investments Limited
Date: 06 January 2021 14:36:10
Attachments: twitter-icon_3158ced2-ad79-4f6b-ad3c-9d7809c12eef.png
linkedin-icon_f023d411-4e40-46cf-950a-93f3b0610caf.png
lsh-knows_064b08e9-0987-4d3f-8cd5-96b79b2321a0.png

FAO Sonia Williams

Good afternoon Sonia,

Further to the representations made by Lambert Smith Hampton on behalf of Store Property Investments Limited and City Apartments in October 2020, we would like to confirm that our clients objections still stand. The applicant has failed to adequately respond to the matters raised in our representation and in some cases have dismissed our clients concerns completely. The responses by the applicant (and their representatives) also contains what we believe to be factual inaccuracies relating to the chimney and escape stair.

Please do not hesitate to contact me if you have any questions.

Kind regards

Rob

Lambert Smith Hampton

Robert Reeds MRTPI
Associate Director - Planning Development & Regeneration
UK House, 180 Oxford Street, London, W1D 1NN

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Privacy Policy

From: Reeds Robert
Sent: 19 October 2020 13:59
To: 'PLNComments@cityoflondon.gov.uk'
Cc: 'plans@cityoflondon.gov.uk'; O'Neill Mary-Jane
Subject: 20-00671-FULEIA 55 Gracechurch Street Objection - Store Property Investments Limited

FAO Gywn Richards and Sonia Williams

Dear Sir / Madam,

Please find attached all documentation relating to an objection to the proposed development at 55 Gracechurch Street which is currently being considered by your department. The objection is made on behalf of **Store Property Investments Limited.**

- Cover letter
- Objection Report - *20-00671-FULEIA 55 Gracechurch Street Objection (Store Property Investments Ltd)_Obj*
    - Appendix - *20-00671-FULEIA 55 Gracechurch Street Appendix (Store Property Investments Ltd)*
- Stevens & Bolton LLP letter - *SB to Delva Patman Redler 18092020_1*
- Heritage Objection - *2020 10 04 - 55 Gracechurch Street Heritage Representation 0224*

If you could kindly confirm that the objection has been registered, it would be much appreciated.

Any questions or queries, please do not hesitate to ask.

Kind regards

Rob

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NTR Planning Ltd
Property • Planning • Consulting

Clareville House
26-27 Oxendon Street, London
SW1Y 4EL
[redacted]

3798/SW2/NTR/MEG

12th January 2021

Department of the Built Environment
City of London
PO Box 270
Guildhall
London EC2P 2EJ
For the attention of Sonia Williams

Dear Sonia

Re: Representations in relation to Planning Application ref. 20/00671/FULEIA
At: 55 Gracechurch Street, London EC3V 0EE

I am writing on behalf of our clients, Property Class England 3 GmbH & Co. KG (owners of Allianz House, no. 60 Gracechurch Street) to make representations in relation to the above application. Our clients object to this application on grounds that the redevelopment of this site would have a significant adverse impact on the amenities of occupiers of Allianz House. Indeed, whilst our client has no intention to redevelop Allianz House, the application would also have a significant adverse impact on its future development potential and would therefore be at odds with local plan objectives. It is outside the growth/renewal areas (Eastern Cluster/City Cluster/Renewal Opportunity Area) as identified in the existing and emerging local plan and would hinder the realisation of these policy objectives. The proposed building is discordant with the scale and character of the adjacent building and the surrounding area and would have an adverse impact on Heritage assets of acknowledged importance, contrary to London and Local plan policy.

Amenity of existing occupiers

Allianz House is currently occupied with retail uses at ground floor and offices above. The owners and existing tenants have concern that their existing amenities would be adversely affected by the development proposals. London plan (policy 7.6) and local plan policy (CS14), as well as emerging London plan policy D9 and Local Plan policy S12 confirm that tall buildings will only be acceptable where there is no adverse impact on the amenity of their surroundings. The daylight/sunlight report submitted with this application (as available on the Council's public access webpage) makes no reference to Allianz House and as such the applicants have failed to demonstrate that there would be no adverse impact on the daylight/sunlight. The applicants also propose a public viewing gallery on the 6th floor. This is a triple height space and would directly overlook upper level windows on the southern elevation of no. 60 Gracechurch Street. There is the prospect of loss of privacy to the occupiers of the existing building from the high

level public access garden. The applicants have not explored these amenity impacts fully, such that we can be satisfied that there would be no adverse impact. Our objections relate specifically to Allianz House, however these concerns may equally apply to other neighbouring buildings and the Council must be satisfied that no adverse impacts will occur elsewhere.

Growth/Renewal and Impact on Future Development Potential

As stated above, no. 55 Gracechurch Street is outside of the Eastern Cluster (adopted plan allocation, policy CS7) and the City Cluster (emerging plan allocation, policy S21) and therefore outside the area where there is a policy presumption in favour of growth and large-scale development (including tall buildings on suitable sites). On sites outside these cluster areas, tall buildings will only be considered suitable where regard has been had to the potential effect on the City skyline; the character and amenity of their surroundings, including relationship with existing tall building; the significance of heritage assets and their settings; and the effect on the historic skyline. Our client's site (Allianz House) is within the City Cluster and is identified as a Renewal Opportunity site, wherein the relevant emerging plan policies seek to accommodate significant growth. There is stated policy presumption in favour of the delivery of tall building on Renewal Opportunity sites, such as Allianz House, and the redevelopment of no. 55 in isolation would hinder future development opportunities on this prominent and important corner site, at odds with the aspirations of emerging plan policy.

London Plan policy is clear that any redevelopment must have regard to form, function and structure of an area and the scale, mass and orientation of surrounding buildings (London Plan policy 7.4). The 29 storey building proposed at no. 55 is of a vastly different scale and character to the local context. No. 55 is a mid terrace plot which is physically linked to its neighbours and closely inter-related in scale, function and character. The redevelopment of no. 55 in isolation, in this mid terrace location, would have potential to blight the future development potential of Allianz House, contrary to emerging plan policy.

The Principle of Development

Our clients object to the principle of the redevelopment of this site with a tall building. The London plan (policy 7.7) is clear that tall and large buildings should be part of a plan led approach to changing or developing an area, a policy aspiration that has been emphasised recently in Mr Jenrick's letter to the Mayor, where he directed a strengthening of Tall Buildings policy to ensure that developments are only brought forward in appropriate and clearly defined areas, as determined by the boroughs. The City of London has identified areas for growth through tall buildings (Eastern/City Cluster and Renewal Opportunity Areas) in accordance with London plan policy. The application site lies outside them and is not a suitable site for a tall building.

The development of a tall building in this mid terrace location would be discordant with the scale and character of the area and would hinder the development potential of the corner plot which is specifically earmarked for renewal. The development would therefore be contrary adopted and emerging plan policy. Our client's property is an important corner plot within the identified area of change and is expected to contribute to the growth in office, employment and complementary floorspace. It has a relationship with other sites within the Eastern/City cluster

(opposite and to the north). It has clear linkages in terms of use (designated 'Principle Shopping Centre' frontage along both sides of Gracechurch and Fenchurch Street) and built form. The opportunities for the renewal and regeneration of this site must not be blighted by inappropriate development at no. 55 Gracechurch Street, which itself is contrary to policy.

Design

London and Local plan policies seek to promote a high standard of design, requiring development to have regard to its surroundings and the historic and local character of the City (London Plan policy 7.7, Local Plan policy CS10). The large scale of the building proposed at no. 55 Gracechurch Street is at odds with the character of the area, which is generally made up of 7/8 story office blocks, of similar scale and proportion. The development of a mid terrace block with a tall building, with mid-rise city blocks adjacent and opposite goes against the scale and grain of the immediate neighbouring buildings and would be at odds with good design principles, which would focus height and mass towards corner locations (such as no. 60 Gracechurch Street). The development would be contrary to design policies in the London and Local plan.

You will be aware that there is a current live planning application for the redevelopment of no. 70 Gracechurch Street (to the north of Allianz house, on the opposite side of Fenchurch Street - planning application ref. 20/00816/FULEIA). The cumulative impact of the two development's, which are 29 and 33 storeys' respectively, either side of a modest mid-rise office block, would clearly be significant. The applicants have not sufficiently considered this cumulative impact to confirm no adverse impact.

Heritage

The application site is in close proximity to two conservation areas (Eastcheap and Leadenhall conservation areas) and a number of listed buildings, including the Grade 1* listed Monument and the Tower of London World Heritage Site. London plan policy 7.8 and Local Plan policy CS7 seek to protect Heritage assets and are clear that proposals for tall buildings must conserve heritage assets and their settings. Historic England has expressed serious concerns over the development on the basis of its impact on the Tower of London (World Heritage Site), the Church of Mary Woolnoth and Tower Bridge. Most importantly, they are concerned about the impact on the Monument, when viewed from the Church of St Magnis the Martyr. As I am sure you are aware, they have indicated that they are unable to support the application in its current form. This further confirms the unacceptability of the proposal.

Other Matters

Although not a planning matter, it is noteworthy that the application site includes a small parcel of land within our client's ownership and control. At the time of writing, our clients have no agreement in place with the applicants in respect of this land and as such any planning permission is incapable of being implemented.

In the light of the above, we respectfully request that this application is refused on the basis that the applicants have not demonstrated that there would be no adverse impact on the amenities of existing occupiers of the adjacent building (Allianz house); it is discordant with the City of

London's policy aspiration which seeks to focus growth and renewal in the Eastern/City cluster area and may hinder the future development potential of Allianz House; the development is out of character with its immediate surroundings and contrary to design policies in the London and Local plan; and the development, in its current form, would have an adverse impact on heritage assets of acknowledged importance.

We would be grateful to receive confirmation of receipt of this correspondence and to be informed of progress with this application hereafter.

Yours sincerely

[redacted]

Meghan Allen
Associate
NTR Planning
[redacted]

Committee:	**Date:**
Planning and Transportation	26 January 2021
Subject: St Benet's Place London EC3V 0EE Temporary removal, alteration and reinstatement of the Grade II Listed Iron Gateway in St Benet's Place.	**Public**
Ward: Bridge And Bridge Without	**For Decision**
Registered No: 20/00743/LBC	**Registered on:** 14 October 2020
Conservation Area:	**Listed Building:** Grade II

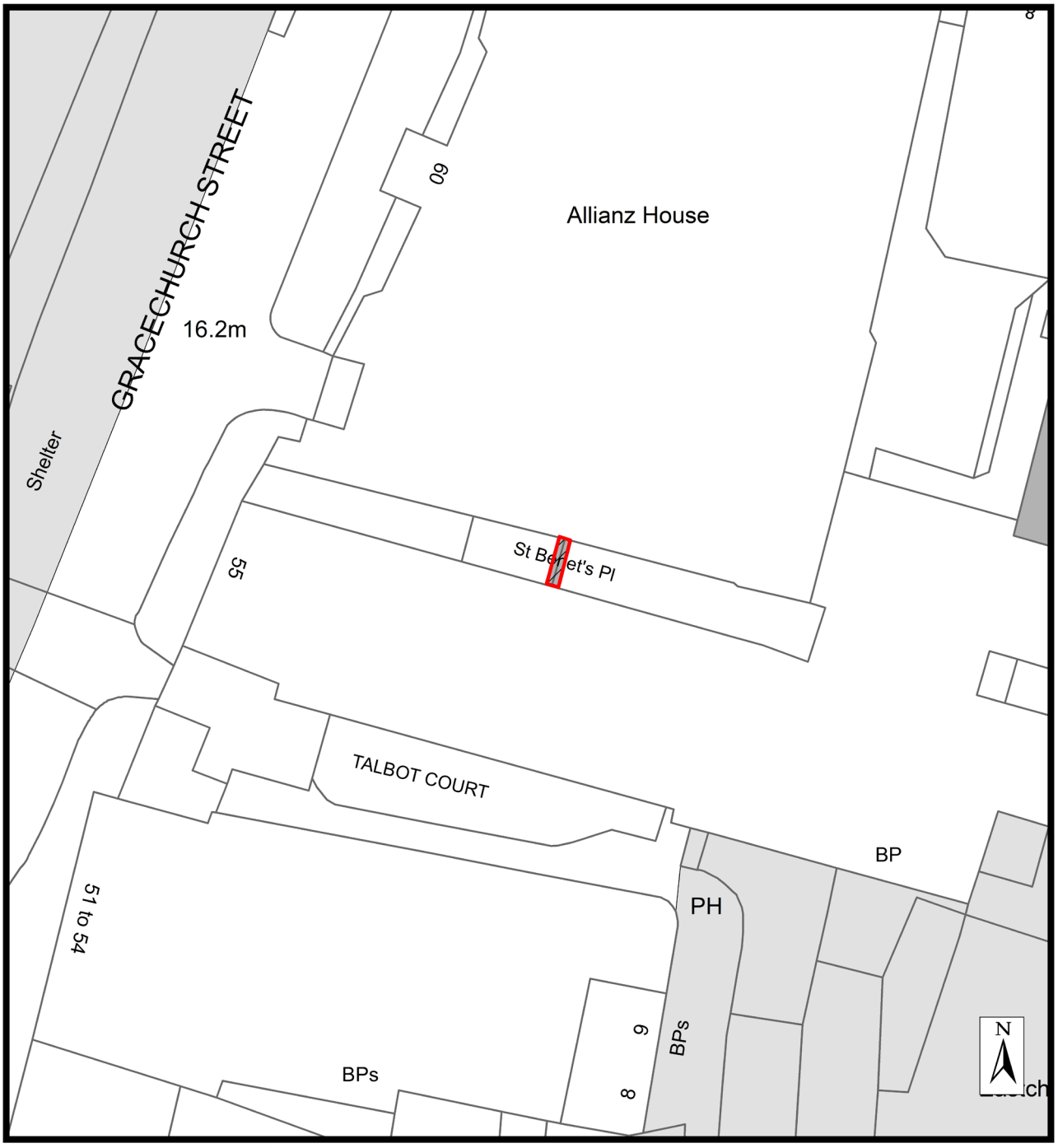
Summary

Members should refer to the report for application reference 20/00671/FULEIA which includes consideration of this listed building consent application and the reasons supporting the recommendation in this report.

Recommendation

That listed building consent be granted for the above proposal in accordance with the details set out in the attached schedule.

Site Location Plan



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ADDRESS:

St Benet's Place, London EC3V 0EE

CASE No.
20/00743/LBC

SITE LOCATION

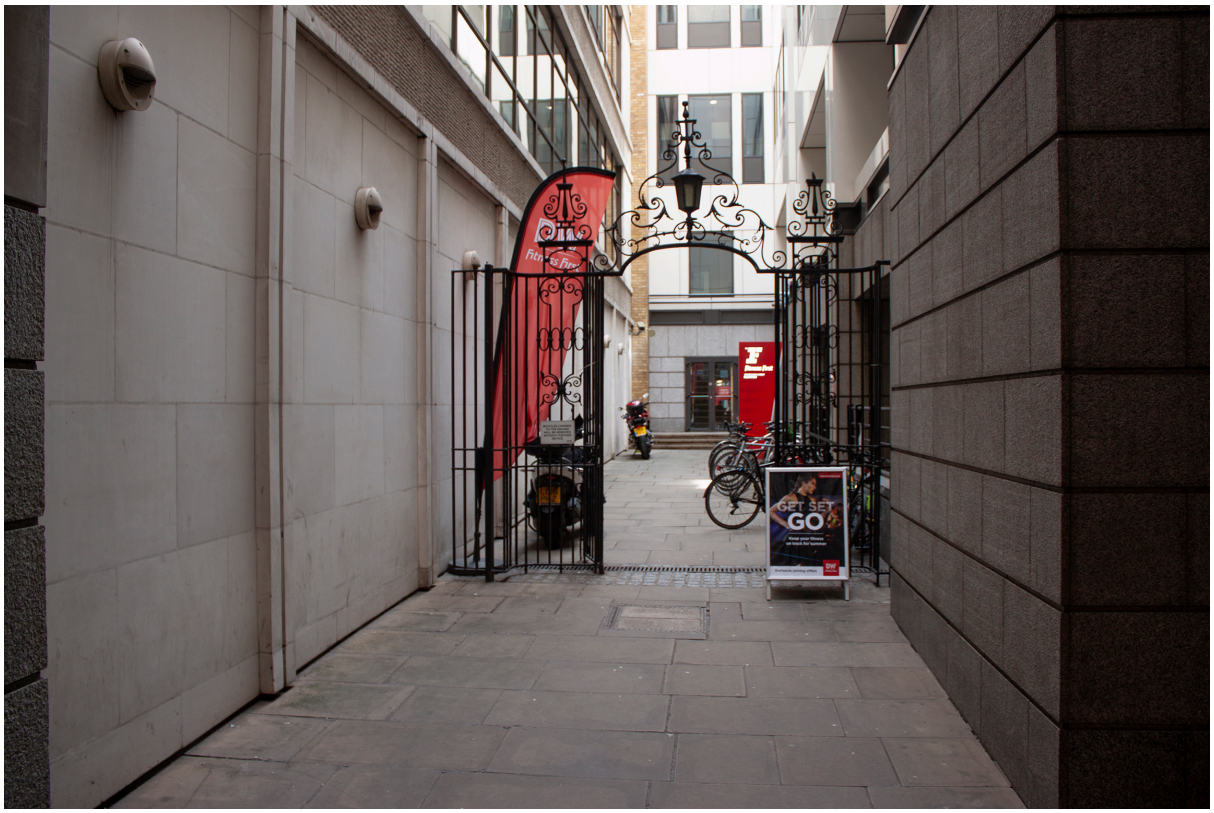
LISTED BUILDINGS

CONSERVATION AREA BOUNDARY

CITY OF LONDON BOUNDARY

CITY OF LONDON

DEPARTMENT OF THE BUILT ENVIRONMENT


GET SET
GO

Relevant Local Plan Policies

CS12 Conserve or enhance heritage assets

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

DM12.1 Change affecting heritage assets

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

2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.

3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.

4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.

5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM12.3 Listed buildings

1. To resist the demolition of listed buildings.

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

SCHEDULE

APPLICATION: **20/00743/LBC**

St Benet's Place London EC3V 0EE

Temporary removal, alteration and reinstatement of the Grade II Listed Iron Gateway in St Benet's Place.

CONDITIONS

1 The works hereby permitted must be begun before the expiration of three years from the date of this consent.
REASON: To ensure compliance with the terms of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 The listed gates shall not be removed more than one month prior to the commencement of development approved under planning permission 20/00671/FULEIA.
REASON: To ensure the protection of the special architectural or historic interest of the building in accordance with the following policy of the Local Plan: DM12.3.

3 Prior to commencement of the relevant works a methodology and specification of works, covering the detail of removing, storing, alterations, restoring and the reinstatement of the gates, to include detailed drawings of fixings and any other alteration, shall be submitted to and approved in writing by the Local Planning Authority, and the works carried out in accordance with those details.
REASON: To ensure the protection of the special architectural or historic interest of the building in accordance with the following policy of the Local Plan: DM12.3.

4 All new works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to materials, colour, texture and profile unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
REASON: To ensure the protection of the special architectural or historic interest of the building in accordance with the following policy of the Local Plan: DM12.3.

5 The listed gates shall be reinstated in accordance with the drawings hereby approved, or as approved under conditions of this consent, prior to the first occupation of any part of the development approved under planning permission 20/00671/FULEIA.
REASON: To ensure that the Local Planning Authority may be satisfied with the detail and to protect the special architectural and historic

interest of the building in accordance with the following policies of the Local Plan: DM 10.1, DM 12.1, DM12.3

6 The works hereby permitted shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this consent: PP-FPA-XX-XX-DR-A-16800; PP-FPA-XX-00-DR-A-16801 rev A; Schedule of Listed Building Works September 2020.
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.

Committee:	**Date:**
Planning and Transportation	26 January 2021
Subject: Philpot House 2-3 Philpot Lane London EC3M 8AN Demolition of chimney attached to Grade II Listed 2 and 3 Philpot Lane.	**Public**
Ward: Bridge And Bridge Without	**For Decision**
Registered No: 20/00769/LBC	**Registered on:** 8 October 2020
Conservation Area: Eastcheap	**Listed Building:** Grade II

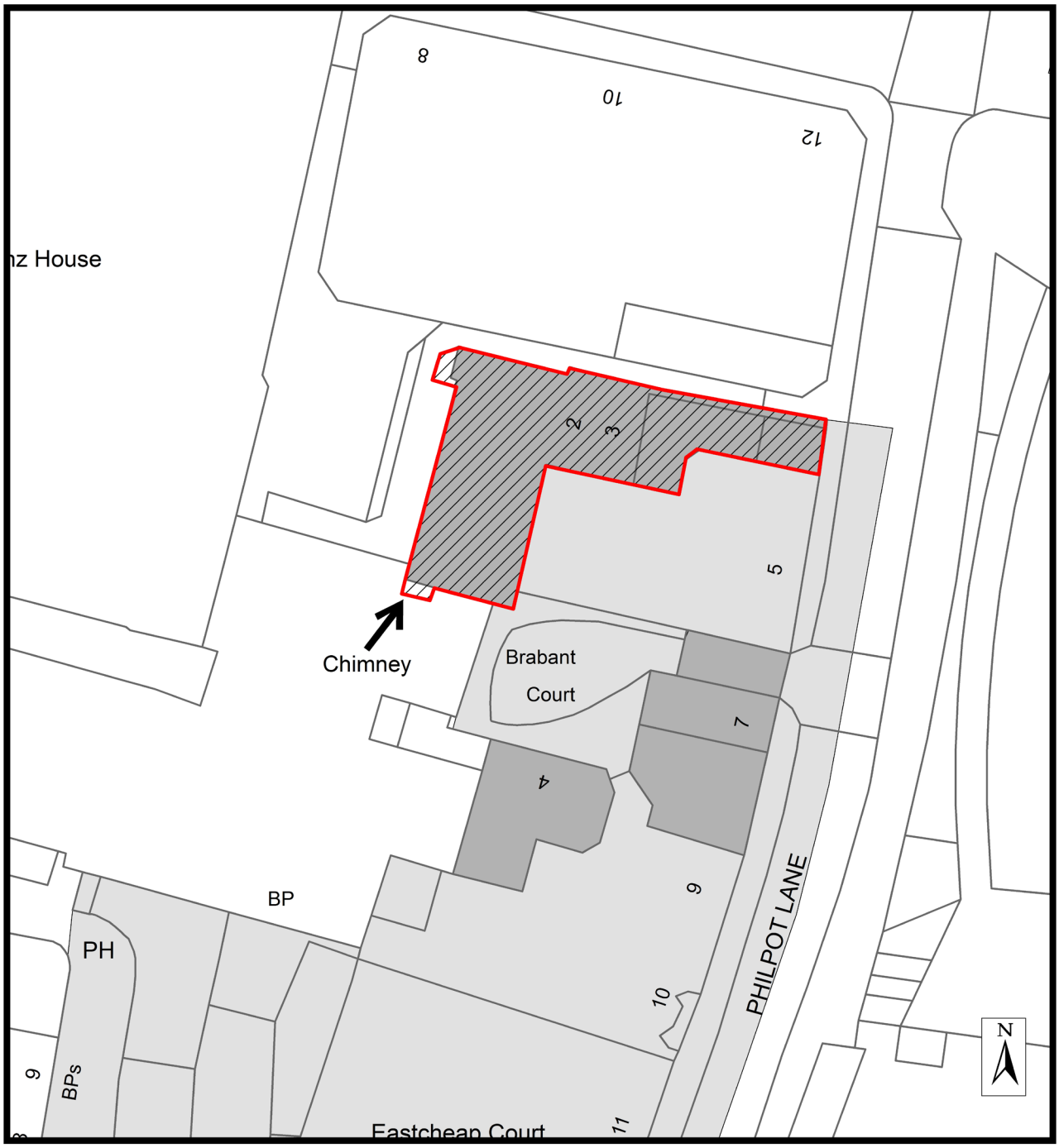
Summary

Members should refer to the report for application reference 20/00671/FULEIA which includes consideration of this listed building consent application and the reasons supporting the recommendation in this report.

Recommendation

That listed building consent be granted for the above proposal in accordance with the details set out in the attached schedule.

Site Location Plan



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ADDRESS:

2-3 Philpot Lane, London EC3M 8AN

CASE No.
20/00769/LBC

SITE LOCATION

LISTED BUILDINGS

CONSERVATION AREA BOUNDARY

CITY OF LONDON BOUNDARY

CITY OF LONDON

DEPARTMENT OF THE BUILT ENVIRONMENT



2-3 Philpot Lane – Chimney

2-3 Philpot Lane – Aerial View

Relevant Local Plan Policies

CS12 Conserve or enhance heritage assets

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

DM12.3 Listed buildings

1. To resist the demolition of listed buildings.

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

SCHEDULE

APPLICATION: **20/00769/LBC**

Philpot House 2-3 Philpot Lane London

Demolition of chimney attached to Grade II Listed 2 and 3 Philpot Lane.

CONDITIONS

1 The works hereby permitted must be begun before the expiration of three years from the date of this consent.
REASON: To ensure compliance with the terms of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 All new works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to materials, colour, texture and profile unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
REASON: To ensure the protection of the special architectural or historic interest of the building in accordance with the following policy of the Local Plan: DM12.3.

3 The works hereby permitted shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this consent:

PP-FPA-XX-XX-DR-A-16700 1:1250 + 1:500 @A3 Site Location Plan

PP-FPA-XX-B1-DR-A-16701 1:50 @A1 Existing, Demolition & Proposed - Basement Plan
PP-FPA-XX-LG-DR-A-16702 1:50 @A1 Existing, Demolition & Proposed - Lower Ground Plan
PP-FPA-XX-00-DR-A-16703 1:50 @A1 Existing, Demolition & Proposed - Ground Floor Plan rev A
PP-FPA-XX-01-DR-A-16704 1:50 @A1 Existing, Demolition & Proposed - Level 01 Plan rev A
PP-FPA-XX-02-DR-A-16705 1:50 @A1 Existing, Demolition & Proposed - Level 02 Plan rev A
PP-FPA-XX-03-DR-A-16706 1:50 @A1 Existing, Demolition & Proposed - Level 03 Plan rev A
PP-FPA-XX-04-DR-A-16707 1:50 @A1 Existing, Demolition & Proposed - Level 04 Plan rev A
PP-FPA-XX-05-DR-A-16708 1:50 @A1 Existing, Demolition & Proposed - Level 05 Plan rev A
PP-FPA-XX-RF-DR-A-16709 1:50 @A1 Existing, Demolition & Proposed - Roof Plan rev A

PP-FPA-XX-XX-DR-A-16710 1:50 @A1 Existing Elevation - South
PP-FPA-XX-XX-DR-A-16711 1:50 @A1 Demolition Elevation - South

PP-FPA-XX-XX-DR-A-16712 1:50 @A1 Proposed Elevation - South

PP-FPA-XX-XX-DR-A-16720 1:50 @A1 Existing Elevation - West
PP-FPA-XX-XX-DR-A-16721 1:50 @A1 Demolition Elevation - West

PP-FPA-XX-XX-DR-A-16722 1:50 @A1 Proposed Elevation - West
PP-FPA-XX-XX-DR-A-16730 1:50 @A1 Existing Elevation - North
PP-FPA-XX-XX-DR-A-16731 1:50 @A1 Demolition Elevation - North

PP-FPA-XX-XX-DR-A-16732 1:50 @A1 Proposed Elevation - North

Schedule of Listed Building Consent Works - 2-3 Philpot Lane.
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.

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Committee(s)	**Dated:** 26 January 2021
Planning & Transportation Committee	
Subject: Revenue and Capital Budgets 2021/22	**Public**
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	**n/a**
Does this proposal require extra revenue and/or capital spending?	**N**
If so, how much?	**n/a**
What is the source of Funding?	**n/a**
Has this Funding Source been agreed with the Chamberlain's Department?	**n/a**
Report of: The Chamberlain Director of the Built Environment Director of Open Spaces	**For Decision**
Report author: Dipti Patel, Chamberlain's Department	

Summary

This report presents for approval the revenue and capital budgets for the Planning & Transportation Committee for 2021/22.

Overall, the proposed revenue budget for 2021/22 totals (£18.830M), a decrease in net expenditure of £0.552M compared to the 2020/21 Original Budget of (£19.382M).

The proposed budget for 2021/22 has been prepared within the resource envelopes allocated to each Director by Resource Allocation Sub Committee in December 2020, but is dependent on the delivery of significant savings proposals, some of which are subject to Member approval, and some of which are still being developed. These resource envelopes cannot be exceeded.

The resource envelopes include Target Operating Model (TOM) savings which have been applied but are yet to be identified. The Director will continue to work through proposals against the 12% savings and these will be revised once the TOM is progressed through the year(s).

The resource envelopes must be adhered to, as failure to do so will impact Finance Committee's ability to set Council Tax rates for the year ahead and the requirement in law for the City to set a balanced City Fund budget.

Recommendation(s)

Members are asked to:

i) review and approve the proposed revenue budget for 2021/22 for submission to Finance Committee;
ii) review and approve the proposed capital budgets for 2021/22 for submission to Finance Committee;
iii) review and approve the 50 Year Bridges' Repairs, Maintenance and Major Works budgets;
iv) authorise the Chamberlain, in consultation with the Directors of the Built Environment and Open Spaces, to revise these budgets to allow for any further implications arising from subsequently approved savings proposals, amended 2021/22 pay award and changes to the Cyclical Works Programme; and
v) agree that amendments to budgets arising from changes to recharges during budget setting be delegated to the Chamberlain.

Main Report

Background

1. This report sets out the latest budget for 2020/21 and the proposed revenue and capital budgets for 2021/22 for your Committee and under the control of the Departments of the Built Environment and Open Spaces, analysed between:

    - **Local Risk budgets** – these are budgets deemed to be largely within the Chief Officer's control.
    - **Central Risk budgets** – these are budgets comprising specific items where a Chief Officer manages the underlying service, but where the eventual financial outturn can be strongly influenced by external factors outside of their control or are budgets of a corporate nature (e.g. interest on balances and rent incomes from investment properties).
    - **Support Services and Capital Charges** – these cover budgets for services provided by one activity to another. The control of these costs is exercised at the point where the expenditure or income first arises as local or central risk.

2. In the various tables, income, increases in income, and reductions in expenditure are shown as positive balances, whereas brackets will be used to denote expenditure, increases in expenditure, or reductions in income. Only significant variances (generally those greater than £50,000) have been commented on.

3. The latest 2020/21 budget and provisional 2021/22 budgets, summarised in Table 1 below, are analysed by risk, fund and Chief Officer in Appendix 1.

Table 1 Summary Revenue Budgets 2020/21 and 2021/22	Original Budget 2020/21 £'000	Latest Budget 2020/21 £'000	Original Budget 2021/22 £'000
Expenditure	(48,136)	(49,284)	(38,097)
Income	41,127	41,973	31,612
Support Services & Capital Charges	(12,373)	(12,408)	(12,345)
Total Net Expenditure	**(19,382)**	**(19,719)**	**(18,830)**

Latest Revenue Budget 2020/21

4. Appendix 2 provides details on budget movements between the 2020/21 original budget and 2020/21 latest budget. Overall, the 2020/21 latest budget is net expenditure of (£19.719M), an increase in net expenditure of (£0.337M) compared to the 2020/21 original budget. Main reasons for this net increase are:

   Budget Increases:
   - Approved COVID-19 re-budgeting adjustment (£310,000) from RASC
   - Increases in pay costs due to contribution pay and recruitment of apprentices (£289,000)
   - Parking Ticket Office Restructure cost (£274,000)

   Budget Decreases:
   - Carry-forward of budget overspend from 2019/20, £221,000
   - Reduction in the cost of the Cyclical Works Programme due to changes in planned works £264,000

Proposed Revenue Budget for 2021/22

5. The proposed 2021/22 budget is net expenditure of (£18.830M), a decrease of £0.552M in net expenditure compared to the 2020/21 original budget.

6. The budget has been prepared within the resource envelopes allocated to each Director agreed by Resource Allocation Sub Committee in December 2020, with the following exceptions and assumptions:

   Director of the Built Environment
   - In order to remain within the Director's resource envelope before the 12% savings and Target Operating Model (TOM) reductions are applied, changes to service provision will be required and options for Members' approval are set out in a separate paper on this agenda. Total savings to be delivered of £1.09M are required, which include provisional savings of £0.785M that have already been allocated to individual budgets and a further amount of "Savings to be Applied" of £0.307M which are all subject to Member approval for this Committee. These have been incorporated into the 2021/22 budget, if Members approve options which will deliver a lower level of savings, alternative savings to the value of the shortfall must be identified in order to remain within the Director's resource envelope.

- In addition to the savings proposals outlined above, the Department's required 12% TOM reduction of £2.423M, of which for this Committee amounts to £1.368M, have yet to be identified. The Director will continue to work through proposals against the 12% savings and these will be revised once the TOM is progressed through the year(s). The 12% savings have therefore been included in the budget as Unidentified Efficiency Savings to ensure flexibility to move people into the right roles as a result of the TOM.

Director of Open Spaces

- The budget has been prepared within the Bridge House Estate resource base.

7. Appendix 3 provides details on budget movements between the 2020/21 original budget and the 2021/22 proposed budget. Overall, there is a decrease in net expenditure of £0.552M. Main reasons for this net decrease are:

Budget Decreases:

- Reduced transfer to reserves mainly due to impact of the pandemic on parking income from PCN's/dispensations/suspensions £5.364M
- 12% TOM savings yet to be identified £1.368M
- Savings to be applied £0.307M subject to Member approval
- Reduced contract and staff costs of £1.307M for "Traffic Restriction Enforcement through improved camera technology, including Beech St Zero Emission Zone"
- Reduction in Highways Repairs & Maintenance, Recoverable works and energy costs £741,000
- Reduced contractor costs for Parking Services £501,000
- One-off cost adjustment relating to Fundamental Review for review of Planning Obligations Funding requirements and CIL changes on developments £130,000 and other reduction in Supplies and Services £94,000
- A reduction in the cost of the Cyclical Works Programme due to changes in planned works £192,000

Budget Increases:

- Decrease mainly in PCN income and Traffic Restriction Enforcement income (£7.017M)
- Shortfall in income from Thames Tideway SLA, Recoverable Works, Hoarding & Scaffolding Licences, Road Closures, Car Park fees, Building Control fees, Pipe Subway Openings and Highways Admin Charges (£1.458M)
- Decrease in transfer from parking reserves required to Highways Services and Off-Street Parking (£515,000) due to reduced operating costs
- Reduced staff cost recharges to capital projects (£559,000)

Staffing Statement

8. Table 2 below shows the movement in manpower and related staff costs.

9. Members should note that the staff costs for 2021/22 included below and throughout the report were calculated based on the original 3-year pay deal agreed in 2020 which included a cost of living pay award of 2.25% on basic pay and 5% on London weighting for all staff from 1 July 2021. The subsequent decision to reduce the 2021/22 pay award to a 1.525% increase for staff on grades A to C only, was made too late to be incorporated into this report, and budgets will need to be amended accordingly, with the resulting savings of approximately £227,000 now being used to offset the £556,000 vacancy factor in the first instance.

Table 2 **Staffing Summary**	**Original Budget 2020/21**		**Original Budget 2021/22**	
	Manpower Full-time Equivalent	**Estimated Cost £000**	**Manpower Full-time Equivalent**	**Estimated Cost £000**
Director of The Built Environment				
Town Planning	49.8	(3,188)	53.3	(3,474)
Planning Obligations	2.2	(140)	2.2	(147)
Transportation Planning	41.0	(2,878)	34.9	(2,589)
Road Safety	3.0	(202)	2.0	(123)
Building Control	23.5	(1,604)	23.0	(1,633)
Structural Maintenance/Inspections	5.1	(372)	5.0	(383)
Highways	26.8	(1,666)	24.7	(1,612)
Traffic Management	17.5	(886)	16.6	(898)
Off-Street Parking	2.0	(101)	0.7	(48)
On-Street Parking	31.0	(1,308)	22.8	(1,095)
Drains & Sewers	8.4	(465)	8.6	(500)
Directorate	10.4	(967)	11.1	(1,037)
Vacancy Factor		306		556
	220.7	**(13,471)**	**204.9**	**(12,983)**
Director of Open Spaces				
Tower Bridge Operational	31.5	(1,469)	30.6	(1,564)
	31.5	**(1,469)**	**30.6**	**(1,564)**
Total P&T Committee	**252.2**	**(14,940)**	**235.5**	**(14,547)**

Bridges Repairs, Maintenance and Major Works

10. The functions relating to the control, maintenance and repair of the five City river bridges (delegated to Planning & Transportation Committee) is exercised in the City's capacity as trustee of Bridge House Estates (BHE). The main purpose of the BHE charity is the maintenance and support of the bridges. In considering whether or not to expend funds of the BHE, the City Corporation as sole trustee of the charity must ensure expenditure is in furtherance of the charitable purposes and BHE is compliant with the duties on the City as trustee (including to act in the best interests of the charity). See Appendix 4 for a summary of the principal duties and responsibilities of charity trustees.

11. The City as trustee has established a designated fund to meet expenditure on repair, maintenance and works on the bridges, known as the BHE Bridges Repairs Fund. It is operated to provide sufficient resources to meet maintenance costs of the five bridges over a period of 50 years. In accordance with the management of the Fund, the schemes have been reviewed and updated in the 50 year projections to 2070/71. These are shown in Appendix 5.

12. Designated funds relevant to the BHE bridges are now managed as follows:

    - Bridges Repairs – representing funds required to maintain the bridges for the next 5 years. The balance held at each financial year-end will be adjusted in line with the maintenance reports provided by the specialist structural engineers contracted by DBE to advise on matters relating to the Bridges owned by DBE, to ensure sufficient funds have been ring fenced.

    - Bridges Replacement - representing funds set aside for the future rebuild of the bridges, based on the present value of estimated future costs and adjusted for increases in construction costs.

13. The value of the above designated funds as at 31 March 2020 was:

    - Bridges Repairs £41,736,500

    - Bridges Replacement £158,510,433

14. A summary of the works projection is shown below in Table 3. The proposed works are considered to be within the purposes of BHE.

Table 3:
Bridges Repairs, Maintenance and Major 50 Year Works Projection to 2070/71

	£'000
Planned expenditure (inflated at 2% pa):	
• Blackfriars Bridge	(52,290)
• Southwark Bridge	(43,145)
• London Bridge	(25,894)
• Millennium Bridge	(32,762)
• Tower Bridge	(155,819)
Forecast Works as at 31 March 2071	**(309,910)**

15. Within the budgets provided for you as part of the overall Bridges Repairs Fund, there are a number of projects which are currently classed as Supplementary Revenue Projects (SRP) which will have to go through the gateway process.

    The forthcoming projects which may be required are summarised in Table 4 below.

Table 4	**Project**	**Budget £'000**	**Starting Date**
Blackfriars Bridge	Parapet Repairs /Bridge Refurb South Subway Repairs	9,065 650	19/20-23/24 24/25
Southwark Bridge	Approach Spans Refurbishment Footway Strengthening Touch-up Painting	2,047 1,250 600	20/21-22/23 22/23-23/24 23/24-24/25
Millennium Bridge	Cable Re-tensioning (if required) Deck/Parapet Works Inclinator Repair/Renewal	1,283 637 900	21/22 23/24-24/25 22/23-23/24
Tower Bridge	High Voltage System Replacement Domestic/Foul Water Drainage Hydraulic Power Pack Replacement Sprinkler System Replacement Operating System Replacement Paint Touch-up Service Cover Duct Replacement	8,011 500 1,300 3,000 833 4,250 561	20/21-22/23 22/23 20/21-21/22 22/23 21/22-22/23 22/23-24/25 21/22
All Bridges	River Camera Projects	357	20/21-21/22

Draft Capital and Supplementary Revenue Budgets

16. The latest estimated costs of the Committee's current capital and supplementary revenue projects are summarised in Appendix 6.

17. Pre-implementation costs comprise feasibility and option appraisal expenditure which has been approved in accordance with the project procedure, prior to authority to start work.

18. Therefore, the above pre-implementation figures exclude the indicative costs of schemes which have not yet received authority to start work, such as the capital costs of implementing the Bank Junction or Tower Bridge HV system replacement project.

19. The latest Capital and Supplementary Revenue Project forecast expenditure on approved schemes will be presented to the Court of Common Council for formal approval in March 2021.

Conclusion

20. This report presents the proposed budgets for 2021/22 for the Planning & Transportation Committee for Members to consider and approve.

Appendices

- Appendix 1 – Committee Summary Budget – by Risk, Fund and Chief Officer
- Appendix 2 – 2020/21 Original Budget to 2020/21 Latest Budget
- Appendix 3 – 2020/21 Original Budget to 2021/22 Original Budget
- Appendix 4 - Summary of Charity Trustee's Role
- Appendix 5 - Bridges Repairs, Maintenance and Major works 50 Year Programme
- Appendix 6 – Draft Capital and Supplementary Revenue Budgets

Background Papers

- Report: 2021/22 Budget Setting Update – Resource Allocation Sub Committee, 10 December 2020

Report author

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APPENDIX 1

Committee Summary Budget – by Risk, Fund and Chief Officer

Analysis by Service: City Fund and Bridge House Estates by Chief Officer	Original Budget 2020/21 £'000	Latest Budget 2020/21 £'000	Original Budget 2021/22 £'000
CITY FUND			
Director of Built Environment			
Town Planning	(2,834)	(2,850)	(2,992)
Transportation Planning	(611)	(612)	(628)
Road Safety	(399)	(384)	(330)
Street Scene	(70)	(70)	(70)
Building Control	(488)	(431)	(646)
Structural Maintenance/Inspections	(513)	(520)	(621)
Highways	(3,152)	(3,124)	(2,818)
Traffic Management	1,412	1,427	974
Off Street Parking	431	431	465
On Street Parking	(3,933)	(4,207)	(3,685)
Drains & Sewers	(240)	(241)	(370)
Contingency	306	(114)	1,935
Built Environment Directorate	(1,172)	(1,214)	(1,242)
LOCAL RISK	**(11,263)**	**(11,909)**	**(10,028)**
City Surveyor – All Services	**(1,360)**	**(1,096)**	**(1,168)**
TOTAL LOCAL RISK	**(12,623)**	**(13,005)**	**(11,196)**
CENTRAL RISK			
Director of Built Environment			
Town Planning	660	660	580
Structural Maintenance/Inspections	60	60	60
Highways	2,314	2,314	2,050
Off Street Parking	515	322	258
On Street Parking	4,253	4,527	4,035
Contingency	(15)	(15)	(15)
TOTAL CENTRAL RISK	**7,787**	**7,868**	**6,968**
BRIDGE HOUSE ESTATES			
Director of Built Environment			
Bridges	(275)	(275)	(281)
Director of Open Spaces			
Tower Bridge Operational	(1,806)	(1,809)	(1,901)
TOTAL LOCAL RISK	**(2,081)**	**(2,084)**	**(2,182)**
Bridges	(92)	(90)	(75)
TOTAL CENTRAL RISK	**(92)**	**(90)**	**(75)**
TOTAL SUPPORT SERVICES AND CAPITAL CHARGES	**(12,373)**	**(12,408)**	**(12,345)**
COMMITTEE TOTAL NET EXPENDITURE	**(19,382)**	**(19,719)**	**(18,830)**

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APPENDIX 2

Latest Revenue Budget 2020/21 **Analysis of Service Expenditure**	Local or Central Risk	Original Budget 2020/21 £'000	Latest Budget 2020/21 £'000	Movement Better/ (Worse) £'000	Para Ref
Expenditure					
Employees	L	(14,512)	(14,893)	(381)	1
Employees	C	(428)	(428)	0	
Premises Related Expenses	L	(5,895)	(6,068)	(173)	2
Premises Related Expenses	C	(30)	(30)	0	
City Surveyor – Repairs & Maintenance	L	(1,360)	(1,096)	264	3
Transport Related Expenses	L	(24)	(24)	0	
Supplies & Services	L	(2,228)	(2,472)	(244)	4
Supplies & Services	C	(1,181)	(757)	424	5
Third Party Payments	L	(4,263)	(4,263)	0	
Third Party Payments	C	(585)	(639)	(54)	6
Contingencies	L	0	(310)	(310)	7
Contingencies	C	(15)	(15)	0	
Transfer to Reserve	C	(17,353)	(18,029)	(676)	8
Capital Charges	C	(262)	(260)	2	
Total Expenditure		**(48,136)**	**(49,284)**	**(1,148)**	
Income					
Grants, Reimbursements & Contributions	L	209	668	459	9
Grants, Reimbursements & Contributions	C	225	225	0	
Customer, Client Receipts	L	9,534	9,534	0	
Customer, Client Receipts	C	24,503	25,083	580	10
Transfer from Reserves	C	2,761	2,568	(193)	11
Recharges to Capital Projects	L	3,835	3,835	0	
Recharges to Capital Projects	C	60	60	0	
Total Income		**41,127**	**41,973**	**846**	
Total Expenditure/(Income)		**(7,009)**	**(7,311)**	**(302)**	
Recharges					
Central Support & Capital Charges		(12,321)	(12,321)	0	
Recharges within Fund		284	286	2	
Recharges Across Funds		(336)	(373)	(37)	
Total Recharges		**(12,373)**	**(12,408)**	**(35)**	
TOTAL NET EXPENDITURE/(INCOME)		**(19,382)**	**(19,719)**	**(337)**	

Notes:

1. Parking Ticket Office restructure costs (£274,000), allocations for apprentice costs (£185,000) and contribution pay (£104,000) from central pots. Off-set by carry-forward of budget overspend from 2019/20 £221,000.

2. Increase relates to Local Implementation Plan Programme (£100,000) and street scene works (£73,000), which are fully offset by matching income contributions (see para 9).

3. Changes to phasing of the Cyclical Works Programme (CWP).

4. Increase relates to Local Implementation Plan Programme (£27,000) and street scene works (£251,000), which are fully offset by matching income contributions (see para 9).

5. Budget transfer to Capital for CCTV enforcement cameras project £370,000 and £54,000 transfer to third party payments for pay by phone contract costs.

6. Budget transfer from supplies & services (para 5) for pay by phone contract costs (£54,000).

7. Approved COVID-19 re-budgeting adjustment agreed by RASC.

8. Increase in transfer to reserves is mainly due to savings from budget transfer to Capital for CCTV enforcement cameras project (£370,000) and increase in PCN income (£580,000) (para10), which are partly offset by Parking Ticket Office Restructure costs £274,000.

9. Local Implementation Plan Programme £133,000 and street scene works £326,000 third party contributions.

10. Increase in PCN income to allow for enforcement of a driver's first contravention at Bank Junction.

11. Decrease in transfer from reserves required to Off Street Parking, due to reduced net operating costs at the car parks, largely due to changes to phasing of CWP.

APPENDIX 3

Latest Revenue Budget 2021/22 **Analysis of Service Expenditure**	Local or Central Risk	Original Budget 2020/21 £'000	Original Budget 2021/22 £'000	Movement Better/ (Worse) £'000	Para Ref
Expenditure					
Employees	L	(14,512)	(14,547)	(35)	
Employees	C	(428)	0	428	1
Premises Related Expenses	L	(5,895)	(5,154)	741	2
Premises Related Expenses	C	(30)	0	30	
City Surveyor – Repairs & Maintenance	L	(1,360)	(1,168)	192	3
Transport Related Expenses	L	(24)	(24)	0	
Supplies & Services	L	(2,228)	(2,004)	224	4
Supplies & Services	C	(1,181)	(302)	879	5
Third Party Payments	L	(4,263)	(3,762)	501	6
Third Party Payments	C	(585)	(573)	12	
Contingencies	L	0	1,686	1,686	7
Contingencies	C	(15)	(15)	0	
Transfer to Reserve	C	(17,353)	(11,989)	5,364	8
Capital Charges	C	(262)	(245)	17	
Total Expenditure		**(48,136)**	**(38,097)**	**10,039**	
Income					
Grants, Reimbursements & Contributions	L	209	243	34	
Grants, Reimbursements & Contributions	C	225	225	0	
Customer, Client Receipts	L	9,534	8,076	(1,458)	9
Customer, Client Receipts	C	24,503	17,486	(7,017)	10
Transfer from Reserves	C	2,761	2,246	(515)	11
Recharges to Capital Projects	L	3,835	3,276	(559)	12
Recharges to Capital Projects	C	60	60	0	
Total Income		**41,127**	**31,612**	**(9,515)**	
Total Expenditure/(Income)		**(7,009)**	**(6,485)**	**524**	
Recharges					
Central Support & Capital Charges		(12,321)	(12,145)	176	13
Recharges within Fund		284	277	(7)	
Recharges Across Funds		(336)	(477)	(141)	14
Total Recharges		**(12,373)**	**(12,345)**	**28**	
TOTAL NET EXPENDITURE/(INCOME)		**(19,382)**	**(18,830)**	**552**	

Notes:

1. Decrease in staff costs for Parking Ticket Office as part of Fundamental Review budget adjustment for "Traffic Restriction Enforcement through improved camera technology, including Beech St Zero Emission Zone".

2. Reduced Highways Repairs & Maintenance Works £344,000, Recoverable Works £300,000 and energy costs £135,000. Recoverable works are fully offset by a reduction in the matching income contributions (para 9 (iv)).

3. Changes to phasing of the Cyclical Works Programme.

4. One-off cost adjustment relating to the Fundamental Review for review of Planning Obligations Funding requirements and CIL changes on developments £130,000, budget transfer to employee costs to support Climate Action Strategy work £50,000 and other supplies & services cost savings £44,000.

5. Decrease in one-off costs as part of Fundamental Review budget adjustment for "Traffic Restriction Enforcement through improved camera technology, including Beech St Zero Emission Zone" £954,000, off-set by increase in on-going printing, postage and software maintenance costs (£75,000).

6. Reduced On-Street and Off-Street parking contractor costs.

7. Decrease relates to:
    i) Savings to be Applied £307,000, subject to Member approval.
    ii) 12% Target Operating Model savings £1.368M, yet to be identified.

8. Reduced transfer to reserves mainly due to impact of the pandemic on parking income for PCN's/dispensations/suspensions.

9. Shortfall in income relates to:
    iii) Ceasing of Thames Tideway SLA agreement (£308,000).
    iv) Recoverable Works contribution (£300,000).
    v) Hoarding & Scaffolding Licences (£285,000).
    vi) Road Closures (£139,000).
    vii) Car Park fee income (£137,000)
    viii) Building Control fee income (£129,000).
    ix) Pipe Subways Opening charges (£110,000).
    x) Highways Recoverable Works admin charges (£50,000)

10. Decrease in PCN income from business as usual (£2.157M) and Traffic Restriction Enforcement (£4.586M), dispensations/suspensions (£158,000), land charges income (£80,000) and Minories car park rental income (£36,000).

11. Decrease in transfer from parking reserves required to Highways Services for reduced repairs and maintenance costs (£264,000) and to Off-Street Parking due to decrease in net operating costs at the car parks, largely due to changes to phasing of CWP (£251,000).

12. Reduced staff cost recharges to capital projects.

13. Decrease in support services recharges due to changes in the cost and allocation of central departments.

14. Increase in recharges for Illegal Street Trading on and by the bridges (£84,000) and Policing the Bridges (£63,000).

Summary of Charity Trustees' role

The City Corporation, acting through the Court of Common Council and committees to which functions of the Bridge House Estates Charity have been delegated, is the sole trustee of the Charity. Therefore all Members of the Court (or those committees) collectively, perform that role. All Charity trustees must always act in the best interests of the Charity and manage any conflicts of interest or loyalty accordingly. When Members of the Court (at the Court itself or across committees) are dealing with business associated with the Charity, they must ensure that the best interests of the Charity are paramount.

The City Corporation, as trustee of Bridge House Estates has the following main duties:-

1. To ensure the charity is carrying out its purposes for the public benefit.
2. To comply with the charity's governing documents and the law.
3. To act in the charity's best interests.
4. To manage the charity's resources responsibly.
5. To act with reasonable care and skill.
6. To ensure the charity is accountable.

The courts have developed principles of trustee decision-making which trustees should be able to show that they have followed. These are that in making decisions about the charity, trustees must:

1. act within their powers (i.e. consistent with the charity's objects and powers.)
2. act in good faith, and only in the interests of the charity.
3. make sure they are sufficiently informed, taking any advice they need.
4. take account of all relevant factors.
5. ignore any irrelevant ones.
6. manage conflicts of interest.
7. make decisions that are within the range of decisions that a reasonable trustee body could make in the circumstances.

While the City Corporation is acting in its general corporate capacity as trustee of Bridge House Estates, the Charity Commission's guidance for Local authorities acting as a charitable Trustee is helpful in providing clarification where an organisation must balance its competing duties and interests (available on their website at : https://www.gov.uk/government/publications/local-authorities-as-charity-trustees); as is the Charity Commission's Conflicts of Interest Guidance, CC29 (also available on their website at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/343408/CC29-_PDF.pdf)

The report presented to Court of Common Council on 16 January 2014 entitled "The role of the City of London Corporation as Trustee of the Bridge House Estates" clarifies the distinct functions and responsibilities of Committees that conduct business relating to the Charity as they existed at the time, and is listed as a background document to this report.

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Bridge	Category	REVISED 2020/21	REVISED 2021/22	REVISED 2022/23	REVISED 2023/24	REVISED 2024/25	REVISED 2025/26	REVISED 2026/27	REVISED 2027/28	REVISED 2028/29	REVISED 2029/30	Later Years to 2071	50 years
Blackfriars	Building main	(11,700)	(107,000)	(1,900)	(1,900)	(1,900)	(3,200)	(1,900)	(1,900)	(1,900)	(1,900)	(164,071)	(299,271)
Blackfriars	Floodlighting	(5,100)	(5,100)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(21,000)	(5,000)	(5,000)	(1,899,317)	(1,965,517)
Blackfriars	Street lighting	(19,800)	(47,500)	(3,400)	(2,500)	(2,500)	(7,500)	(3,400)	(2,500)	(2,500)	(2,500)	(364,969)	(459,069)
Blackfriars	Electrical	(20,900)	(20,900)	(65,500)	(20,500)	(20,500)	(20,500)	(26,000)	(20,500)	(20,500)	(20,500)	(1,533,439)	(1,789,739)
Blackfriars	Inspections	(2,000)	(5,100)	(2,000)	(5,000)	(20,500)	(45,000)	(278,700)	(5,000)	(2,000)	(5,000)	(735,391)	(1,105,691)
Blackfriars	Painting	(100,000)	(2,295,000)	(5,110,000)	(1,560,000)	0	0	0	0	0	0	(14,014,610)	(23,079,610)
Blackfriars	Civil/Structural	(8,300)	(8,300)	(28,100)	(14,600)	(658,100)	(58,100)	(8,100)	(8,100)	(8,100)	(8,100)	(19,913,287)	(20,721,187)
Blackfriars	Inclinator	(7,100)	(7,100)	(27,000)	(23,000)	(7,000)	(7,000)	(7,000)	(57,000)	(7,000)	(23,000)	(2,697,718)	(2,869,918)
Blackfriars	**All Categories**	**(174,900)**	**(2,496,000)**	**(5,242,900)**	**(1,632,500)**	**(715,500)**	**(146,300)**	**(330,100)**	**(116,000)**	**(47,000)**	**(66,000)**	**(41,322,800)**	**(52,290,000)**
Southwark	Building main	(2,900)	(60,800)	(3,700)	(2,600)	(2,900)	(2,900)	(2,600)	(12,600)	(2,600)	(2,600)	(270,739)	(366,939)
Southwark	Floodlighting	(17,100)	(5,100)	(5,000)	(5,000)	(5,000)	(5,000)	(17,000)	(5,000)	(95,000)	(25,000)	(1,979,528)	(2,163,728)
Southwark	Street lighting	(26,600)	(3,600)	(2,500)	(3,400)	(2,500)	(2,500)	(3,500)	(2,500)	(2,500)	(3,400)	(603,434)	(656,434)
Southwark	Electrical	(3,900)	(34,500)	(13,800)	(3,800)	(3,800)	(3,800)	(3,800)	(3,800)	(3,800)	(3,800)	(607,101)	(685,901)
Southwark	Inspections	(5,100)	(26,500)	(10,000)	(3,600)	(5,000)	(3,600)	(6,500)	(46,000)	(10,000)	(3,600)	(686,686)	(806,586)
Southwark	Painting	0	0	0	(100,000)	(500,000)	0	0	0	0	0	(10,186,065)	(10,786,065)
Southwark	Civil/Structural	(6,100)	(6,100)	(106,000)	(1,235,600)	(6,000)	(6,000)	(6,000)	(6,000)	(985,600)	(3,806,000)	(14,403,197)	(20,572,597)
Southwark	Park Street Bridge/approaches	(50,000)	(160,100)	(1,840,000)	(1,000)	0	(1,000)	0	(52,900)	(120,000)	(1,000)	(4,880,749)	(7,106,749)
Southwark	**All Categories**	**(111,700)**	**(296,700)**	**(1,981,000)**	**(1,355,000)**	**(525,200)**	**(24,800)**	**(39,400)**	**(128,800)**	**(1,219,500)**	**(3,845,400)**	**(33,617,500)**	**(43,145,000)**
London	Building main	(27,900)	(66,500)	(2,500)	(2,500)	(2,500)	(2,900)	(2,500)	(2,500)	(2,500)	(2,500)	(239,273)	(354,073)
London	Floodlighting	(23,100)	(5,100)	(5,000)	(5,000)	(5,000)	(23,000)	(5,000)	(5,000)	(5,000)	(5,000)	(2,695,551)	(2,781,751)
London	Street lighting	(2,000)	(2,000)	(2,000)	(2,000)	(2,000)	(12,000)	(2,000)	(2,000)	(8,000)	(2,000)	(646,086)	(682,086)
London	Electrical	(43,500)	(76,700)	(14,400)	(13,200)	(13,200)	(13,200)	(13,200)	(14,400)	(13,200)	(13,200)	(1,103,798)	(1,331,998)
London	Inspections	(47,600)	(2,200)	(3,900)	(2,200)	(13,200)	(2,200)	(3,900)	(2,200)	(3,900)	(2,200)	(599,390)	(682,890)
London	Access/Lifts	(28,700)	(28,700)	(7,000)	(7,000)	(19,000)	(7,000)	(7,000)	(7,000)	(7,000)	(7,000)	(813,755)	(939,155)
London	Civil/Structural	(2,874,100)	(77,500)	(6,000)	(6,000)	(6,000)	(6,000)	(6,000)	(6,000)	(506,000)	(6,000)	(12,660,683)	(16,160,283)
London	Approach Vaults	0	(3,600)	0	(9,300)	0	(3,500)	0	(3,500)	0	(9,300)	(2,921,142)	(2,950,342)
London	Duke St Hill Footbridge	0	(1,000)	0	(1,000)	0	(5,100)	0	0	0	0	(4,322)	(11,422)
London	**All Categories**	**(3,046,900)**	**(263,300)**	**(40,800)**	**(48,200)**	**(60,900)**	**(74,900)**	**(39,600)**	**(42,600)**	**(545,600)**	**(47,200)**	**(21,684,000)**	**(25,894,000)**
Millennium	Building main	(44,200)	(3,400)	(3,300)	(53,300)	(590,300)	(3,300)	(253,300)	(3,300)	(3,300)	(3,300)	(5,034,492)	(5,995,492)
Millennium	Floodlighting	(30,100)	(5,100)	(5,000)	(5,000)	(5,000)	(13,000)	(5,000)	(5,000)	(5,000)	(5,000)	(2,589,056)	(2,672,256)
Millennium	Electrical	(7,900)	(22,200)	(7,700)	(25,700)	(7,700)	(7,700)	(7,700)	(7,700)	(7,700)	(66,000)	(1,113,893)	(1,281,893)
Millennium	Painting	0	0	0	0	0	0	(100,000)	(1,900,000)	0	0	(6,292,750)	(8,292,750)
Millennium	Inclinator	(47,900)	(37,700)	(137,000)	(837,000)	(53,000)	(37,000)	(37,000)	(37,000)	(37,000)	(37,000)	(8,283,179)	(9,580,779)
Millennium	Struct/Inspections	(90,300)	(1,250,500)	(21,000)	(21,000)	(21,000)	(21,000)	(89,000)	(26,000)	(36,000)	(21,000)	(3,342,030)	(4,938,830)
Millennium	**All Categories**	**(220,400)**	**(1,318,900)**	**(174,000)**	**(942,000)**	**(677,000)**	**(82,000)**	**(492,000)**	**(1,979,000)**	**(89,000)**	**(132,300)**	**(26,655,400)**	**(32,762,000)**
Tower	Building main	(1,026,600)	(349,600)	(1,032,500)	(606,800)	(472,400)	(2,005,200)	(332,700)	(325,300)	(582,400)	(316,800)	(38,744,766)	(45,795,066)
Tower	Floodlighting	(335,400)	(265,200)	(20,000)	(20,000)	(20,000)	(20,000)	(95,000)	(20,000)	(20,000)	(20,000)	(5,580,394)	(6,415,994)
Tower	Street lighting	(11,100)	(6,100)	(6,000)	(6,000)	(7,100)	(6,000)	(11,000)	(6,000)	(6,000)	(7,100)	(1,266,870)	(1,339,270)
Tower	Electrical	(3,277,000)	(6,283,100)	(321,600)	(222,800)	(245,400)	(1,600)	(1,600)	(31,600)	(1,600)	(13,600)	(8,350,601)	(18,750,501)
Tower	Alarms/CCTV	(159,500)	(202,500)	(3,048,500)	(133,500)	(288,500)	(48,500)	(168,500)	(48,500)	(48,500)	(148,500)	(7,024,723)	(11,319,723)
Tower	Inspections	(14,200)	(5,100)	(50,000)	(10,000)	(3,900)	(5,000)	(3,900)	(5,000)	(50,000)	(10,000)	(1,009,800)	(1,166,900)
Tower	Lifts/Access	(119,200)	(116,900)	(61,500)	(123,500)	(334,500)	(112,500)	(294,600)	(77,500)	(59,500)	(99,900)	(8,819,796)	(10,219,396)
Tower	Heating	(30,000)	(137,700)	(35,000)	0	0	(5,000)	(5,000)	0	0	0	(5,698,685)	(5,911,385)
Tower	Bridge ops sys	(92,400)	(517,800)	(571,600)	(1,600)	(3,700)	(20,200)	(3,700)	(1,600)	(3,700)	(1,600)	(1,337,183)	(2,555,083)
Tower	Painting	0	0	(50,000)	(200,000)	(4,000,000)	0	0	0	0	0	(24,270,045)	(28,520,045)
Tower	Civil/Structural	(59,300)	(569,300)	(38,100)	(38,100)	(38,100)	(38,100)	(38,100)	(54,000)	(38,100)	(38,100)	(11,776,578)	(12,725,878)
Tower	Bridge Admin	(140,300)	(140,300)	(137,600)	(147,600)	(137,600)	(137,600)	(137,600)	(137,600)	(137,600)	(147,600)	(9,698,758)	(11,100,158)
Tower	**All Categories**	**(5,265,000)**	**(8,593,600)**	**(5,372,400)**	**(1,509,900)**	**(5,551,200)**	**(2,399,700)**	**(1,091,700)**	**(707,100)**	**(947,400)**	**(803,200)**	**(123,578,200)**	**(155,819,400)**
Total All Bridges All Categories		**(8,818,900)**	**(12,968,500)**	**(12,811,100)**	**(5,487,600)**	**(7,529,800)**	**(2,727,700)**	**(1,992,800)**	**(2,973,500)**	**(2,848,500)**	**(4,894,100)**	**(246,857,900)**	**(309,910,400)**

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Draft Capital and Supplementary Revenue Budgets

Service	Project	Exp. Pre 01/04/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000	Later Years £'000	Total £'000
BRIDGE HOUSE ESTATES							
	Pre-implementation						
Blackfriars Bridge	Parapet Refurbishment	40	80				120
Tower Bridge	Trenches Refurbishment	4	46				50
Tower Bridge	HV system replacement	30	869	324			1,223
	Authority to start work granted						
London Bridge	Waterproofing and Bearings	334	3,018				3,352
	TOTAL BRIDGE HOUSE ESTATES	**408**	**4,013**	**324**	**0**	**0**	**4,745**

Service	Project	Exp. Pre 01/04/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000	Later Years £'000	Total £'000
CITY FUND							
Schemes individually greater than £1m	**Pre-implementation**						
	Bank Junction	1,039	585	337	-	-	1,961
	Barbican Podium	142	145	1,249	-	-	1,536
	Authority to start work granted						
	150 Bishopsgate	300	518	360	-	-	1,178
	2-6 Cannon Street	377	467	248	-	-	1,092
	22 Bishopsgate	208	715	228	-	-	1,151
	Aldgate Gyratory	22,287	157	-	-	-	22,444
	Bank Junction Interim	1,589	233	-	-	-	1,822
	Bart's Close	2,208	788	-	-	-	2,996
	Beech Street	992	503	655	-	-	2,150
	Covid19 Recovery	-	1,395	133	-	-	1,528
	City Signage	1,479	440	254	-	-	2,173
	Crossrail Integration	3,841	3,689	1,076	36	-	8,642
	Culture Mile	1,582	527	165	-	-	2,274
	HVM Security	992	1,480	1,033	-	-	3,505
	London Wall Place	3,921	19	339	-	-	4,279
	Moor Lane	247	13	44	1,029	-	1,333
	St Paul's Area	1,669	85	-	-	-	1,754
	Shoe Lane Quarter	6,962	147	-	-	-	7,109
	Street Lighting	3,786	466	-	-	-	4,252
	Sub-Total > £1m schemes	**53,621**	**12,372**	**6,121**	**1,065**	**-**	**73,179**
Schemes individually less than £1m	Pre-implementation	1,672	1,625	820	-	-	4,117
	Authority to start Work granted	6,652	2,401	1,218	98	142	10,511
	Sub-Total < £1m schemes	**8,324**	**4,026**	**2,038**	**98**	**142**	**14,628**
	TOTAL CITY FUND	**61,945**	**16,398**	**8,159**	**1,163**	**142**	**87,807**

	TOTAL PLANNING & TRANSPORTATION	**62,353**	**20,411**	**8,483**	**1,163**	**142**	**92,552**

Committee(s)	**Dated:**
Port Health & Environmental Services Committee Planning & Transportation Committee	20 January 2021 26 January 2021
Subject: DBE Service Changes & Budget Proposals	**Public**
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	**10, 11, 12**
Does this proposal require extra revenue and/or capital spending?	**No**
If so, how much?	**N/A**
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain's Department?	**N/A**
Report of: Carolyn Dwyer, Director of the Built Environment	**For Decision**
Report authors: Ian Hughes, Deputy Director (Highway Operations), Transportation & Public Realm **Jim Graham, Assistant Director (Cleansing), Transportation & Public Realm**	

Summary

The Department of the Built Environment provides a range of front-line services for the Port Health & Environmental Services and Planning & Transportation Committees, including various cleansing, highways, parking and planning functions.

In conjunction with the Chamberlain, DBE's annual budget setting process for 2021/22 is well underway, taking into account updated projections for income and expenditure as well as DBE's new budget envelope set by Resource Allocation Sub Committee.

Two key challenges have been identified in setting a balanced service budget for 2021/22, namely:

- A £2.2m shortfall due to increasing departmental costs, a reduction in income across the board (mainly due to the impact of COVID-19) and other funding streams no-longer being available.
- The requirement to deliver a further £2.4m saving (12% of net budget) in due course to reflect the corporate requirement under the Target Operating Model.

The immediate need is to identify measures to deliver the initial £2.2m saving for a balanced budget and enable Finance Committee to set Council Tax rates for the year ahead.

Most vacant posts have already been deleted to help balance this year's budget, so the option of making further savings through internal staff changes is best

considered later in the year as part of the TOM realignment, particularly since such options would require significant discussion & consultation before implementation.

With that immediate need in mind, DBE's options are therefore largely limited to changes in service within its key contracts for cleansing, highway maintenance and parking.

The options presented in this report will require changes to some of those service standards, and where the City has typically operated to specifications set well above what might be considered the norm, such elevated specifications do not now appear to be sustainable.

From these options, officers have recommended those items that would meet the initial savings requirement with the least amount of risk and impact. Members are requested to approve those recommendations, but if Members decide not to accept one or more of those recommendations, then others from the list of options will need to be agreed in order to meet the savings required.

It is fully appreciated that these recommendations represent in some cases a considerable step change in the way these services are provided, but they are recommended as a result of a root & branch review of these functions and the scope for further changes in the timescale required is extremely limited.

Recommendation(s)

Port Health & Environmental Services Committee are recommended to:

- Agree the overall approach to identifying savings at this time, including the changes in service provision outlined in this report as they relate to the Cleansing service.

Planning & Transportation Committee are recommended to:

- Agree the overall approach to identifying savings and additional income opportunities at this time as they relate to the Highways, Parking & Traffic Management functions, including:
    - those items identified as Amber and Green at paragraph 52
    - those items identified as Red at paragraph 82, subject to the subsequent approval of the Policy & Resources Committee in relation to DBE's local risk funding for the Lord Mayor's Show.

Main Report

Background

1. Members will no doubt be aware that the aim of the 2021/22 budget round is to set the City Corporation on a direction that delivers a sustainable budget over the medium term, based on a number of key assumptions around business rate income, progress with the Target Operating Model (TOM),

previously agreed Fundamental Review targets, the potential impact of Brexit and the forecast impact of COVID-19.

2. To that end, a number of strategic actions have already been taken, including departmental bilateral meetings between Service Committee Chairs, Chief Officers, senior Members of Resource Allocation Sub Committee and the Chamberlain. These meetings demonstrated a shared commitment to delivering that sustainable budget, including a requirement for an average saving in Corporation funding of 12% as a result of the above factors.

3. Resource Allocation Sub Committee has now agreed resource envelopes for each department consistent with that position, requiring the Department of the Built Environment to review the way in which it delivers its statutory and discretionary services for its two principal Committees, namely Port Health & Environmental Services and Planning & Transportation

Current Position

4. In terms of DBE's overall budget position, prior to the requirement to deliver a 12% TOM saving, the department was already facing a number of budget pressures totalling £2.2m that require immediate action to ensure a balanced budget can be set for 2021/22.

5. The actions necessary to deliver the 12% TOM saving can be made during the course of 2021/22, with the first full year of savings delivered in 2022/23, but DBE must now review how it delivers some of its key services from April 2021 in order to meet the initial requirement of a £2.2m saving. Failure to do so will impact Finance Committee's ability to set Council Tax rates for the year ahead, and in any case, as the majority of DBE's services are City Fund, there is a requirement in law for the City to set a balanced budget in this area.

6. The most obvious influencing factor behind the need to identify an initial £2.2m in savings has been the reduction in DBE income related to the impact of COVID across the range of fees & charges received from parking, highways, cleansing, district surveyors & planning functions.

7. Those income streams have been conservatively estimated for next year because of the current uncertainty about the pace and scale of recovery. Although additional income due to that recovery could be assumed and allocated towards the various savings targets, officers would caution against this as the speed of economic recovery based on a rapid business & tourist return to the Square Mile remains uncertain.

8. In addition to COVID, DBE also needed to address a number of other financial pressures including:

    - A pre-existing reduction in fees & charges prior to COVID indicative of a drop off in construction activity, likely due to uncertainty over the impact of Brexit
    - The need to meet previously agreed savings identified through the Fundamental Review and staff vacancy factors

- Additional staff costs to be met as a result of recruitment within the Planning Development team and the need for local risk budgets to carry the cost of past pay awards
- The cessation of one-off funding amounts that had previously been used to balance the department's budget
- A much lower than anticipated commercial waste royalty payment from Cleansing's service provider (Veolia)
- The ongoing requirement to find efficiencies within the overall Cleansing contract to absorb the inflationary increases in service costs and the significant increase in waste disposal costs for dry mixed recycling.

9. As a result of the above factors, the current projection for 2021/22 suggests the need to identify £2.2m in savings from the services DBE performs for PH&ES and P&T Committee in order to stabilise and balance DBE's budget. To set this in context, that £2.2m is required against an overall local risk expenditure budget of £37m across all services.

10. It should also be noted that if DBE overspend this financial year, any overspend would be carried over into 2021/22, increasing the level of savings that would be required. However, a series of in year adjustments have already been made to minimise that risk, and the current projection is for DBE to deliver a balanced budget in 2020/21. Those in year adjustments have included deleting vacant posts, reducing services to match the reduced footfall levels during COVID and implementing a parking tariff increase from January. Additionally, there was an in-year budget adjustment agreed by RASC of £310k.

11. When applied to DBE's net local risk budget of £20m the additional 12% requirement equates to a further £2.4m saving that will also be required. As noted above, the working assumption agreed with the Chamberlain is that those additional savings will start to be delivered during the course of the 2021/22 financial year but only fully realised for 2022/23. That's because they will largely be driven through the departmental realignment due to take place later this year as DBE is brought together with Open Spaces and Consumer Protection.

12. However, an understanding of the need for these further savings should not be lost as the steps proposed in this report to stabilise DBE's budget cannot be considered the end of this process. Further service efficiencies are likely to be needed in order to supplement changes delivered through the TOM, supported if possible by additional income as a consequence of a post-COVID economic recovery.

13. DBE's local risk expenditure is largely made up of two areas; staff costs and outsourced service contracts. Given the staffing structure will be the main focus of the TOM and the departmental realignment, the primary approach proposed to meet the immediate need of stabilising DBE's budget is through a root & branch review of those major contracts for cleansing, highway

maintenance and parking, as well as implementing further changes to services to in order to reduce costs or increase income.

14. This report outlines the proposals resulting from that root & branch review and aims to provide Members with an understanding of the reasoning and consequences behind the recommendations that are believed necessary to meet this budget challenge.

15. To be clear, that root & branch review fully acknowledged and appreciated the historic service standards the City has traditionally maintained in these areas, but the financial position DBE is facing in terms of setting a sustainable budget for the medium term has required officers to recognise that those standards are (in some cases) significantly higher when benchmarked against other authorities across London, and as such are out of step with what other authorities find affordable.

Port Health & Environmental Services Committee Proposals

- **Cleansing Services**

Service Changes

	Options	Recommend	Saving
1	Love Square Mile	Yes	£7K
2	Reduction in daily morning sweeping resource	Yes	£760K
	Reduction in weekday afternoon sweeping resource		
	Reduction in night-time resources		
	Reduction in weekend resources		
	Reduction in carriageway sweeping and washing/flushing		
3	Limited Attended Toilet closure: Royal Exchange and Eastcheap toilets	Yes	£125K
4	Full closure of APCs	Yes	£95K
5	Full closure of Urilifts	Yes	£45K
6	Additional Attended Toilet closure: Paternoster Square and Tower Hill toilets	No	£285K
7	Cessation of the Community Toilet Scheme	No	£45k
8	Additional reduction of daily street cleansing resources and frequencies	No	£265K

Love Square Mile

16. It is recommended that subscription to this mobile reporting application is ended when it expires in 2021. A low number of reports is received through this which can now be raised using the City website or redirected through the contact centre.

Cleansing resources reduction

17. Officers are recommending a significant reduction in cleansing (£760K) from April 2021. These changes will lead to a reduction in cleanliness, a visible lowering of on-street standards, and move the service to a more reactive position, with response times to all jobs being longer, some significantly. This reduction in service will achieve the minimum standards set out in the Environmental Protection Act 1990 (EPA 1990). This package of reductions would be taken from the following services:

    - **Reduction in daily morning sweeping:**
      The current contract specification requires that all streets receive a full manual sweep every morning by a dedicated on-street operative to achieve an enhanced grade A standard of cleanliness. This is detailed in Appendix 1. The proposed reduced service will aim to achieve a grade A level of cleanliness and focus on the high footfall areas and transport hubs with some streets with lower footfall not being swept every day. On days that these streets are not swept they will be maintained by daily litter clearance. This will result in more on-street litter around the City during the day which may not be cleared the same day. There will be more accumulations of detritus which may lead to increased weed growth during spring and summer and consequent additional costs in removal/treatment.

    - **Reduction in weekday afternoon/evening sweeping:**
      Currently there are dedicated on-street sweeping operatives who focus on maintaining high cleanliness standards in the high footfall areas and transport hubs during the afternoon and evening. If approved, the proposed reduction in this resource will result in the standard of cleansing dropping noticeably in the afternoon and evening. Some resources will be retained for the immediate areas outside transport hubs, but other areas will not be returned to minimum EPA 1990 standards until the following morning.

    - **Reduction in night-time cleansing:**
      This will reduce the service at night to a minimum requirement to respond to significant incidents of antisocial behaviour and emergency call outs. Some areas that have deteriorated during the evening and night will not be returned to minimum EPA 1990 standards until the morning sweep. This will include littering caused by the night-time economy that is not in the immediate vicinity of venues that are required to contribute to the night-time levy.

- **Reduction in weekend cleansing:**
  This will reduce our service at weekends with the removal of sweeping operatives and responsive mobile crews. This will result in more litter and slower response times to non-emergency issues which may not be cleared the same day. This will put greater pressure on these resources to deal with the effects of the night-time economy, resulting in streets taking longer to return to an acceptable standard in the morning.

- **Reduction in carriageway sweeping and washing:**
  Mechanical sweeping and carriageway washing will be reduced. This reduction in washing and sweeping will have an impact on staining and the build-up of detritus on pavements and roads, this will become more noticeable during the summer and extended periods of hot weather, resulting in weed growth.

- **General**
  Overall, the above reductions will result in reduced cleanliness standards and leave services vulnerable to failure. Officers will continue to work with the contractor to mitigate this risk.

Public Convenience closures

18. The City's provision of toilet facilities in the Square Mile is made through a variety of facilities such as Attended Toilets, Automatic Public Conveniences (APCs), pop-up urinals (Urilift) and by businesses via the Community Toilet Scheme (CTS). A breakdown of toilet usage is provided in Appendix 2.

19. Officers have provided the following options for the reduction or removal of this provision as below. The savings for each service are indicated in the table above.

    - **Royal Exchange & Eastcheap Attended Toilets:** Officers recommend that these facilities are permanently closed. They have very low usage and poor access and egress, with alternative free facilities available at Cannon Street Station just 0.2 miles away. There are also many CTS and hospitality venues nearby with modern, adequate and accessible facilities. The facilities at Eastcheap are of Victorian design with significant accessibility issues and both toilets need significant investment and modernisation.

    - **APCs & Urilifts:** These facilities also have very low usage. Officers are confident that the remaining four APCs that are maintained by Danfo can be closed by terminating the existing maintenance contract. These toilets are located in private buildings and were installed as part of Section 106 arrangements with developers. However, officers believe that termination costs are negligible. The urilift facilities can be mothballed in situ saving their annual maintenance cost of £45,000.

- **Paternoster Square and Tower Hill Toilets:** The recommendation is to retain these two public conveniences. They are situated near the major tourist areas of the City recognising that many users are visitors who do not have access to facilities at their workplace or home. They both are of modern design and have good access and egress. Officers are of the view that this is the best approach and, in conjunction with an effective CTS, will still deliver good service provision. Officers will carry out a review of signage in conjunction with the management company of Paternoster Square so that the facilities are easier to find, increasing both convenience and usage.

- **Community Toilet Scheme:** Officers also recommend continuing with the Community Toilet Scheme which provides free public access to up to 75 toilets located in the Square Mile. The overall annual cost to the City of London is £45,000. The fee paid to participating businesses is £600 per annum and has not been increased since the scheme's introduction in 2011. The City funds partnerships with local businesses that are prepared to allow the public to use their facilities during normal opening hours, without the need to buy goods or services. Toilets are preferably Disability Discrimination Act 1995 (DDA) compliant and businesses are responsible for managing all toilet provisions. An Equalities Impact Assessment has been carried that recommends maintaining this provision if other facilities provided by the City are closed.

20. Officers recommend closing the Royal Exchange and Eastcheap attended toilets and the APCs and Urilifts (options 3 and 4 from the table above). If Members decide not to do this, then compensatory savings of £265K would need to be found, either from the other Attended Toilet Provision and/or the Community Toilet Scheme, or further reductions from the cleansing resources as detailed below.

Possible Compensatory Savings if Public Convenience Closures are not Agreed:

Further reduction of daily street cleansing resources and frequencies

21. If these savings are required from the street cleansing resources, then further reductions will need to be found from the street cleaning operation. The service will be limited to a weekly or fortnightly sweep for the majority streets in the City. Operatives who are scheduled to litter pick their beats will cover much larger areas and only remove large items of litter or other offensive/dangerous materials.

22. The impact of this will be significant and will result in many areas frequently being vulnerable to service failure. There are likely to be regular and significant breaches of the statutory requirements placed upon the City by the Environmental Protection Act (EPA) 1990 and detailed in the Code of Practice

on Litter and Refuse. Further details of required standards and implications for not meeting these requirements can be found at: https://www.gov.uk/government/publications/code-of-practice-on-litter-and-refuse

23. The reduction in intensity of sweeping will lead to an increase in detritus and a possible increase in weed growth during spring and summer. There is likely to be a significant increase in complaints from residents and businesses in the City.

Other options considered

Officers have also considered the following but have not proposed them for the reasons detailed below:

- **Food waste collections:** This service is currently provided to all suitable residential properties in the City twice weekly. The vehicle and operative resources for this service are shared with other services provided and therefore the saving obtainable is minimal. The saving is likely to be in the region of £13,000 per annum. Additionally, provision of this service is required by the GLA and is likely to become a statutory requirement in England through upcoming government legislation.

- **Household daily collection:** Due to the nature of the City, historically the vast majority of residential buildings have been built with limited waste storage space. This means these properties need to be serviced daily to ensure their waste capacity if not exceeded. The savings achievable from reducing this service are difficult to confirm without conducting detailed trials as officers are unsure if it would be possible to reduce the overall resources required enough to remove a whole crew and vehicle. If achievable, these savings could be somewhere between a minimum of £42,000 to a maximum of £130,000 for removal of ether part of a crew or a whole crew and vehicle. This would be done be reducing the collection frequency during the week. Officers believe that it is unlikely that we would be able to remove a whole vehicle from the service without causing serious risk to service standards and overall service resilience. Sufficient data will be available in the near future to enable various trials to be completed to identify the most efficient and effective refuse collection option. This efficiency opportunity will be kept under review.

Benchmarking

24. The City currently gets independent Local Environmental Quality (LEQs NI195) survey inspections carried out during the year. These inspections identify the percentage of areas that are found to have unacceptable levels of litter, detritus, flyposting and graffiti when surveyed. By comparison to the available London and National benchmarks, the City's results are historically excellent. However, the City is comprised of high intensity areas which require the highest standard under the EPA 1990. By comparing results with

neighbouring boroughs, the City has consistently achieved significantly higher LEQ survey scores. The changes recommended are likely to bring these scores in line with neighbouring boroughs. If approved there will need to revise our corporate LEQ target. Officers recommend that this target is changed from no more than 2% of LEQ surveys failing to meet EPA 1990 standards to no more than 5%. This is in line with the neighbouring boroughs as shown in the table below.

	Litter	Detritus	Graffiti	Flyposting	Overall	
2018/19	2.1%	0.61%	1.33%	0.78%	1.21%	City of London
2018/19	3.23%	2.42%	5.08%	0.74%	2.87%	Neighbour A
2018/19	3.8%	6.33%	6.21%	2.09%	4.61%	Neighbour B
2019/20	0.94%	0.28%	1.66%	0.39%	0.82%	City of London
2019/20	3.07%	3.33%	7.04%	1.64%	3.77%	Neighbour A
2019/20	5.28%	5.26%	3.43%	7.92%	5.47%	Neighbour B
2020/21	1.17%	0%	2.83%	0.5%	1.13%	City of London
2020/21	5.26%	2.12%	7.54%	2.82%	4.44%	Neighbour A
2020/21	4.72%	2.85%	14.24%	4.86%	6.67%	Neighbour B

This table details the percentage of streets that are found to have failed to reach acceptable standards when inspected by Keep Britain Tidy completing their LEQ street cleanliness surveys in neighbouring boroughs.

25. It should be noted that whilst this percentage increase in surveyed streets that are found to be unacceptable recorded through the LEQ survey target appears low, the impact on the street environment is likely to be noticeable. The service will become more reactive, by responding to reports and complaints of areas that require significant or urgent attention and maintaining the streets using a mixture of litter clearance, manual sweeping and mechanical cleaning. The recommended options should enable the City to just meet and maintain the statutory requirements of the EPA 1990.

Key Performance Indicators

26. The City have well established detailed contractual response times for cleansing requests dealing with such things as graffiti, antisocial residue, fly tipping, etc. These are built into the contract and are dependent on the current resource levels. A reduction in resources will inevitably lead to longer response times for all jobs, some significantly, and officers will need to agree new contractually binding targets with the Veolia.

27. Officers will need to work closely with Veolia to achieve these changes. If agreed these changes will be incorporated into the contract governance and will affect contract Key Performance Indicators (KPIs) which will also need to be rebased. There will need to be some significant changes to IT systems that run and manage the contract, along with their integration with the City's Firmstep platform.

Financial Implications

28. To summarise, it is recommended that options 1-5 of the above items within DBE's services for the Port Health & Environmental Services are accepted, totalling an estimated £1.032M.

29. It is also recommended that the Committee support the transfer of Lord Mayor's Show recharges outlined in the Planning & Transportation Committee proposals, of which £50k relates to Cleansing operations for the Show (see paragraphs 75-80).

30. The total saving for Port Health & Environmental Services Committee from the recommended items is therefore £1.082M. This would be sufficient to meet the "Savings to be Applied" of £1.074M incorporated into the 2021/22 budget as set out in the Chamberlain's report to Port Health & Environmental Services Committee in order to remain within the available resource envelope.

31. To reiterate, should Members agree that some of these items should not be agreed as recommended, then offsetting items would need to be identified from the remaining Red items set out for either Committee.

32. There could be potential redundancy costs passed back from Veolia. These would be one-off costs which are unknown at this stage. The City could also face significant charges to implement the required system changes detailed above and possibly introduce a weed control program.

33. The closure of the Danfo APCs may incur some costs in relation to the s106 agreements they were provided under. Officers are discussing the exit provisions in the Danfo contract with the Comptrollers and Solicitors office to identify risk and minimise costs.

34. The contract provides mechanisms for making these changes to the service provision through the governance and change control procedure. Officers have reviewed the contract in consultation with Comptrollers and do not believe there will be any penalty costs for changes to the formal contract.

Risk Implications

35. The recommended savings options would be a significant reduction in front-line services. The City is likely to see significantly more litter around the Square Mile and more accumulations of detritus leading to staining and weeds on the pavements and carriageways during spring and summer. This is likely to result in a significant increase in complaints and could lead to reputational issues.

36. The City's response to Covid-19 has changed the street scene with new road layouts, pedestrian and cycle lane infrastructure, vehicle-free areas, outdoor seating, and encouraging outdoor drinking and eating has created new cleansing challenges that are likely to increase as people return to the City. Officers are not fully clear on how these changes will affect the City's

cleansing requirements, but it is highly likely that this will require more manual sweeping and will take longer. Officers will use the Clean Street Partnership to ask businesses in the affected areas to take some additional responsibility for cleansing these locations. Officers will also investigate the possibility of including an additional charge to cover these additional cleansing resources in the licensing fee for businesses that use pavement space. This would be in full consultation and agreement with relevant departments and committees.

Planning & Transportation Committee Proposals:

- **Highways, Parking & Traffic Management**

Background

37. The City Corporation is the Highway, Parking & Traffic Authority for all the public highway and City walkway areas in the Square Mile, except for those streets that fall within the Transport for London Road Network (or 'Red Routes').

38. As such it has a series of primary statutory duties relating to maintaining a safe highway, to managing traffic and coordinating activities on its streets, delivered by the Department of the Built Environment on behalf of the Planning & Transportation Committee. These functions are then undertaken in accordance with the objectives set out in the City's core policy documents such as the Corporate Plan, the Transport Strategy and the Air Quality Strategy, linking DBE's departmental Business Plan to a funding envelope that allows individual service standards to be set.

39. In terms of those services, DBE is therefore responsible for managing and maintaining the City's streets, footways and walkways, including:

    - inspecting them for defects, undertaking repairs and resurfacing
    - changing or enhancing streets, through major projects or in conjunction with developments
    - maintaining signs, bollards, street furniture, nameplates and drainage
    - looking after powered & illuminated street furniture in the City, from road signs to street lights
    - enforcing waiting, loading and moving traffic restrictions through the issuing of Penalty Charge Notices
    - providing parking facilities, both on-street in parking bays and in car parks, the latter in commercial competition with the private sector
    - the licencing, authorisation and coordination of a variety of on-street activities, including scaffolds, hoardings, utility excavations, parking bay suspensions, special events and road closures.

40. DBE delivers these services in partnership with two main suppliers through competitively tendered outsourced contracts. They are:

    - JB Riney for highway maintenance, highway construction and electrical works including street lighting

- Saba for parking enforcement services and car park management, albeit these are operated under separate contracts having been awarded through two separate tender processes.

41. Both Riney and Saba have an excellent track record in terms of the services they provide to the City, consistently delivering on their key performance indicators, operating within budget and performing with the minimum of disruption & complaint without contractual claims. They are managed by two small client teams within DBE for the respective contracts, with the Riney contract benchmarked several times to confirm the rates for materials and works remain highly competitive.

42. Otherwise, to note the licensing & coordination process for activities on the highway is delivered direct by DBE, with the City retaining the authority to set fees & charges for those consents albeit on a cost recovery basis. The other key DBE 'in-house' function to note is the Parking Ticket Office that considers representations & appeals against PCNs which must be independent of the enforcement contractor, Saba.

Service Change Proposals

43. In the context of the need to identify £2.2m from DBE's budget across the remits of both Committees, the combined review a services led officers to estimate a figure of £1.14m was a challenging but achievable target from within Planning & Transportation Committee's responsibilities, taking into account what is similarly achievable in terms of the parallel review of Cleansing services for the Port Health & Environmental Services Committee.

44. This is based on service changes officers believe can reasonably be made without putting at risk the City's statutory responsibilities and the reasonable expectation of how an effective service can function. Many aspects of these functions are fixed (such as the cost of materials from Riney and staff salaries to Saba), so savings typically have to be identified in terms of changing the way these functions are delivered or simply by reducing or stopping a particular activity.

45. In order to meet this challenge within the revised budget envelope for DBE as a whole, a root & branch review was undertaken across the three areas for which DBE and the Planning & Transportation Committee are responsible, namely:

    - Highway Maintenance
    - Parking Services
    - Traffic Management (including special events & licencing activities)

46. To provide some context, the overall expenditure budgets for key aspects of the highways and parking services in 2020/21 were approximately:

    - £1.2m highway repairs & maintenance
    - £425k for resurfacing

- £850k for lighting repairs & energy
- £355k for highway inspections, street furniture repairs & other bespoke items
- £1.7m for managing car parks, the majority of which relates to front line Saba staff paid London Living Wage
- £910k for car park premises costs eg rates & energy
- £3m for parking enforcement suppliers

47. A further breakdown of these budgets, as well as staff costs for DBE as a whole, can be found in Appendix 3, and are also contained within the Chamberlain's report to be found elsewhere on this Committee's agenda. However, as noted earlier, large elements of these budgets are fixed (such as contractor staff salaries, rates for materials, energy costs and business rates for premises), leaving a much reduced scope within which to make effective savings.

48. The parking service as a whole is also limited in terms of where budgets can be reduced. The option of reducing the number of civil enforcement officers enforcing the City's parking restrictions would have a disproportionate effect on income as well as the delivery of the Transport Strategy, road safety & congestion. CEOs cannot simply be replaced by CCTV cameras because cameras are limited in law to what they can enforce, and therefore the majority of contraventions can only be enforced on foot. In terms of DBE's car parks, with recent tariff increases they provide a net financial benefit to the department, and therefore significant service changes such as closing car parks are not proposed at this time. As a result, despite the financial commitment to Saba for delivering these parking functions, there is limited scope for savings as reductions in service would cost more than the money they save.

49. Members should note that PCN income (currently £16.4m) is considered Central Risk and therefore outside the scope of these proposals. That means although the cost of managing the parking service is within scope, focusing on raising additional income by simply issuing more PCNs is not an appropriate course of action.

50. Therefore, in terms of the outcomes from that root & branch review, a number of potential options for efficiency savings (or opportunities for increased income) were identified, largely around the highway maintenance function. These were then assessed as Red / Amber / Green based on their service or reputational impact and their ease & pace of delivery. Those deemed Amber or Green are set out in the table below with short summaries detailing the implications of each.

51. Those deemed Red are subject to more detailed explanation later in this report, but it is highly recommended that those proposals considered Amber or Green are accepted as their individual and collective implications can be delivered with manageable impacts on service delivery. To be clear, not accepting any individual Amber or Green item in the table below would require an offsetting amount to be identified from amongst the Red items.

Amber & Green Recommendations

Area	RAG	Item	Saving Value (£k)	Existing Budget (£k)
Highways	A	Reduced highway inspection frequencies, with all streets to be inspected for defects once a month rather than some inspected fortnightly as now	35	135
	A	Revised urgent repair callout process, reducing the response time from three hours to 24 hours	65	265
	A	Energy savings resulting from the LED lighting project, with further street by street lighting reductions where deliverable	50	425
	A	Reduced festive lighting commitments	10	30
	A	Reduced funding for minor City Transport works	40	80
	G	Reduced coring (testing) of utility reinstatements	5	10
	G	Absorbing the cost of new street nameplates into the wider budget	10	10
	G	Including the annual Riney contract rebate (a % of turnover) in budget estimates rather than as a 'windfall' benefit	50	N/A
	G	Reduced lighting repairs as a result of the recent investment in new LED lighting equipment	50	200
Parking	A	Adjusting the car park night shift coverage to a roving patrol between car parks instead of a static position at each one	116	261
	A	Allowing Saba to reduce on-street parking enforcement staffing by adjusting minimum labour requirement KPIs	116	928
	G	A negotiated cost saving resulting from extending various parking contracts prior to a full retender of the service in 2022	78	3,945
Traffic Management	A	An increase in fees & charges from April 2021 (bringing forward the next increase, previously planned for April 2022)	250	N/A
	G	No staff cover on Sundays for monitoring highway activities, reducing overtime costs	16	40
TOTAL SAVINGS / ADDITIONAL INCOME			**891**	

52. The combined impact of these service changes is expected to realise £891k from local risk budgets with manageable risks and consequences on service delivery and as such are recommended.

53. However, to reiterate, should Members decide not to approve any individual item, an offsetting amount would need to be identified from amongst the Red items in the table below.

Red Proposals

54. In addition to the £891k savings identified above, a further £250k is still required as a minimum to contribute towards the overall savings target of £2.2m. These options assessed as Red by officers have more significant implications when compared to those outlined above.

Area	RAG	Item	Saving Value (£k)	Existing Budget (£k)
Highways	R	Reduced footway repairs as a result of reduced 'intervention levels' and greater reuse of used paving materials	50*	210
	R	Reduced carriageway repairs as a result of reduced 'intervention levels'	50*	425
	R	Reduced contingency budgets & bespoke street furniture maintenance	29*	169
	R	Further festive lighting reductions	10	30
Parking	R	Introduce charging for on-street motorcycle parking	100	N/A
Traffic Management/ Cleansing	R	Transfer of Lord Mayor's Show local risk costs	120*	120
TOTAL SAVINGS / ADDITIONAL INCOME			**359**	

* These options are the ones recommended in the subsequent paragraphs.

55. As detailed above, these potential Red proposals could result in a total saving of £359k, which is £109k more than the £250k required contribution, assuming all Amber & Green proposals are accepted. Each of these proposals is potentially challenging, with the following paragraphs setting out the issues involved. Officers have proposed on balance which items might be most appropriate to accept but sought to provide Members with an understanding of other potential options should your Committee wish to consider alternatives.

Highway Maintenance

56. In terms of highway maintenance, the City has historically set quality standards that represent some of the highest in London, allowing the City to maintain its streets with a consistent, high quality & sustainable palette of

materials to a level where they are very few persistent defects and limited successful claims for slips, trips and falls.

57. The Riney contract has delivered this outcome by joining up a number of separate functions to ensure a lean and efficient process, with the service having to absorb the consequences of previous budget reductions and still meet the contract specification for service standards.

58. In particular, those reductions in budget have seen funding available for resurfacing reduce from £620k in 2010 to the current £425k, and despite steps being taken to offset that reduction through more data-led decision making, the gradual long-term deterioration of the highway is evidenced through our annual surveys.

59. Over the last few years, departmental underspends and funding injections from development schemes, highway projects and Transport for London have offset this increasing local risk funding gap for resurfacing. However, the underlying trend is that these additional sources are drying up, and an expectation of maintaining the City's streets to their historic high standard is no longer sustainable given the budget currently available.

60. Similar budgetary pressures have been felt for some time across the highway sector, leaving other authorities to already adjust their standards. That has left the City out of step in terms of how it defines the size of defect requiring a repair (the intervention level), and although the City's current intervention levels of 15mm for footway defects and 25mm for carriageway defects was originally aligned with Westminster, the latest benchmarking survey suggests Westminster and others have moved (in some cases) considerably away from this standard.

Highway Authority	**Footway Intervention Levels**	**Carriageway Intervention Levels**
City of London	15mm	25mm
Camden	20mm	30mm
Hackney	20mm	40mm
Tower Hamlets	25mm	40mm
Westminster	20mm	50mm
Southwark	25mm	40mm

61. In addition to the above, the City is also now out of step in terms of the frequency of highway safety inspections compared to other boroughs. Benchmarking has shown that category A high priority roads are typically inspected monthly in other boroughs, with quieter locations being inspected on a three to six monthly basis. By comparison, the City requires Riney to inspect our category A roads every fortnight and all other roads monthly.

62. Government guidance on inspecting and repairing highways is not prescriptive about the intervention level or the frequency of inspection but instead emphasises the need for a risk-based approach and a sustainable funding solution to deliver a safe highway. It is clear from the above that the

City is now out of step with other authorities on both counts, and by realigning its contract specifications with the industry norms, a risk-based approach can be maintained within a more affordable budget envelope.

63. When taken together with the Amber changes noted above for revising the inspection frequency and urgent repair callout process (totalling £100k), a change in intervention levels to a more typical standard for London (eg 20mm for footways and 40mm for carriageways) will likely result in a highway surface more typical of other authorities.

64. However, it's projected they would enable a reduction in highway repair budgets of £100k from the Red item list above, albeit a revised risk-based approach would still allow the City to maintain a safe highway by industry standards. As a result, these changes to highway intervention levels are recommended.

65. In addition to this, it is also recommended to reduce the City's contingency budget in line with this approach by £29k. This budget typically helps address bad weather events to maintain the current specification standard, or to repair damaged bespoke street furniture that could not otherwise be afforded from normal budgets. In terms of this latter element, this could be offset by a greater focus on securing commuted sums for on-going maintenance when such items are first installed.

66. Finally under highway maintenance, it should be noted that officers did consider the option of moving towards cheaper materials, such as concrete paving rather than York stone. Analysis of the amounts spent on new paving suggested the gains would be marginal given current materials are slightly more expensive because of their durability but their whole-life cost is more efficient & sustainable compared to cheaper alternatives. As a result, this has not been included in the assessment of options.

Festive Lighting

67. DBE provide a number of festive lighting installations over the Christmas period totalling £30k. A £10k reduction is recommended in the Amber list of items which takes into account various proposals such as Open Spaces providing their own lighting at St Paul's and a removal of Christmas lights at less well-known locations.

68. A further £10k reduction is included as an option within the Red list which would require a more noticeable withdrawal of this service, such as the cessation of the lights at Bow Lane (typically switched on by the Lord Mayor's wife each year) and on Cheapside. Although it might be possible to consider whether the Cheapside BID could contribute to the costs of these temporary fixtures, it is thought that in a likely post-Covid scenario, these highly attractive and popular installations would be considered essential to maintaining the City's welcoming look & feel, supporting business recovery in this key retail area.

69. As such, this Red saving of £10k is not recommended at this time.

Parking

70. The Transport Strategy approved by Members included the concept of introducing charging for motorcycles to park on-street in the Square Mile as a means of controlling demand for road space, of better promoting the use of off-street parking facilities and to help reduce emissions in the long term.

71. A fee for motorcycle parking was first introduced by Westminster City Council several years ago and officers are aware that other authorities adjacent to the City are now considering similar schemes for the same reasons as the City Corporation.

72. In parallel to this financial review, officers were looking to bring a report on this matter to your Committee in the second half of 2021 proposing a consultation on introducing such a scheme before the necessary traffic orders could be made and the wider publicity begin.

73. It is feasible to seek to accelerate this process and to consider introducing these measures before the end of 2021, enabling a degree of income to be included in this review process. However, given the likely debate & discussion this proposal is expected to attract, it is thought appropriate to remain within the existing timetable and to take a more measured approach.

74. If Members do eventually approve the concept of motorcycle charging then the anticipated income could be counted against the further savings expected in 2022/23, but for the moment this Red proposal of £100k in additional income is not recommended.

Lord Mayor's Show

75. Certain aspects of delivering the Lord Mayor's Show currently fall on DBE's City Fund local risk budget. This includes the provision of crowd control barriers & traffic signs, the removal of street furniture, temporary toilet provision and sanding & sweeping the route.

76. Currently those costs amount to £120k (£70k within Planning & Transportation Committee and £50k within Port Health & Environmental Services Committee) but the Show is unique in that for all other events on the highway, including those supported by the City, the event organiser is either expected to deliver these functions themselves or to fund them if provided by DBE. For the Show, the event organiser is Lord Mayor's Show Ltd and therefore it is questionable whether City Fund budgets should be supporting it in this way.

77. In addition, these costs are largely dependent on the requirements of the Show and therefore somewhat outside DBE's control. Without a Show in 2020 these amounts were saved, but in previous years DBE's local risk budget was expected to contribute to security protection for the Show, and these requirements are expected to increase further in future to include additional

stewarding costs and alternatives to the fireworks (previously funded from central risk contingency budgets).

78. A review of funding these aspects of the Show is therefore recommended to deliver a sustainable funding solution for the medium term. Using City Fund budgets appears inappropriate and unsustainable, and in consultation with the Chamberlain, Town Clerk and Remembrancer, it is proposed to consider alternatives such as moving costs to City's Cash or recharge to Lord Mayor's Show Ltd.

79. Such proposals would be subject to approval of Policy & Resources Committee who have the overarching remit for the City's support to the Show but in the context of this report, this would represent a saving to DBE Local Risk.

80. Therefore this Red saving of £120k is recommended, subject to the subsequent approval of the Policy & Resources Committee.

Planning & Transportation Committee Summary

Financial Implications

81. To summarise, it is recommended that all of the above Amber and Green items within DBE's services for the Planning & Transportation Committee are accepted, totalling an estimated £891k.

82. It is also recommended that four additional items are accepted from the Red items totalling an estimated £249k, namely:

    - Reduced footway repairs as a result of reduced 'intervention levels' and greater reuse of used paving materials
    - Reduced carriageway repairs as a result of reduced 'intervention levels'
    - Reduced contingency budgets & bespoke street furniture maintenance
    - Transfer of Lord Mayor's Show costs from local risk (of which £50k falls within PH&ES budgets), subject to the subsequent approval of the Policy & Resources Committee.

83. The total saving for Planning & Transportation Committee from the recommended items is therefore £1.09m, which is sufficient to meet the required saving in order to remain within the available resource envelope. In the Chamberlain's separate report to the Planning & Transportation Committee, this is set out as savings already allocated to individual budgets of £785k and "Savings to be Applied" of £307k.

84. To reiterate, should Members agree that some of these items should not be agreed as recommended, then offsetting items would need to be identified from the remaining Red items set out for either Committee.

Risk Implications

85. In terms of the proposals set out for Planning & Transportation Committee, the key risk is that the changes in service standards for highway maintenance will result in a noticeable change in the condition of the highway over time that may not align with the expectation of City stakeholders.

86. In addition, with less frequent inspections, lower intervention levels and reduced response times, there may be an increase in pedestrian claims due to more slips, trips and falls, and from vehicle owners due to damage from potholes. Pedestrian claims against the City are currently extremely low by comparison with other authorities and claims from drivers virtually non-existent.

87. These risks are offset by the fact the proposed service standards are benchmarked against those found elsewhere in Central London and enable the City to maintain a risk-based approach to managing the safety of our highway within the newly affordable budget envelope.

88. To be clear, the success rate for claims is typically based on whether an authority has a reasonable & appropriate process in place and that it follows that process, rather than the specific intervention level. As a result, changing the standards as set out in this report may not necessarily result in an increase in successful claims.

89. Other risks from these recommended budget changes are less significant but will nevertheless affect DBE's ability to:

    - Absorb future industry wide increases in energy costs
    - Fund minor changes to the highway outside of major projects & schemes
    - Monitor the highway and respond to issues on Sundays
    - Check utility reinstatements for quality control purposes
    - Maintain a fixed overnight presence in the City's car parks

Corporate & Strategic Implications

Resource Implications

90. As can be seen in Appendix 1, the DBE client team involved in managing these respective contracts is relatively small compared to the size of the contracts themselves. Most of the day to day management of the functions delivered by Veolia, Riney and Saba are undertaken by the respective contractors, with the City providing contractual oversight through sample checking and Key Performance Indicators. As such there are no staffing resource implications for permanent staff within DBE from making the above changes, with the respective contractors expected to absorb those that may impact them through appropriate notice periods or redeployment if required.

91. In terms of opportunities for alternative or additional staff savings with DBE as a whole, most existing vacant posts have been deleted as part of the budget balancing exercise for 2020/21, and until such time as the TOM review takes place, no additional recruitment to create or backfill newly vacant posts (eg due to staff leaving the organisation) can take place without stringent business case approval from the Town Clerk and HR.

92. Otherwise it is expected that the TOM will lead to a review of the new combined departmental structure during the course of this year, and that as the new department starts to take shape, efficiencies will need to be identified at that point to contribute towards the £2.4m TOM saving.

Strategic & Legal Implications

93. In agreeing how the City Corporation delivers its services, Members must be mindful of the City's statutory duties, core responsibilities and strategic priorities, as well as the need to set a balanced budget.

Climate, Equalities & Security Implications

94. None

Conclusion

95. This report sets out a series of service changes under both Committees that when taken together allow the City to continue to meet its statutory functions but do so within the budget envelope agreed by Resource Allocation Sub Committee, taking into account the strategic priorities of the organisation, benchmarked against similar services provided by other public bodies

Appendices

- **Appendix 1 - Street Cleansing requirements from the Environmental Protection Act 1990. As laid out in the Code of Practice on Litter and Refuse 2006 (modified 2019)**
- **Appendix 2 – Public Convenience Usage Figures**
- **Appendix 3 – DBE Budget breakdown**
- **Appendix 4 – PH&ES Budget Breakdown**

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Appendix 1 - Street Cleansing requirements from the Environmental Protection Act 1990. As laid out in the Code of Practice on Litter and Refuse 2006 (modified 2019)

What is the purpose of the Legislation cited?

1.1 The Environmental Protection Act 1990 imposes duties under section 89(1) and (2) on certain landowners and occupiers (referred to throughout as 'duty bodies' and described in detail at section 3.2) to keep specified land clear of litter and refuse, and on local authorities and the Secretary of State to keep clean public highways for which they are responsible. This document provides a practical guide to the discharge of these duties.

The City is classified as an area of High intensity use as per the following section:

Areas which, through intense pedestrian and/or vehicular movements, are prone to fluctuations in litter and refuse and require both high levels of monitoring and frequent cleansing.

- Primary and secondary retail, office & commercial areas.
- Publicly accessible areas in and around transport interchanges in busy public areas (most likely to be major airports, ports, harbours, bus, train, and tram passenger stations in cities and town centres, and car parks).

What specific obligations does this place on the City in terms of standards of street cleanliness?

Duty bodies are expected to set their cleansing schedules so that they meet the duty to keep their relevant land clear of litter and refuse, and highways clean.

In some areas, these standards can be effectively maintained during daylight hours. However, in others longer hours of management are required, for example, in town and city centres. If the standard in high intensity areas should fall to an unacceptable level during the evening, it should be restored to grade A by 8am. Good practice would be that grade A is achieved earlier, by the time the area begins to get busy. This applies to weekends and bank holidays as well as weekdays.

There will be circumstances, which, in the interests of responsibility and/or health and safety, require managers to respond far quicker than the maximum response time. For example, should drugs needles be found on a school playground, or any items of litter be found on an airport runway, it is expected that these objects be removed as a matter of priority, well before the maximum response time. It is recommended that for drug-related litter, duty bodies respond within 3 hours of a report.

When there is an accumulation of material that is potentially hazardous to health (for example waste food), duty bodies should remove this at the earliest practicable opportunity.

Appendix 1 - Street Cleansing requirements from the Environmental Protection Act 1990. As laid out in the Code of Practice on Litter and Refuse 2006 (modified 2019)

What Specific obligations does this place on the City in terms of standards of response times?

In addition to the requirement to ensure all high intensity areas are restored to grade A by 8am each day, there are maximum response times for cleaning an area that has become adversely affected by litter, refuse, and/or detritus.

Response time for high intensity areas - 1/2 a day. This means by 6pm if reported before 1pm or by 1pm the next duty day if reported between 1pm and 6pm on the previous day.

What are the implications if the Duty body does not meet its duty to maintain these standards?

As a last resort, if acceptable standards of litter and refuse are not met, response times have been set by which land must be returned to an acceptable standard. Duty bodies that allow their land to fall below acceptable standards for longer than the allowed response time may be subject to a Litter Abatement Order (section 91) or a Litter Abatement Notice (section 92) issued under the Environmental Protection Act 1990.

The time periods given are maximum response times for cleaning an area that has become adversely affected by litter, refuse, and/or detritus (where applicable). The caveat in the litter duty concerning practicability is very important. On some occasions, circumstances may render it impracticable for the body under the duty to discharge it. It is for the courts to agree whether or not it was impracticable for a person under the duty to discharge it.

What are the grades of cleanliness referred to?

The graded standards shown below are as defined in the original Code of Practice on Litter and Refuse issued under section 89(7) of the Environmental Protection Act 1990. These four grades also correspond to the scales used by local authorities for recording levels of street cleanliness for best value indicator BV199.

Appendix 1 - Street Cleansing requirements from the Environmental Protection Act 1990. As laid out in the Code of Practice on Litter and Refuse 2006 (modified 2019)

For litter and refuse:
Grade A: No litter or refuse
Grade B: Predominately free of litter and refuse apart from some small items
Grade C: Widespread distribution of litter and/or refuse with minor accumulations
Grade D: Heavily affected by litter and/or refuse with significant accumulations



Appendix 1 - Street Cleansing requirements from the Environmental Protection Act 1990. As laid out in the Code of Practice on Litter and Refuse 2006 (modified 2019)

For detritus (to be removed on metalled highways and recommended to be removed on all hard surfaces):
Grade A: No detritus
Grade B: Predominately free of detritus except for some light scattering
Grade C: Widespread distribution of detritus with minor accumulations
Grade D: Heavily affected by detritus with significant accumulations



Appendix 1 - Street Cleansing requirements from the Environmental Protection Act 1990. As laid out in the Code of Practice on Litter and Refuse 2006 (modified 2019)

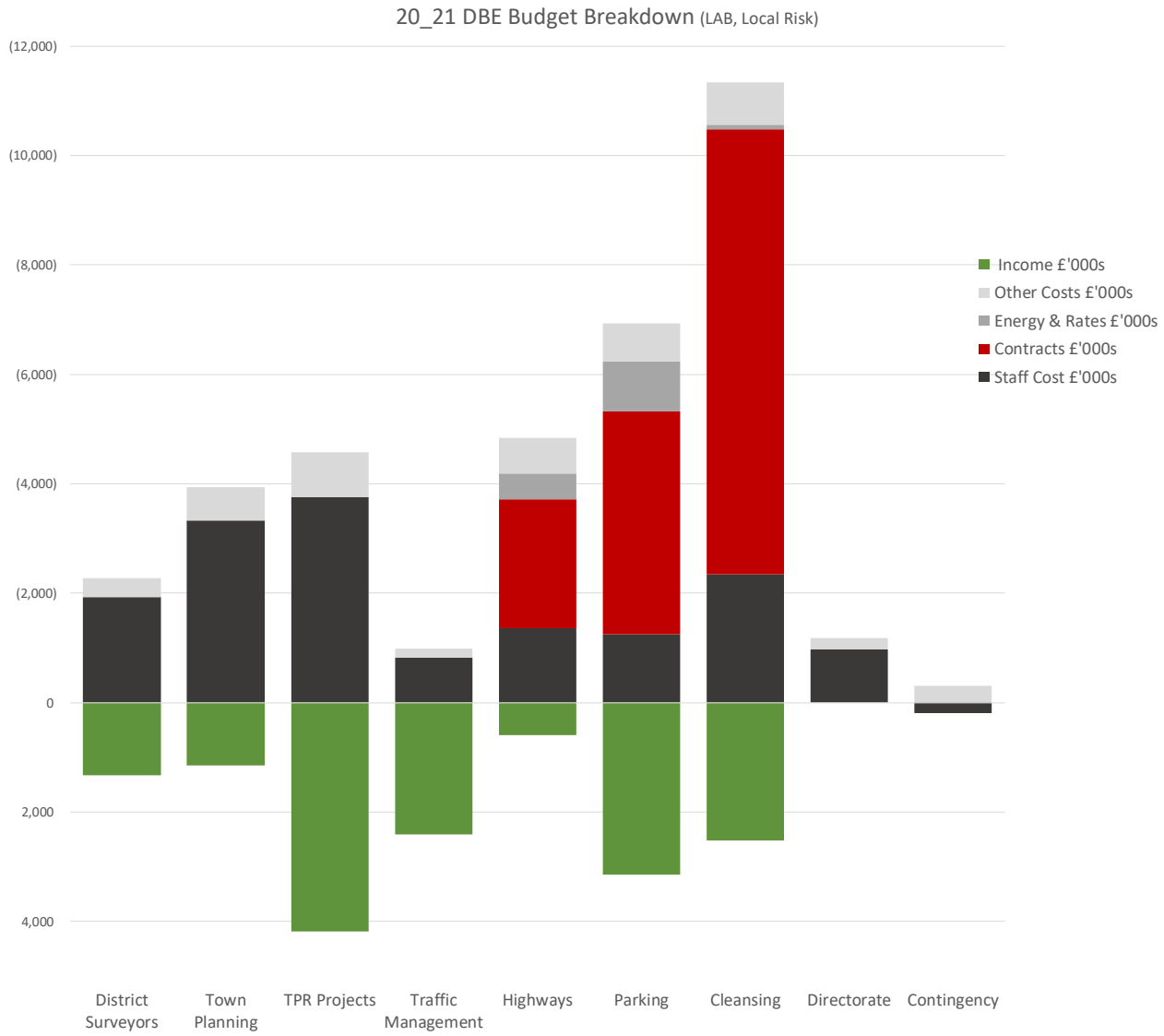
Enhanced Grade A Standard

Historically, and under the current contract, the City requires an enhanced cleansing standard from the Grade A laid down in the Code of Practice on Litter and Refuse above. The Enhanced Grade A standard required includes the eradication of weeds, cleaning of gully gratings, emptying of litter bins, removal of litter from horse troughs, fountains, other street furniture and tree bases, removal of unauthorised advertising, removal of unauthorised flyposting from streets (including those placed on railings and street furniture), the removal of litter from ledges, steps and behind railings of buildings abutting the street (provided that this litter may reasonably be reached from ground level) and shall include the removal of any accumulations of dust. Operatives are also expected to remove smaller items of graffiti using wipes or similar, and to remove cable ties using suitable cutters. This Enhanced Grade A Standard enables the City to maintain some of the cleanest streets in the UK.

Appendix 2 – Public Convenience Usage Figures

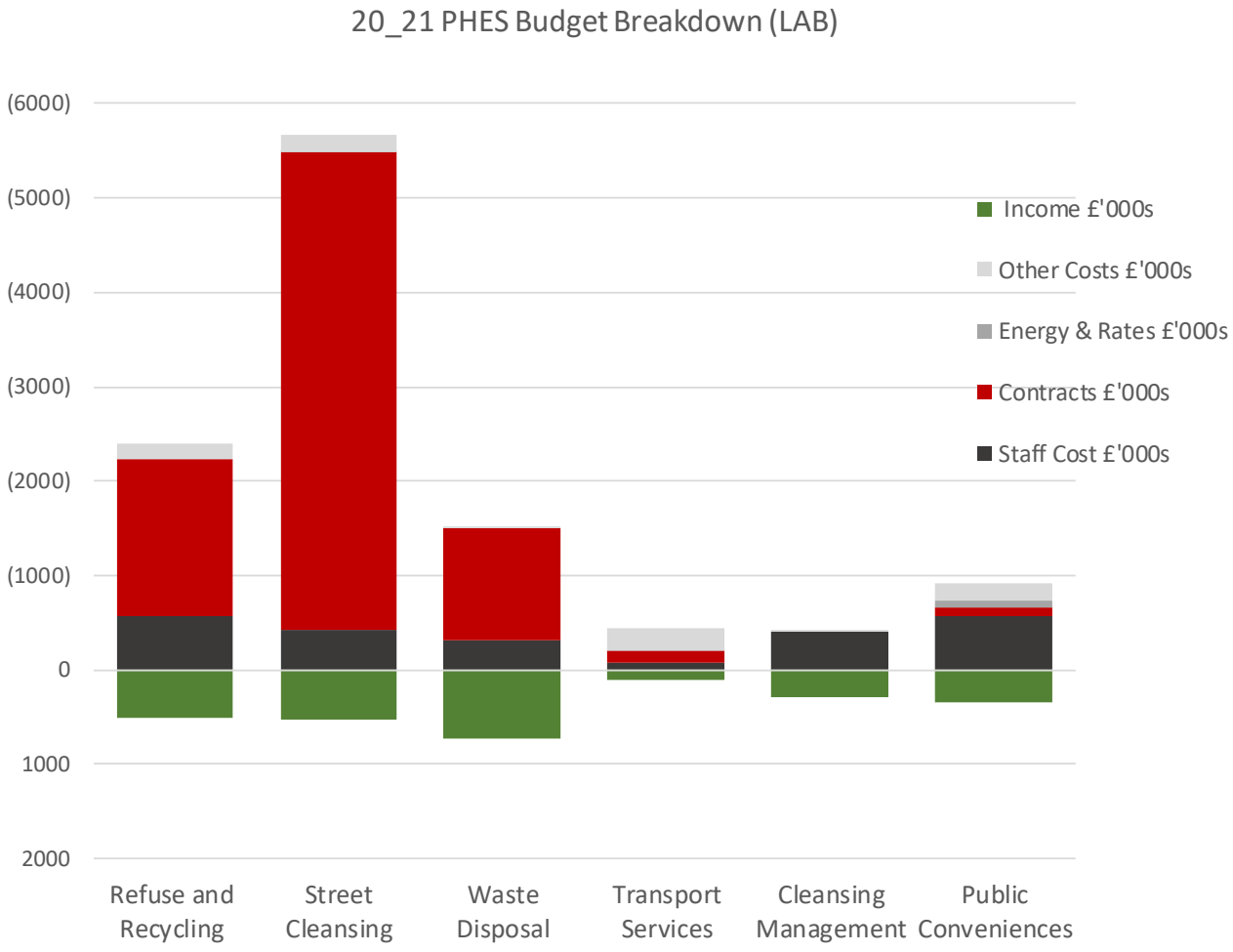
	APCs	Paternoster Square	Tower Hill	Royal Exchange	Eastcheap	Total
2017/18	11,000	168,000	548,000	44,000	48,000	819,000
2018/19	9,000	80,000	616,000	32,000	28,000	764,000
2019/20	9, 000	74,000	550,000	30,000	26,000	689,000

Appendix 3 – DBE Budget Breakdown



FY 20_21 LAB	Staff Cost £'000s	Contracts £'000s	Energy & Rates £'000s	Other Costs £'000s	Total Cost £'000s	Income £'000s	Net £'000s
District Surveyors	(1,926)	0	0	(351)	(2,277)	1,326	(951)
Town Planning	(3,326)	0	0	(608)	(3,934)	1,152	(2,782)
TPR Projects	(3,756)	0	0	(821)	(4,577)	4,189	(388)
Traffic Management	(815)	0	0	(165)	(980)	2,407	1,427
Highways	(1,354)	(2,359)	(471)	(653)	(4,837)	600	(4,237)
Parking	(1,249)	(4,078)	(912)	(687)	(6,926)	3,150	(3,776)
Cleansing	(2,336)	(8,135)	(84)	(779)	(11,334)	2,523	(8,811)
Directorate	(973)	0	0	(205)	(1,178)	0	(1,178)
Contingency	196	0	0	(310)	(114)	0	(114)
DBE Total	**(15,539)**	**(14,572)**	**(1,467)**	**(4,579)**	**(36,157)**	**15,347**	**(20,810)**

Appendix 4 – PHES Budget Breakdown



FY 20_21	Staff Cost £'000s	Contracts £'000s	Energy & Rates £'000s	Other Costs £'000s	Total Cost £'000s	Income £'000s	Net £'000s
Refuse and Recycling	(560)	(1676)	0	(154)	(2390)	512	(1878)
Street Cleansing	(424)	(5065)	(2)	(172)	(5663)	521	(5142)
Waste Disposal	(319)	(1181)	0	(11)	(1511)	733	(778)
Transport Services	(79)	(118)	(10)	(226)	(433)	115	(318)
Cleansing Management	(395)	0	0	(21)	(416)	300	(116)
Public Conveniences	(559)	(95)	(72)	(195)	(921)	342	(579)
Cleansing Total	**(2336)**	**(8135)**	**(84)**	**(779)**	**(11334)**	**2523**	**(8811)**

Committee(s)	**Dated:**
Planning & Transportation Port Health & Environmental Services	26 January 2021 20 January 2021
Subject: Draft High-Level Business Plans 2021/22	**Public**
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	Outcomes: 1, 2, 3, 4, 5, 6, 8, 10, 11, 12
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Director of the Built Environment	**For Decision**
Report authors: Elisabeth Hannah, Department of Built Environment	

Summary

This report presents for approval the 2021/22 high-level Business Plan for the Department of the Built Environment.

Recommendation

Members are asked to:

- Approve, subject to the incorporation of any changes sought by this Committee, the 2021/22 high-level Departmental Business Plans for The Department of the Built Environment (Appendix 1)

Main Report

Background

1. Business Plans for 2021/22 are being presented based on current departmental structures. These will be adjusted, alongside budgets, when any changes to these structures are implemented.

2. For 2021/22, the high-level Business Plans give a better overview of how the departments' work contributes to the Corporate Plan. It provides an overview of departmental priorities mainly, but not limited to, the forthcoming 12 months.

3. This report presents, at Appendix 1, the draft final high-level summary Business Plan for 2021/22 for the Department of the Built Environment.

4. The Business Plan continues to be based on delivering the department's vision of *Creating and facilitating the leading future world class city.* The DBE Business Plan contains eight aims and objectives which support the City's Corporate Plan and contribute to the success of corporate aims and outcomes.

5. Our major workstreams for 21/22 for this Committee will include contributing to the Transport Strategy, the Climate Action Strategy, delivery of the City Plan as well as addressing budget pressures and implementing the Target Operating Model (TOM).

6. Significant work is being carried out across the Department to improve our performance and outcome monitoring and data holding. This will enable better monitoring of the Department's impact on business plan and corporate outcomes and improved reporting to Members.

Corporate & Strategic Implications

7. **Strategic implications** – How the Departmental Business Plans help deliver the Corporate Plan and adopted strategies are shown on the attached draft Business Plan.

8. **Financial implications** - The high-level Business Plans has been drawn up taking into consideration the need to be done to deliver the c12% reduction to meet the Target Operating Model.

9. **Resource implications** - Any changes to resources will be identified and delivered through the move to the Target Operating Model and/or to meet budget savings. Requests for capital funding for projects will be made as part of the annual capital bidding process

10. **Equalities implications** – Where we develop new policies, strategies, service provision and capital projects we will undertake 'tests of relevance' and where appropriate a full equalities analysis.

11. **Climate Implications** – All department's will be contributing to the delivery and success of the City's Climate Action Strategy.

12. **Legal implications** – There are no legal implications arising from this report.

13. **Risk implications** – There are no additional new risks arising from this report.

14. **Security implications** – There are no security implications arising from this report.

Conclusion

15. This report presents the draft high-level Business Plan for 2021/22, it was also presented to Port Health & Environmental Services Committee on January 20th for approval.

Appendices

- Appendix 1 – Department of the Built Environment, Draft High-level Business Plan 2021/22

Report authors

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The Department of the Built Environment
Creating and facilitating the leading future world class city

The Corporate Plan outcomes we have a direct impact on are…

- Our spaces are secure, resilient and well maintained.
- We have clean air, land and water and a thriving and sustainable natural environment.
- We inspire enterprise, excellence, creativity and collaboration.

Our major workstreams this year will be…

- Delivery of the Transport Strategy
- Delivery of the Climate Action Strategy
- Progressing the City Plan 2036 towards adoption
- Providing an excellent Service to the Development Industry, our stakeholders and the Public
- Strengthen resilience to the risks from natural and man-made threats
- Developing the Circular Economy Strategy
- Supporting the major projects and the agreed capital programme
- Implement actions arising from the new Target Operating Model.
- Addressing significant budget pressures

Our aims and objectives are...

- Promoting the construction of high quality, inspiring, adaptable and environmentally sustainable developments which attract a wide range of uses and users
- Advancing a flexible infrastructure that adapts to increasing capacity and changing demands
- Creating a welcoming seven-day City that is inclusive, clean, secure and accessible
- Improving the quality and safety of the environment for businesses, workers, residents and visitors
- Ensuring the built environment, businesses and people take action on and are resilient to climate change.
- Enabling digital connectivity that meets changing business and lifestyle needs
- Enabling a flourishing society and a vibrant cultural offer
- Aligning the capital programme to complement the City's major corporate projects and the Corporate Plan outcomes



Plans under consideration

Plan	Time Scale
Fire Safety Bill – the biggest change in Building Control for 35 years	2022
Planning White Paper – proposals will, if implemented, result in major changes to statutory planning functions	2021
Procurement of Parking Contract – opportunity for synergies and savings	2022
London Re-charged: A vision for London in 2025	2025
Recovery Task Force	2025
City Plan 2036, public examination	2021/22
Transport Strategy review	2022
Public Realm Vision & SPD	2022
City of London Circular Economy Strategy	2021



What's changed since last year...

- COVID health pandemic, behavioural and economic changes
- Significant budget pressures
- Climate Action Strategy now approved by Court and becomes embedded as key workstream.
- Covid-19 recovery and Climate Action Strategy accelerating delivery of Transport Strategy
- Deletion of obsolete vacant posts and increased skill sharing opportunities across the department.
- Increased number of apprentices at all levels across the department, including addressing industry shortages and workforce planning
- Paper-based CON29 property search services have been replaced by a remote, digital service since June 2020.
- Plastic Free City campaign fully integrated with the Clean City Awards

Equalities, Inclusion & Diversity Self Audit (2020)

Self Audit	Score*
Monitoring and use of data and information	2
Completing Equality Analysis (EQIA) and tackling discrimination and barriers to inclusion	3
Target setting and mainstreaming equalities into performance systems	2
Using procurement and commissioning to achieve equality and cohesion targets	n/a
Engagement and partnership	3
Employment and training	3
where 4 is excellent	

Our strategic commitments

Transport Strategy
- Prioritising and providing more space for people walking
- All Change at Bank, Beech Street and Healthy Streets Programme
- Freight and servicing, including last mile delivery hubs and consolidation

Climate Action Strategy
- Implement Climate Resilience measures into the public realm.
- Embed climate resilience as a key component in decision making.
- Develop a plan to protect public health from urban heat effects.

City Plan 2036
- Progression through the consultation, submission, examination and adoption processes;
- Implementation of the Plan to deliver a more sustainable City;
- Liaise with others to ensure an ongoing national and strategic planning policy context appropriate to the City's circumstances.



Security Programme
- Joint delivery of the Secure City Programme with the City Police;
- Implementation of protective measures to the City's high priority crowded spaces;
- Review of security requirements delivered through the planning development process

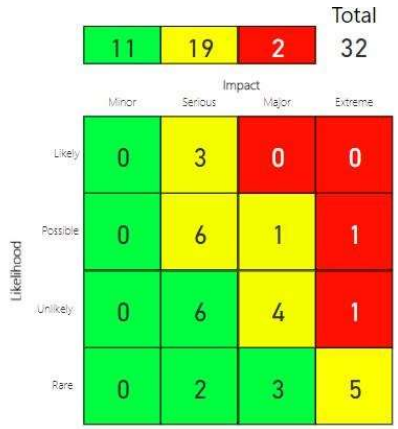
Circular Economy Strategy
- Promote and enforce a policy of eliminating unnecessary single use items and lead by example;
- Deliver a successful programme of City-wide Circular Economy events.

Culture Strategy
- Transform the City's public realm and physical infrastructure, making it a more open, distinct, welcoming and culturally vibrant destination
- Develop Culture Mile in the north west of the City

Apprentice Strategy
- Promote apprenticeships, from level 2-7, across the department
- Prioritize apprentice recruitment and progression to address skills shortages

IT
- Replacement of Uniform and Northgate M3 with a single system
- Re-tendering of the Highways Management System

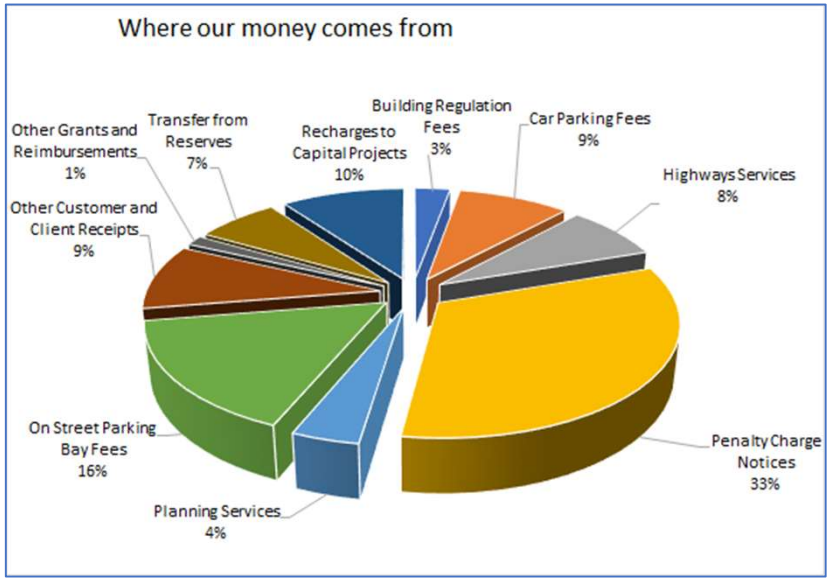
Key Risks

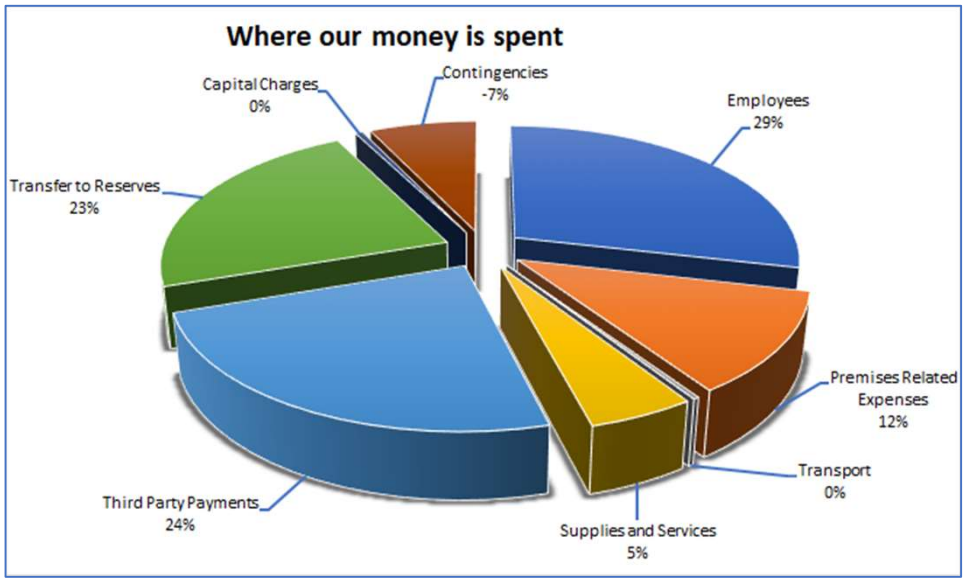


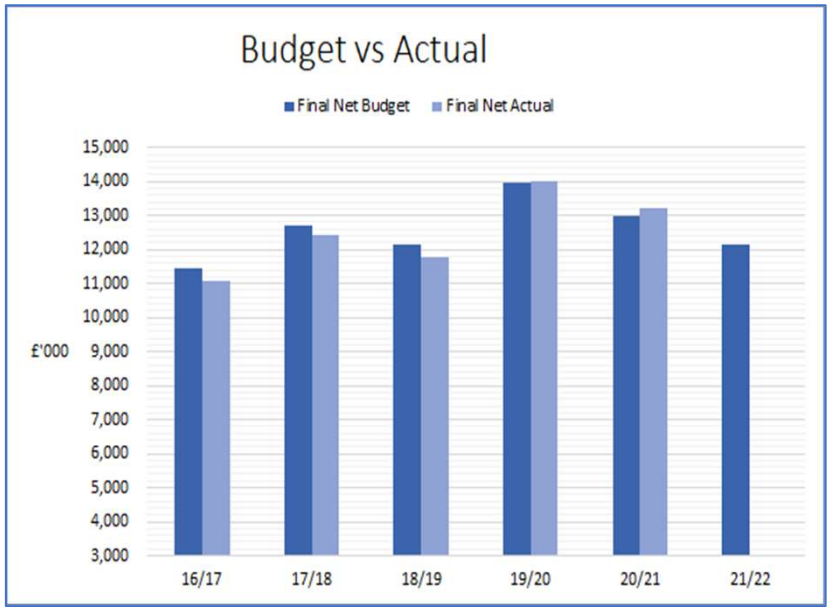
Key Risk Title	Score
Road Safety/KSI	24
Road Traffic Collision caused by City of London staff or contractor who is unfit to drive while on City business	16
Adverse planning policy context	12
COVID: Failure to deliver the Waste and Litter service required	8
COVID: Failure to deliver the Highways, Parking & Enforcement service required	8
COVID: Impact of Covid on Finance	8
Service/Pipe Subways	8
The District Surveyor's (Building Control) Division becomes too small to be viable	8
Major Projects and key programmes not delivered as TfL funding not received	8
Beech Street Roofing Panels	8

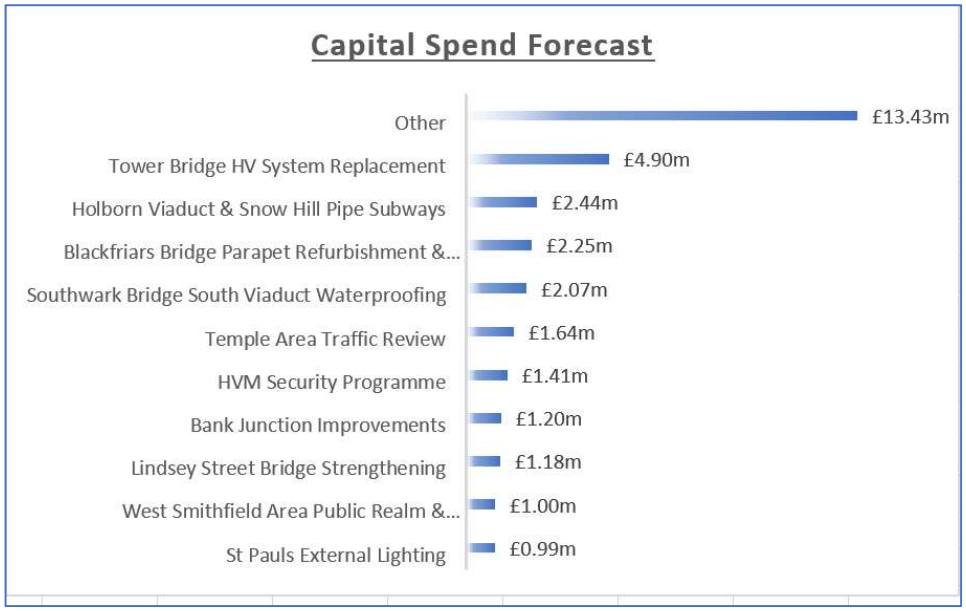
Key Performance Indicators

KPI	Current Performance	Direction of Travel
Reduction in motor vehicle traffic	185,000	↓
Number of people killed and seriously injured on our streets	54	↓
Increase in office floorspace	9,305,000 sqm	↑
Reduction in motorised freight vehicle volume	39,000	↓
Number of km of pedestrian priority streets	25km	↑
Proportion of zero emission capable vehicles entering the City	-	↓
% City land with unacceptable levels of litter, graffiti etc	0.83%	↓
% of household waste sent for reuse, recycling, or composting	28.51%	↑
Number of plastic bottles saved due to water refill points (approx.)	75,000	↑
Area covered by sustainable drainage systems	0.42ha D	↑
%of planning applications determined to agreed timescales	79%	↑
Building Control Market Share	22%	↑
Increased Number of Apprentices	18	↑









Total Estimated Spend is £32.52m across 57 projects

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Committees: Projects Sub-Committee Planning & Transportation Committee	**Date** 25 January 2021 26 January 2021
Subject: Baynard House Car Park – Ventilation & Smoke Clearance System. **Unique Project Identifier:** *PV Project ID 12195*	**Gateway 5:** **Regular** **Authority to start work**
Joint Report of: Director of the Built Environment And City Surveyor **Report Author:** Chris Sharpe	**For Decision**
PUBLIC	

1. Status Update	**Project Description:** Ventilation system for Baynard House Car Park, to meet Fire Risk Strategy requirements and provide adequate ventilation for current operation. **RAG Status:** Green (Green at last report to Committee) **Risk Status:** Low (Medium at last report to committee) **Total Estimated Cost of Project (excluding risk):** *Estimated total outturn cost* ***£640,777*** **Change in Total Estimated Cost of Project (excluding risk):** Decrease of **£6,223** since last report to Committee **Spend to Date:** *£12,500 (leaving a balance of £24,500 on the funds, £37,000 approved at Gateway 1-4).* **Costed Risk Provision Utilised: Nil** **Funding:** Funding for this scheme from the On-Street Parking Reserve was approved in principle as part of the 2020/21 annual capital bid round. Further approval of Resource Allocation Sub and Policy and Resources Committees will be required to draw down these funds following approval of this

<table>
<tr><td></td><td>gateway report.

Slippage: After Gateway 4 was approved, one floor of the car park was earmarked for use by a corporate occupier, with fit out works currently being undertaken and occupation programmed for April 2021. The change of use incorporates architectural changes, which required the design calculations for this project to be run again, once details of changes were available. The overall impact from the previous programme, is a delay of around 9-12 months.</td></tr>
<tr><td>2. Requested decisions</td><td>Next Gateway: Gateway 6: Outcome Report

Next Steps:

Award works contract to winning bidder. Execute works, test, commission and demonstrate new ventilation system in order to allow use of new rapid charging points.

Requested Decisions:

1. Approve the total project sum of £640,777 including fees, surveys, staff costs, and preconstruction activities already expended
2. Note that funding for this scheme from the On-Street Parking Reserve was approved in principle as part of the 2020/21 annual capital bid round and that draw-down is subject to the further approval of the Resource Allocation Sub and Policy and Resources Committees.
3. That the tender received from the SW Bruce Ltd in the sum of £598,777 is approved and they are appointed to undertake the work.
4. The Comptroller and City Solicitor enter into a contract with SW Bruce Ltd.
5. That the risk budget of £65,000 to cover design developments and asbestos, is approved (to be drawn down via delegation to Chief Officer).</td></tr>
<tr><td>3. Budget</td><td>Complete this section in consultation with your Head of Finance

<table>
<tr><th>Item</th><th>Spend to Gateway 5</th><th>To Completion</th><th>Total</th></tr>
<tr><td>Works</td><td>£Nil</td><td>£598,777</td><td>£598,777</td></tr>
<tr><td>Building Control & CDM Advisor</td><td>£7,500</td><td>£4,500</td><td>£12,000</td></tr>
<tr><td>Refurb & Demolition</td><td>£Nil</td><td>£10,000</td><td>£10,000</td></tr>
</table>
</td></tr>
</table>

Asbestos Survey			
Asbestos removals	£Nil	£10,000	£10,000
Staff costs	£5,000	£5,000	£10,000
Sub Total	£12,500	£628,277	£640,777
Risk			£65,000
Total			£705,777

Following PQQ submittals 3 contractors were selected and tenders submitted on a quality/ cost evaluation basis of 50/50 split. All 3 contractors returned priced tenders.

Rank	Contractor	Tender Sum	Cost Score	Quality Score	Combined Score
1	SW Bruce	598,777	47	36.3	83.3
2	Sykes & Son	562,942	50	32.5	82.5
3	Etec	605,775	46	16.7	62.7

The tender evaluation was carried out by Officers of the City of London. A summary of the tender sums and quality scoring are set out in the table above: A detailed tender report is included in Appendix 3.

Following tendering and evaluation it is recommended that the SW Bruce Ltd is appointed to carry out the works for the tender sum of £598,777

Fees

CDM Advisor (Baily Garner LLP)
Initial Fee Proposal £4,140

Building Control (City of London)
Initial Fee Proposal £3,360

Costed Risk Provision requested for this Gateway: £65,000
(as detailed in the Risk Register – Appendix 2)

<table>
<tr><td></td><td><u>Funding</u>

Funding for this scheme from the On-Street Parking Reserve was approved in principle as part of the 2020/21 annual capital bid round. Further approval of the Resource Allocation Sub and Policy and Resources Committees will be required to draw down these funds following approval of this gateway report.

<table>
<tr><th>Funds/Sources of Funding</th><th>Cost (£)</th></tr>
<tr><td>Local Risk</td><td>37,000</td></tr>
<tr><td>On Street Parking Reserves</td><td>610,000</td></tr>
<tr><td>Total</td><td>647,000</td></tr>
</table>
</td></tr>
<tr><td>4. Design summary</td><td>Use numbered points here
1. Supply, Install, Test, Commission and Demonstrate a new Ventilation and Smoke Clearance System to Baynard House Car Park, to bring up to modern standards for ventilation and fire safety.
2. Undertake associated mechanical enabling works, such as strip out of existing non-operational plant.
3. Undertake associated electrical works, such as independent secondary power supply and fire alarm modifications.
4. Undertake building works to improve airflow in normal operation and fire, smoke and fume compartmentation in emergency situations.</td></tr>
<tr><td>5. Delivery team</td><td>Use numbered points here
1. Supervising Officer: Chris Sharpe
2. Principal Designer under CDM: Baily Garner LLP
3. Main Contractor: SW Bruce Ltd.
4. Ventilation & Smoke Clearance Supplier: Colt Ltd.
5. BMS Supplier: TBC
6. Fire Alarm Supplier: Square Mile Ltd.</td></tr>
<tr><td>6. Programme and key dates</td><td>List dates here
Gateway 5 Approval: January/February 2021
Place order:- February 2021
Lead-in period (fans): 12 weeks
Start on site: May 2021
Completion: August 2021</td></tr>
<tr><td>7. Risks</td><td>The main risks identified at GW1-4, were associated with building control, planning permissions and fire compartmentation to surrounding areas, namely Castle Baynard Tunnel. These risks have largely been designed out, resulting in a post-mitigation risk reduction of £235,000

Some residual risks remain with regard to design development associated with fire safety, additional cooling and asbestos. The costed risk provision of £65,000 is deemed adequate to</td></tr>
</table>

	cover these risks. Further information available in the Risk Register (Appendix 2) and options appraisal matrix.
8. Success criteria	*1. Fully operational ventilation system for the car park, achieving air changes in-line with current building regulations, H&S at Work Act and best practice.* *2. Demonstration that the fire strategy for the building is operating in-line with computer modelling, in the event of fire.* *3. Demonstration of air-flow through the fast electric vehicle charging area, to allow fast chargers to be put in to operation safely.*
9. Progress reporting	*Monthly via Project Vision* *Issues Report should further decision be required* *Inter-departmental communication meetings monthly.*

Appendices

Appendix 1	Project Coversheet
Appendix 2	Risk Register
Appendix 3	PTIW Procurement Tender Report Form

Contact

Report Author	Chris Sharpe
Email Address	Chris.sharpe@cityoflondon.gov.uk
Telephone Number	020 7332 1731

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This document can only be considered valid when viewed via the CoL Intranet website. If this is printed into hard copy or saved to another location, you must check that the effective date on your copy matches that of the one on-line.

Project Coversheet

[1] Ownership & Status

UPI: 12195

Core Project Name: Baynard House Car Park – Ventilation & Smoke Clearance System

Programme Affiliation (if applicable):

Project Manager: Chris Sharpe

Definition of need:

- This is an 'Essential Project – addressing Health and Safety Risks. Currently we are aware that the ventilation system is sub-standard; a review of all car parks was undertaken in light of the car park fires in Liverpool in 2017.
- Options for phasing the installation of the ventilation to satisfy TFL's requirements have been reviewed and found to not be possible due to the adverse impact on the building fire strategy
- CoL has statutory obligations to address the ventilation for normal operational use and fire risk,
- Ventilation of car parks is recommended in order to limit concentrations of carbon monoxide (CO) and other vehicle emissions in the day-to-day use of car parks and to remove smoke and heat in the event of a fire.
- The existing ventilation system is no longer operational, the fans are obsolete, it is critical that ventilation is reinstated to control the amount of potentially harmful airborne pollutants present in the car park.
- There is no means to dissipate heat and smoke and the current state of the carpark facilities could potentially be considered a Health and Safety at Work Act contravention.
- Air quality is Corporate Risk 21, so facilitation of electric vehicles operating in the City contributes to addressing that risk.
- We are in partnership with TfL for delivery of the rapid charge points in Baynard House; TFL have installed a new substation to support these works. TFL can't commission the new fast EV chargers until the new ventilation system is operational.

Key measures of success:

1) Fire Risk and ventilation for normal operation is addressed adequately within Baynard House car park, in compliance with the Health and Safety at Work Act.
2) Work commenced to enable the introduction of electric vehicle charge points in Baynard House.
3) Higher proportions of Electric Vehicles in the City, contributing to the overall improvement in air quality.

Expected timeframe for the project delivery: February 2021 to August 2021

Key Milestones:

1) Place order for main contract including long lead-in items
2) Start on site; enabling works
3) Start on site; Mechanical plant installation
4) Completion

Are we on track for completing the project against the expected timeframe for project delivery? Y

<If not, what has caused this and what officer action has/is being taken?>

Has this project generated public or media impact and response which the City of London has needed to manage or is managing?

This project has high reputational impact as it will enable the partnership delivery with TfL, of Electric Vehicle charging infrastructure which is strongly supported by members, particularly Port Health Environmental Services and Planning & Transportation. Implementation of the project will

enable the City and TfL to support the transition to electric vehicles and this location will support the taxi trade in particular, helping to address CR21 Air Quality on the Corporate Risk Register. Delivery of this will be a positive and high profile news story for the City, TfL/GLA and support the taxi trade which has transitioned to electric taxis.

[2] Finance and Costed Risk

Headline Financial, Scope and Design Changes:

'Project Briefing' G1 report (as approved by Chief Officer xx/yy/zz): *Not applicable due to initial report submitted as combined GW 1-4*

'Project Proposal' G2 report (as approved by PSC xx/yy/zz): *Not applicable due to initial report submitted as combined GW 1-4*

'Options Appraisal and Design' G3-4 report (as approved by PSC 16/12/19):

- Total Estimated Cost (excluding risk): 647,000
- Resources to reach next Gateway (excluding risk): 37,000
- Spend to date: Nil
- Costed Risk Against the Project: Nil
- CRP Requested: Nil
- CRP Drawn Down: N/A
- Estimated Programme Dates: April 2020 to August 2020

Scope/Design Change and Impact:

'Authority to start Work' G5 report (as approved by PSC xx/yy/zz):

- Total Estimated Cost (excluding risk):
- Resources to reach next Gateway (excluding risk):
- Spend to date:
- Costed Risk Against the Project:
- CRP Requested:
- CRP Drawn Down:
- Estimated Programme Dates:

Scope/Design Change and Impact: Since approval at GW4, one floor of the car park has been earmarked for use by a corporate occupier, with fit out works currently being undertaken.. Associated architectural changes required Computational Fluid Dynamic Design Calculations to be run again, which delayed the tender process by around 9 months. Extended lead-in times are due to Brexit and COVID, leading to estimated completion date put back by 12 months

Total anticipated on-going commitment post-delivery [£]:<Current Range>
Programme Affiliation [£]: N/A

City of London: Projects Procedure Corporate Risks Register

Project Name:	Baynard House car park ventilation and smoke cl	**PM's overall risk rating:**	Low	**CRP requested this gateway**	£ -	**Average unmitigated risk**	4.5	**Open Risks**	13
Unique project identifier:	PV12195	**Total estimated cost (exc risk):**	£ 640,777	**Total CRP used to date**	£ -	**Average mitigated**	2.2	**Closed Risks**	0

General risk classification										Mitigation actions								Ownership & Action				
Risk ID	Gateway	Category	Description of the Risk	Risk Impact Description	Likelihood Classification pre-mitigation	Impact Classification pre-mitigation	Risk score	Costed impact pre-mitigation (£)	Costed Risk Provision requested Y/N	Confidence in the estimation	Mitigating actions	Mitigation cost (£)	Likelihood Classification post-mitigation	Impact Classification post-mitigation	Costed impact post-mitigation (£)	Post-Mitigation risk score	CRP used to date	Use of CRP	Date raised	Named Departmental Risk Manager/ Coordinator	Risk owner (Named Officer or External Party)	Date Closed OR/ Realised & moved to Issues	Comment(s)
R1	4	(1) Compliance/Regulatory	Continuing to operate the car park without a new ventilation system could potentially be considered a Health and Safety at Work Act contravention	as the ventilation system is known to be out of operation there is a statutory obligation to address this	Likely	Serious	8	£0.00	N		concept design assessed and tested for sufficient air flow change to meet guidelines and statutory obligation to manage car park for current operational purposes	£0.00	Unlikely	Minor	£0.00	2	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R2		(1) Compliance/Regulatory	ensuring new system adequate to be compliant with Fire Risk Strategy	as the ventilation system is known to be out of operation there is a statutory obligation to address this, and potentially a significant public risk if thre is a fire in the building; failure to do so will also prevent installation of the proposed EV charge points	Likely	Serious	8	£0.00	N		concept design assessed and tested for sufficient air flow change to meet guidelines and statutory obligation to manage car park	£0.00	Unlikely	Serious	£0.00	4	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R3	4	(2) Financial	scheme costs going over budget estimate	would require additional allocation to complete works	Possible	Serious	6	£0.00	N		An amount of design work and modelling has been carried out already to determine a cost estimate and demonstrate that the proposed design will provide a compliant ventilation system	£0.00	Unlikely	Serious	£0.00	4	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R4	4	(1) Compliance/Regulatory	Planning permission for any element of project/scheme	would require additional time in programme, and no guarantee of approval	Unlikely	Minor	2	£0.00	N		Project deisgned so that all works are within building boundary, so planning permission not required.	£0.00	Rare	Serious	£0.00	2	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R5	4	(1) Compliance/Regulatory	The design is compliant with Building Control regulations	requires additional time in programme if not approved	Possible	Serious	6	£0.00	N		Building control have been engaged. They referred back to Fire Safety Team, who have been engaged since project inception, so risk is now considered mitigated.	£0.00	Unlikely	Minor	£0.00	2	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R6	4	(4) Contractual/Partnership	delivery of ventilation system dependent on new electricity substation connections being provided by UKPN and TfL	The programme for delivering the ventilation system is still dependant on UKPN and TfL to complete the install for the new electricity substation.	Possible	Serious	6	£0.00	N		TFL Substation complete. Spare connection left ready for COL.	£0.00	Unlikely	Minor	£0.00	2	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R7	4	(1) Compliance/Regulatory	extensive asbestos removals req	delay to programme	Possible	Serious	6	£30,000.00	N	A – Very Confident	Asbestos surveys	£10,000.00	Possible	Minor	£10,000.00	3	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R8															£0.00		£0.00						
R9	4	(5) H&S/Wellbeing	Chargemaster EVC thermal requirements/additional cooling	additional cooling may be needed	Possible	Minor	3	£30,000.00	N	A – Very Confident	Design assessment complete. Additional cooling unlikely to be required.	£0.00	Unlikely	Minor	£30,000.00	2	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R10	4	(5) H&S/Wellbeing	Fire detection in the immediate tunnel	additional detection may be required	Possible	Minor	3	£10,000.00	N	A – Very Confident	Tunnel-side façade works have been designed to mitigate this risk. Some minor residual design development risk remains.	£0.00	Unlikely	Minor	£5,000.00	2	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R11	4	(5) H&S/Wellbeing	Fire detection to the remainder of the tunnel (Castle Baynard Street)	additional detection may be required	Possible	Minor	3	£20,000.00	N	B – Fairly Confident	Dependent on vehicular access method to car park, which is outside the scope of this project. Current proposal for security and access system is to be fully independent from fire and smoke control system	£0.00	Rare	Minor	£0.00	1	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R12	4	(5) H&S/Wellbeing	Ventilation to the full length of the tunnel	further to cost to project	Unlikely	Minor	2	£180,000.00	N	B – Fairly Confident	The project scheme has been designed to separate entirely the car park from the tunnel as a smoke control zone.	£0.00	Rare	Minor	£0.00	1	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R13	4	(5) H&S/Wellbeing	traffic management for the installation	traffic management required in tunnel	Possible	Minor	3	£50,000.00	N	B – Fairly Confident	The tunnel entrance is currently closed. Should it reopen during the project, the main contractor could incorporate as part of their existing traffic control plan or may require additional design development to incorporate within project scope.	£0.00	Unlikely	Minor	£20,000.00	2	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R14	4	(5) H&S/Wellbeing	alternate ingress and egress to level 4	investigate longer term options	Possible	Minor	3	£50,000.00	N	B – Fairly Confident	Access on level 4, is outside the scope of this project. The current proposal is for an emergency fire shutter as part of this project with entirely separate access and secutity access equipment outside of this project.	£0.00	Unlikely	Minor	£0.00	2	£0.00		01/11/19	Ian Hughes	Chris Sharpe		
R15								£0.00				£0.00			£0.00		£0.00						
R16								£0.00				£0.00			£0.00		£0.00						

| | | |

PTIW – Intermediate Works Framework Report

This document is to be used to request access to the Intermediate works Framework from inception to Award. Purchasing Routes associated with a project and only considers the options recommended.

Department Highlighted in Yellow
City Procurement not Highlighted

Overview

Introduction

City Procurement Project Reference:			
Project / Contract Title:	Baynard House Ventilation & Smoke Clearance		
Lot Type	Mechanical & Electrical (M&E)		
Project Lead & Contract Manager:	**Chris Sharpe**	**Lead Department:**	**City Surveyor's**
Category Manager:		**Other Contact:**	**Richard Low-Foon**
Total Estimated Contract Value (ex VAT):	**£610,000**	**Contract Duration (inc. start date and extension options):**	**12 weeks**
Budget approved Capital/Revenue:	Yes/~~No~~ Capital/~~Revenue~~	**Capital Project reference (if applicable):**	**16100426**
Site Visit:	Chris Sharpe		

Gateway Approval Process

- **Is this project subject to the Gateway process?** Yes/~~No~~
- **If so, what was the last Gateway report, and date of approval, and what is the next Gateway report and scheduled date for recommendation for approval?**

Last GW: 1234
Approval: December 2019
Next GW Report: 5
Next GW Date: January 2021

Opportunity for Inter-City Collaboration (is there another site/department that could benefit from this project)?

Assumptions

We will be following the below guidelines as identified in the Framework Conditions

- **All Framework Suppliers Will be Invited.**
  - **Lot 1 – Building Fabric**
  - Sykes & Son
  - SW Bruce
  - ENGIE Regeneration
  - Neilcott Construction
  - **Lot 2 – Mechanical and Electrical**
  - Sykes & Son
  - SW Bruce
  - CBRE
  - ETec
- **This Framework is the Route to Market if requested in the Gateway Report.**
- **Call-off Contracts valued at not more than £400,000 will be based on the City's Standard Conditions. JCT IC 2016 based Conditions will be reserved primarily for use on Call-off Contracts valued over £400,000. There is an option for JCT ICD 2016 based Conditions if Contractor design input is required. Is this option required?**
  - **Yes/~~No~~**
- **The Specification will need to specify if the Supplier is required to be a Principal Contractor**
- **Is retention required? If so please state percentage here: 5%**
- **Standard Insurances apply include amounts**
  - Public Liability - £10,000,000
  - Products Liability - £10,000,000

- Employers' Liability - £10,000,000
- Contractor's All Risks – not less than the reinstatement value of the Works

- Data Protection Impact Assessment – will be included within the framework call off

Pre-Tender

Specification and Evaluation Overview

Summary of the main requirements: **Design, supply, install, test, commission and maintain ventilation and smoke clearance system to car park, including all associated mechanical, electrical and building works.**
Technical and Pricing evaluation ratio maximum weight for Technical 50%, Maximum for Commercial 50%. Both should equal 100% **50% (Technical) / 50% (Price)**
Overview of the key Evaluation areas (if known at this stage): **1. HSE** **2. Mechanical works** **3. Electrical works** **4. Building works**
Does contract delivery involve a higher than usual level of Health & Safety, Insurance, or Business risk to be allowed in the procurement strategy? • Enhanced level of health and safety because of works

Are there any accompanying documents with this report? *e.g. PT0/outlined project plan identifying roles and responsibilities as appropriate* **If yes, please include information in the appendices section below.**	**Yes ☐ No ☐**
Will this project require the winning supplier(s) to process personal data on our behalf?	**Yes ☐ No ☒**

If yes, please make sure you've defined roles and responsibilities within your project specification. For more information visit Designing Specifications under GDPR. You may include your Privacy Impact Assessment or other relevant report as an appendix to this PT form when submitting to category board (for information).

Evaluation Panel – Please enter Names and Departments below (if known)	
Chris Sharpe	**Richard Low-Foon**

Are LAD's required? Yes/~~No~~

Insert LADs here or state if you would like procurement to calculate the LADs

Complete

Evaluation Criteria

No	Evaluation Criteria –At least 3 Questions should be asked	Weighting (Must Equal 100%)
1	HSE: The Tenderer is to detail the traffic management plan for the works, maintaining use of car park to public on minimum of four out of five floors at any one time. (Text limited to one side of A4 at minimum size 11 font)	**25%**
2	Mechanical: The Tenderer is to outline potential mechanical risks associated with this project and an outline plan of how they will manage or overcome them, to leave a fully functional ventilation and smoke clearance system upon completion. (Text limited to one side of A4 at minimum size 11 font)	**25%**
3	Electrical: The Tenderer is to outline potential electrical risks associated with this project and an outline plan of how they will manage or overcome them (Text limited to one side of A4 at minimum size 11 font)	**25%**
4	Building: The proposed works are to be undertaken within an operational car park. Part of the work will involve creating openings into thick reinforced concrete walls for the installation of damper grilles. A notable risk is the generation of dust. Can you provide a proposal for these works and discuss the controls and measure that	**25%**

	you will implement to manage the risks; hazardous substance, protecting the public, property (cars), for example. (Text limited to one side of A4 at minimum size 11 font)	

Contract Strategy

Please identify your Procurement Strategy Traditional with Contractors Design.

Price Mechanism

Option 1– priced Bill of Quantities/Specification/Works Schedule supplied by the City
Advantages to this Option: • This give a more granular overview on each element, identifying how much each install is for a sized property. • It allows easier calculations for variation if additional properties require work or unforeseen requests. • Variations require less administration to action.
Disadvantages to this Option: • Easier for the project team to become relied on the variations and add additional work to the contact. • Does not allow for works outside of the specification to be completed even in emergency situations.
Please highlight benefits and possible risks associated with this option relative to the specifics of the project: • Compliancy can set in for variation and the ease in which the contract can be amended
Option 2: –fixed sum priced by Contract Sum Analysis or Schedule of Rates supplied by the Contractor
Advantages to this Option: • Control of programme and cost risk • Once price paid for the delivery of the specification and schedule. • A contractual arrangement where the fee is capped, and the supplier accepts the risk. • Gives a clear cost, which aids reporting and budget management.
Disadvantages to this Option: • Their price may contain added on cost due to the risk.
Please highlight benefits and possible risks associated with this option relative to the specifics of the project: Variations to the amount of locations and requirements, maybe amended and would cause issues when variant the contract.

Contract Strategy

Please identify your Pricing Strategy and theory behind it Fixed sum for control of time and cost risk

Time Table

Please give estimated timescales below, please pay particular attention that City Procurement recommends a 4 week tender period as a minimum. You will also need to take into consideration the following stages that also needs to be taken into consideration during the tender period as a whole:

- Clarifications during the tender process.
- Evaluation of tenderers.
- Approvals for Committee/Chief Officers

Date Form sent to City Procurement	20/10/2020
Estimated Tender out Date	02/11/2020
Estimated Tender return Date (4 Weeks)	05/12/2020

Post Tender

High Level Summary

Proposed Provider	**SW Bruce**
Cost (ex. VAT)	Construction amount = £598,776.90 Pre-tender estimate (as at Gateway 3/4) ex vat = £610,000
Potential Risks	No Procurement process risks are foreseen.

Detailed Summary

Summary Details of what needs to be approved and a list of key areas covered by the report
Approval to award SW Bruce Ltd to carry out Baynard House Ventilation & Smoke Clearance

Recommendations Details of who the contract is to be awarded to, proposed contract term, extensions and other relevant details
SW Bruce Ltd will deliver the works as set out in the pre-liminary and other associated documents.

Evaluation Summary Overview of the tender process including SQ and ITT outcomes; evaluation criteria and weighting, evaluation outcomes including overview of the top 3 ranked suppliers.
City Procurement agreed to a project team request to source bidders by above OJEU, Mini-Competition via a framework: 1. Tender Publication – 30/10/2020 2. Tender Response – 11/12/2020 3. Evaluation agreed – 30/12/2020
Tender Results
Rank 1 – SW Bruce
Rank 2 – Sykes and Son
Rank 3 – Etec

Savings, efficiencies and benefits Pricing overview, including cost type (fixed cost, schedule of rates etc) and cashable and non-cashable savings achieved.
• The average quality score for all tenders received is __. The quality score achieved by the recommended tender is __% above/below the average quality score. • The construction service fee offered by the recommended tenderer is __% above/below the average fee tendered. • The estimated total cost of works in connection with the recommended contractors offer is £_____, which is __% below a PTE of £_____ recorded prior to commencement of the procurement. • No other efficiencies are noted for this project at this time.
Lessons Learnt
In terms of the lessons learnt, we have observed the following: We did not envisage any other lessons learnt.

Contract Management Plan Details of persons managing the contract covering roles and responsibilities of individual staff.
Chris Sharpe will be responsible for management of the contract when awarded. City Procurement retains an interest in the basis for a subsequent recommendation and award of the contract in due course.

Customer Satisfaction Survey Please complete this survey to help us improve our service. Responses can be made anonymously and are reported to Procurement Leadership team on a quarterly basis.
https://www.surveymonkey.co.uk/r/X9233JG

Approval Sign Off	
Name of Approver	Michael Harrington
Position	Category Manager

Date approved	
Approver comments	

Appendices Final evaluation score summary, savings certificate, etc

Question	Weight	Evaluator	Etec	SW Bruce	Sykes and Son
HSE: The Tenderer is to detail the traffic management plan for the works, maintaining use of car park to public on minimum of four out of five floors at any one time. (Text limited to one side of A4 at minimum size 11 font)	25	Chris Sharpe	5	20	25
		Paresh Vekaria	10	15	15
		Evaluator 3	0	0	0
		Moderated	8	18	20
Mechanical: The Tenderer is to outline potential mechanical risks associated with this project and an outline plan of how they will manage or overcome them, to leave a fully functional ventilation and smoke clearance system upon completion. (Text limited to one side of A4 at minimum size 11 font)	25	Chris Sharpe	5	20	20
		Paresh Vekaria	10	15	10
		Evaluator 3	0	0	0
		Moderated	8	18	15
Electrical: The Tenderer is to outline potential electrical risks associated with this project and an outline plan of how they will manage or overcome them (Text limited to one side of A4 at minimum size 11 font)	25	Chris Sharpe	5	15	15
		Paresh Vekaria	10	15	10
		Evaluator 3	0	0	0
		Moderated	8	15	13
Building: The proposed works are to be undertaken within an operational car park. Part of the work will involve creating openings into thick reinforced concrete walls for the installation of damper grilles. A notable risk is the generation of dust. Can you provide a proposal for these works and discuss the controls and measure that you will implement to manage the risks; hazardous substance, protecting the public, property (cars), for example. (Text limited to one side of A4 at minimum size 11 font)	25	Chris Sharpe	10	25	20
		Paresh Vekaria	10	20	15
		Evaluator 3	0	0	0
		Moderated	10	23	18
Weighted Total Must total 100	100				

Score from Quality spli	16	36	33
Pricing Score	46	47	50

Total	62.7	83.3	82.5
Rank	3	1	2

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Committee: Planning and Transportation Committee	**Date:** 26 January 2020
Subject: Stopping up application – Site bounded by Fenchurch Street, Mark Lane, Dunster Court and Mincing Lane, London, EC3M 3JY	**Public**
Report of: Director of the Built Environment	**For decision**

Summary

Officers have received a stopping up order application for areas of Fenchurch Street, Mark Lane, Mincing Lane and Star Alley, relating to the development of the site bound by these streets for which this committee resolved to grant planning permission on 14 May 2020. As part of this resolution, committee agreed in principle to the stopping up of the public highway that would be built upon if the development were implemented. The report advised that the applicant intended to stop up the whole of Star Alley, comprising areas of public highway that would be built upon and others that would not, and officer's advice was that an assessment on this would be for separate determination upon receipt of this stopping up application.

A Stopping Up application which includes the whole of Star Alley, including the area which does not have structures placed on it, has been received (see Appendix 1). Officers are satisfied that in principle the proposed stopping up satisfies the legal tests for making an order and that in the exceptional circumstances of this case the public interest in securing the very significantly enhanced and expanded public realm provided in place of the existing highway, protected by rights of access through covenants within the S106 agreement, justifies the loss of existing public highway. However, this is subject to the statutory notice procedure and consideration of any objections

Recommendation

1. Planning and Transportation Committee is asked to authorise the commencement of the process for stopping up of highway as shown indicatively on the Stopping Up plan at Appendix 1.

2. If, after giving notice of the proposed stopping up, there are no unresolved objections the Director of the Built Environment is authorised to make the Stopping Up Order as per the plans, subject to the additional S106 covenant detailed in paragraph 16 being secured, and noting that the plans may be updated following minor mapping adjustments.

3. If there are unresolved objections the stopping up application will be reported back to your Committee.

Main Report

Background

1. This Committee resolved to grant planning permission for the development of the site bounded by Fenchurch Street, Mark Lane, Dunster Court and Mincing Lane, London, EC3M 3JY on 14 May 2020 ("the Site").

2. The development proposals comprise demolition of existing buildings on site and the provision of a new 35 storey office building with basements and ground floor retail accommodation and a publicly accessibly roof terrace, double height winter gardens at level 10 and a newly created large area of public realm. The scheme also proposes a separate building for the new Clothworkers' Hall, which incorporates significant basement area extending under the public realm.

3. The Committee report of May 2020 included the following detail on stopping up and resolved to stop up those areas that would be built upon, as outlined in paragraph 4a of this report;

    a) A stopping up order would be needed to stop up small areas of Fenchurch Street, Mark Lane, Mincing Lane and Star Alley that would be built upon if the development was implemented. This includes the livery hall lightwell in the southern leg of Star Alley, which would then become, as a result, two short cul-de-sacs. To ameliorate the obvious disbenefits to public movement that this interruption to Star Alley as a pedestrian thoroughfare would create, 24-hour public access is proposed to be secured over the whole of the proposed new public realm through an appropriate planning obligation, which would allow the public to walk at any time around the lightwell to its north (this being the principal desire line from the west to and from London Street and therefore Fenchurch Street Station) and also to the south of the church tower.

    b) The Court has authorized the Town Clerk to make stopping up orders that are not opposed, and he has delegated this authority to the Director of the Built Environment. Opposed stopping up orders are, however, reported to your Committee to determine.

    c) The developer has proposed stopping up the whole of Star Alley (not just those parts where the lightwell is located), so that it would be owned, insured and managed within the same regime as the surrounding privately-owned public realm. It is understood that the applicant envisage the acquisition of the part of Star Alley which is owned by the City Corporation and several other small areas to enable delivery of the scheme. Officers are not currently satisfied that the stopping up of the whole of Star Alley would be fully compliant with policy aimed at safeguarding rights of access (Local Plan Policy D.M.16.2), but acknowledge that there are countervailing public benefits which will in due course need to be weighed in the balance. As part of the separate process of stopping up there will need to be an assessment of whether it would meet the statutory test of necessity. However, this matter would be for separate determination in the event of a stopping-up application being received. It is open to your Committee to agree the recommendation

notwithstanding the City's initial reservations regarding a potential stopping-up application in respect of the whole of Star Alley.

4. This report relates to an application for the stopping up of the areas detailed in paragraph 3a and paragraph 3c. The area detailed in paragraph 3c which was the subject of officers' reservations is shown indicatively on the plan marked Appendix 2. The proposed stopping up also includes an area of Dunster Court which would be built upon and two areas adjacent to Mark Lane that would form part of the new area of public realm, which are not adopted public highway but which may be subject to prescriptive rights.

5. The areas that are the subject of the stopping up application are shown indicatively on the plan marked Appendix 1. Please note that these plans are referred to as indicative as they may be subject to minor changes if adjustments to the City's mapping are required following receipt of an updated survey.

6. It is noted that the officer's recommendation to committee on 14 May 2020 included the following;

    a. That you agree in principle that the land affected by the proposal which is currently public highway and land over which the public have right of access (comprising small areas of Fenchurch Street, Mark Lane, Mincing Lane and Star Alley that would be built upon if the development was implemented) may be stopped up to enable the development to proceed and, upon receipt of the formal application, officers be instructed to proceed with arrangements for advertising and making of a Stopping-up Order for the various areas under the delegation arrangements approved by the Court of Common Council.

7. This point attracted interest from Members during the committee of 14 May 2020 and as such, in consultation with the Chair and Deputy Chairman, it was decided that this application and the officer's recommendation be presented to committee for determination.

Legislation

8. Under section 247 (2A) of the Town and Country Planning Act 1990 (TCPA 1990) the City of London Corporation, may by order authorise the stopping up or diversion of any highway if it is satisfied it is necessary to do so in order to enable development to be carried out.

9. Under section 247 (2B) of the TCPA 1990 in determining an application the authority may consider whether any order should make any such provision as may appear to the authority to be necessary or expedient for the provision of any other highway.

10. The application has been submitted under Section 253 of the TCPA 1990, which enables the authority to publish notice of the draft of a proposed order prior to the grant of planning permission.

11. Section 130(1) of the Highways Act 1980 makes it “the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority”.

12. When assessing applications for the stopping up of public highway, officers must be satisfied that it is both necessary to do so (“the necessity test”) and that the advantages in doing so outweigh any disadvantages (“the merits test”).

Assessment

13. Officers are satisfied that the physical interference in the highway including the extensive works to change levels, insert a basement and lay out the public realm satisfy the legal test of necessity for the stopping up of all the proposed areas shown on plan in appendix 1.

14. Officers recognise that the loss of public highway and its replacement with routes over which the public have rights of access through covenants in a S106 agreement is contrary to Local Plan Policy D.M. 16.2. This is because highway status affords greater public protection of the rights of way, which cannot be removed other than through a statutory procedure requiring public notice.

15. Officers are satisfied that the merits test is satisfied in this instance due to the exceptionally significant public realm provided by the development over which the public would have 24/7 rights of access, the public benefit of which is considered to outweigh the disbenefits of stopping up the remainder of Star Alley. This assessment is subject to the statutory notice procedure and consideration of any objections. The rights of access are to be secured by S.106 covenants, which are to be in place before the issue of planning permission and the making of any stopping up order.

16. In order to provide additional strength to the S.106 covenants it is proposed that the S.106 Agreement includes a further covenant that the freeholder will not dispose of any interest in land in the surface of the public realm area without the City’s prior approval. This is to ensure that responsibility for the public realm is not transferred, for example, to the office leaseholder and to ensure management responsibility is not split between owners, both of which would risk prejudicing its long-term public benefit.

17. In coming to this in principle recommendation officers want to make clear on record that this is not to be considered a precedent for non-compliance with existing Local Plan policy DM 16.2 or new Local Plan policy AT1, particularly as that policy increases in weight approaching and after adoption. The new policy states that ‘the replacement of a route over which pedestrians have rights with one to which the public have access only with permission will not be acceptable’.

18. Officers do not consider public access rights secured through a S106 agreement as equivalent to public access rights afforded by public highway status. The recommendation is based on the provisional conclusion that the stopping up of the public highway and resulting loss of highway status is outweighed by the exceptional circumstances namely the very significantly expanded and enhanced proposed area of public realm.

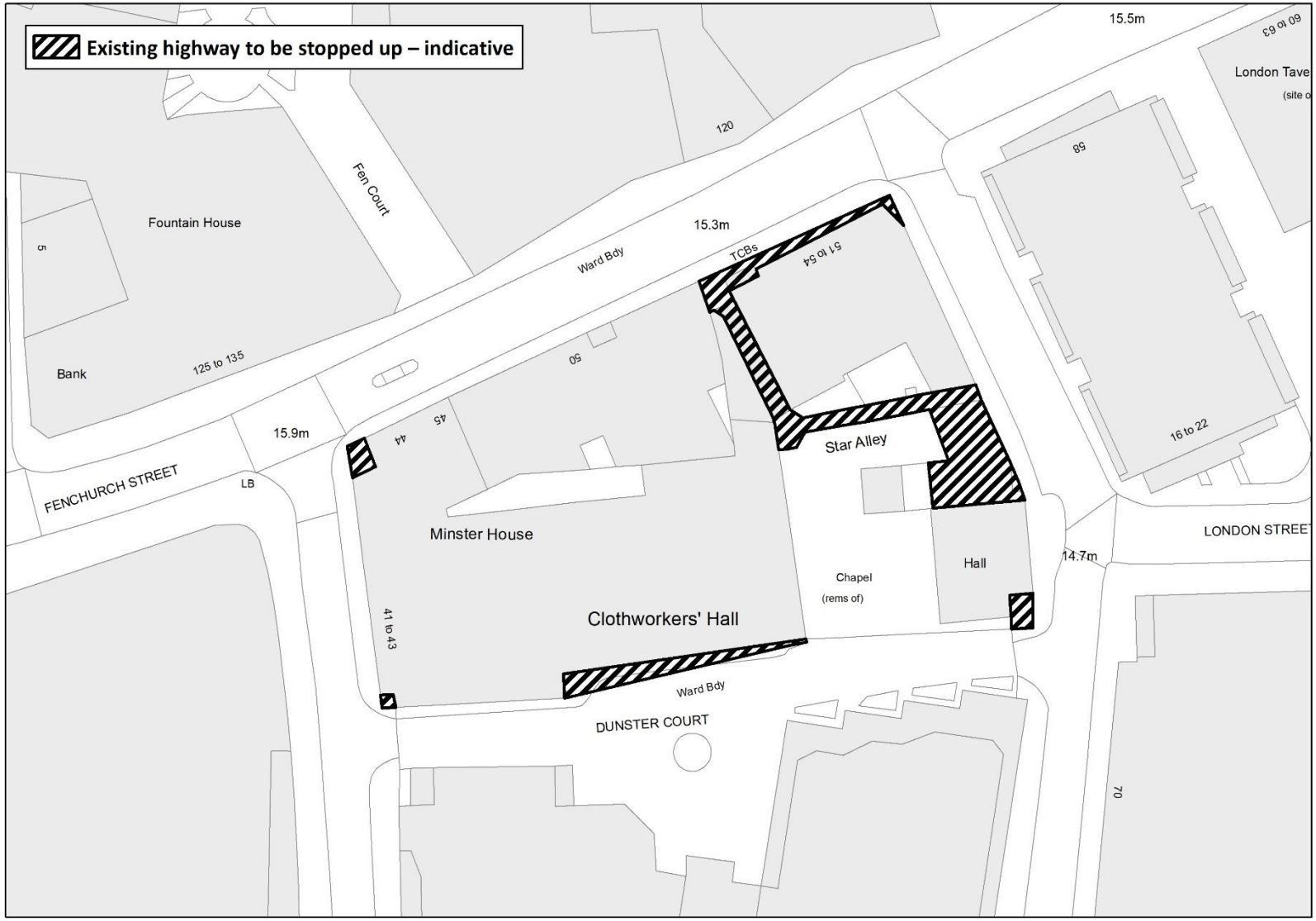
Appendices

Appendix 1: Indicative stopping up plan

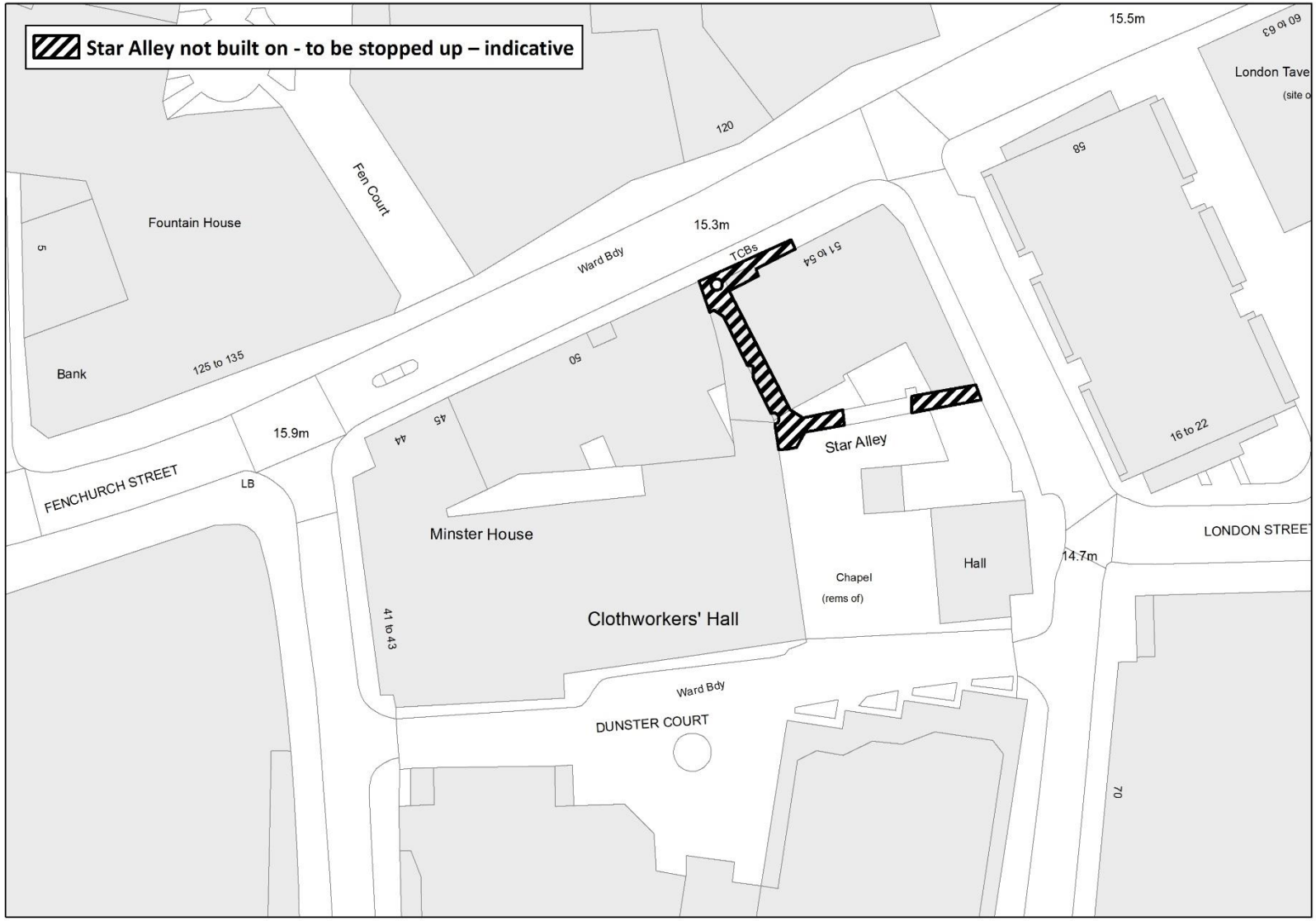
Appendix 2: Indicative plan showing areas of Star Alley not built upon proposed to be stopped up

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Department of the Built Environment
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E-mail: kieran.mackay@cityoflondon.gov.uk

Appendix 1: Indicative stopping up plan



Appendix 2: Indicative plan showing areas of Star Alley not built upon proposed to be stopped up

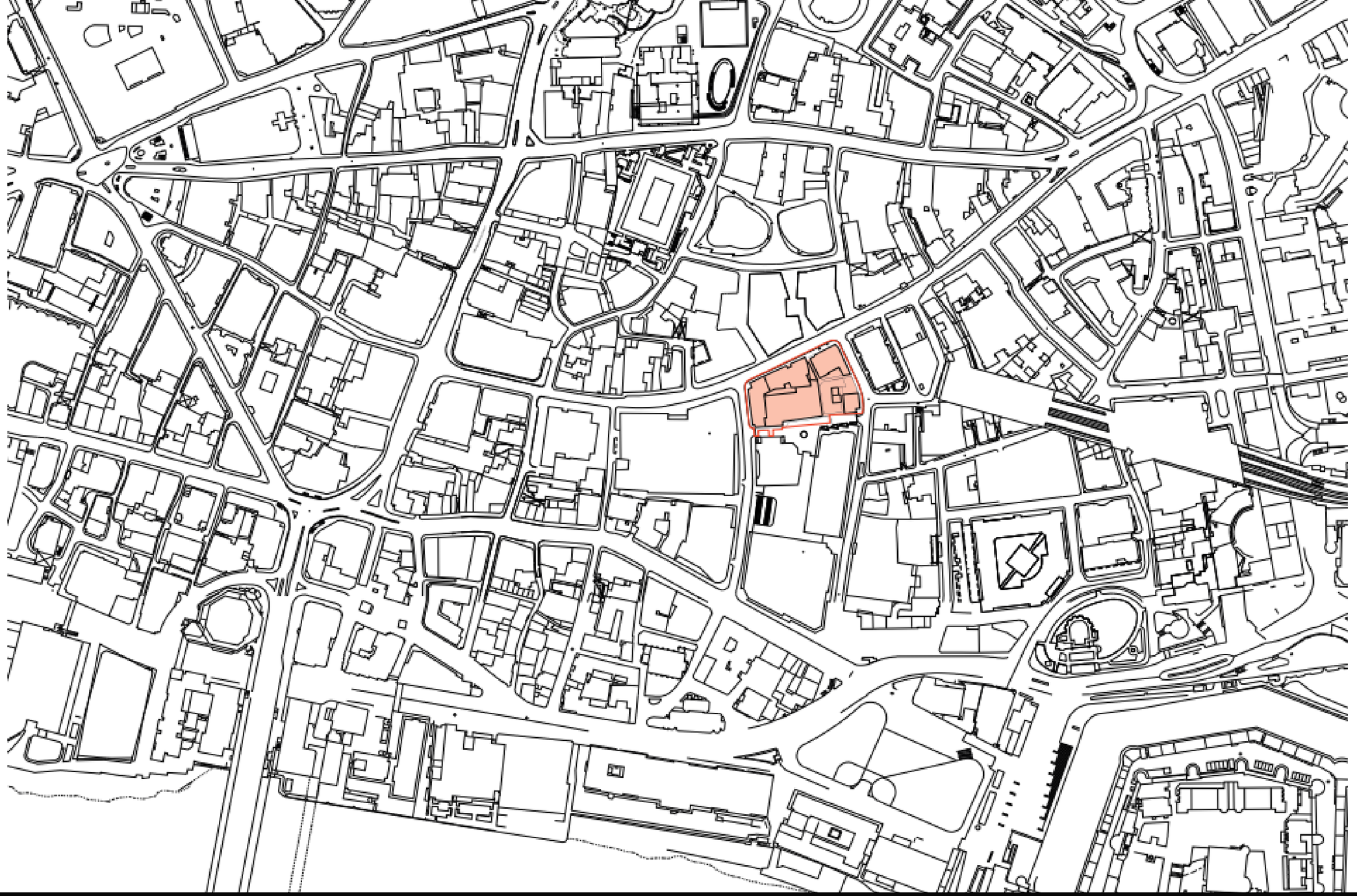


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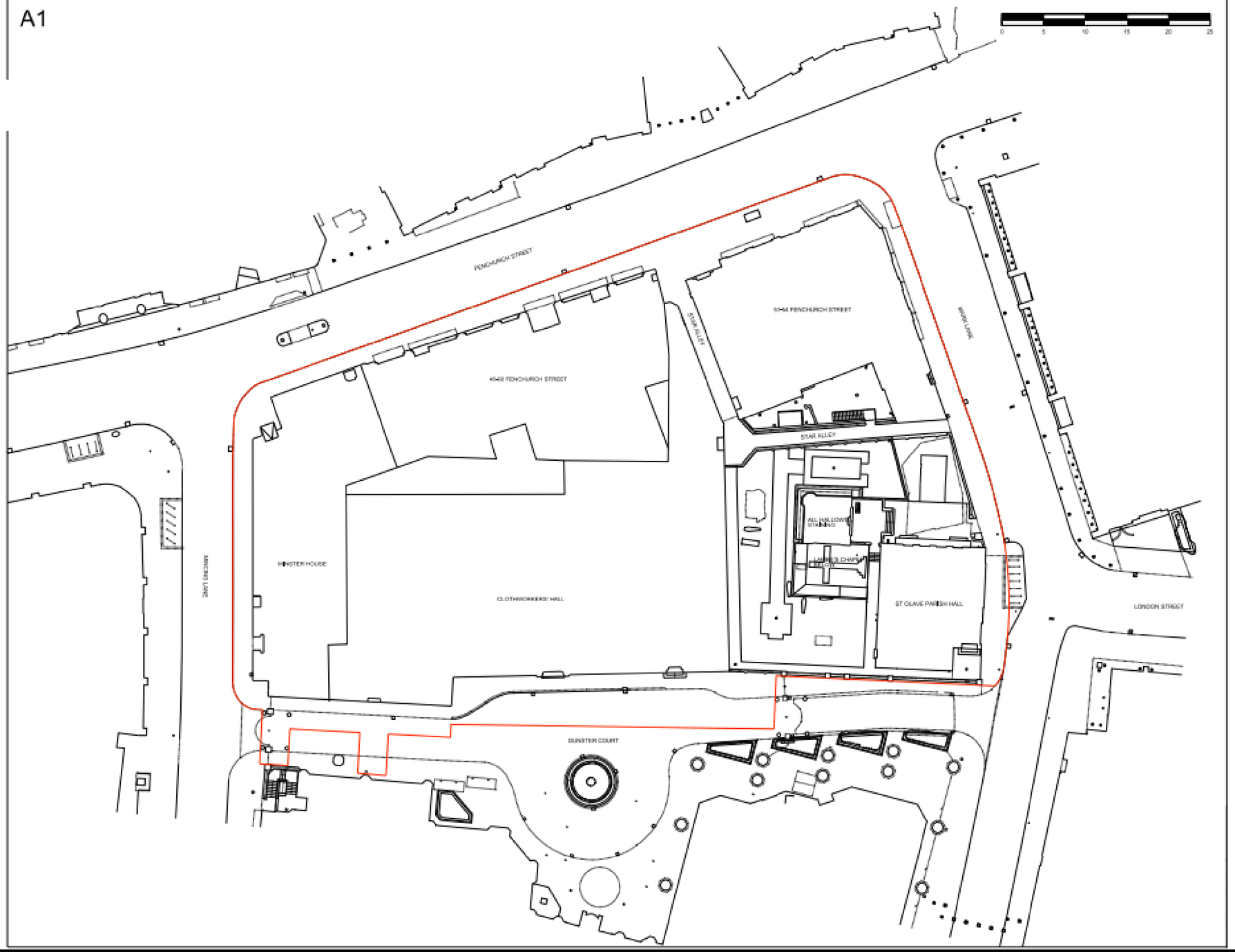
50 Fenchurch Street Stopping Up Application

Planning & Transportation Committee

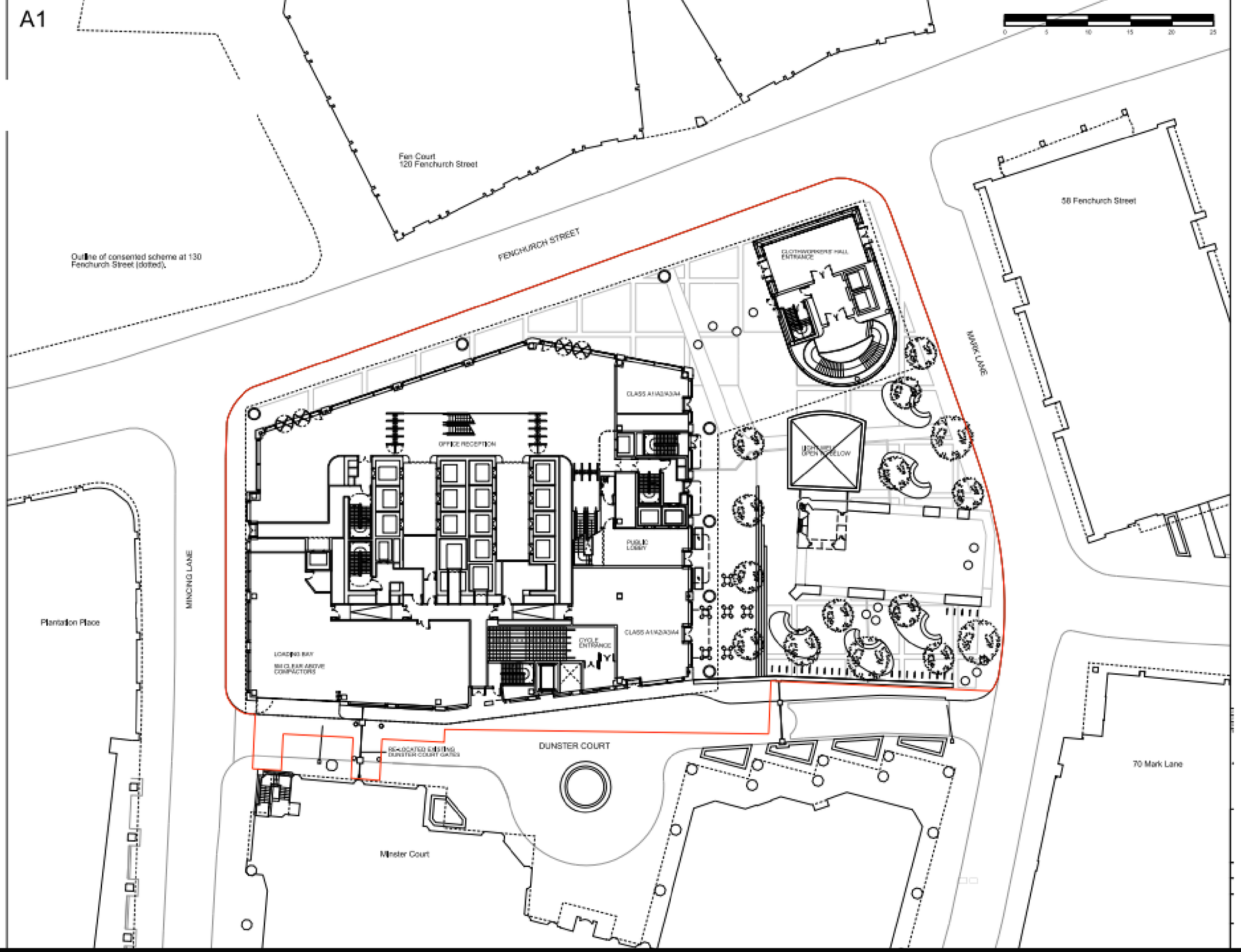
26 January 2021



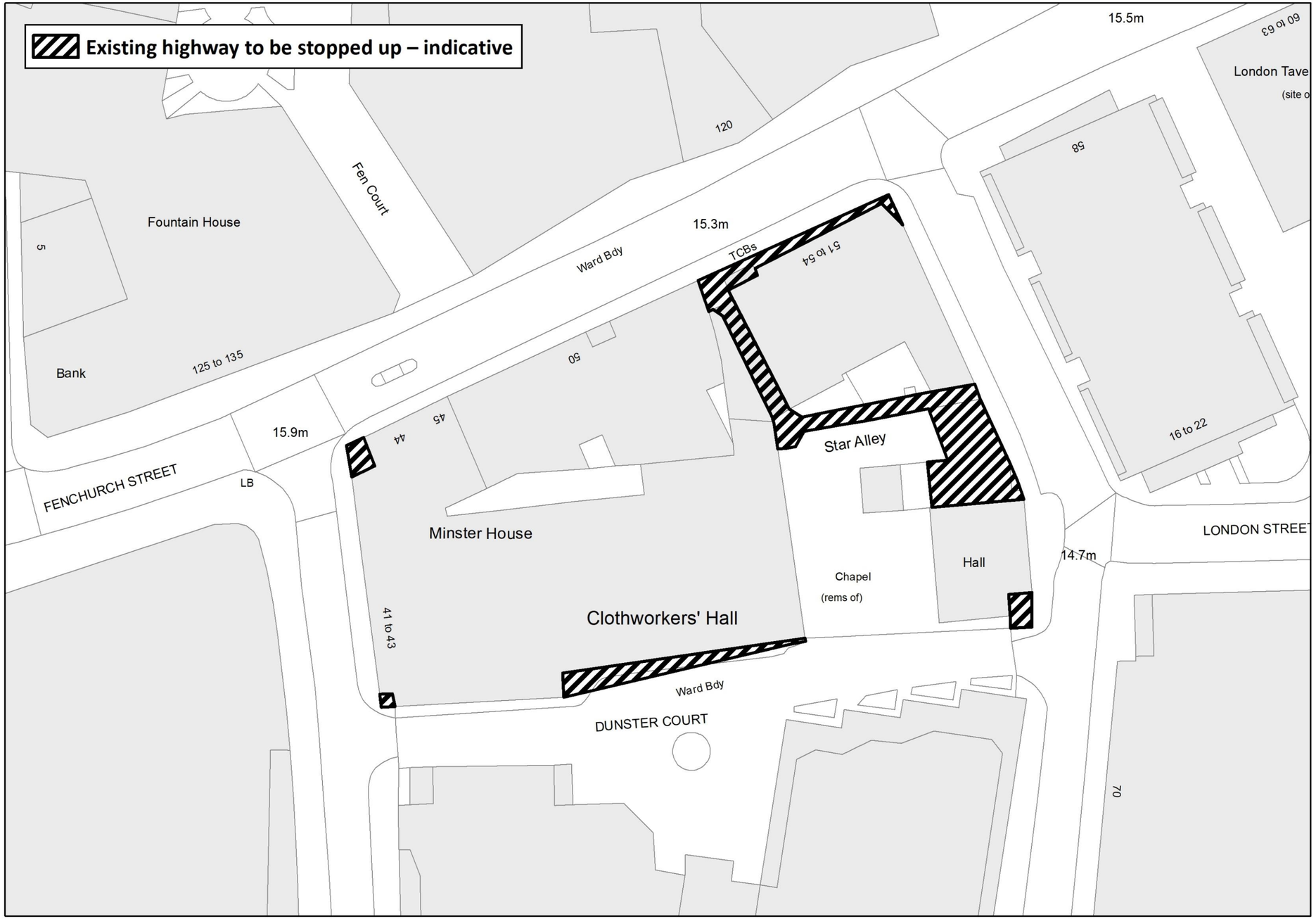
Site plan



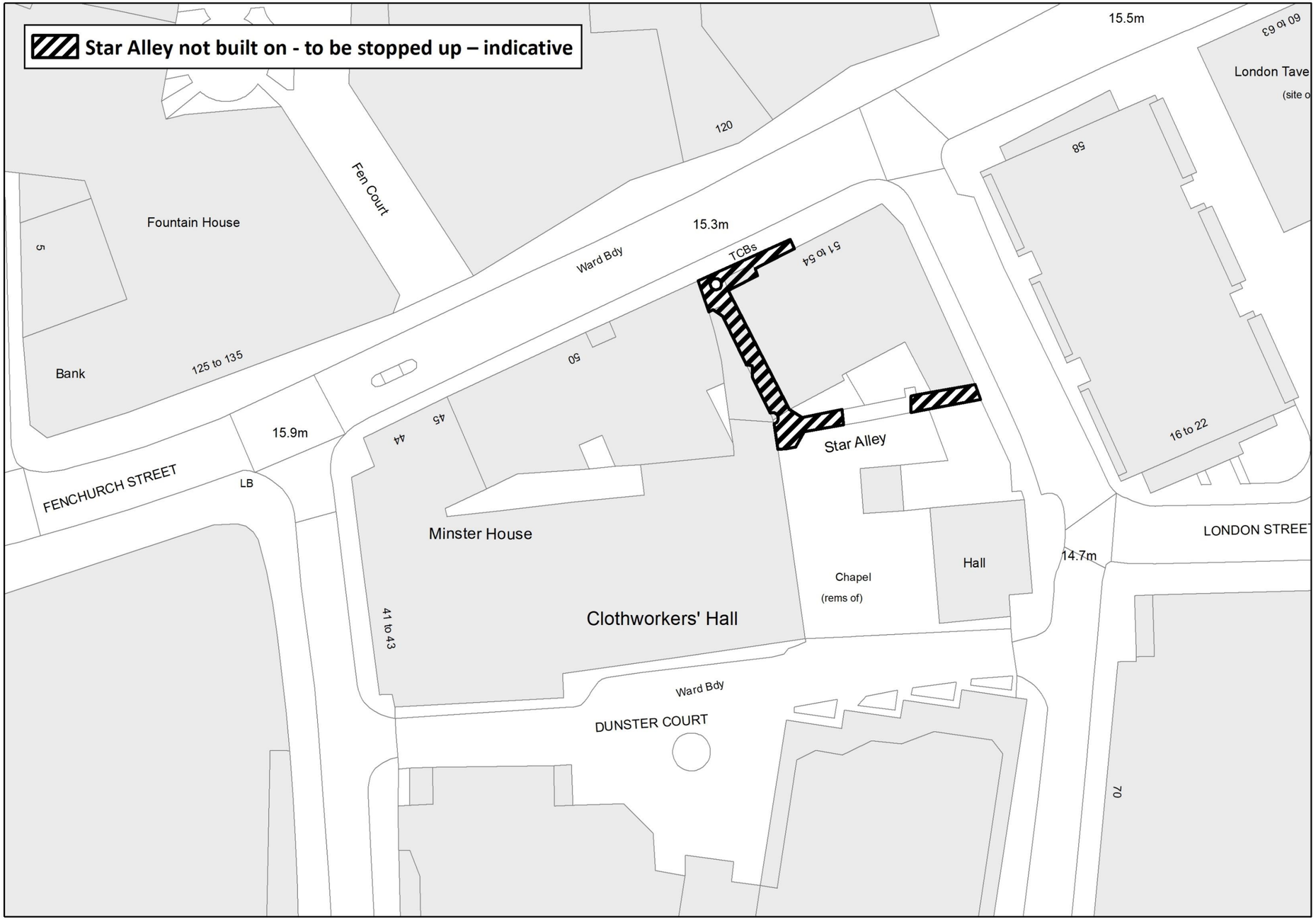
Existing ground floor plan



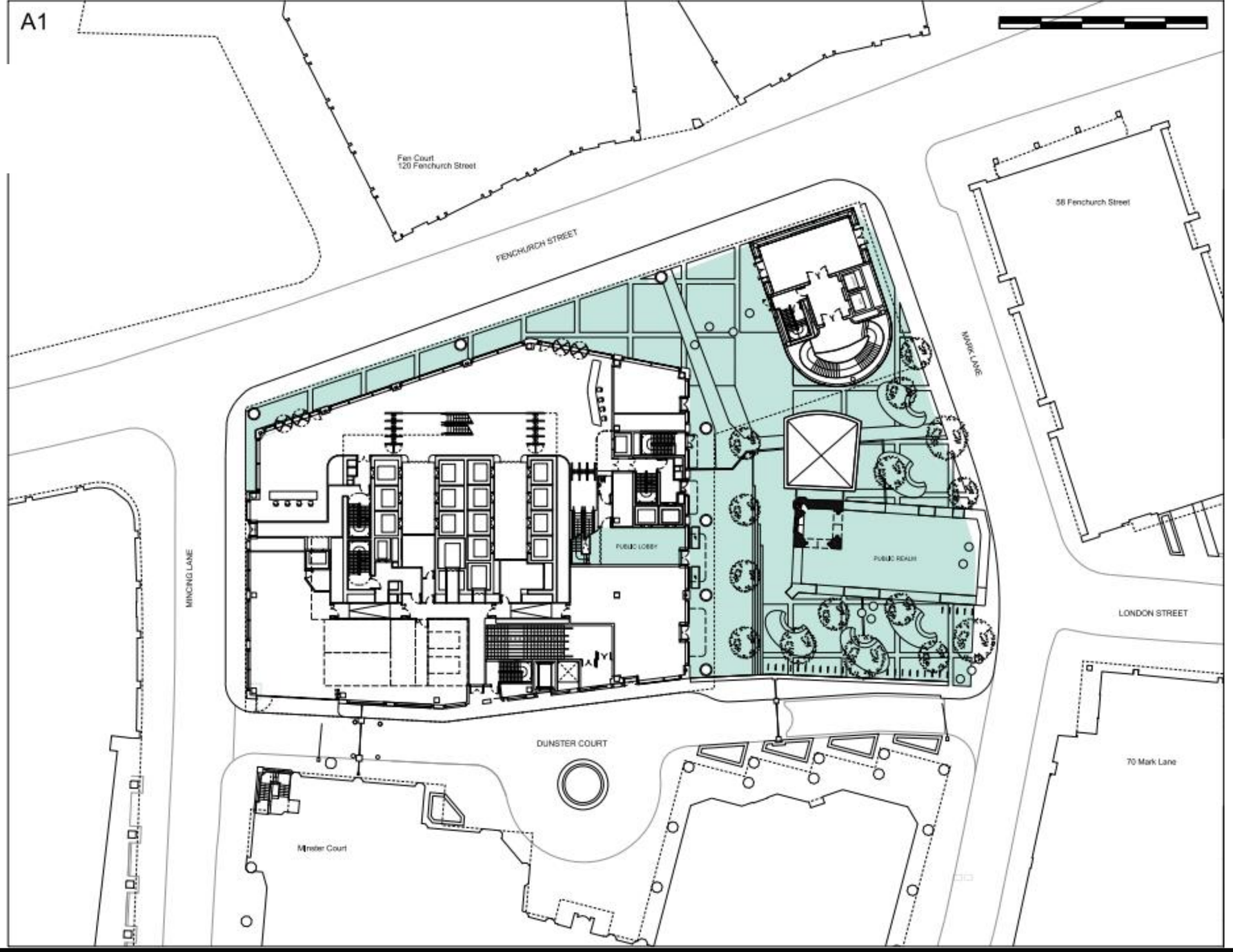
Proposed ground floor plan



Stopping up plan – total area



Stopping up plan – areas of Star Alley not being built upon



Public Realm – proposed ground





Existing view of 46-50 Fenchurch Street



Proposed view on Fenchurch Street



Existing view from Mark Lane



Proposed view of Public Realm from Mark Lane



Aerial view of proposed Level 10 Public Garden and Public Realm

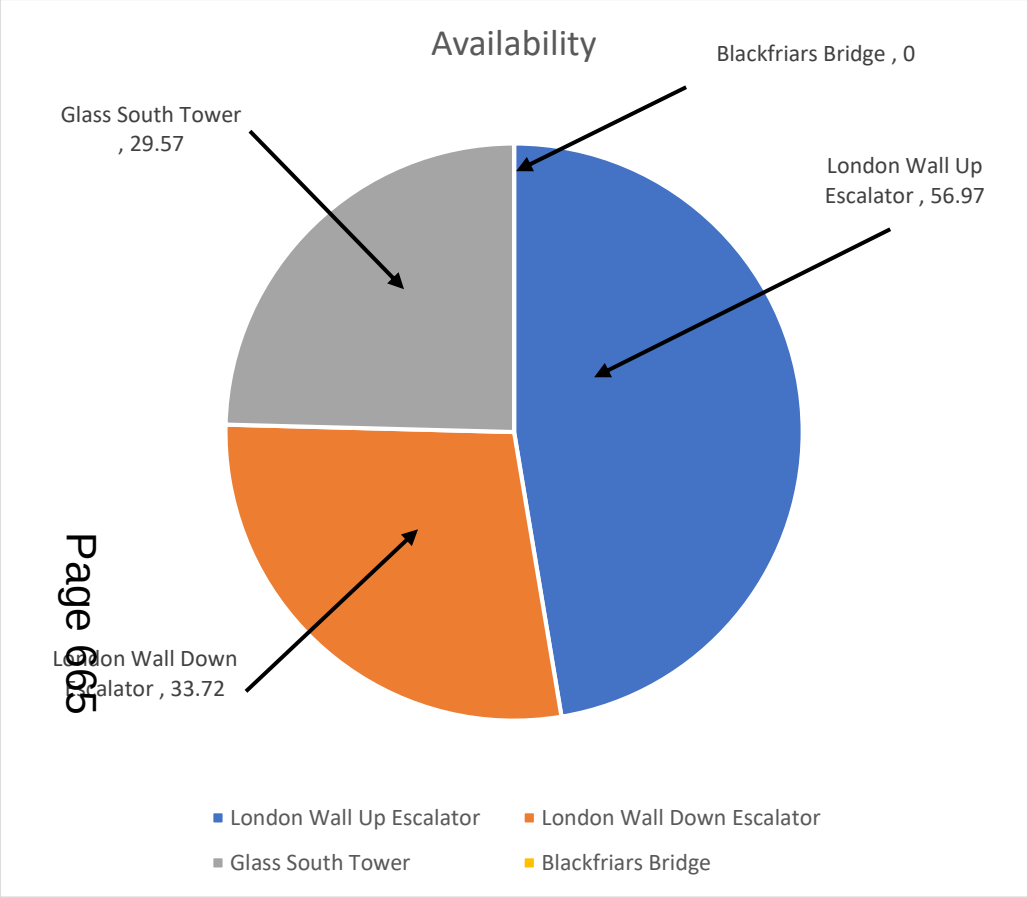
PLANNING AND TRANSPORTATION COMMITTEE – OUTSTANDING ACTIONS

Item	Date	Action/ Responsible Officer	Progress Update and Date to be progressed/completed
1	18 March 2019 2 April 2019 30 April 2019 24 May 2019 18 June 2019 9 July 2019 30 July 2019 10 Sept 2019 1 Oct 2019 22 Oct 2019 5 Nov 2019 12 Dec 2019 28 Jan 2020 18 Feb 2020 6 March 2020 2 June 2020 23 June 2020 14 July 2020 8 Sept 2020 6 Oct 2020 27 Oct 2020 17 Nov 2020 15 Dec 2020 5 Jan 2021	**Daylight/Sunlight – Alternative Guidelines** **Chief Planning Officer and Development Director** A Member argued that the Committee should separate out the desire for Member training and the desire for alternative guidelines on daylight/sunlight,and requested that a report be brought to Committee setting out how the City of London Corporation might go about creating alternative guidelines, including timescales, if Members were so minded and the legal implications of this.	UPDATE: (27 Oct 2020) : Officers reported that British Standards had published guidance on this last year but that the BRE guidelines were still awaited. Officers were now set to meet with the BRE to understand their intended timeline for this and intended to align the City's work with this. With regard to the associated Member Training request on this matter, Officers were now looking at the BRE webinars and how Officers could work with these and would update Members on this matter at the 15 December 2020 meeting of this Committee. **To be completed: Target of February 2021.**
2	18 June 2019 9 July 2019 30 July 2019 10 Sept 2019	**Construction Works** **Chief Planning Officer and Development Director**	UPDATE: (27 Oct 2020): Officers stated that it was very difficult for the planning system to control the start dates on construction sites, particularly in the current circumstances. There was, however, a

	1 Oct 2019 22 Oct 2019 5 Nov 2019 12 Dec 2019 28 Jan 2020 18 Feb 2020 6 March 2020 2 June 2020 23 June 2020 14 July 2020 8 Sept 2020 6 Oct 2020 27 Oct 2020 17 Nov 2020 15 Dec 2020 5 Jan 2021	A Member referred to the many construction sites within her Ward that were causing noise/disturbance issues. She asked if officers could look at how this matter might be improved and more effectively controlled and questioned whether any restrictions could be placed on construction when applications were first approved/granted consent. The Chair reiterated that Members had also requested, at the last meeting of this Committee, that Officers consider what powers, if any, might be used with regard to construction time periods and how construction in any given area might 'dovetail'.	Code of Construction which allowed Officers to deal with the cumulative impact of the number of construction sites due to come on stream and they would continue to manage any issues in this way. Members were also informed that a Development Liaison Manager had now been recruited and one of the key roles for the postholder was to provide an overview of forthcoming schemes with a view to coordinating these in terms of implementation. **To be completed: Target of February 2021**
3	6 March 2020 2 June 2020 23 June 2020 14 July 2020 8 Sept 2020 6 Oct 2020 27 Oct 2020 17 Nov 2020 15 Dec 2020 5 Jan 2021	**<u>Member Training</u>** **Chief Planning Officer and Development Director / Director of the Built Environment** A Member questioned whether there would be further training provided on Daylight/Sunlight and other relevant planning matters going forward. She stated that she was aware that other local authorities offered more extensive training and induction for Planning Committee members and also requested that those sitting on the Planning Committee signed dispensations stating that they had received adequate training. The Chair asked that the relevant Chief Officers consider how best to take this forward. He also highlighted that the request from the Town Clerk to all Ward Deputies seeking their nominations on to	UPDATE: (17 November 2020): Members were of the view that more formal training should be offered by the Department to any newly appointed members of the Committee in line with the principles of the Planning Protocol. **To be completed: Training offering for new Members to be considered in early 2021 with a view to implementing this for the new municipal year.** UPDATE (15 December 2021) – Officers to look at incorporating a demonstration of recently developed Virtual Reality (VR) Software into forthcoming Member training sessions.

		Ward Committees states that Members of the Planning & Transportation Committee are expected to undertake regular training.	
4	23 June 2020 14 July 2020 8 Sept 2020 6 Oct 2020 27 Oct 2020 17 Nov 2021 15 Dec 2021 5 Jan 2021	**<u>Barbican and Golden Lane Conservation Area SPD</u>** **Interim Chief Planning Officer and Development Director** A Member highlighted that a Conservation Management Plan was still awaited for this area in the form of a Supplementary Planning Document. He added that this was originally approved by this Committee in October 2018 and that he had requested an update on progress on several occasions since. He asked that this also now be included within the list of Outstanding Actions so that it was not lost sight of entirely.	UPDATE: (17 Nov 2020): It was reported that the SPD would now be going to the next meetings of the Barbican Centre Board, the Barbican Residential Cttee and the Barbican Estate Residents Consultation Cttee for their input before coming to this Cttee in February 2021. Golden Lane and Tudor Rose Court residents would also be consulted on the document prior to it being presented to this Committee **To be completed: SPD to Committee in February 2021.**
5.	15 Dec 2021 5 Jan 2021	**<u>Anonymisation of Members in Committee Minutes</u>** **Town Clerk** A Member requested that the minutes of this Committee should no longer anonymise Members and should, instead, record the names of those making comments and also record how individual Members had voted where rollcall votes were taken.	The Town Clerk undertook to provide the Committee with a report on the pros and cons of this suggestion and also to look into practice across other local authorities. It was also suggested that this matter would need to be brought to the attention of the Policy and Resources Committee in due course given that it went against the convention set down by them some time ago for all Corporation Committees. **To be completed: Report to Committee by February 2021.**
6.	5 Jan 2021	**<u>Changes/access to Public Highways</u>**	The Chair suggested that, as this was a hybrid of both highways and planning functions, Officers

		Interim Chief Planning Officer and Development Director A Member spoke to state that she felt that providing Members with a sense, graphically, of what cumulative changes had happened to public highways as a result of approved planning applications would be beneficial – particularly at a time when space for pedestrians was arguably more important than ever.	should give further consideration to the proposal and suggest how best it might be responded to. **To be completed: Officers to look into this matter and update Committee in the first quarter of 2021.**
7.	5 Jan 2021	**<u>Whole Life Carbon Guidelines</u>** **Interim Chief Planning Officer and Development Director** A Member questioned whether consideration could be given to developing guidance on Whole Life Carbon that could be adopted as a planning advice note in the same way that guidance on Thermal Comfort had been developed.	The Chair asked that the Interim Chief Planning Officer and Development Director respond to the Member on this point and consider how best to bring the matter back to the Committee. **To be completed: Officers to look into this matter and update Committee in the first quarter of 2021.**



Code	Name	Time OOS	Availability
0924	Duchess Walk Public Lift CL24	0 00:00	100%
0976	Pilgrim Street SC6458969	0 00:00	100%
0978	Atlantic House SC6458966	0 00:00	100%
7345	Speed House Public Lift SC6459146	0 00:00	100%
7730	Wood Street Public Lift SC6458970	0 00:00	100%
7921	Little Britain SC6458967	0 00:00	100%
7960	London Wall West SC6458965	0 00:00	100%
7963	London Wall East SC6458964	0 00:00	100%
7998	Tower Place Public Lift SC6458962	0 00:00	100%
7999	Tower Place Scenic Lift SC6458963	0 00:00	100%
7740	Moor House SC6458968	0 05:57	99.11%
0929	Millennium Bridge Inclinator SC6459245	0 19:08	97.15
7997	33 King Williams Street SC6462850	0 21:33	96.79%
0945	London Wall Up Escalator SC6458959	12 01:08	56.97%
0944	London Wall Down Escalator SC6458958	18 13:24	33.72%
0916	Glass South Tower SC6459244	19 17:15	29.57%
7964	Blackfriars Bridge SC6462771	27 14:13	0.00%

Points to Note:

- There are 17 Public Lifts/Escalators in the City of London estate. The report below contains details of the 4 - public escalator/lifts that were out of service for 95% or less of the time.
- The report was created on 8 January 2021 and subsequently since this time the public lifts or escalators may have experienced further breakdowns which will be conveyed in the next report.

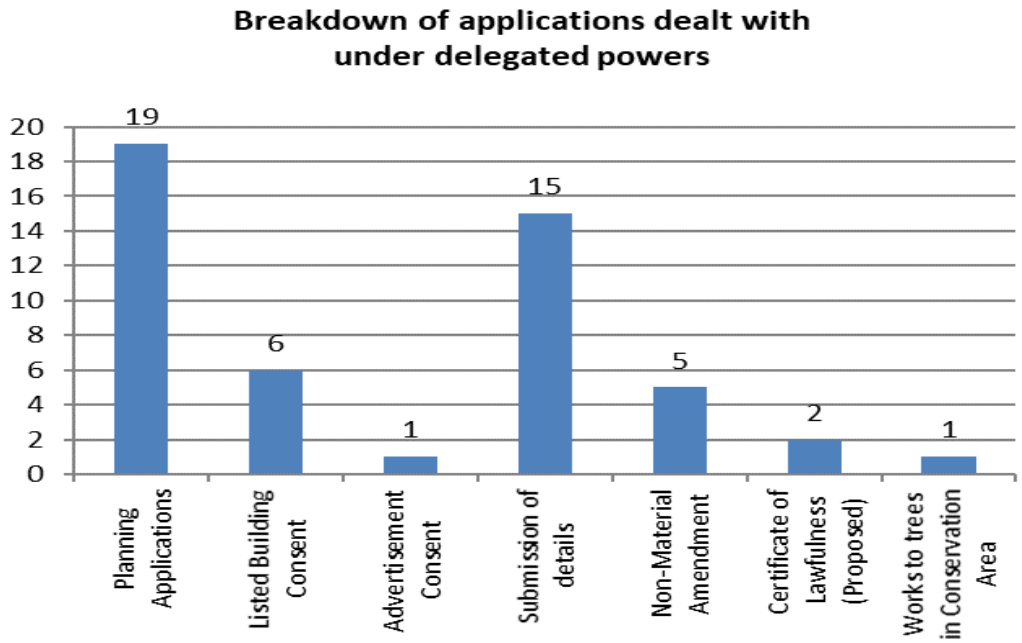
Location	Status as of 08/01/2021	% of time in service Between 12/12/2020 and 08/01/2021	Number of times reported Between 12/12/2020 and 08/01/2021	Period Not in Use Between 12/12/2020 and 08/01/2021	Comments Where the service is less than 95%
London Wall (No.1) Escalator (UP) SC6458959	In service	56.97%	1	290 hours	Emergency Stop button pressed on escalator many times over the Christmas period, each instance was responded to within 24 hours as per the contractor agreement.
London Wall (No.1) Escalator (Down) SC6458958	Out of Service	33.72%	1	446 hours	Escalator out of service due to broken steps and step chains, the rectification works have been agreed, parts ordered with an expected return to service date of the 31st January 2021 at the latest.
Glass South Tower SC6459244	In Service	29.57%	1	474 hours	An ongoing issue has been identified with the controls for the lift which means it is regularly not working, each time it fails an engineer attends and provides a temporary fix. A survey is being undertaken to provide details of a full-scale refurbishment project which will be brought forward to address the controls issue plus other parts of the lift which are coming to the end of their natural life.
Blackfriars Bridge SC6462771	Out of service	0%	1	672 hours	Lift out of service for the whole reporting period due to Safety Improvement Project. Lift returned to service on the 12th January 2021.

Committee(s)	**Dated:**
Planning and Transportation	26th January 2021
Subject: Delegated decisions of the Chief Planning Officer and Development Director	**Public**
Report of: Chief Planning Officer and Development Director	**For Information**

Summary

Pursuant to the instructions of your Committee, I attach for your information a list detailing development and advertisement applications determined by the Chief Planning Officer and Development Director or those so authorised under their delegated powers since my report to the last meeting.

In the time since the last report to Planning & Transportation Committee Forty nice (49) matters have been dealt with under delegated powers. Fifteen (15) relate to conditions of previously approved schemes, Six (6) application for Listed Building Consent, and One (1) application for Advertisement Consent, Five (5) relate to non-material amendments, two (2) Certificates of lawfulness for proposed development, and One (1) application for works to trees in a conservation area. Nineteen (19) Full applications and including Four (4) Change of Use and 1655 sq.m floorspace created.



Any questions of detail arising from these reports can be sent to plans@cityoflondon.gov.uk.

Details of Decisions

Registered Plan Number & Ward	Address	Proposal	Decision & Date of Decision	Applicant/ Agent name
20/00905/FULL Aldersgate	Alder Castle House 10 Noble Street London EC2V 7JX	Change the use of part of the fourth floor from offices to ecclesiastical use (Use Class F.1)	Approved 07.01.2021	Covent Garden IP Ltd
20/00961/MDC Aldersgate	Thomas More Car Park Barbican London EC2Y 8BT	Details of the concrete planter pursuant to condition 2(C) of the planning permission reference 19/01045/FULL dated 28.01.2020	Approved 17.12.2020	City of London Corporation
20/00451/NMA Aldgate	40 Leadenhall Street London EC3M 5HR	Non-material amendment under Section 96A of the Town and Country Planning Act 1990 to planning permission dated 29th May 2014 (13/01004/FULEIA) to enable minor internal alterations to the ground and mezzanine floors and to the layout and new internal eastern elevation of 19-21 Billiter Street and to omit the approved floor areas from the description of development.	Approved 18.12.2020	Vanquish Properties
20/00897/LBC Aldgate	6 Lloyd's Avenue London EC3N 3AX	Installation of an external condenser unit within the lightwell of building and installation of new air conditioning unit internally at lower ground floor level.	Approved 30.12.2020	CLS Lloyds Avenue Limited

20/00813/FULL Bassishaw	1 London Wall Place London EC2Y 5AU	Temporary installation of sculptures for a temporary period between 8th December 2020 and 17th January 2021.	Approved 22.12.2020	London Wall Place LP
20/00886/MDC Bassishaw	88 Wood Street London EC2V 7DA	Submission of details of: (i) the materials to be used on: Cycle parking mesh, Frame and Planters; and (ii) details on the construction of the planting beds including: plant species, protection measures for the existing trees on site and maintenance regime pursuant to condition 3 (a) and (b) of planning permission dated 18.08.2020 (Application number: 20/00267/FULL).	Approved 22.12.2020	Star Winner Enterprises Limited
20/00672/LBC Billingsgate	Custom House 20 Lower Thames Street London EC3R 6EE	Removal of 4 x War Memorials from the ground floor entrance hall.	Approved 15.12.2020	Watts Group Ltd
19/01286/FULL Bishopsgate	17 St Helen's Place London EC3A 6DG	(i) Installation of plant equipment within new plant enclosure at roof level. (ii) Installation of replacement plant to rear lightwell. (iii) Removal of redundant louvers to the front and rear elevations. (iv) Removal of redundant roof lanterns and handrails to perimeter of roof along with removal of redundant external escape stair to rear.	Approved 22.12.2020	LTB

20/00841/FULL Bishopsgate	Bishopsgate Police Station 182 Bishopsgate London EC2M 4NP	Construction of a covered exercise yard linked to the existing building.	Approved 17.12.2020	City of London Corporation
20/00962/NMA Bishopsgate	150 Bishopsgate London EC2M 4AF	Non-material amendment under Section 96A of the Town and Country Planning Act 1990 (as amended) to planning permission dated 27.07.2018 (17/00623/FULL) to allow for the reconfiguration of the internal layouts, the addition of canopies to the west elevation doors and omission of the arcade gates.	Approved 05.01.2021	UOL Group Ltd
20/00974/NMA Bishopsgate	110 - 114 Middlesex Street London E1 7HY	Application for non-material amendment under S96A of the Town and Country Planning Act 1990 (as amended) to amend the approved south elevation plan (1723-P-(03)-101) of planning permission 20/00173/FULL dated 14.02.2020 to retain the new sliding door entrance and create a 135mm step to match the existing finished floor level.	Approved 05.01.2021	Seaforth Land
20/00856/FULL Bread Street	10 Paternoster Square London EC4M 7DY	External works to the existing 6th floor roof terrace to include replacement of the existing floor finish, introduction of planting and seating areas and lowering of the existing threshold to introduce a new single leaf door to	Approved 22.12.2020	London Stock Exchange Group

		provide level access to the roof terrace.		
20/00090/FULL Candlewick	1 Abchurch Yard London EC4N 5AX	Creation of an additional storey at 5th floor level to provide extension to 4th floor residential unit.	Approved 30.12.2020	Pedmyre Properties Ltd
20/00091/LBC Candlewick	1 Abchurch Yard London EC4N 5AX	Creation of an additional storey at 5th floor level to provide extension to 4th floor residential unit.	Approved 30.12.2020	Pedmyre Properties Ltd
20/00703/FULL Castle Baynard	89 Fleet Street London EC4Y 1DH	Installation of a new boiler flue at the rear of the property with associated works.	Approved 15.12.2020	Pearl & Coutts
20/00953/NMA Castle Baynard	6 St Andrew Street London EC4A 3AE	Non-material amendment under Section 96A of the Town and Country Planning Act 1990 (as amended) to planning permission 20/00230/FULL dated 22 July 2020, to amend the location and number of grilles for the fresh air ventilation system on the rear elevation.	Approved 15.12.2020	St James's UK Plc
20/00536/FULL Cheap	81 Newgate Street London EC1A 7AJ	Application for minor material amendments under Section 73 of Town and Country Planning Act 1990 (as amended) which seeks permission to amend the wording of condition 7 attached to planning permission 0288AS dated 16/07/1982.	Approved 15.12.2020	NG Devco Limited
20/00851/MDC Cheap	2 Gresham Street London EC2V 7QP	Details of a Construction Management Plan pursuant to condition 2 of planning permission 19/00772/FULL dated 05/11/19.	Approved 15.12.2020	Willmott Dixon Interiors

20/00852/MDC Cheap	2 Gresham Street London EC2V 7QP	Details of external materials pursuant to condition 11a of planning permission 19/00772/FULL dated 05/11/19.	Approved 22.12.2020	Willmott Dixon Interiors
20/00854/MDC Cheap	30 King Street London EC2V 8EH	Noise Impact Assessment pursuant to condition 8 of planning permission 05/00174/FULL.	Approved 07.01.2021	BBC Pension Trust Ltd, C/o Orchard Street
20/00660/CLOPD Coleman Street	Basildon House 7 - 11 Moorgate London EC2R 6AF	Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Application under Section 26H for a Certificate of Lawfulness of Proposed Works to a Listed Building to install new shower and changing rooms with associated plant services at basement floor level.	Grant Certificate of Lawful Development 17.12.2020	7 Moorgate SARL
20/00740/MDC Coleman Street	City Point 1 Ropemaker Street London EC2Y 9AW	Submission of details of particulars and samples of the materials to be used including terrace surfaces, planters, seating and the proposed planting of conditions 3 (a) (in part) and (d) (in part) of planning permission dated 12th December 2019 (19/00823/FULL).	Approved 17.12.2020	Wavegrange Ltd
20/00812/FULL Coleman Street	City Point Plaza 1 Ropemaker Street London EC2Y 9AW	Temporary installation of sculptures for a temporary period between 8th December 2020 and 17th January 2021.	Approved 22.12.2020	Wavegrange Ltd

20/00824/FULL Cordwainer	Watling House 33 Cannon Street London EC4M 5SB	Installation of a new canopy and portal to the entrance door at the main entrance on the corner of Cannon Street and Bread Street.	Approved 17.12.2020	Blackrock
20/00876/LBC Cornhill	1 - 3 Bishopsgate London EC2N 3AQ	Replacement of 2no. existing ATM Signs with 2no. new non illuminated signs	Approved 22.12.2020	HSBC Corporate Real Estate
20/00883/ADVT Cornhill	1 - 3 Bishopsgate London EC2N 3AQ	Replacement of 2no. existing ATM Signs with new non-illuminated signs, measuring 0.715m high and 0.72m wide, at a height of 2.065 metres above ground level.	Approved 22.12.2020	HSBC Corporate Real Estate
20/00514/FULL Dowgate	Skinners' Hall 8 Dowgate Hill London EC4R 2SP	Alterations to Skinners Hall including i) demolition of existing pavilion, new glazed pavilion extension, associated roof terrace works and entrance to Court Room, at first floor level; ii) new glazed plant enclosure; iii) extension and mansard to courtyard elevation to provide new accommodation at third floor; iii) modifications to western facade at ground and first floor levels; iv) new entrance from College Street via new opening in existing screen wall, new staircase and platform lift to new lower ground entrance; alterations to the courtyard to provide level access to Skinners Hall and vi) new handrails to existing entrances at 8 and 9 Dowgate Hill.	Approved 31.12.2020	Worshipful Company of Skinners

20/00568/FULL Farringdon Within	33 - 37 Charterhouse Square London EC1M 6EA	Application under S.73 of the Town and Country Planning Act 1990 (as amended) to allow variation of condition 13 planning permission 19/00119/FULL dated 22/08/2019 to make minor material amendments to the external appearance at roof level including i) changes to glazing screen on the North and West elevations, ii) mesh cladding to the South elevation, iii) removal of one chimney at roof level and iv) relocation of plant equipment.	Approved 15.12.2020	Cognita Schools Ltd
20/00594/MDC Farringdon Within	Creed Court 3 - 5 Ludgate Hill, 1 - 3 Creed Lane And 11 - 12 Ludgate Square London EC4M 7AA	Details of the photovoltaic panel installation pursuant to condition 18 of planning permission 17/01207/FULMAJ dated 13 February 2019.	Approved 07.01.2021	Dominvs Investments 1 Ltd
20/00655/FULL Farringdon Within	56 West Smithfield London EC1A 9DS	Change of use to wine retail premises incorporating ancillary offices and wine tasting (Class E).	Approved 07.01.2021	Farm Originals Limited
20/00727/LBC Farringdon Within	Stationers Hall Stationers Hall Court London EC4M 7DD	Installation of Service Head cupboard, ground floor side passage, west elevation, East Wing, for new incoming electrical supply and installation of air-conditioning unit to lower ground service passage, north elevation, East Wing	Approved 22.12.2020	The Worshipful Company of Stationers

20/00790/LBC Farringdon Within	Blackfriars Tavern 174 Queen Victoria Street London EC4V 4EG	Repairs to the structure, interior and external facades and roof.	Approved 17.12.2020	Mitchells & Butlers Retail Ltd
20/00991/NMA Farringdon Within	Land Bounded By Charterhouse Street, Lindsey Street, Long Lane And Hayne Street London EC1	Non-material amendment under Section 96A of the Town and Country Planning Act (as amended) to planning permission dated 20/01/2016 (app. no. 13/00605/FULEIA) to amend the description of development and the wording of condition 14 to allow for the use of the ground floor retail unit on Lindsey Street/Charterhouse Square as flexible retail/office floorspace.	Approved 18.12.2020	Helical
20/00994/CLOPD Farringdon Within	Land Bounded By Charterhouse Street, Lindsey Street, Long Lane And Hayne Street London EC1	Application for a Certificate of Lawful Development for the proposed use of the retail unit (flexible Class A) as office (Class E).	Approved 16.12.2020	Helical
19/00052/MDC Farringdon Without	Old Pathology Building And RSQ Building St Bartholomews Hospital West Smithfield London EC1A 7BE	Submission of details of the restoration of the ground floor of the northern elevation of the Residential Staff Quarters building pursuant to condition 25 of planning permission dated 11.06.2018 (ref: 16/01311/FULL).	Approved 17.12.2020	Nuffield Health

20/00789/FULL Farringdon Without	General Market West Smithfield London EC1A 9PS	The partial demolition, repair and replacement of the General Market roof and other associated works at roof level including the provision of green roof, installation of photovoltaic panels, the provision of roof plant and ventilation equipment and the installation of new lift overruns and rooflights.	Approved 08.01.2021	Museum of London
20/00815/TCA Farringdon Without	Inner Temple Garden, Kings Bench Walk, Masters House, Church Court London EC4Y 9BB	i) Pruning works to Juglans mandschurica (Manchurian Walnut tree), Cedrus atlantica (Atlas Cedar tree), 2 x Platanus x acerifolia (London Plane tree) and Lauris nobilis (Bay tree); and ii) removal of Betula pendula (Silver Birch tree) and Catalpa fargesii (Chinese Bean tree).	No objections to tree works - TCA 18.12.2020	Mr Greg Packman
20/00894/MDC Farringdon Without	1&2 Garden Court Middle Temple London EC4Y 9BJ	Details of alterations to the west elevation of 1 and 2 Garden Court, including new openings and junctions with the link structure pursuant to conditions 2 (a) and (b). Details and a method statement for masonry cleaning and repairs and a scheme and methodology for cleaning and repair of brickwork pursuant to condition 4 in respect of the listed building consent for internal and external works at 1 & 2 Garden Court (18/01219/LBC) dated 22 January 2019.	Approved 30.12.2020	The Honourable Society of The Middle Temple

20/00605/MDC Lime Street	6-8 Bishopsgate & 150 Leadenhall Street London EC3V 4QT	Submission of details of soffits, hand rails and balustrades at scale (1:5) pursuant to condition 23 (d) of planning permission dated 13th September 2018 (17/00447/FULEIA).	Approved 22.12.2020	MEC London Property 2 LP
20/00613/MDC Lime Street	6-8 Bishopsgate & 150 Leadenhall Street London EC3V 4QT	Submission of details of junctions with surrounding buildings pursuant to condition 23 (e) of planning permission dated 13th September 2018 (17/00447/FULEIA).	Approved 30.12.2020	MEC London Property 2 LP
20/00844/MDC Lime Street	6-8 Bishopsgate & 150 Leadenhall Street London EC3V 4QT	Submission of particulars and samples of the materials to be used on all external faces of the building including external facade of the Stone building pursuant to condition 23 (a) (in part) of planning permission dated 13th September 2018 (17/00447/FULEIA).	Approved 30.12.2020	MEC London Property 2 LP
20/00866/MDC Lime Street	6-8 Bishopsgate & 150 Leadenhall Street London EC3V 4QT	Submission (b) Large scale (1:10) details of the proposed new facade(s) including typical details of the fenestration and entrances; pursuant to condition 23 (b) (in part) of planning permission dated 13th September 2018 (17/00447/FULEIA).	Approved 30.12.2020	MEC London Property 2 LP
19/00699/FULL Portsoken	Aldgate House 33 Aldgate High Street	Change of use of part of the ground floor and ground floor mezzanine from office (Class B1) to	Approved 18.12.2020	Aldgate House Nominee No.1 Limited Aldgate House

	London EC3N 1AH	restaurant (Class A3) (395 sq.m); the erection of a ground floor extension (165sq.m) for restaurant use (Class A3); extension of existing ground floor mezzanine (289 sqm) for restaurant use (Class A3); and associated works.		Nominee No.
20/00384/MDC Portsoken	St Botolph Without Aldgate High Street London EC3N 1AB	Details of revisions to the foundation design, the extent of the existing vault to be removed, of the new structures to seal the vault and junctions of the vault with the new structure pursuant to conditions 7, 9 n), o) and p) of planning permission dated 15 February 2018 (application number 17/01054/FULL).	Approved 15.12.2020	The PCC of St Botolph Without Aldgate
20/00820/FULL Portsoken	Aldgate Square London EC3N 1AH	Temporary installation of a sculpture for a period of up to 12 months, as part of the 9th edition of Sculpture in the City, to be taken down on or before 13 December 2021 with an expected de-installation in March 2021: Arcadia by Leo Fitzmaurice (previously exhibited in front of 99 Bishopsgate tree)	Approved 17.12.2020	City of London Corporation
20/00587/MDC Tower	Emperor House 35 Vine Street London EC3N 2PX	Submission of details of roof plan, roof sections to include flues, photovoltaic panels and fall protection system pursuant to conditions 5 (d) (in part) and 5 (h) of planning permission	Approved 18.12.2020	Urbanest

		18/00193/FULMAJ dated 26.07.2018		
20/00770/FULL Tower	St Johns House 11 - 13 Crosswall London EC3N 2JY	External alterations to entrance door within the east elevation.	Approved 17.12.2020	Columbia Threadneedle
20/00739/FULL Vintry	33 Queen Street London EC4R 1BR	Installation of one mobile receiver antenna mounted on a new support mast on the south-western area of the roof level at 35.018m (AOD) above ground level.	Approved 17.12.2020	London Chamber of Commerce And Industry
20/00460/FULL Walbrook	62-63 Threadneedle Street London EC2R 8HP	Alterations to, and extension of, the existing building, including: (i) New ground floor frontages and entrances to Threadneedle Street and Bartholomew Lane; (ii) Rear extensions at second to seventh floors to provide additional office floorspace (387sq.m GIA); (iii) Change of use at part basement level -1 and part ground floor from Class B1 and Class A2 use to part Class B1 (120sq.m GIA), Part flexible use for either Class A1, A2, A3 or B1 (278sq.m GIA) and part flexible use for either Class A1, A2 or B1 (394sq.m GIA); (iv) Provision of new roof terraces at the rear of the building at first, second and third floors; and (v) installation of replacement plant	Approved 23.12.2020	Royal and Sun Alliance Insurance

		enclosure at the rear of the building at first floor level. (Total increase in floorspace 387sq.m GIA).		

Committee(s)	Dated:
Planning and Transportation	26th January 2021
Subject: Valid planning applications received by Department of the Built Environment	**Public**
Report of: Chief Planning Officer and Development Director	**For Information**

Summary

Pursuant to the instructions of your Committee, I attach for your information a list detailing development applications received by the Department of the Built Environment since my report to the last meeting.

Any questions of detail arising from these reports can be sent to plans@cityoflondon.gov.uk.

Details of Valid Applications

Application Number & Ward	Address	Proposal	Date of Validation	Applicant/ Agent name
20/00986/FULL Aldersgate	1 Shaftesbury Place, London, EC2Y 8AA	Additional two floors to Ferroner's House, part of Ironmonger's Hall. (Previous planning applications permitted: 15/000406/FULL & 18/00085/FULL).	14/12/2020	The Worshipful Company of Ironmongers
21/00002/FULL Aldgate	100 Fenchurch Street, London, EC3M 5JD	Removal of existing stone cladding to front elevation and replacement with new.	04/01/2021	Vanquish Properties (UK) Limited Partnership
20/01010/FULL Bassishaw	25 Gresham Street, London, EC2V 7HN	Proposed replacement of an existing air handling unit and an existing chiller in the roof-level plant room above the 9th floor	18/12/2020	Lloyds Banking Group

20/00964/FULL Bishopsgate	10 Exchange Square, London, EC2A 2BR	Instillation of balustrade and handrail to the existing flat roof at level 11 to create a roof terrace incidental to the existing office.	04/12/2020	Western Asset Management
20/01018/FULL Bishopsgate	133 Middlesex Street, London, E1 7JF	Alternation of the Shopfront of 133 Middlesex street by installing an additional entrance door towards the basement.	22/12/2020	D&Z2020LTD
20/00861/FULL Broad Street	120 Old Broad Street, London, EC2N 1AR	Installation and removal of rooftop telecommunications equipment consisting of: removal of 11no. antennas; installation of 3no 5.4m support poles supporting 6no. new antennas and 1no. relocated antenna; installation of 2no. 4.4m poles supporting 4no. new antennas; installation of 2no. 4.8m poles supporting 4no. new antennas; and the replacement of 1no. cabinet and ancillary works.	16/12/2020	Cornerstone and Cornerstone,Telefonica and Vodafone
20/00956/FULL Castle Baynard	St Andrew By The Wardrobe, Queen Victoria Street, London, EC4V 5DE	Installation of a new access ramp to the entrance of the north elevation and other associated works.	27/11/2020	PCC St Andrew-by-the-Wardrobe

20/00902/FULL Cheap	Becket House, 36 Old Jewry, London, EC2R 8DD	Installation of a new cantilevered terrace with 3no. new glazed access doors at third floor level with integrated planters and trellis. Replacement of external door to fifth floor and new glazed door and window to sixth floor.	10/12/2020	The Mercers' Company
20/00948/FULL Coleman Street	3 Copthall Avenue, London, EC2R 7BH	Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary condition 5 (approved drawings) of planning permission 20/00268/FULL dated 21 May 2020, to allow for an additional door at 5th floor level on the north elevation, for access to the consented terrace.	27/11/2020	KanAm Grund KVG MbH For of Funding Leading
20/00987/FULL Coleman Street	25 Moorgate, London, EC2R 6AR	Installation of rooftop telecommunications equipment consisting of: 12no. antennas on 6no. 3.50m high support poles, 3no. 0.3m diameter microwave dishes, 1no. 0.6m diameter microwave dish, 4no. equipment cabinets on steelwork support, and ancillary equipment thereto.	14/12/2020	Telefonica UK Limited

20/01003/FULL Cordwainer	1 Bow Churchyard, London, EC4M 9DQ	Reconfiguration of roof plant and installation of new roof plant with louvres at roof level.	18/12/2020	Aviva Life and Pensions UK Limited
20/00845/FULL Farringdon Without	Chancery House, 53 - 64 Chancery Lane, London, WC2A 1QS	Extensions and alterations , including recladding, of the existing link extension and creation of lightwells at lower ground floor level, along with improvements to existing lightwells at ground floor level.	08/12/2020	Chancery House London Nominee 1 Limited
20/00910/FULL Farringdon Without	Chancery House, 53 - 64 Chancery Lane, London, WC2A 1QS	Creation of a new roof terrace at level 3 fronting Chancery Lane, amendments to the existing building comprising works to the Lower Ground floor lightwell, replacement of existing external air bricks with louvres, replacement of exiting rooftop plant, installation of PV panels at level 7, provision of a new entrance at lower ground floor level and new UKPN sub-station at lower ground floor level.	08/12/2020	Chancery House London Nominee 1 Limited
20/00989/FULL Tower	Ibex House, 42 - 47 Minories, London, EC3N 1DY	Replacement of existing windows and fenestration (excluding west elevation) and refurbishment of internal office	15/12/2020	HP Ibex Investments S.A.R.L

		floorspace at first to seventh floor levels, including cores and circulation spaces, to upgrade working areas to modern standards.		

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of the Local Government Act 1972.

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of the Local Government Act 1972.

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