



## Planning and Transportation Committee

**Date:** TUESDAY, 19 JULY 2022  
**Time:** 10.30 am  
**Venue:** LIVERY HALL - GUILDHALL

**Members:**

Deputy Shravan Joshi (Chairman)	Alderman Ian David Luder
Deputy Alastair Moss (Deputy Chair)	Antony Manchester
Deputy Randall Anderson	Alderman Bronek Masojada
Brendan Barns	Andrew Mayer
Emily Benn	Deputy Brian Mooney
Ian Bishop-Laggett	Deborah Oliver
Deputy Keith Bottomley	Deputy Graham Packham
Deputy Michael Cassidy	Deputy Susan Pearson
John Edwards	Judith Pleasance
Anthony David Fitzpatrick	Deputy Henry Pollard
Deputy John Fletcher	Ian Seaton
Deputy Marianne Fredericks	Alethea Silk
Martha Grekos	Luis Felipe Tilleria
Jaspreet Hodgson	Shailendra Kumar Kantilal Umradia
Alderman Alastair King DL	William Upton QC
Deputy Edward Lord	Alderman Sir David Wootton
Natasha Maria Cabrera Lloyd-Owen	

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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/6rAK6k0ANrU>

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.

**Lunch will be served in Guildhall Club at 1PM**

**John Barradell**  
**Town Clerk and Chief Executive**

# AGENDA

NB: Certain matters for information have been marked \* and will be taken without discussion, unless the Committee Clerk has been informed that a Member has questions or comments prior to the start of the meeting. These information items have been collated in a supplementary agenda pack and circulated separately.

## 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 *draft* public minutes and non-public summary of the meeting held on 1 July 2022.

**For Decision**  
(Pages 7 - 22)

4. **BOUNDARY HOUSE, 7-17 JEWRY STREET, LONDON EC3N 2EX**  
Report of the Chief Planning Officer and Development Director

**For Decision**  
(Pages 23 - 188)

5. **347 CRESCENT HOUSE, GOLDEN LANE ESTATE, EC1Y 0SN**  
Report of the Chief Planning Officer and Development Director

**For Decision**  
(Pages 189 - 346)

- a) **Listed Building Consent - 347 Crescent House, Golden Lane Estate, London EC1Y 0SN** (Pages 347 - 436)  
Report of the Chief Planning Officer and Development Director

**For Decision**

6. **MIDDLESEX STREET ESTATE, LONDON E1**  
Report of the Chief Planning Officer and Development Director

**For Decision**  
(Pages 437 - 490)



7. **PLANNING AND TRANSPORTATION COMMITTEE MEETING ARRANGEMENTS**  
Report of the Town Clerk, the Executive Director of Environment and the Comptroller and City Solicitor

*To be considered in conjunction with the non-public appendix at Item 21.*

**For Decision**  
(Pages 491 - 498)

8. **TRANSPORT FOR LONDON CONSULTATIONS: BUS ROUTE CHANGES  
CENTRAL LONDON AND ULEZ EXPANSION AND ROAD USER CHARGING**  
Report of the Executive Director of Environment

**For Decision**  
(Pages 499 - 520)

9. **LONDON WALL CAR PARK JOINTS AND WATERPROOFING**  
Report of the Executive Director of Environment

**For Decision**  
(Pages 521 - 544)

10. **CONTINUED SUPPORT OF THE CITY HOSPITALITY SECTOR: AL FRESCO  
EATING AND DRINKING - BUSINESS AND PLANNING ACT EXTENSION 2022**  
Report of the Director of Markets and Consumer Protection

**For Decision**  
(Pages 545 - 594)

11. **LONDON RENTAL E-SCOOTER TRIAL AND DOCKLESS VEHICLE UPDATE\***  
Report of the Executive Director of Environment

**For Information**

12. **DISTRICT SURVEYORS ANNUAL REPORT 2021/22\***  
Report of the Executive Director of Environment

**For Information**

13. **CONSULTATION STRATEGY FOR THE PLANNING ADVICE NOTE: WHOLE  
LIFECYCLE CARBON OPTIONEERING\***  
Report of the Executive Director of Environment

**For Information**

14. **REVENUE OUTTURN 2021/22\***  
Report of the Chamberlain, the Executive Director of Environment and the City Surveyor  

**For Information**
  
15. **PUBLIC LIFT REPORT\***  
Report of the City Surveyor  

**For Information**
  
16. **VALID PLANNING APPLICATIONS RECEIVED BY DEPARTMENT OF THE BUILT ENVIRONMENT\***  
Report of the Chief Planning Officer and Development Director  

**For Information**
  
17. **DELEGATED DECISIONS OF THE CHIEF PLANNING OFFICER AND DEVELOPMENT DIRECTOR\***  
Report of the Chief Planning Officer and Development Director  

**For Information**
  
18. **OUTSTANDING ITEMS\***  
Report of the Town Clerk  

**For Information**
  
19. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
  
20. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
  
21. **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

22. **NON-PUBLIC MINUTES**

To agree the *draft* non-public minutes of the meeting held on 1 July 2022.

**For Decision**  
(Pages 595 - 596)

23. **NON-PUBLIC APPENDIX - PLANNING & TRANSPORTATION COMMITTEE MEETING ARRANGEMENTS**

*To be considered in conjunction with the report at Item 7.*

**For Information**  
(Pages 597 - 598)

24. **WALBROOK WHARF FEASIBILITY 2027 AND BEYOND**

Report of the City Surveyor and the Executive Director of Environment

**For Information**

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

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

**Any drawings and details of materials submitted for approval will be available for inspection by Members in the Livery Hall from Approximately 9:30 a.m.**

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## PLANNING AND TRANSPORTATION COMMITTEE

Friday, 1 July 2022

**Minutes of the meeting of the Planning and Transportation Committee held at the Guildhall EC2 at 10.30 am**

### **Present**

#### **Members:**

Deputy Shравan Joshi (Chairman)	Deputy Edward Lord
Deputy Alastair Moss (Deputy Chair)	Natasha Maria Cabrera Lloyd-Owen
Deputy Randall Anderson	Antony Manchester
Brendan Barns	Deputy Graham Packham
Emily Benn	Deputy Susan Pearson
Ian Bishop-Laggett	Judith Pleasance
Deputy Michael Cassidy	Deputy Henry Pollard
John Edwards	Ian Seaton
Deputy Marianne Fredericks	Luis Felipe Tilleria
Jaspreet Hodgson	Shailendra Kumar Kantilal Umradia
Alderman Alastair King DL	William Upton QC

#### Also in attendance:

Deputy Henry Pollard

#### **Officers:**

Gwyn Richards	- Chief Planning Officer and Development Director
David Horkan	- Environment Department
Deborah Cluett	- Comptroller and City Solicitor's Department
Ian Hughes	- Environment Department
Peter Wilson	- Environment Department
Bhakti Depala	- Environment Department
Joanna Parker	- Environment Department
Gemma Delves	- Environment Department
Elisabeth Hannah	- Environment Department
Rob McNicol	- Environment Department
Kerstin Kane	- Environment Department
Tom Nancollas	- Environment Department
Iain Steele	- Environment Department
Andrew Coke	- City Surveyor's Department
Jake Tibbetts	- Open Spaces Department
Joseph Anstee	- Town Clerk's Department

#### Introductions

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. It was confirmed 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 Chairman then advised the Committee that the City Corporation had received notice of the outcome of the Custom House Public Inquiry, which was ruled in the City's favour. The Chairman commented that this was a positive result for the City which reflected well on its aspirations and ambitions. The Chairman then thanked all officers involved for their hard work on this matter, particularly Jessica Robinson, Ben Eley and Fleur Francis for their contributions to the planning, design and legal aspects respectively.

1. **APOLOGIES**

Apologies for absence were received from Deputy Keith Bottomley, Anthony Fitzpatrick, Deputy John Fletcher, Martha Grekos, Alderman Ian Luder, Deputy Brian Mooney, Deborah Oliver and Alethea Silk.

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

Deputy Edward Lord and Deputy Randall Anderson each declared an interest in Item 6 by virtue of having previously considered the scheme as members of the former Corporate Asset Sub Committee, and advised that they would withdraw from the meeting for the consideration of this item.

Ian Seaton declared a personal interest in Item 7 by virtue of his membership of the Girdlers' Company, and advised that he would withdraw from the meeting for the consideration of this item.

3. **MINUTES**

A Member commented that they felt additional detail was required in respect of the minute of Item 8, to be clear that the question was specifically about testing different materials and assessing their suitability for use with a view to using permeable materials for the Public Realm footway other than York Stone.

**RESOLVED** – That, pending the above amendment, the public minutes and non-public summary of the meeting held on 7 June 2022 be agreed as a correct record.

4. **THAVIES INN HOUSE, 3-4 HOLBORN CIRCUS, LONDON EC1N 2HA**

The Committee considered a report of the Chief Planning Officer and Development Director in respect of Thavies Inn House, 3-4 Holborn Circus, London EC1N 2HA – specifically, the demolition of the existing building at 1-6 Holborn Circus (known as Thavies Inn House) and the erection of a ten storey Class E building for office use with Class E retail use at part ground floor level with works to include reinstatement and new pedestrian routes through the site; hard and soft landscaping works including removal and replacement trees within the public highway, and creation of pocket park in Thavies Inn; widening of the footway on St Andrew Street; and other works incidental to the proposed development.

The Town Clerk advised that an addendum containing late representations, and the officer's presentation, had been circulated to Members in advance, before outlining the Committee's usual procedure for the consideration of planning applications.

The Chief Planning Officer and Development Director then introduced the application to Members and presented the officer's report, informing the Committee about the details of the scheme and its wider implications and outlining the reasons for the officer's recommendation. The officer's recommendation was that the Committee resolve to grant planning permission, in accordance with the details set out in the attached schedule.

In the absence of any registered objectors, Ned Williams, on behalf of Evans Randall Investors, addressed the Committee in support of the recommendations. The Committee heard that the site at Thavies Inn presented an opportunity for regeneration and expansion at the crossroads between the West End and the City of London. Whilst the site had constraints it also had opportunities, and the scheme would look to reuse elements of the current building. However, retention of one or both of the existing London Plane trees had ultimately not been possible while still delivering enough quality, sustainability and flexibility of space, due to the disjointed and inflexible nature of the existing structure, and the physical dimensions of the current building. The application was supported by extensive analysis on these matters, including a full financial viability assessment of the proposed scheme.

The Committee was told that the application also proposed a significant package of public benefits, including 23 replacement trees and extensive greening on the building, new pedestrian connections through the site, the overprovision of cycle spaces in lieu of existing car parking, expanded pavement and public realm to St Andrew St, and the creation of the south facing, public park within Thavies Inn itself. The development could attract occupiers from SMEs to global institutions, and the ambition was clear, to provide an occupier-focussed and environmentally sensitive office development alongside designed, deliberate and thoughtful public spaces.

Yasmin Al-ani Spence, on behalf of Wilkinson Eyre, then addressed the Committee in support of the application, commenting that the site presented a unique opportunity to deliver a leading building in an individual context and a generous revision to the public realm. The proposal sought to create a positive, sustainable, and healthy workplace, and a building that engaged with its urban setting while honouring the history of Holborn Circus and embracing the City of London tradition of pocket parks and alleyways. Due to structural, environmental and user constraints, it was not possible to adapt the buildings to work together as one functional space. The proposed scheme provided efficient floorplates with cores to either side, generous views over London, and natural ventilation on all floors, with greening to provide shading as well as to enhance local biodiversity and climate resilience.

The Committee heard that high-quality materials had been carefully considered to merge the new and the old and for their sustainable credentials, including

limestone at the plinth and connection to adjacent buildings. The route through the site path was more prominent, leading to a pocket park providing generous greening, biophilia and seating, with a second alleyway also introduced. 60 bike spaces were provided in the courtyard, while a further 25 are spread around the proposal for short-stay parking, with long-stay bike parking and shower facilities situated within the building. An enlarged pavement onto St. Andrew Street allowed for 4 substantial trees, replacing the existing trees to create a prominent public realm facing the church. The proposal responded well to an important, prominent but constrained site, and the scale, detailing and integration of the public amenity, compliment the history of the location and would deliver a flexible building that is suitable for the future.

Matthew Mapp, on behalf of Sweco UK, then addressed the Committee in support of the application. The application accords with GLA and City sustainability and energy policies and aspirations in the strongest possible terms, with aspiration to prioritise reuse in the first instance before progressing redevelopment. The existing development was appraised through third-party surveys and expert consultant input. A combination of issues led to a single retention option that, while it may initially save embodied carbon, had a significantly constrained operational performance, with a maximum additional life of 30 years before wholesale demolition was required, and was less carbon efficient in intensity terms in comparison compared to the redevelopment target. Studies at pre-application stage showed how carbon-heavy elements of the proposed development supported longevity and future flexibility and adaptability, suggesting a life of over 100 years for the structure.

The Committee heard that the applicant's approach to prioritising longevity was also underlined in embodied carbon targets. The applicant had led with a whole life target rather than focusing just on upfront embodied carbon, as this allowed decisions based on whole life performance, and key strategies would be implemented to reduce embodied emissions. The approach focussed on operational energy performance as the primary driver rather than emissions, with a focus on fabric-first design, including openable vents in facades to facilitate future mixed-mode ventilation in combination with a heating & cooling system that actively addresses both operational energy and embodied carbon. In terms of certification, the applicant was targeting a minimum of BREEAM Excellent with an aspiration to achieve 'Outstanding'.

The Chairman then invited questions from Members to those speaking in support of the application. In response to questions, the Committee was advised that the first priority would be to assess existing materials for reuse on site, reuse elsewhere or recycling, in that order, and that the roof would be an important part of several features of the scheme. The EPC rating of the current site was C, but this did not mean the existing building was energy efficient.

The Chairman then invited the Committee to ask questions of officers and debate the application. In response to points raised by the Chairman regarding the provision of trees as part of the scheme, the Director of Open Spaces outlined the specifications of the existing London Plane trees, adding that there had been significant discussion on the matter, and whilst it was preferable to



retain the existing trees, it was understood that this was not always possible. The proposed replacement trees were smaller in canopy size but this could be improved upon at a later stage, with further work on agreeing a size and species to continue.

A Member noted the stated intentions for the reuse of materials and asked how the Committee could monitor and hold the applicant to account on this, before asking for clarification on the graphical information on whole life carbon emissions. The Executive Director of Environment outlined the whole life carbon assessments to be undertaken during the process and their intended impact, and advised that a condition could be attached to facilitate monitoring of the reuse and recycling of materials. In response to a question from a Member, the Executive Director of Environment confirmed that total carbon emissions for the lifetime of the building were given per square metre.

A Member commented that the application reports needed to be written in a more accessible way, with plainer language and less jargon, particularly in the summary and main body of the report. The Member added that a total carbon emissions figure for the development should be given, with a comparison to the existing building, rather than just per square metre. The Member queried whether the car parking space was privately owned by the City Corporation and sought confirmation on this, as more could be done with this space if this were the case. The Executive Director of Environment confirmed that the car parking area was currently owned by the City Corporation.

The Deputy Chair noted that the public realm interacted with the servicing area and queried the extent to which the management plan could guarantee the quality of the public realm. The Executive Director of Environment advised that servicing was currently uncontrolled, but saw around 16 deliveries per day. The development would be capped at 14, with offsite consolidation and a maximum of 8 between 7am and 7pm. The Executive Director of Environment advised that this would be controlled through the delivery and servicing plan and that issues could be managed.

A Member sought clarification on the tree provision under the scheme, and suggested that a condition be added to facilitate enforcement on CO2 targets. The Director of Open Spaces advised that the proposed tree pit would not constrain tree size, but would provide assurance that the trees would reach a minimum height, which they may grow beyond. However, the full extent of the possible provision would not be clear until the tree pits had been installed. The Director of Open Spaces advised that the applicant had indicated they were open to having trees with large canopies and encouraging biodiversity, and that officers would be pushing to ensure this was the case.

The Committee was then advised that the materials would be assessed during the detailed design phase, and a detailed whole life carbon assessment would be undertaken before implementation. Further improvements to the sustainability credentials of the scheme would be made during this process and it was expected that the GLA targets would be exceeded, which was the key measurement. The Committee was then advised that condition 4 could be used

to negotiate improvements if the detailed design did not cover the required information on achieving CO2 targets.

A Member asked why 184 square metres of highway was being handed over as part of the application. The Member commented that loading bays may exacerbate servicing issues and asked how this would be addressed, and that the waste storage was positioned in a way that risked it not being collected, before asking for clarification on how many occupants there would be in the new building and why a condition related to Hostile Vehicle Mitigation (HVM) had not been included. The Chief Planning Officer and Development Director clarified the site boundaries as outlined in the officer presentation. The cycle hub was not currently adopted highway, and would become adopted highway for public use. The occupant numbers would increase from 300 to a capacity of 750. The Executive Director of Environment added that some servicing activity took place in relation to other buildings, and this could not be controlled as part of the application. However, the indicative design was subject to further detailed design and officers would make sure there were suitable areas to accommodate other servicing activity safely. The Committee was advised that a HVM condition had been omitted in error and this could be added, although condition 40 asked for details of security measures.

A Member commented that the existing trees were on highway land which was being voluntarily developed, and queried the justification for removing the trees, as there was some inconsistency in the officer's report. The Member added that they were troubled by the idea of removing the trees for the sake of development but could understand if it were on the basis of townscape considerations. The Chief Planning Officer and Development Director responded that the viability assessment was a material consideration, which had been independently verified. Whilst the recommendation given was on the basis of balancing the existing trees against their replacements as part of the scheme, the viability argument was also presented to the Committee. The Chief Planning Officer and Development Director advised that officers would have recommended approval without the viability assessment, on the basis of the public realm, landscaping and tree-planting package.

A Member sought assurance that the approval would contain enough teeth to ensure the best possible replacements for the existing trees, and that should the replacement trees die, they could also be replaced. The Director of Open Spaces responded that the proposed tree pit would be larger than that provided for the existing trees near to the site and would be set up so that trees could establish. The trees would also be on City Corporation land so would be in the care of the City Corporation. The Chief Planning Officer and Development Director added that condition 25 provided controls and required replacements for the trees if they were damaged or died.

In response to a question from a Member, the Chief Planning Officer and Development Director confirmed that a materials audit would be required as part of the conditions. In response to an earlier query, the Executive Director of Environment confirmed that a refurbishment option would use around 6000 tonnes fewer total carbon emissions over the lifetime of the building compared

to the scheme proposed. However, the refurbishment option would use more operational energy. The existing building would require significant investment over the same period of time, and therefore leaving it as it is was not considered to be an option. A Member commented that approving the scheme as opposed to the refurbishment option would therefore generate more total carbon emissions over the lifetime of the building.

A Member commented that they had concerns over the scheme, particularly around servicing and the use of space around the pocket parks. The Member suggested that deliveries be minimised, and that effort be made to maximise and protect the public benefit of the space. The Chief Planning Officer and Development Director advised that the delivery and servicing management plan could be used to restrict movements as agreed in the S106 agreement, which would also be used to secure the restrictions on movements during the peak periods.

Arising from the discussion, the Chairman moved the Committee to a vote. The Committee then proceeded to vote on the recommendations as amended, with 16 Members voting for the recommendation, 3 Members voting against the amended recommendation, and 2 Members abstaining. The recommendations were therefore agreed.

As a point of order, a Member requested the Chairman demarcate more clearly the points in considering the application at which Members were invited to ask questions of officers and to make general points as part of the debate going forward, for clarity.

**RESOLVED** – That the Planning & Transportation Committee agree:

1. That planning permission be **granted** for the above proposal in accordance with the details set out in the attached schedule;
  2. That the Committee 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 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; and
  3. That Officers be instructed to negotiate the S106 agreement.
5. **200 ALDERSGATE STREET, LONDON EC1A 4HD**  
The Committee considered a report of the Chief Planning Officer and Development Director in respect of 200 Aldersgate, London EC1A 4HD – specifically, the installation of a new pedestrian access and bridge link to the existing rear courtyard. The Town Clerk advised that an addendum containing late representations and an additional condition, and the officer’s presentation, had been circulated to Members in advance.

The Chief Planning Officer and Development Director then introduced the application to Members and presented the officer's report, informing the Committee about the details of the scheme and its wider implications and outlining the reasons for the officer's recommendation. The officer's recommendation was that the Committee resolve to grant planning permission, in accordance with the details set out in the attached schedule.

The Chairman then invited the Committee to ask questions of officers and debate the application. A Member commented that the most contentious aspect of the scheme appeared to be the increase in footfall, and suggested signage making clear to those using the bridge and courtyard that there were residents in the proximity. The Member added that music would not be allowed, but events involving up to 150 people were likely to create excessive noise. The Chief Planning Officer and Development Director advised that informatives for the management plan could be added on signage, and that there was scope to reduce the permissions on capacity.

In response to a question from the Chairman, the Chief Planning Officer and Development Director confirmed that all statutory consultation had been undertaken and responses represented. There were currently no restrictions on Cross Key Square and no conditions relating to the existing building. Data monitoring with regards to the use of the bridge would form part of the conditions and officers would have access to this data. The Chief Planning Officer and Development Director also confirmed that Temporary Event Notice (TEN) applications would be made through the Licensing department, and that there were currently no restrictions on events, with Environmental Health complaints being the only existing recourse. In response to a question from a Member, the Committee was advised that the Environmental Health team had been consulted and were not aware of any previous complaints involving the location, although there had been some concern over plant noise investigated in the past.

A Member raised their concerns about the consultation process, the statutory consultation having been undertaken in 2020 during Covid-19, adding that whilst there may not have been an obligation to do so, the consultation should have been undertaken again as a courtesy, given much could change in two years. The Member queried whether the courtyard space was intended as amenity space for respite, or a hospitality space, as they objected to the implied hospitality element, which could be satisfied elsewhere, such as on roof terraces. A large number of people talking in an enclosed space would create a lot of noise, and noise mitigation measures would be difficult to enforce. The Member added that if the proposal was for a genuine amenity space to provide a peaceful place to the benefit of worker's mental health, this would be acceptable. The Member proposed several conditions to be added to prohibit alcohol, prevent the use of the space for hospitality, and limit access to between 10am and 6pm.

The Chief Planning Officer and Development Director advised that the application was in respect of the bridge and the door to the courtyard, and that

there were currently no restrictions on the use of the courtyard. The management plan would introduce wider restrictions with the current access times in line with office hours at 8am-7pm, with no access at weekends or on bank holidays, and would also allow for a range of measures to assist with management of the space if needed.

A Member commented that they welcomed the proposal as the space was underutilised and residents could be adequately protected. The Member queried what restriction on TEN events were in place, adding that sufficient detail would be required in the management plan to enable an appropriate level of enforcement. Another Member commented that they liked the idea of the proposal and asked whether conditions only applied to access via the bridge, or whether access via the previous route could also be controlled. The Chief Planning Officer and Development Director advised that condition 2 related to the link bridge and did not preclude other routes of access, whereas condition 3 related to the courtyard as a whole. The management plan would also cover the use of the courtyard.

A Member queried how much effort reconsulting would have taken, and the amount of prior notice that would have been required, before asking for further detail on enforcement. The Chief Planning Officer and Development Director advised that there was one dedicated planning enforcement officer, for whom details could be forwarded to Members. A statutory consultation had been undertaken, with letters, site notices and advertisements being circulated as required. A number of comments were received and were taken on board, although the length of time between the consultation and submission of the application was regrettable and officers had wished for it to be considered in shorter order.

*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.*

A Member commented that they endorsed the conditions suggested previously by a Member, the presentation having demonstrated residents' immediate proximity to the courtyard, meaning that noise was likely to be substantial. The Member added that there had been no significant use of the courtyard previously, and the purpose of the application was to increase usage. There were currently no restrictions because of the very limited use of the courtyard which was a natural control. The Member added that there had previously been a table tennis table in the courtyard which had had to be removed, and suggested that in addition to the management plan mitigation measures such as planters should be included, as there were listed buildings backing on to the courtyard which would have features such as single-pane windows. The Member said that there needed to be more recognition of the impact on residents in the vicinity and that the applicant could be doing more.

A Member commented that it was positive that the Committee had scope to add conditions on the courtyard, as this would change how the space was used. The Member added that such conditions had not been necessary before, and

that they endorsed the conditions suggested and seconded by other Members on hours of access and restricting, also suggesting that condition 2 also be applied to the courtyard, and that numbers be always limited to a maximum of 50 people.

In response to a comment from a Member, the Chairman suggested that officers had received the Committee's steer on what should be included in the management plan, and that the Committee should not need to agree it in its entirety. Upon confirming that the conditions suggested previously around hours of access for the link bridge and courtyard, restricting usage for hospitality, permitted numbers and the consumption of alcohol were formally moved and seconded, the Chairman moved the Committee to a vote on the first three amendments, proposing that the consumption of alcohol be separated out, pending legal advice.

The Committee then proceeded to vote on the proposed amendments to the conditions; that condition 2 should restrict use for hospitality and also be applied to the courtyard in addition to the link bridge, that the hours of access stated in condition 2 be amended to 10am-6pm, and that condition 4 be amended so that no more than 50 people were permitted at any time. Nineteen Members voted for the amendments, and 1 Member voted against the amendments, with no abstentions. The amendments were therefore agreed.

With regards to restricting the consumption of alcohol, the Comptroller and City Solicitor advised that this would be difficult to enforce or to justify on planning grounds. A Member commented that measures such as an Open Space Protection Order could be applied, and felt that such a restriction could be implemented successfully. The Committee then proceeded to vote on the proposed amendment to the conditions to prohibit the consumption of alcohol in the space, with 6 Members voting in favour of the amendment, 9 voting against the amendment, and three Members abstaining. The amendment was therefore lost.

A Member then suggested that the management plan also considered informatives on matters such as signage, smoking and lighting. The Deputy Chair responded that condition 5 was clear in this regard, and that the Committee had given its steer on the need to minimise disturbance. The Deputy Chair advised against introducing too many restrictions, as this may open the decision to challenge.

The Chief Planning Officer and Development Director advised that officers would draft an informative to accompany the decision which would incorporate Member comments, and that elements such as planting and smoking would be taken into account.

Arising from the discussion, the Committee then proceeded to vote on the application, with conditions amended as per the Committee's agreement, with 12 Members voting in favour of the recommendations as amended, 3 members voting against the recommendations as amended, and 2 abstentions.

**RESOLVED** – That the Planning & Transportation Committee agree that planning permission be **granted** for the above proposal in accordance with the details set out in the attached schedule, as amended.

**6. ESTABLISHMENT OF A SPECIAL SUB-COMMITTEE**

The Committee considered a report of the Town Clerk recommending the establishment of a special sub-committee to determine an application in respect of The Turret, John Wesley Highwalk, Barbican. The Comptroller and City Solicitor introduced the report and drew Members' attention to the key points, also advising that it had been concluded that the Barbican Residential Committee and former Projects Sub Committee should not be named as having been involved in promoting the proposal. The Comptroller and City Solicitor therefore proposed that the report be amended to remove references to these committees within the recommendations, report and appended Handling Note. The Committee then moved to agree the recommendations, as amended, and these were agreed.

**RESOLVED** – That the Planning & Transportation Committee:

1. Adopt the Handling Note in the Appendix to this Report, as amended;
2. Establish a Special Sub-committee with the following Terms of Reference: to determine planning application reference: 20/00271/FULL and associated Listed Building Consent application 20/00272/LBC;
3. That the Special Sub-committee sits following the rising of the Planning and Transportation on a date to be determined; and
4. That the Special Sub-committee be constituted of all Members of Planning and Transportation Committee other than those who were past members of the Corporate Asset Sub (Finance) Committee whilst that committees was responsible for bringing forward the planning application/proposal.

**7. BASSISHAW HIGHWALK CITY WALKWAY OBSTRUCTION FOR MORE THAN 3 MONTHS AND ASSOCIATED BRIDGE WORKS**

The Committee considered a report of the Executive Director of Environment requesting authority to grant a license for hoarding between 2 July 2022 - August 2025, which would restrict access to the Bassishaw Highwalk City Walkway over London Wall to enable the redevelopment of City Tower and City Place House which was granted planning permission on 29<sup>th</sup> September 2021 (21/00116/FULMAJ), and to allow officers to enter into a Bridge Agreement to authorise the construction of the new city walkway bridge over Basinghall Street. The Town Clerk advised that the officer's presentation had been circulated to Members in advance.

The Chief Planning Officer and Development Director then introduced the application to Members and presented the officer's report, informing the Committee about the details of the proposal and its wider implications, and outlining the reasons for the officer's recommendation. The officer's

recommendation was that the Committee resolve to authorise officers to grant a license for hoarding.

In response to a question from a Member, the Executive Director of Environment advised that officers were working closely with the applicant's team and would make sure the scheme stayed on track in order to reopen by the proposed date. The Executive Director of Environment added that any extension of the closure would need to be brought back to the Committee.

**RESOLVED** – That the Planning & Transportation Committee:

- i) Authorises Officers to grant a license for hoarding for a period of three years (2 July 2022 - 31 August 2025) to obstruct access to Bassishaw Highwalk City Walkway over London Wall; and
- ii) That Officers be instructed to negotiate and authorised to enter into a Bridge Agreement with the developers to authorise the construction of the new city walkway bridge.

**8. NEW YORK STUDY TRIP**

The item was withdrawn.

In response to a question from a Member, the Chairman advised that a broader report on requirements in respect of study trips would be brought back to the Committee at a later stage.

**9. MINUTES OF THE STREETS & WALKWAYS SUB COMMITTEE\***

**RESOLVED** – That the public minutes and non-public summary of the Streets & Walkways Sub Committee meeting on 3 May 2022 and the draft minutes and non-public summary of the Streets & Walkways Sub Committee meeting on 31 May 2022 be noted.

**10. PUBLIC LIFT REPORT\***

The Committee received a public lift report of the City Surveyor for the period 23/05/2022 – 15/06/2022. In response to a question from a Member, the City Surveyor advised that works were progressing on the London Wall escalators, and that officers were still in dialogue with their owners. The Chairman asked that target dates for completion of the work and reopening of the escalators be provided ahead of the next meeting.

**RESOLVED** – That the report be noted.

**11. DEPARTMENT OF THE BUILT ENVIRONMENT BUSINESS PLAN PROGRESS REPORT Q4 2021/22\***

The Committee received a report of the Executive Director of Environment providing an update on progress made during Quarter 4 of 2021/22 against the Department of the Built Environment's 2021/22 High-Level Business Plan, by the services which fall within the remit of the Committee. The Executive Director of Environment introduced the report and drew Members' attention to the key points.



**RESOLVED** – That the report be noted.

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

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

**RESOLVED** – That the report be noted.

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

The Committee received a report of the Chief Planning Officer and Development Director detailing development and advertisement applications determined by the 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.

14. **OUTSTANDING ITEMS\***

The Committee received a report of the Town Clerk setting out its list of Outstanding Actions and noted the updates provided.

**RESOLVED** – That the list of outstanding actions be noted.

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

A Member asked, going forward, how procedurally difficult or resource-intensive it would be to re-do a statutory consultation if the scheme had not been progressed after a year or more. The Chief Planning Officer and Development Director advised that it would be possible to do so, although officers were also wary of the risks of consultation fatigue, particularly where the proposals in question had not changed from that previously consulted on. The Chief Planning Officer and Development Director acknowledged that the application in respect of 200 Aldersgate was an unusual case. The Deputy Chair added that all Members of the Court of Common Council were appraised of applications relevant to their ward and to some extent Ward Members were responsible for keeping their constituents updated.

A Member then requested that the Committee revert to having a distinct section for questions of officers within the procedure for considering applications, as they did not want to anticipate answers to questions asked during the debate. The Chairman responded that there had previously been issues with this previously caused by Members making statements that should have reserved for the debate during this period, creating a degree of conflation. The Chairman added however that he was always willing to review Committee process and would take this into consideration for the next meeting.

With regards to meeting arrangements, a Member noted that the Chairman had sought the Committee's views on meeting arrangements via email. The Member voiced their strong opposition to any kind of limit on Member contributions, and asked when a public consultation on the Committee's governance arrangements would be undertaken, as well as seeking clarification on the threshold for objections before submitting an application to Committee. The Member then thanked officers for their response in respect of the Bury House application.

The Town Clerk confirmed that the Court of Common Council had agreed to raise the threshold for objections before an application was submitted to Committee as part of the revisions to the corporate Scheme of Delegations agreed at the meeting in December 2021.

The Chairman added that a report on the Committee's governance arrangements would be submitted to the Court of Common Council after the summer recess, adding that he had no intention of stifling debate and aimed to be inclusive, thanking the Member for expressing their view and inviting them to provide their view on other considerations alongside those surveyed.

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

There was no other business.

17. **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	Paragraph
18-19	3
20-21	-

18. **NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 7 June 2022 be agreed as a correct record.

19. **NON-PUBLIC MINUTES OF THE STREETS & WALKWAYS SUB COMMITTEE\***

**RESOLVED** – That the non-public minutes of the Streets & Walkways Sub Committee meeting on 3 May 2022 and the draft non-public minutes of the Streets & Walkways Sub Committee meeting on 31 May 2022 be noted.

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

There were no questions.

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

There was one item of other business.

**The meeting closed at 1.16 pm**

-----  
Chairman

**Contact Officer: Joseph Anstee**  
**[joseph.anstee@cityoflondon.gov.uk](mailto:joseph.anstee@cityoflondon.gov.uk)**

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# Agenda Item 4

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	19 July 2022
<b>Subject:</b> Boundary House 7 - 17 Jewry Street London EC3N 2EX. Demolition of the building and the erection of a basement, ground plus part 14 storey and part six storey building plus plant comprising of a 311 bedroom hotel with a ground floor cafe/bar and roof top restaurant (Use Class C1) and office floorspace (Use Class E) at part ground and part first floor with ancillary community uses, hard and soft landscaping, cycle parking and associated works.	<b>Public</b>
<b>Ward:</b> Tower	<b>For Decision</b>
<b>Registered No:</b> 21/00826/FULMAJ	<b>Registered on:</b> 30 September 2021
<b>Conservation Area:</b> No	<b>Listed Building:</b> No

## Summary

The application proposes the demolition of an office building and erection of a ground plus part seven and part 14 storey hotel with 311 rooms, with plant above, with ancillary ground floor café/bar and rooftop restaurant (both accessible to the public), and 456 sqm of Use Class 'E' commercial space at part ground and part first floors principally for coworking use, with ancillary community and cultural uses.

Two objections have been received. This includes an objection from a resident in City of Westminster objecting to the demolition of an existing building on aesthetic and sustainability grounds, and from an education use opposite the Site (The Portal Trust) citing rights to light. A neutral comment was received on behalf of nearby residents at 27 Minories querying impact to local sewers.

The original submission has been revised following Officer comments including amendments to building massing, design, materiality, and an alternative servicing location.

The Applicant has justified the loss of office at the site. It is considered that the loss of office floorspace, and the proposed hotel use, with a small quantum of office floorspace, would not compromise the primary business function of the City, with hotels supported as a strategic function of the Central Activities Zone

(CAZ) and the London Plan stating that 58,000 rooms for serviced accommodation will be required in London by 2041. The hotel would contribute to the balance and mix of uses in the area and would offer complimentary facilities to be accessed by the public.

The Local Plan promotes the delivery of community and cultural facilities, therefore the use of the coworking space for the community for free and discount rates is supported, subject to obligations to maximise the benefits of the uses.

The development meets key sustainability aims including retention of part of basement and part of ground structures. The proposal would comprise an all-electric system including utilising Air Source Heat Pumps and PV panels. The Applicant would achieve BREEAM 'Excellent' and 54% of operational carbon savings against the baseline (policy target = 35%). The quantum of proposed greening is policy compliant with 45 trees proposed at roof level and includes green and blue roofs.

The development represents high quality design, which has been revised following Officer comments, and would contribute to public realm through planters, seating and footway widening on Jewry Street.

The hotel will provide step free access with 10% accessible bedrooms and an accessible car parking bay on street.

Great weight has been given to the need to preserve the setting of the nearby listed building at 31 Jewry Street. It is not considered that the proposal would detract from the significance of the setting of the listed building and the special architectural and historic interest would be preserved.

The proposal would not harm the characteristics of composition of the strategic LVMF Townscape View 25A.1-3 (Queen's Walk), or that of a landmark element, and would preserve the viewer's ability to recognise and appreciate the Strategically Important Landmark, the Tower of London World Heritage Site, in accordance with London Plan Policy HC4 and Local Plan Policy CS13 (1).

The Applicant is proposing on-site servicing with consolidation of deliveries, to be capped at 12 deliveries per day and restricted to outside of peak times. There would be policy compliant long stay cycle parking (21 spaces) and external short stay provision (8 spaces). All servicing vehicles would be required to reverse into the off-street area in order to exit in a forward gear. This falls short of the requirements in Local Plan Policy DM16.5 which requires servicing areas to facilitate both access and egress in a forward gear. The reversing manoeuvre would however be significantly shorter and safer than the existing situation at Rangoon Street.

To facilitate the development, 23 sqm of public highway is proposed to be stopped up. Due to the area of private land proposed to be adopted as highway, there would be a net gain of highway of 15 sqm.

The proposal would result in daylight losses to nearby student residential accommodation beyond that which is recommended by the BRE and therefore is considered to be contrary to part of Local Plan Policy DM11.3 which resists new hotels which result in adverse impacts to the amenity of neighbouring occupiers. Losses beyond the BRE guidelines are likely to occur to the education use at 31 Jewry Street, however the existing levels of daylight to the property are relatively low, and electric lighting is likely to be required to all rooms in the existing condition. It is not considered that the proposed development would change the way in which the rooms are used as they already rely on electric lighting and therefore are unlikely to be materially affected. Notwithstanding, the proposal is considered to comply with the principal daylight and sunlight policy of the Local Plan (DM 10.7) as the proposal would not result in unacceptable impacts, when considering the student accommodation and the education use at Jewry Street. All impacts to permanent residential properties are within BRE guidelines therefore are considered to be negligible.

Subject to conditions requiring wind mitigation the proposal would have an acceptable impact on the microclimate on and around the site.

It is almost always the case that where major development proposals come forward there is at least some degree of non-compliance with planning policies, and in arriving at a decision 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.

The Local Planning Authority must determine the application in accordance with the development plan unless other material considerations indicate otherwise.

In this case, the proposals are considered to be in accordance with the development plan as a whole.

When taking all matters into consideration, subject to the recommendations of this report, it is recommended that planning permission be granted.

## **Recommendation**

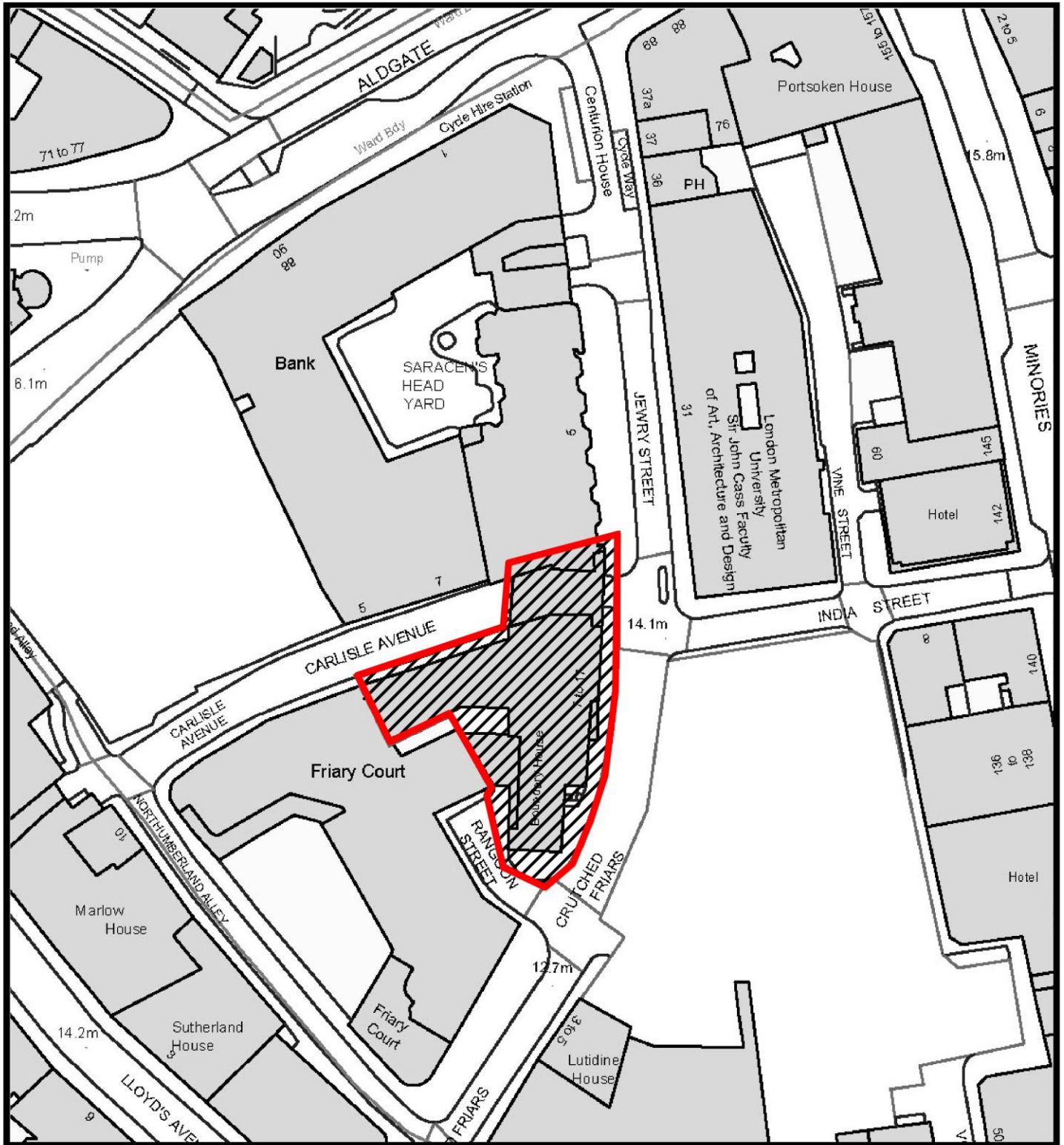
That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule subject to:

(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;

(b) 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.



# Site Location Plan



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ADDRESS: Boundary House, 7-17 Jewry Street,  
London, EC3N 2EX

CASE No.  
21/00826/FULMAJ

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





View looking south on Jewry Street





View looking north from Crutched Friars



View looking west from Minories



View looking south from Jewry Street







View looking east from Carlisle Avenue



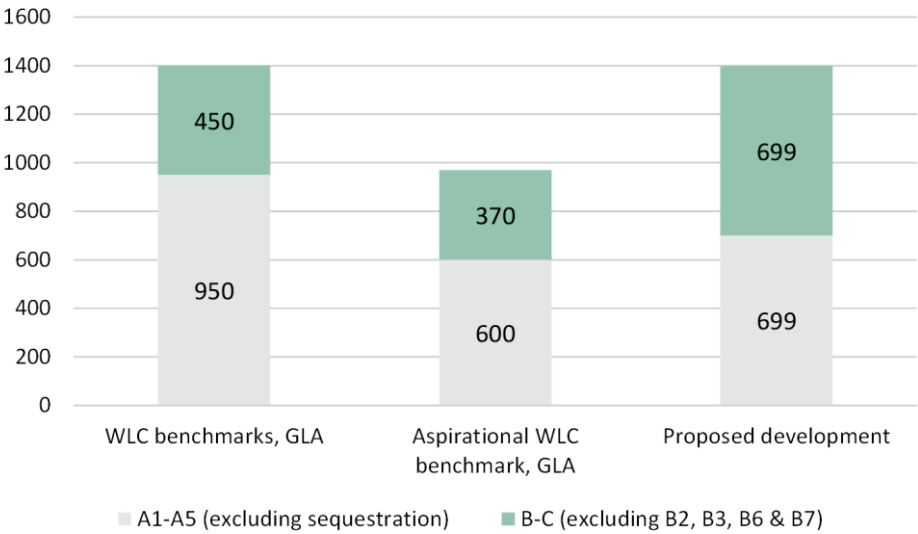
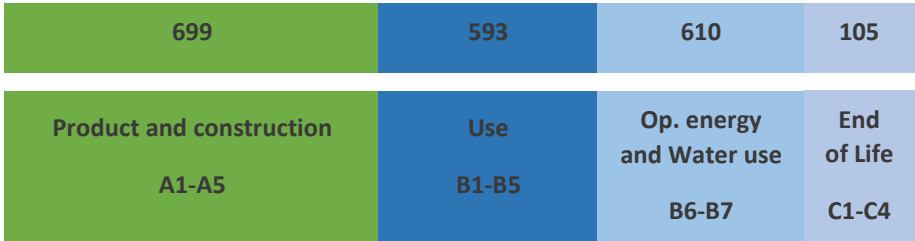


Aerial view

# APPLICATION COVER SHEET

Boundary House – application ref. 21/00826/FULMAJ

TOPIC	INFORMATION			
1. SITE PHOTOS / VISUALS			 <p data-bbox="1098 795 1300 828"><i>* a proposed CGI</i></p>	
2. HEIGHT	EXISTING		PROPOSED	
	<p data-bbox="502 907 885 974"><u>Jewry Street block:</u> 8 storeys + plant = 40.66m AOD</p> <p data-bbox="502 974 885 1041"><u>Carlisle Avenue block:</u> 5 storeys + plant = 33.70m AOD</p>		<p data-bbox="965 907 1356 974"><u>Jewry Street block:</u> 15 storeys + plant = 64.09m AOD</p> <p data-bbox="965 974 1356 1041"><u>Carlisle Avenue block:</u> 7 storeys + plant = 39.97m AOD</p>	
3. FLOORSPACE GIA (SQM)	USES		EXISTING	PROPOSED
	Class C1 Hotel		0 sqm	10,745 sqm / 311 rooms
	Class E Office		5,821 sqm	410 sqm (- 5,411 sqm)
	TOTAL		5,821 sqm	11,158 sqm (+ 5,337 sqm)
			<b>TOTAL UPLIFT: 5,337sqm</b>	
4. EMPLOYMENT NUMBERS	EXISTING		PROPOSED	
	<ul style="list-style-type: none"> <li>• c. 40</li> </ul>		<ul style="list-style-type: none"> <li>• c. 90</li> </ul>	
5. VEHICLE/CYCLE PARKING	EXISTING		PROPOSED	
	Car parking spaces		7	Car parking spaces 0
	Accessible car parking		0	Accessible car parking 1 (on street)
	Cycle long stay		7	Cycle long stay 21
	Cycle short stay		0	Cycle short stay 8
	Lockers		0	Lockers 42
	Showers		0	Showers 5
6. HIGHWAY LOSS / GAIN	<ol style="list-style-type: none"> <li>1. 22.78 sq m proposed to be stopped up</li> <li>2. 38.28 sq m proposed to be dedicated GAIN +15.5sqm</li> </ol>			
7. PUBLIC REALM GAIN	<ol style="list-style-type: none"> <li>1. Widening of footpath on Jewry Street and Carlisle Avenue</li> <li>2. Provision of entrance steps on southern part of site with seating, planters and trees.</li> </ol>			

<b>8. SERVICING VEHICLE TRIPS</b>	<p style="text-align: center;">EXISTING</p> <ul style="list-style-type: none"> <li>12 trips per day via Rangoon Street.</li> </ul>	<p style="text-align: center;">PROPOSED</p> <ul style="list-style-type: none"> <li>12 trips per day off street via Carlisle Avenue (off peak and consolidation strategy proposed).</li> </ul>												
<b>9. VOLUME OF RETAINED FABRIC</b>	 <p style="text-align: right;"><b>5 %*</b></p> <p style="text-align: center;">*% of structural material relative to existing volume (excluding façade)</p>													
<b>10. OPERATIONAL CARBON EMISSION SAVINGS</b>	<ul style="list-style-type: none"> <li>54% improvement against Part L 2013 using SAP 10 carbon factors (policy target 35% improvement)</li> </ul>  <p style="text-align: right;"><b>54 %</b></p>													
<b>11. OPERATIONAL CARBON EMISSIONS</b>	<p>94,059 kgCO<sub>2</sub>e/annum  8 kgCO<sub>2</sub>e/m<sup>2</sup>/annum  507 kgCO<sub>2</sub>e/m<sup>2</sup> over 60 years</p> <p>(covers Module B6 only and includes the decarbonisation of the grid)</p>													
<b>12. EMBODIED CARBON EMISSIONS</b>	<p style="text-align: center;"><b>PROJECT LIFE CYCLE EMISSIONS COMPARED TO GLA BENCHMARKS</b></p> <p style="text-align: center;"><b>WLC benchmarking by stage</b> kgCO<sub>2</sub>e/m<sup>2</sup>GIA</p>  <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Category</th> <th>WLC benchmarks, GLA</th> <th>Aspirational WLC benchmark, GLA</th> <th>Proposed development</th> </tr> </thead> <tbody> <tr> <td>A1-A5 (excluding sequestration)</td> <td>950</td> <td>600</td> <td>699</td> </tr> <tr> <td>B-C (excluding B2, B3, B6 &amp; B7)</td> <td>450</td> <td>370</td> <td>699</td> </tr> </tbody> </table> <p style="text-align: center;"><b>TOTAL: 15,548,032 kgCO<sub>2</sub>e/60 years</b></p>		Category	WLC benchmarks, GLA	Aspirational WLC benchmark, GLA	Proposed development	A1-A5 (excluding sequestration)	950	600	699	B-C (excluding B2, B3, B6 & B7)	450	370	699
Category	WLC benchmarks, GLA	Aspirational WLC benchmark, GLA	Proposed development											
A1-A5 (excluding sequestration)	950	600	699											
B-C (excluding B2, B3, B6 & B7)	450	370	699											
<b>13. WHOLE LIFE CYCLE CARBON EMISSIONS (kgCo2e/m2 GIA)</b>	 <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Stage</th> <th>Value (kgCO<sub>2</sub>e/m<sup>2</sup>GIA)</th> </tr> </thead> <tbody> <tr> <td>Product and construction (A1-A5)</td> <td>699</td> </tr> <tr> <td>Use (B1-B5)</td> <td>593</td> </tr> <tr> <td>Op. energy and Water use (B6-B7)</td> <td>610</td> </tr> <tr> <td>End of Life (C1-C4)</td> <td>105</td> </tr> </tbody> </table> <p style="text-align: center;"><b>TOTAL: 22,132,700 kgCO<sub>2</sub>e/60 years (accounting for decarbonisation of the grid)</b></p>				Stage	Value (kgCO <sub>2</sub> e/m <sup>2</sup> GIA)	Product and construction (A1-A5)	699	Use (B1-B5)	593	Op. energy and Water use (B6-B7)	610	End of Life (C1-C4)	105
Stage	Value (kgCO <sub>2</sub> e/m <sup>2</sup> GIA)													
Product and construction (A1-A5)	699													
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End of Life (C1-C4)	105													



14. WHOLE LIFE-CYCLE CARBON OPTIONS	Applicable	Existing building	Maximum retention	New superstructure	All new				
	Images								
	Gross Internal Area (GIA)	5,770m <sup>2</sup>	10,889m <sup>2</sup>	11,121m <sup>2</sup>	11,121m <sup>2</sup>				
	Increase in GIA	-	5,119m <sup>2</sup>	5,351m <sup>2</sup>	5,351m <sup>2</sup>				
	Embodied carbon (A1-A5)	409 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	627 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	681 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	714 kgCO <sub>2</sub> e/m <sup>2</sup> GIA				
	% structural material retained relative to existing volume (excluding façade)	100%	63%	5%	0%				
	Embodied carbon (A1-A5, B1-B5, C1-C4)	1,108 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,326 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,380 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,413 kgCO <sub>2</sub> e/m <sup>2</sup> GIA				
	Operational energy (B6)	5,466 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,607 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,607 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,607 kgCO <sub>2</sub> e/m <sup>2</sup> GIA				
	Fuel source	Gas	Electricity	Electricity	Electricity				
	Total WLCA (A1-A5, B1-B6, C1-C4, D)	6,192 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	2,552 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	2,606 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	2,639 kgCO <sub>2</sub> e/m <sup>2</sup> GIA				
Total WLCA (A1-A5, B1-B6, C1-C4, D)	35,731 tCO <sub>2</sub> e	27,783 tCO <sub>2</sub> e	28,976 tCO <sub>2</sub> e	29,343 tCO <sub>2</sub> e					
15. TARGET BREEAM RATING	<ul style="list-style-type: none"> <li>Excellent (policy target Excellent or Outstanding)</li> </ul> <table border="1"> <tr> <td>G</td> <td>VG</td> <td><b>EXC</b></td> <td>OUT</td> </tr> </table>					G	VG	<b>EXC</b>	OUT
G	VG	<b>EXC</b>	OUT						
16. URBAN GREENING FACTOR	<ul style="list-style-type: none"> <li>0.32 (policy target 0.3)</li> <li>45 trees proposed (all at roof level). Street trees to be agreed via s278 agreement.</li> </ul>								
17. DAYLIGHT & SUNLIGHT	<ul style="list-style-type: none"> <li>All permanent residential properties near to the site meet the target values set out within the BRE Guidelines for daylight and sunlight.</li> <li>Impacts to student residential at the Urbanest development and the education use at 31 Jewry Street range from either meeting the BRE Guidelines or experiencing minor to major adverse impacts.</li> </ul>								
18. AIR QUALITY	<ul style="list-style-type: none"> <li>Air Quality Neutral for building emissions. Does not meet Air Quality Neutral target for transport emissions however mitigation measures provided.</li> </ul>								

## **Main Report**

### **Site**

1. The site area is 977 sqm and comprises Boundary House, an occupied 1950s office building (5,821 sqm) located on Jewry Street at the junction of Rangoon Street and Crutched Friars which includes a basement, ground and up to seven upper storeys. It is within Tower Ward.
2. The surrounding area includes a mix of uses including commercial, permanent residential, student accommodation and educational.
3. This application includes works to Rangoon Street, the location of existing servicing access, and Jewry Street and Carlisle Avenue including areas outside the red line boundary which are therefore proposed through a separate Section 278 agreement.
4. The site does not fall within any conservation area nor is it a listed building however to the east lie sections of the Roman Wall along Jewry Street and 31 Jewry Street (Grade II), and to the north lies the Aldgate School (Grade II\*). The Lloyds Avenue and Fenchurch Street conservation areas fall to the south-west and include various listed buildings.
5. The site is not within any Protected Vistas in the London View Management Framework (LVMF) however the proposed building would be visible from the Queen's Walk Townscape View (25A).
6. The site is within the Aldgate Connect Business Improvement District.
7. There is a recently completed development to the southeast ('Urbanest', ref. 17/00239/FULMAJ) granted in 2017 for a mixed used development including student residential and public access to roman wall remains. To the northwest lies ('80 Fen', ref. 15/00702/FULMAJ) granted in 2014 for an office building up to 16 storeys.

### **Planning History**

8. The site has not been subject to relevant planning history in recent years.

### **Proposal**

9. Planning permission is sought for the demolition of the existing office building and the erection of ground plus part seven and part 14 storey

hotel (plus plant above) at up to 64 metres AOD. This would comprise a 311 bedroom hotel (Use Class C1) with ancillary ground floor café/bar and roof top restaurant; and 456 sqm of commercial floorspace (Use Class E) at part ground and part first floor with ancillary community uses.

10. It is proposed to retain part of existing basement and ground floor levels including partial reuse of floor slab, columns and foundations. This is described in detail in the whole life-cycle carbon section of the report. The majority of the building would be demolished.

11. The proposed floorspace areas are set out in Table 2 below:

**Table 1:** Existing floorspace areas.

Use Class	GEA sqm	GIA sqm
Office (E)	6,310	5,821

**Table 2:** Proposed floorspace areas.

Use Class	GEA sqm	GIA sqm
Hotel (C1)	11,914	10,745
Office (E)	456	410
<b>Total</b>	<b>12,370</b>	<b>11,158</b>

12. In addition to hotel accommodation, the Proposed Development would provide coworking space which would provide ancillary community uses through the following offer (to be secured through a Section 106 agreement):

- 10 hours a month of free community use of meeting rooms;
- 10 hours a month free meeting room hire for nearby education uses (daytime);
- 10 hours a month of 50% discount rate to hire the podcast studio for local community groups;
- Podcast studio rental at £35 per hour (RPI);
- One free hire per month of event space for community groups.

13. The proposed loading bay would be located on Carlisle Avenue, and deliveries would be capped at 12 per day to take place at off-peak times, with a consolidation strategy sought through the Section 106.

14. A total of 21 long stay cycle parking spaces would be provided at basement level, and eight short stay spaces provided externally on Carlisle Avenue.
15. There is no new vehicle parking proposed within the Development Site with the exception of one disabled parking space on street.
16. The proposed development would include an extensive range of soft landscaping features to enhance urban greening and biodiversity, including at roof level, Jewry Street and Rangoon Street. The roof spaces which would not be accessible would also include greening where possible.

### **Consultation**

17. The Applicants have submitted a Statement of Community Involvement outlining their engagement with stakeholders. This included engagement with Ward Members, the David Game College, staff at the Urbanest Student accommodation development, the Aldgate Connect BID, and letter distribution to 2,057 residential and business properties near to the Site. The proposals were advertised on social media and through a dedicated website.
18. Following receipt of the application, the application has been advertised and consulted on. Nearby residents were included in the consultations. Copies of relevant letters and emails received are attached in Appendix A.
19. In 2022, three additional consultation periods took place in April and June following the receipt of amended and additional information including as a result of reducing the massing to the south of the building to reduce impact to daylight received by the nearby student residential, relocation of the servicing from Rangoon Street to Carlisle Avenue, and design changes.
20. Views of other City of London Corporation departments have been taken into account in the preparation of this scheme and some detailed matters are addressed by the proposed conditions and the terms of the Section 106 agreement.
21. A summary of the external consultation responses is provided in the table below and responses are available to view on the public website and are listed in the background papers list at the end of this report.

22. Nearby residents, the student residential and the educational uses were consulted and two objections and one neutral comment have been received from the public.
23. The Health and Safety Executive confirmed that the development did not meet the requirements for consultation regarding Fire Safety. The submitted Fire Statement has been reviewed by the District Surveyors.

**Table 3:** Consultation responses

<b>Consultee</b>	<b>Summary of comments</b>
<b>City Police</b>	Confirmed that Hostile Vehicle Management not required. Raised concerns regarding theft for proposed cycle parking on Carlisle Avenue.  <b>Officer response</b> The Applicant confirmed that CCTV would be utilised where considered necessary. A hotel security management plan is recommended via condition.
<b>Historic England</b>	Responded with no comments.
<b>Historic Royal Palaces</b>	No response received.
<b>Lead Local Flood Authority</b>	Responded and recommended conditions.  <b>Officer response:</b> Recommended conditions.
<b>London Borough of Southwark</b>	Responded with no comments.
<b>London Borough of Tower Hamlets</b>	Responded with no objections.
<b>Thames Water</b>	Responded and recommended a condition.  <b>Officer response:</b> Recommended as a condition.
<b>Transport for London</b>	Initial comments addressed by applicant, and confirmed no objections.
<b>Neighbour responses</b>	
Gilbert House, Pimlico, London SW1V 3HW	Object to the demolition of this building both on aesthetic grounds and on environmental grounds. A modernist post-war building should have protection.

<p><b>(objection)</b></p>	<p>Environmental impacts of demolishing existing large buildings and replacing with newly created materials; concrete, glass metal etc.; refitting buildings creates as much work for the labour force, and not at the expense of the environment. Resources should not be wasted.</p> <p><b>Officer response:</b> Addressed in 'Design and Heritage' section and 'Sustainability' section.</p>
<p>Submitted on behalf of 27 Minories, EC3N 1DE – submitted from Stockport, SK6 5PQ</p> <p><b>(neutral)</b></p>	<p>Queried why only consulted in the re-consultation; the residents at 27 Minories would have appreciated more notice and would like to know what impact this development will have to the sewers in the vicinity.</p> <p><b>Officer response:</b> The Addresses were included in the two consultation periods. Regarding sewer impact, the Applicant has confirmed that a pre-planning enquiry was submitted to Thames Water regarding the impact of the development on the sewers in the vicinity and Thames Water have confirmed there is sufficient capacity in the combined sewer network. The Applicant confirmed that, in regards to the surface water discharge, Thames Water require that flows are restricted to a total of 2.0l/s. The proposed design limits the discharge rates for surface water flows to 2.0l/s (including the 1 in 100-year return +40% climate change allowance) using blue roofs for attenuation. The resident has been forwarded the Applicant's response.</p> <p>Officers consulted Thames Water and a response was received which included confirmation that there was no objection in regard to the combined waste water network.</p>
<p>The Portal Trust, 31 Jewry Street</p> <p><b>(objection)</b></p>	<p>Development would adversely affect our rights of light owing to the proposed height of the new building.</p> <p><b>Officer Response:</b> Please review the 'Daylight, sunlight and overshadowing' section of the report.</p>

## **Policy Context**

24. The development plan consists of the London Plan 2021 and the City of London Local Plan 2015. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.
25. The City of London has prepared a draft plan, the City Plan 2036, which was published for Regulation 19 consultation in early 2021. Onward progress of the Plan has been temporarily paused to enable further refinement, but it remains a material consideration in the determination of applications (although not part of the development plan) alongside the adopted 2015 City of London Local Plan and the London Plan 2021. The Draft City Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.
26. Government Guidance is contained in the National Planning Policy Framework (NPPF) July 2021 and the Planning Practice Guidance (PPG) which is amended from time to time.
27. The Historic England Good Practice Advice notes, including Note 3 The Setting of Heritage Assets and Note 2 Managing Significance in Decision-Taking in the Historic Environment.
28. The Corporation recently adopted the 'Preventing Suicide in High Rise Buildings and Structures' Planning Advice Note (2022) which requires safety measures to be considered and incorporated where necessary.

## **Considerations**

### **Relevant Statutory Duties**

29. 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, local finance considerations so far as material to the application, and to any other material considerations.(Section 70 Town & Country Planning Act 1990); and
  - to determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
30. 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).

National Planning Policy Framework (NPPF 2021)

31. The NPPF states at paragraph 2 that “Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”.
32. It states at paragraph 8 that achieving sustainable development has three overarching objectives, being economic, social and environmental.
33. Paragraph 10 states that “at the heart of the Framework is a presumption in favour of sustainable development”. That presumption is set out at paragraph 11. For decision-taking this means:
  - approving development proposals that accord with an up-to-date development plan without delay; or
  - where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
34. Paragraph 48 states that local planning authorities may give weight to relevant policies in emerging plans according to:
  - the stage of preparation of the emerging plan (the more advanced its preparation the greater the weight that may be given);
  - 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
  - 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).



35. Chapter 9 of the NPPF seeks to promote sustainable transport. Paragraph 105 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.”
36. 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”.
37. Chapter 12 of the NPPF seeks to achieve well designed places. Paragraph 126 advises that “The creation of high quality, beautiful and sustainable 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.”
38. Paragraph 130 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.
39. Paragraph 134 sets out that in determining applications, 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.
40. Chapter 14 of the NPPF relates to climate change, flooding and coastal change. Paragraph 152 identifies that the planning system should support the transition to a low carbon future. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

41. Chapter 16 of the NPPF relates to conserving and enhancing the historic environment. Paragraph 195 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. Paragraph 197 of the NPPF advises, "In determining applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness."
42. Paragraph 199 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."
43. Paragraph 200 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:
- grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - 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."
44. Paragraph 202 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.

45. Paragraph 203 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 in this case**

46. In considering this planning application, account has been taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
47. The principal over-arching issues in considering this application are:
- the extent to which the proposals comply with the relevant policies of the Development Plan; and
  - the extent to which the proposals comply with Government guidance (NPPF).
48. The principal site specific issues in considering this application (in accordance with the over-arching issues above) are:
- Loss of office floorspace;
  - Principle of development;
  - Economic considerations;
  - Design and heritage;
  - Public Realm and Trees;
  - Archaeological impacts;
  - Access and Inclusive Design;
  - Transportation and highway impacts;
  - Waste collection arrangements;
  - Environmental sustainability;
  - Environmental Impact of Proposals on Surrounding Area (daylight, sunlight, overshadowing and solar glare; light pollution; wind; thermal comfort; contaminated land; noise; and air quality);
  - Fire safety;
  - Suicide prevention measures;

- Health Impact Assessment;
- Public Sector Equalities Duty;
- Human Rights Act 1998;
- The requirement for financial contributions.

### **Loss of Office Floorspace**

49. London Plan Policy E1 supports increases in the current office stock. Likewise, Core Strategic Policy CS1 of the Local Plan and Strategic Policy S4 of the draft City Plan seek to ensure that the City provides additional office accommodation to meet demand from long term employment growth.
50. This application would result in the loss of 5,821sqm (GIA) of existing Class E(g) office floorspace. The Proposed Development would provide 410sqm (GIA) of new Class E office floorspace.
51. Local Plan Policy DM1.1 and draft City Plan Policy OF2 seek to protect office accommodation. Policy DM1.1 seeks to prevent the loss of existing office accommodation where the building is considered suitable for long term viable office use and there are strong economic reasons why the loss would be inappropriate to include prejudicing the primary business function of the City; jeopardising the future assembly and delivery of large office development sites; removing existing stock for which there is demand in the office market or long term viable need or introducing uses that adversely affect the existing beneficial mix of commercial uses.
52. The supporting text (paragraph 3.1.8) to Local Plan Policy DM1.1 and the Office Use SPD indicate that proposals for the change from offices will normally be refused if the building or site is considered suitable for long-term viable office use. The Local Plan indicates that, exceptionally, the loss of an individual office development to other commercial uses may be acceptable where the proposed alternative use meets the wider objectives of the Local Plan.
53. Local Plan Policy DM1.2 seeks to promote the assembly and protection of large office development sites and it is considered the Proposed Development would not jeopardise the operation of nearby development.
54. Local Plan Policy DM1.3 promotes small and medium sized business units and the proposed coworking space aspires to provide floorspace for smaller businesses.

55. Local Plan Policy DM1.5 encourages a mix of commercial uses within office development which contribute to the City's economy and character and provide support services to its businesses, workers and residents. Paragraph 3.1.20 indicates that such complementary uses include retail, leisure, education and health facilities.
56. The applicant has submitted a Viability Assessment with the application.
57. The viability report has considered the potential viability of an office refurbishment, a redevelopment for offices, and a redevelopment for a mixed hotel and office scheme. The viability has been undertaken with developer profit as a fixed cost, with the viability outturn being the residual land value. This is then expressed as a residual land value per square foot of net internal area. The viability assumes a level of profit for office refurbishment at 7.5% of costs, for office redevelopment at 15% of costs and for the mixed hotel/office scheme at 10% of costs. This level of profit is considered to be reasonable for the development types considered. In terms of viability output, expressing residual land value on a per square foot basis, the office refurbishment would deliver a value of £139 per sq ft, the office redevelopment £26 per sq ft and the mixed hotel/office development £410 per sq ft. The viability report then compares these values to residual land values in comparable office schemes in and around the City, which suggest alternative office schemes being available in a range of £280 per sq ft to over £600 per sq ft. This demonstrates that refurbishment or redevelopment for office use would not generate a sufficient residual land value to incentivise the landowner to bring the site forward for continued office use; sensitivity analysis within the viability study confirms these findings.
58. The viability report demonstrates that there is alternative office space available locally at a higher specification. While it can be important to ensure office stock is maintained during periods of downturn to enable long-term growth, the viability report indicates that there is 11.5m sqft (of which 8.2m sqft is secondary) of vacant stock on the market and the vacancy rate is 12.7% which is higher than average. The viability report indicates that there is ample stock completed and in the pipeline for office developments. At the end of Q2 2021 570,200 sq ft was completed of which 151,100 sq ft was already pre-let. An additional 7.7m sq ft of proposed space has the potential to complete before the end of 2025. The viability report argues that it is unlikely that the loss of this floorspace at Boundary House would prejudice the primary business function of the city.

59. Change from offices will normally be refused if the building or site is considered to be suitable for long-term viable office use. Accompanying reports indicate that the building is currently unattractive for long term office use and does not meet current BCO standards due to low floor to ceiling heights, numerous columns within a narrow floorplate area which restrict useability, raised ground levels which do not meet accessibility requirements, an inaccessible seventh floor with no WCs, and no cycle storage or shower facilities. Following the global pandemic there is greater demand for cycling facilities and buildings with good air circulation which may decrease desirability of the building. It is stated that a sole office scheme would be a poor competitor to other buildings in better locations.
60. The loss of office floorspace on this site is considered to be minimal when considered against the existing and pipeline floorspace in the City of London, including those schemes which this Committee has resolved to permit but which have not progressed yet to full permission. Whilst the Local Plan resists the loss of office floorspace, the scale of the loss on this site would not prejudice the overall supply of office space in the City, nor prejudice the potential for future site amalgamation or result in the loss of existing stock for which there is demand or longer-term viable need.
61. To conclude, although continued office use might be feasible in the short term, the viability assessment demonstrates that in the longer term this is unlikely to be a viable proposition and that alternative uses should be considered.
62. On balance, therefore, whilst there would be a loss of existing office floorspace, this would not have an adverse impact on the overall stock of floorspace in the City or prejudice the City's role as an international business and professional centre. The high quality hotel accommodation and community spaces will contribute towards diversifying the City's building stock and land uses, adding vibrancy and activity for seven days per week and contribute to the achievement of the City Corporation's Destination City ambitions and align with the City Corporation's wider ambitions for a post-Covid City.
63. The loss of office accommodation is therefore considered to be acceptable within the provisions of Local Plan policies CS1 and DM1.1 and emerging policy in the draft City Plan.

## **Principle of Development**

64. The application aims to provide a mix of uses including hospitality, office, cultural and community facilities and the demolition of the existing office building.

## **Hotel use**

65. The site is within the Central Activities Zone (CAZ). London Plan Policy SD4 states that the strategic functions of the CAZ includes tourism and hotels.
66. London Plan Policy E10 states that London's visitor economy should be enhanced through visitor experience and supporting infrastructure, and that a sufficient supply and range of serviced accommodation should be maintained. The Policy states that smaller scale provision should be promoted in the CAZ except wholly residential streets or predominantly residential neighbourhoods and subject to impact on office space and other strategic functions. It states that the intensification of the provision of serviced accommodation should be resisted where this compromises local amenity or the balance of local land uses. The policy also requires accessible bedroom provision. The supporting text of Policy E10 states that it is estimated that 58,000 additional bedrooms will be required in London by 2041.
67. The Site is within a Business Improvement district (Aldgate Connect) which is a defined area in which a levy is charged to all business rate payers in addition to the business rates to develop projects that will benefit businesses in the local area.
68. Local Plan Policy CS11 seeks to promote the City's cultural, and visitor offer by allowing hotels where they support the primary business or cultural role of the City and refusing new hotels where they compromise the City's business function or the potential for future business growth. Local Plan Policy DM 11.3 states that new hotel and apart-hotel accommodation will be permitted if it does not prejudice the primary business function of the City; would contribute to the balance and mix of uses in the immediate locality; does not result in adverse impacts on the amenity of neighbouring occupiers; provides at least 10% wheelchair-accessible hotel rooms; and ensures satisfactory arrangements for pick-up/drop-off and servicing.
69. Similarly, Draft Policy S6 of the emerging City plan states that hotel development which supports but does not compromise the primary business or cultural role of the City will be permitted. Draft City Plan

Policy CV3 further states that proposals for hotels and other visitor accommodation will be permitted where they do not result in the loss of viable office space; do not result in adverse impacts on the amenity of neighbouring occupiers; would include a range of complimentary facilities; would provide satisfactory pick-up and drop-off services; would be accessible; would ensure a continuing beneficial use for historic buildings; and would address sustainability challenges in line with the BREEAM guidance.

70. The proposed hotel is designed to provide 10% wheelchair accessible rooms in line with policy requirements and step-free access throughout. The accompanying Transport Statement indicates that satisfactory arrangements for pick-up/drop-off and service delivery vehicles have been made and the proposed development would not adversely impact the nearby street network, which is addressed in detail in the 'Transport' section of the report. In addition, it has been established through accompanying reports that the proposed hotel will not cause any unacceptable adverse impacts to the amenity of the neighbouring occupiers, although there would be an impact on the existing levels of daylight and sunlight available to some nearby properties which is addressed further below.
71. Furthermore, the proposal would support the primary business function and cultural role of the City, and would not compromise the potential for future business growth. As set out in the text above, it is not considered that the hotel will result in the loss of viable office space. The hotel will provide a range of complimentary facilities including an ancillary ground floor café area and a rooftop restaurant, in addition to a small provision of office space, and would contribute to the City's ambitions for Destination City and post-Covid recovery.
72. Finally, the proposed hotel will contribute to the balance and mix of uses in the immediate locality, which is comprised of commercial, educational, residential and student residential uses.
73. A condition is recommended for the provision of a final Operational Management Plan to minimise impacts to amenities of neighbouring uses.
74. Therefore the proposals are considered to comply with London Plan policies SD4 and E10, Local Plan policies CS11 and DM11.3, and draft City Plan policies S6 and CV3.



### Office floorspace with ancillary community and cultural uses

75. The applicant is proposing 456 sqm (GEA) of office floorspace (Use Class E) with 330sqm usable workspace on part ground and part first floors which is presented as a bespoke co-working and “multi-modal space” which would include: meeting rooms and breakout spaces, podcast studios, and event and studio spaces. The Applicant is proposing a unique boutique offer for co-working and cultural activities as opposed to a typical co-working space.
76. As outlined in the text above, office floorspace is supported by Policy.
77. In terms of community facilities, Local Plan Policy CS22 seeks to maximise opportunities for local communities within the City. Policy S1 of the emerging City plan seeks to protect and enhance community facilities whilst Draft Policy HL5 seeks to deliver flexible multi-use spaces within the City. All the above-mentioned policies recognise the need to provide community facilities to complement the City’s commercial offer and support the wider objectives of the plan.
78. Local Plan policies CS11 and draft City Plan Policy S6 encourages new cultural experiences in accordance with the City Corporation’s Visitor Strategy. A Cultural and Community Strategy has been submitted in accordance with draft Policy S6.
79. The Cultural and Community Strategy outlines the proposal for a cultural and community hub with an event space on the ground floor and studio space on the first floor which could be used for a wide range of uses. In addition, the proposed scheme would make provision for a publicly accessible café/bar and a rooftop restaurant along with public realm areas around the building by creating a ‘social edge’ through active frontage to Jewry Street and Carlisle Avenue and enhancement of Rangoon Street.
80. The Applicant aims to support local groups and culture by proposing the following uses for the office space, to be secured via Section 106 Agreement:
  - 10 hours a month of free community use of meeting rooms;
  - 10 hours a month free meeting room hire for nearby education uses (daytime);
  - 10 hours a month of 50% discount rate to hire the podcast studio for local community groups;
  - Podcast studio rental at £35 per hour (RPI);

- One free hire per month of event space for community groups.
81. The proposed development will deliver co-working, cultural and community facilities alongside a hotel. This means that there is not a complete loss of office space, and the proposed scheme partially compensates by re-providing new flexible and adaptable co-working space. Though the proposal offsets the loss of office floorspace to some extent, the quantum of space is not considered large enough to function as a typical co-working space.
  82. Officers have raised concerns that the co-working space is small when compared with similar co-working space offers and the applicant has provided supplementary responses to support the functionality and viability of the space.
  83. In addition, the Applicant has proposed that the community offer will be managed by the hotel manager and workspace operator. Further information provided by the Applicant outlines the process of setting up a management agreement with an operator responsible for staffing, managing and marketing the space along with a rate card for potential hiring options.
  84. An obligation is recommended for the submission of a Cultural Implementation Strategy which details the dedicated occupier and management plan for the co-working, community and cultural spaces, prior to the occupation of the hotel. This would include details of operator(s), management, final spatial layouts, the activation of windows at ground floor and final programme to be shaped by future needs, users and the market. In addition, annual reporting for the cultural and community space would be required.
  85. In addition, to ensure this space is protected, a planning obligation is recommended for the space to be provided as affordable workspace or community space if an occupier for the co-working space is not confirmed.
  86. The proposal would enable the City's communities to access a range of experiences, in accordance with the City Corporation's Visitor Strategy. Subject to planning obligations, the co-working, community and cultural provision complies with Local Plan Policy CS22, CS11, and draft City Plan policies S1, S6 and HL5.

## **Economic Considerations**

87. In addition to the attraction of visitors to the City and complementary facilities for the non-hotel guests to access, the Applicant estimates 90 full-time roles will be created for the development. The co-working space will also maintain a mix of economic growth at the site.
88. The National Planning Policy Framework places significant weight on ensuring that the planning system supports sustainable economic growth, creating jobs and prosperity.
89. 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 540,000 people pre-Covid.
90. 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). The London Recharged: Our Vision for London in 2025 report sets out the need to develop London's office stock (including the development of hyper flexible office spaces) to support and motivate small and larger businesses alike to re-enter and flourish in the City.
91. 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.

92. The City lies wholly within London's Central Activity Zone (CAZ) where the London Plan promotes further economic and employment growth. CAZ policy and wider London Plan policy acknowledge the need to sustain the City's cluster of economic activity and provide for exemptions from mixed use development in the City in order to achieve this aim.
93. 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 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.

### **Design and Heritage**

#### **The existing site**

94. The Boundary House site has an 'L'- shape corner plan which is bound by Carlisle Avenue, Jewry Street and Rangoon Street. Ground floor is raised above pavement level on a sloping site north to south.
95. The site was bomb damaged and rebuilt after the Second World War in its current form which consists of a series of blocks of varying heights where massing steps down from eight storeys (41m) on Carlisle Avenue to six storeys on Jewry Street (31m). The building is not considered to be of significant architectural or historic interest and it is not considered to contribute to the character of the street. The inactive ground floor frontages, large spandrel and glass cladding are not considered to positively contribute to the local townscape views. Overall, the building's contribution to the townscape is considered to be at best neutral.

#### **Height, Form, Massing and Bulk**

96. The majority of buildings in the surrounding area are between 6 – 15 storeys in height, reflecting the mixed character of this area which is in a transition zone between the tall buildings of the City Cluster and the City fringe to the east. The surrounding context includes the following buildings of comparable height with 80 Fenchurch Street to the north-west measuring 77.7m and 35-37 Vine Street measures 60m (14 storeys). The application proposes a 14-storey building measuring

64m. By definition in the extant and emerging Development Plan, the proposal is not a tall building.

97. The surrounding streets of Crutched Friars, Northumberland Alley, Carlisle Avenue, Lloyds Avenue and Vine Street are distinctly quieter and more intimate, generally consisting of a denser collection of and smaller urban grain of buildings, narrow alleyways and streets which are less trafficked compared to the busier main streets of Minories and Fenchurch Street with their larger building plots and higher footfall. The proposed development would increase the massing on Jewry street to become commensurate with the buildings in the 'foothills' of the Eastern cluster; 80 Fenchurch Street and Jardine house. The proposal would embolden its presence on Jewry with a sweeping curved façade which follows the curve of the street. The massing would step down at the rear of the site, creating a more human scale building, appropriate to the quieter character of Carlisle Avenue.
98. The two parts of the 'L'- shape plan of the existing Boundary House site have been developed to different heights and with different characters which also reflect the different uses proposed within. The north-south block onto Jewry Street would comprise the main elevation with architectural arched colonnade, main entrances and active frontages expressed on the elevation. By comparison the east-west block would be more domestic in scale, plainer but brighter in materiality and present itself as a secondary elevation. The two characters would be distinct enough to appear as two separate buildings, thus giving the impression of a finer urban grain.
99. The north-south block would house the majority of the hotel bedrooms on which the primary elevation would front Jewry Street. This would increase the massing on to Jewry Street by eight storeys effecting the local townscape. In views looking north up Jewry Street, the roof line would step up steeply behind Friary Court to reveal the defining corner pivot of the whole ensemble, appropriately defining the junction of Jewry and Rangoon Street. However, the architectural detailing, the planting on the roof terrace and the chamfered corner will make a distinctive and visually interesting roof line in long views. Moving up Jewry Street towards Aldgate, the curvature of the façade would emphasise the curving nature of the street. From India Street the proposed development would terminate the view; the proposed height of the building would completely obscure 80 Fenchurch and would create an imposing presence. However, the proposed seating and greening at the base would create an inviting vista and would enhance the townscape. In views looking south from Jewry Street towards

Crutched Friars, the proposed massing would be seen to sharply rise above the roofline of 5 Jewry Street revealing a blind façade and a small roof terrace. However, the scooped-out arches and cornice at ground level would continue the horizontal banding of 5 Jewry Street and the upper cornice would visually connect with the building height datum. The massing of the upper levels would be slightly set back from the front elevation and the chamfered corner would create a vertical marker on the skyline and would mimic and complement the rounded corner of 35-37 Vine Street which serves as an architectural feature. In views further north from Aldgate Square, the proposed development would be visible in long views rising behind 1 Aldgate in the background and narrow the sky gap of Jewry Street. The proposed development would be commensurate with the height of 1 Aldgate and the shallow stepped profile would be architecturally coherent with the stepped profile of the upper storeys of 1 Aldgate in the view.

100. The massing of the East-West block, which would contain the co-working space, would be distinctly lower on Carlisle Avenue, rising to eight storeys at 39.39m. This would be visible in views looking East along Carlisle Avenue and would be considered a positive contextual response to the lower height of neighbouring building, Friary court, which rises to six storeys. The lower height would maintain the building roof line and contribute to maintaining good levels of daylight amenity to the public realm and neighbouring buildings on Carlisle Avenue which has pedestrian links to Fenchurch Street and Lloyds Avenue

#### Building Design, Materials and lighting

101. The North-South block is designed to traditional proportions of base, body and attic storeys similar to that of the historic buildings at the North end of Jewry Street. The use of double height GRC (Glass reinforced concrete) arching bays would create a sense of weight and solidity, grounding the building to the street. The proposed building would be well detailed, adding to the richness of architectural variety along Jewry street and the neighbouring character of Lloyds Avenue Conservation Area. The body of the proposed building would be made up of two storey sections of recessed windows, framed with dark bronze metal and matching spandrel panels separated by horizontal light-coloured brick banding. Light-coloured brick columns would vertically define the windows bays and the contrasting metallic chestnut-brown glazed brick reveals would create a strong vertical emphasis in oblique views in the Townscape. The column reveals would evolve to 'fins' which would rise to form a crown at attic and roof levels and become a defining architectural feature of the building. The upper cornice would delineate the body from the attic storeys and

where the building line would step back. There would be several layers of 'fins' at the upper levels and integrate into the design of roof-level balustrades, which would protrude and cast shadows on the light brick columns and repeat at recessed roof levels. The attic stories would be finished in a dark metal and would appear recessive. The darker colours, the shadows and finer detailing at these upper levels would give the illusion of tapering columns widths and diminishing proportions thus reinforcing the sense of hierarchy of the building. The rooftop plant and balustrade are integrated into the design of the roof and the greenery visible at roof and ground level would soften the edges of the building and add visual interest.

102. At ground on Jewry Street, the proposed series of grand GRC fluted arches would frame glazed bays of the upper ground floor, also finished in dark metal. Below the arches, the building line would carve out under the building to increase the size of the pavement and reveal a curved soffit. The retention of the existing ground and basement structure would maintain the floor slab level which is higher than pavement grade and would result in the need for a stepped entrance. The proposed steps, accessible lift, bleacher seating and planters would wrap round the base of the building and nestle underneath the arches and is designed as a coherent set piece. This would create a high quality and tactile ground floor experience where it would be possible to appreciate tactility and planting up close and which would encourage building users and passers-by to enjoy the public realm and activate the street. The northern entrance would be made up of large glazed walls which would increase the visibility, animation and interest on Jewry Street and Carlisle Avenue.
103. The East-west block would use the same brick finishes but inverse the application with the light-coloured brick in the window reveals and the chestnut brown glazed brick to face the elevation. The glazed brick would be brought right to ground on the elevation along Carlisle Avenue and would be used to frame the square bays of the ground floor in lieu of the GRC arches. The glazed brick would be repeated on the blind wall of the arched entrance into Carlisle Avenue to draw people through the arch. This would create an altogether different character to the North South block, which would be bolder, more modern and industrial in style. The brickwork curved corners, grout colour and finishing of the glazed brick detailing would be secured via condition but is considered vital to the overall quality of this elevation.
104. The ratio of window to solid surfaces would sit well within the context of historic buildings and would also improve the activation at street

level. The expressed hierarchy of the base body and attic would help to break up the massing of the proposed development and would integrate with existing building datums. The predominate use of masonry and warm tones of the proposed materials on the elevations and roof is considered sensitive to the setting of the listed building and a positive contextual response to the materiality of the buildings on Jewry Street.

105. A lighting design strategy for the roof terraces and ground floor entrances will be agreed with Officers and secured by condition and submitted prior to occupation in order to avoid glare and light spill.

### Public Realm and Trees

106. The existing public realm surrounding the site is void of greenery but has a distinctly quieter and intimate character which contrasts to the busy roads of Fenchurch to the south-west, Aldgate High Street to the north and Minories to the east. Carlisle Avenue is a narrow road with narrow footways and connects into two pedestrian alleyways into the Lloyds Avenue Conservation Area at the junction with Northumberland Alley. Rangoon street borders the south of the site and exists as a short dead end servicing road serving both Boundary House and Friary Court buildings. The front elevation fronts on to Jewry Street where building line steps in awkwardly and does not align with the curvature of the street. The current massing of Boundary House straddles over Carlisle Avenue at the junction with Jewry Street and creates a dark and uninviting gateway experience into Carlisle Avenue.
107. The proposals seek to improve the buildings relationship with the public realm on with Jewry Street, Carlisle Avenue and Rangoon Street. On Jewry Street, the building line would be reformed to follow the curvature of the street. The ground floor would be set back farther than the existing building line and public seating and planted pockets of greenery would face outwards to Jewry Street, creating an inviting space to sit and add to the animation of the street. This would be complemented by the northern entrance to the building and dining facilitates proposed on the upper ground floor where tables and chairs would look out of large glazed bays which improve the potential for natural surveillance onto the public realm.
108. At the south pinnacle of the building on the corner of Jewry Street and Rangoon Street, the proposed raised entrance would combine a sweep of steps and public bleacher seating interspersed with more greenery to create a south-facing dwell space which would benefit from lunchtime sunshine. The proposals to relocate the servicing bay to



Carlisle Avenue would reduce the amount of traffic in this location, making it safer to be used for building users and passers-by to enjoy. The new planters which have recently been installed outside the Urbanest building are in close proximity to the Rangoon Street entrance. The bleacher steps would improve the sense of place and arrival at this location but it would also create the opportunity for Rangoon Street to improve further and become a dwell space for the public.

### Design Conclusion

109. The proposal would respond to the contextual height and massing of the site, is well designed and would use materials which would be coherent with the Townscape and which would be high quality. The proposed public seating proposed at entrances and in the façade treatment would enhance the quality of the pedestrian experience of the public realm, creating a space for enjoyment which is inclusive. The pavements in the public would become more generous and the materials would match existing, would be durable and easy to maintain. A planning obligation would be sought for the developer to contribute to tree planting in the local area which would consider urban greening proposals in the vicinity of the development.
110. The creation of active frontages along both Jewry Street and Carlisle Avenue are welcome as this area of the City currently has limited activation at street level. If planning permission is granted, it is recommended that a condition be imposed to maximise and retain active frontages at ground floor level, especially due to the lack of level access.
111. The final details of the development including greening, external seating and planters, window and door details, lighting, soffits, fins, entrances, and materials proposed for elevations would be secured via condition to ensure a high-quality appearance and finish in the final construction.
112. The final details of the public realm including planting, materials, lighting, and management would be subject to conditions, planning obligations and the Section 278 agreement. The improvements to the public realm represent good place making and there would be gains quantitatively and qualitatively compliant with the NPPF design policies, London Plan policies, Local Plan policies, Draft City Plan policies, and the City Public Realm SPD.

113. The proposals comply Local Plan Policies CS10 and DM10.1, DM19.1 emerging City Plan Policy S8, DE2, HL1, DE3, and London Plan Policy D3 and D8, paragraphs 130 and 132 of the NPPF and the City Public Realm SPD.

Strategic views – London View Management Framework

114. Local Plan 2015 Policy CS13 seeks to protect and enhance significant City and London views of important buildings, townscape and skylines. It seeks to implement the Mayor’s LVMF SPG, protect and enhance views of historic City landmarks and secure an appropriate setting and backdrop to the Tower of London. Policy S13 of draft City Plan 2036 seeks similar and takes into account of the Tower of London World Heritage Site Management Plan (2016).
115. A Townscape, Visual and Built Heritage Assessment has been prepared and submitted as part of the application.

Indirect impacts on the setting of designated heritage assets

OUV and Relationship to Setting

116. 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.
117. 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.
- 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.

- 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 the Queen's Walk, around City Hall and Potters Field.

Impact on OUV/Significance:

118. The proposed development would not be visible in Local Setting Study Representative Views from within the Tower of London or from outside looking towards the World Heritage Site (WHS). The impact on the OUV is undertaken in the assessment under consideration of the impact of the LVMF view below

LVMF View 25A.1-3 – Townscape - Queen's Walk to the Tower of London

119. The site lies within the Townscape view from Queens walk and is visible and between Assessment Points 25A.1-3. This view is identified in the Tower of London WHS Management Plan (7.3.22) as the most iconic view of the Tower. The focus of this view is the Tower, the identified Strategically Important Landmark, in this 'iconic' view, deemed to best represent its Outstanding Universal Value (OUV). The view includes other identified landmarks the Monument, visible upstream and Tower Bridge, visible downstream. The silhouette of the Port of London Authority is distinctive and marks an important transition between the City and the Liberties, the defensive open space around the Tower. The juxtaposition of the modern cluster of towers including Tower 42, the Heron Tower and 30 St Mary Axe (aka the Gherkin), which are other landmarks identified in the LVMF, reflect the 900 years of history and this is considered a central characteristic of this view.

120. 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.

121. 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). 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).

122. The site is located 350m north west of the Tower of London World Heritage and would maintain t Site and would not impact on the

Protected Vista from 25A.1 or the dynamic Protected Silhouette between Assessment Points 25A.1-3.

123. The rooftop of southern façade of the proposed development would be visible west of and below 1 America square and in the setting of the Port of London Authority (PLA) (Grade II\* listed). The southern end of the façade is one of the development's narrow elevations and the proposed building's orientation would minimise the scale of change the building would make in this view. The dark metal and warm tones of the proposed materials would appear recessive and this would be further softened by the greenery proposed at terrace and roof level. The height of the proposed development would be significantly lower than the former PLA building, maintaining the sky gap around the building and thus preserving silhouette of the landmark on the skyline. Most of the proposed building would be obscured by other middle ground buildings of similar building height as well as the tree canopy in the foreground.
124. The limited extent of proposed building which would be perceived and at that distance away from the viewing assessment point would mean the proposed building would be barely visible. The height and massing would sit in line with the layers of buildings in the 'foothills' of the City cluster, the proposed dark and muted colours of the proposed materials would appear recessive, further dissolving the buildings presence in the wider setting of the ToL. The juxtaposed character and separate nature of the City Cluster and the Tower would be maintained, as would the prominence of the White Tower in the view and the river in the foreground. The viewer's ability to appreciate the Outstanding Universal would be preserved as would the ability to appreciate and recognise the landmarks identified in the view in the LVMF.
125. The proposed development would not harm the characteristics and composition of strategic view or its landmark elements, preserving the ability of the observer to recognise and appreciate the Strategically Important Landmark, the Tower of London, in accordance with Local Plan Policy CS13(1), London Plan Policy HC4 and draft City Plan 2036 Policy S13 and guidance contained in the LVMF SPG and Protected Views SPD

#### Conclusion – Impact on Tower of London World Heritage Site

126. 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. The extent of change the proposed development would have on the wider setting would be negligible, the impact on the ability to appreciate the site's OUV would be neutral and it would not harm the significance of the Tower of London whether in relation to the WHS, the individual listed buildings, or the Scheduled Monument. The proposals would accord with Local Plan policies CS13, emerging Local Plan policies S11, London Plan Policies HC2, HC3, HC4

#### Impact on Listed buildings

##### David Game College (Grade II Listed)

#### Significance and Contribution of Setting:

127. The building's architectural and historic significance can be summarised by its association with the Sir John Cass foundation, founded in 1748 by politician and businessman Sir John Cass, now known as the Portal Trust whose purpose was to provide educational opportunities for disadvantaged young people in London and is one of the most recognised and prestigious educational foundations in the UK. The building was opened in 1902 as the Sir John Cass Institute by Architect A.W. Cooksey as a handsome red brick and portland stone, three storey building with an arched entrance and a domed square turret and glazed brown bricks at the base.

128. The elements of of setting which contribute to the significance of the David Game College are the group value with the historic buildings on the east side at the north end of Jewry Street which can be seen in conjunction with the principle façade of the listed building. These are also rich in elegant ornamentation, window openings and have a historic small historic urban grain which makes up a historic townscape and gives the listed building prominence as an important philanthropic institution in local views. The low rise of buildings at the north end of Jewry street give visual prominence to the varied attic storeys and roof line including the domed tower of the David Game College and also affords good daylight into the classrooms and leisure spaces via its lightwells large windows.

#### Impact:

129. In the view from Crutched Friars looking north, the proposed development would rise substantially higher than the listed building and the historic buildings to the north which would slightly obscure the view of the David Game college and erode the listed building's presence in the street by a small degree but would not impact on the historic character of the buildings on the east side which contribute to the significance of the listed building.

130. The materials and colour palette proposed on the Jewry street elevation would be coherent the warm terracotta tones of the proposed matte and glazed brick which would enhance the materiality of the listed building in the Townscape. Overall the proposed development would not impact the historic significance or harm the architectural significance and setting of the listed building.

St Botolph's Church (Grade I Listed)

131. Re-built by renowned period architect George Dance the Elder, 1741-44, on the site of an important earlier Medieval church, it is strategically located outside the Roman/Medieval wall on a principal arrival to the City from the east. Of patinated stock brick with red brick trimmings and spartan Portland Stone dressings it displays a polite, severe Palladian classical style which is orientated, contrary to the Medieval manner, on a north-south axis terminating the view from Minories. A galleried nave with aisles sits either side the principal composition addressing Aldgate High Street/Minories, comprising a tall square pedimented tower with quoins, octagonal clock stage and lead-clad spire conspiring to create a prominent local landmark. It is of high architectural, artistic, historic and archaeological significance as an important work of a noted architect with (principally internal) features of artistic interest and some archaeological interest in those surviving parts of the earlier Medieval church
132. The setting of the Church contributes less to an appreciation of significance, which is more derived from tangible historic fabric and physical integrity. The setting of the Church has changed substantially over time, particularly in the later 20th Century. Once 'hemmed in' and enclosed as part of a finer grain by development on Houndsditch/Aldgate High Street, it was until recently rather exposed adrift a traffic gyratory. It now has an broader, open setting, backdropped by much taller and larger late 20th Century commercial blocks, with the emerging City Cluster of tall buildings to the west. The churchyard contains a greener and more intimate and quieter character which is distinct from the open public nature of Aldgate Square and creates a buffer from the heavily trafficked Aldgate Highstreet and St Botolph's street. The primary elevation faces south and the low level of the buildings on Minories and the width of the street give the setting for the Church to terminate the view looking north on Minories Overall, the openness and prominence of the Church, in particular on its original north-south axis when viewed from Minories, and to a lesser degree Aldgate High Street, make a moderate contribution to significance and an appreciation of significance.

### Impact Assessment:

133. The main contributor to significance, the approach along Minories which allows an appreciation of the principal composition, would remain, unaffected. In views looking south from the junction of Houndsditch and St Botolph street, the northern corner, blind flank wall attic storeys and roof of the proposed development would be seen in the background with the rear of the church in the foreground. The background in this view is comprised of a variety of taller buildings increasing in height towards the Eastern Cluster, including 80 Fenchurch Street. The massing would appear to the same height as of One Aldgate and the warm tones of the proposed brick and metal finishes would be visually coherent with the pink/brown granite cladding of One Aldgate. This would not enhance the setting of the Church but it would not impact on the contributions made by the positive attributes of the setting of the listed building outlined above

### 10 Trinity Square (former Port of London Authority Headquarters) (grade II\*) Special Interest / Significance, including contribution of Setting:

134. The historic and architectural significance of the building can be summarised by:

- Its' design by noted architect Sir Edwin Cooper as the HQ of the Port of London Authority (PLA) in Portland Stone comprising a whole urban block completed in 1922. It was opened by Prime Minister David Lloyd-George, reflecting the strategic importance to the Nation of the PLA, who oversaw then the world's busiest port. The architecture comprises a monumental Beaux Arts classical idiom with maritime allegorical sculpture, including the centre-piece landmark tower with giant niche containing a representation of Father Thames triumphant, symbolically pointing towards the mouth of the River. It has a rich interior and hierarchy of spaces including original panelled corridors, board and chairmen's offices, amongst others.
- It has group value with Trinity House (grade I) located opposite, the HQ of the authority (by the same name) for lighthouses and navigation at sea, in a complementary Portland Stone Neo-Classical guise. Both enclose and define the semi-formal Trinity Square Gardens, laid out originally in 1795, symbolically containing the Mercantile Marine WWI Memorial by Sir Edwin Lutyens (grade I) and the post-WWII Merchant Seamen Memorial by Edward Maufe (grade II\*). All together, these form a harmonious composition, of shared architectural language, comprising a dedicated mercantile ensemble or group of semi-formal character in the English

Picturesque tradition, of which 10 Trinity Square is the defining centrepiece. This immediate setting is the principal element of setting which contributes to its significance. The tower element, when built one of the tallest in London, has a wider riparian setting where it is prominent alongside a series of monuments when viewed from the south bank (Queen's Walk) and the Upper Pool of London. This also makes an important, but secondary contribution to significance and an appreciation of significance.

Impact:

135. The impact of the proposed development would be to the tower element which can be identified on the skyline from Queens Walk on the Southbank. The small portion of the upper storeys of the proposed development would be barely visible in the sky gap between the tower of the PLA and 1 America Square owing to the muted tones and slender profile of the proposed development. The height of proposed development would be consistent with the descending roofline which to the East of the PLA and therefore would preserve the prominence of the PLA's tower and the ability to view it in conjunction with other landmarks in Riparian Views. The proposals would not harm the historic or architectural significance of the building.

Setting of Conservation Areas

136. Policy CS12 of the Local Plan seeks to preserve and enhance the character and appearance of the City's Conservation Areas. The Lloyd's Avenue and Fenchurch Street Station Conservation Areas are located to the southwest of the development site. The proposed development does not adjoin or lie within a Conservation Area boundary nor does it appear in any of the identified views within the Conservation Area appraisals. The proposal is not visible from the Fenchurch Street Station Conservation Area and therefore has no impact on the character and appearance. The proposals would just be visible in the background from the south east end of the Conservation area at the junction of Lloyds Avenue and Crutched Friars in a view looking north. The Conservation Area buildings in the foreground of this view make a neutral contribution to the character and appearance and their contribution is not diminished by the part of the proposed building which would be seen here and therefore the impact is acceptable.

Heritage Conclusion

137. The proposals are considered to accord with Local Plan Policies CS 12 and DM 12.1, emerging City Plan policies S11 and HE1, London Plan Policy HC1, S66 (1) Planning (Listed Buildings and Conservation



Areas) Act 1990 and the relevant NPPF paragraphs 194-208. It is considered that the proposal would preserve the special architectural and historic interest and heritage significance and contribution made by the setting of: Church of St Botolph or the David Game College. There would be no harm to the significance of the Lloyds Avenue Conservation Area. Overall, the proposal would comply with Local Plan Policies CS 12, DM 12.1, emerging City Plan policies S11 and, London Plan Policy HC1.

### **Archaeology**

138. Policy DM12.4 of the Local Plan 2015 and policy HE2 of the draft City Plan 2036 outline the requirements with regards archaeology, outlining that the City will preserve, protect, safeguard and enhance archaeological monuments, remains and their settings, seeking inclusive access to, public display and interpretation where appropriate.
139. The site is in an area of archaeological potential situated to the west of the Roman and medieval City Wall. There is high potential for Roman remains such as deep cut ditches and pits, medium potential for post-medieval remains such as pits and earlier building foundations to survive. An Archaeological Desk Based Assessment and Written Scheme of Investigation for Archaeological Evaluation have been submitted with the application.
140. The extent of archaeological survival is considered to have been affected by the construction of the existing building basement which covers the site with the exception of an area on the south side, and foundations. The areas of potential survival are below the basement and an area outside the basement footprint. Archaeological evaluation is appropriate to provide additional information on the presence, depth and character of archaeological remains and to inform an appropriate mitigation strategy.
141. The proposed development would include extension of the basement beneath the building and, on the south side, outside the existing basement, lowering of the southern and central part of the basement, strengthening of the basement floor to accommodate new structural columns and new piled foundations. There is potential for remains from all periods to survive below, and outside the existing basement, which would be affected by construction of the proposed basement extension and new foundations.

142. The proposals are acceptable in archaeological terms subject to conditions to cover archaeological evaluation, a programme of archaeological work and foundation design.
143. The application therefore complies with Local Plan Policy DM12.4 and draft City Plan Policy HE2.

### **Access and Inclusive Design**

144. 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, policies S1 and S8 of the draft City Plan and Policy D5 of the London Plan. In addition, the Local Plan Policy DM11.3, draft City Plan Policy CV3 and Policy E10 of the London Plan require hotels to deliver high accessibility standards.
145. The application is supported by a Design and Access Statement and supplementary material. Detailed consideration has been given to access issues in the design of the scheme. In line with policy, 10% of bedrooms are proposed as wheelchair-accessible, and step-free access would be provided throughout the building.
146. The existing ground level is approximately 1.5 metres above street level and due to the proposed part retention of the existing basement and ground floor, this will remain the same in the proposed scheme. Although there would not be level access from street level, this has been balanced with the need to meet wider sustainability aims therefore is considered acceptable in this case. Platform lifts are proposed next to both of the entrance stairs therefore step-free access would be achieved.
147. The City's Access Officer has reviewed the proposals. Further details would be required through recommended conditions to ensure the facilities meet the accessibility requirements.
148. Therefore, subject to conditions, the development complies with policies CS10, DM10.1, DM10.5 and DM10.8 of the Local Plan, policies S1 and S8 of the draft City Plan 2036 and Policy D5 of the London Plan. In addition, the proposals comply with the relevant parts (accessibility) of Local Plan Policy DM11.3, draft City Plan Policy CV3 and Policy E10 of the London Plan.

## **Transportation and Highways**

### **Public Transport and principle of development**

149. The site has the highest level of public transport provision with a public transport accessibility level (PTAL) of 6B. The site is located within short walking distance of Fenchurch Street rail Station and within a 10 minute walk of Liverpool Street Station rail and underground services. Tower Hill and Aldgate underground stations are also within close proximity to the site. A number of bus routes run close by on Fenchurch Street and Aldgate High Street. Accordingly, the site is considered suitable in principle for the proposed type and scale of development.

### **Cycle parking**

150. London Plan Policy T5 (Cycling) requires cycle parking be provided at least in accordance with the minimum requirements set out within the plan. Policy T5 (Cycling) requires cycle parking to be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards and that developments should cater for larger cycles, including adapted cycles for disabled people.

151. The level of cycle parking proposed as part of the development is compliant with the London Plan requirement, shown in the table below.

**Table 5:** Cycle Parking standards

London Plan long stay cycle parking requirements	Proposed long stay cycle parking	London Plan short stay cycle parking requirements	Proposed short stay cycle parking
20	21	8	8

152. The long stay cycle parking is proposed at basement level with access available via a lift from the staff entrance lobby on Carlisle Avenue. The lift is sufficient in size to accommodate more than one bike without the need for them to be lifted up and down. Twenty spaces would be provided in the form of Sheffield stands which would be easily accessible and would ensure the storage is attractive and easy to use for all potential users of this facility.

153. One adapted cycle space is proposed which would be located within the basement cycle storage area (in line with the London Plan Policy T5 (Cycling), London Cycling Design Standards 8.2.1, and the draft City Plan 2036 6.3.24). The proposed adapted cycle space is shown to be positioned opposite the entrance door to the adjacent shower facilities and this appears overly constrained. A condition is recommended to secure a revised cycle parking layout which ensures

that improved circulation and access for users is achieved within this area.

154. The proposals include five showers, and 42 lockers, which complement the cycle parking provision and would be directly accessible from the cycle storage area. London Plan Policy 10.5.7 recommends a minimum of 2 lockers per 3 long-stay spaces, and at least 1 shower per 10 long-stay spaces. Accordingly, the proposals are in compliance with these recommendations.
155. Eight short-stay spaces (four Sheffield Stands) are proposed within newly recessed areas on the Carlisle Avenue frontage of the site. These will be positioned away from the existing areas of Public Highway on this frontage and would ensure compliance with London Plan standards for the levels of floorspace proposed.
156. The applicant would be responsible for promoting the use of the cycle parking spaces and as such will be required through a Section 106 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 London Plan Policy T4.

#### Servicing and deliveries

157. Policy DM16.5 of the Local Plan states developments should be designed to allow for on-site servicing. London Plan Policy T7 G and draft City Plan 2036 Policy VT2 – 1 requires development proposals to provide adequate space off-street for servicing and deliveries, with on-street loading bays only used where this is not possible.
158. As existing, all servicing for the site takes place from the Rangoon Street carriageway, which is a short cul-de sac accessed from Crutched Friars. The geometry of Rangoon Street is such that there is insufficient space for larger vehicles (greater than 8m in length) to safely turn within this area in order to access from and egress onto Crutched Friars in a forward gear. The impact of this is that larger servicing vehicles are currently required to reverse into Rangoon Street from Crutched Friars for a distance of circa 20 metres. This arrangement is highly undesirable and considered to present an undue risk to the safety of cyclists and pedestrians moving along Crutched Friars and to highway safety in general.
159. The proposals seek to provide a new on-site servicing area to the rear of the site accessed from Carlisle Avenue which is a one-way street (westbound) servicing local traffic only. The servicing area would be

sufficient in size to accommodate one servicing vehicle up to 8m in length (7.5t) entirely off-street with sufficient space for this to be comfortably loaded and unloaded. Within the Transport Assessment the applicant has estimated that the proposed development will have a requirement of 11-12 daily deliveries which will be commensurate to the existing use on site, and this would be capped accordingly in the Section 106 agreement.

160. The proposed servicing area would not facilitate vehicles turning within the site and all servicing vehicles would be required to reverse into the off-street area in order to exit in a forward gear. This falls short of the requirements laid out in Policy DM16.5 which require servicing areas to facilitate both access and egress in a forward gear. The reversing manoeuvre would however be significantly shorter and safer than the existing situation on Rangoon Street. All movements would be suitably overseen by a trained member of the facilities management team and this would be secured through the Delivery and Servicing Management Plan. Vehicular traffic along Carlisle Avenue is low and whilst forming part of a cycle route levels of cycling activity are not significant. It is not considered that this arrangement would pose any undue risk to highway safety as a result.
161. The application proposes changes to the undercroft leading into Carlisle Avenue to increase the height clearance of the existing oversail from 4.11m in height to 5.7m. This would ensure compliance with CoL minimum height requirements for projections over the highway and would ensure there was no undue risk from collisions with servicing vehicles accessing Carlyle Avenue.
162. The draft City Plan 2036 Policy VT2 requires delivery to and servicing of new developments to take place outside peak hours (0700-1000, 1200-1400, and 1600-1900 on weekdays) and requires justification where deliveries within peak hours are considered necessary. The applicant has agreed to no servicing at peak times 0700-1000, 1200-1400, and 1600-1900, in line with the City of London Transport Strategy. Cargo bikes would be permitted to access the proposed internal off-street servicing area during these times.
163. The development will be required to produce a delivery and servicing plan (DSP) which will be secured by Section 106 obligation. This will be required to include a suitable consolidation strategy to reduce overall servicing trips to and from the site and the Applicant has agreed to this requirement.

### Car parking

164. London Plan Policy T6 (Car parking), Local Plan 2015 Policy DM16.5 and the draft City Plan 2036 Policy VT3 require developments in the City to be car-free except for designated Blue Badge spaces.
165. The development is proposed as car free with no parking to be provided on-site. The applicant has investigated options to include a Blue badge bay on-site. It is acknowledged that providing an on-site space would have material implications for the wider layout of the site ground floor and it is agreed that the provision of a bay on site would not be practicable. The proposals seek to provide one new blue badge bay on-street adjacent to the site which would be delivered as part of the wider Section 278 works and parking changes for the site (discussed further below). This would ensure compliance with London Plan policy requirements for blue badge provision which require a minimum provision of one blue badge bay in instances where no other on-site parking is to be provided. Officers are satisfied that a new blue badge bay could be suitably accommodated on-street without any net loss of existing bays and without being prejudicial to the wider highway operation.

### Trip Generation

166. A trip generation assessment has been conducted for the site. The assessment has been carried out using TRICS data for a similar sized hotel development in inner London within a PTAL 6B area. It is predicted that the total number of two-way trips generated by the development would be 1962 per day, which is an increase of 602 daily movements when compared to the existing office use. It is however predicted that the proposed uses would generate a modest reduction of overall trips during the AM peak hour (0800-0900) and PM peak hour (1700-1800) when compared to the existing with the vast majority undertaken by sustainable modes. This is typical of hotel uses which generate a more even spread of trips across the day at lower intensities when compared to an office use.
167. The Trip generation assessment predicts that the hotel element of the development would generate 80 daily taxi trips (160 two-way movements) which equates to circa 8% of total trips generated for this use. The assessment also identifies that an additional 99 vehicular trips (excluding servicing) would be generated however these are discounted due to the site not providing any on-site car parking opportunities. Based upon similar hotel uses across the City, Officers would consider a figure of 15% of hotel trips by taxi and private hire vehicle (i.e. 141 daily trips) to represent a robust worst-case scenario

and the assessment figure of 8% is therefore considered to underrepresent the likely levels of taxi/private hire activity.

168. It is however the case that the proposals include a change to the on-street parking layout to provide increased opportunities for safe and convenient pick-ups and drop-offs adjacent to the site entrance on Jewry Street. Picking up and dropping off could also safely take place from within the on-street parking bays adjacent to the site when these are unoccupied as well as from a stretch of single yellow line on the northern side of the Rangoon Street junction. Accordingly, even when applying a higher figure of 15% of trips, when distributed across the day, it is not considered that this level of activity would unduly impact upon the function or safety of the local highway and could safely be accommodated on-street.
169. A Section 106 obligation requiring the submission of a Guest Travel plan would be secured. This would outline a clear package of measures the scheme will implement in order to encourage visitors to undertake trips via sustainable modes or use existing taxi ranks within the vicinity of the site to reduce overall taxi activity generated on the local highway surrounding the site.
170. The application identifies that it is not expected that the hotel would generate any demand for coach parking given the nature of the proposed hotel. Notwithstanding, given the scale of the hotel proposed and constrained highway network in the vicinity, an obligation is proposed restricting any coaches associated with the hotel waiting or parking on the local highway at any time unless otherwise agreed in writing with the Highway Authority.

#### Stopping Up/ Adoption

171. As the highway authority for Rangoon Street we have a duty, set out under section 130 of the Highways Act 1980, to “assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste that forms part of it”, and “to prevent, as far as possible, the stopping up or obstruction of the highways”.
172. The application proposes to stop up a total of 22.78sqm on the eastern side of Rangoon Street to facilitate new entrance steps leading up to the southern entrance of the site. Rangoon Street is not a through route, so there would be no implications for pedestrian movement, however servicing will continue to take place on this street for the existing adjacent site on Crutched Friars. The applicant has provided

swept path diagrams which suitably demonstrate that the proposed stopping up of the Highway would not prejudice the ability of this adjacent development to continue servicing their site from Rangoon Street nor would it result in any displacement of this servicing activity elsewhere on the local highway network.

173. The proposed development includes alterations to the building line on the Crutched Friars/Jewry Street elevation and this includes this frontage being set back from its existing line at various locations. The applicant proposes to offer up these newly recessed area of privately maintained land for adoption as Public Highway. Two newly recessed areas are also proposed for adoption as Public Highway on the Carlisle Avenue frontage. As a result the Jewry Street footway would be consistent in width along its full length and these areas are considered appropriate for the Highway Authority to adopt under S72 of the Highways Act (1980).

174. Overall, the proposals would result in a net increase of 15.5sqm of Public Highway.

#### On-Street layout

175. The proposals would require changes to the existing on-street parking designations surrounding the site to accommodate a new servicing access and disabled bay on Carlisle Avenue and a new length of single yellow line on Jewry Street to accommodate the expected level of taxi activity. Officers are satisfied that the proposed on-street changes could be accommodated with no net loss to existing visitor bays and without any undue impact to the wider function of the highway in general. The applicant would be responsible for paying for the promotion of all required changes to the Traffic Management Order and this should be secured within the S106.

#### Oversailing

176. The proposal includes new areas of oversail on the upper floor levels of the site on Jewry Street, Rangoon Street and Carlyle Avenue. The areas of oversailing would not impact the current access or movement along the street and all areas of proposed oversail are at a minimum height of 5.7m, which meets our minimum oversailing requirements. Technical approval and a licence pursuant to Section 177 of the Highways Act 1980 would be required for oversailing of the highway.

#### Public Realm and S278/S72 Agreement

177. Although not limited to, the following works shall be included within a Section 278/S72 Agreement:



- Realignment and improvement of footways on Rangoon Street and wider public realm opportunities;
- Dedication of land on Jewry Street;
- Alterations to Rangoon Street and Carlisle Avenue junctions to facilitate safer and easier pedestrian movement e.g. raised tables
- Relaying of all footways adjacent to site in York Stone;
- Change to Traffic Management orders on Carlisle Avenue, Jewry Street and Crosswall;
- New servicing Crossover on Carlisle Avenue;
- Contribution to tree planting in the vicinity of the site.

### **Transportation Conclusion**

178. Subject to conditions and planning obligations, the proposal would accord with transportation policies including London Plan policies T5 cycle parking, T6 car parking. It accords with the Local Plan 2015 Policy DM3.2, and the draft City Plan 2036 Policies AT1, AT2, AT3, and VT3. The proposals are not in line with Policy DM16.5 of the Local Plan, or draft City Plan Policy VT2 relating to deliveries and servicing however, the proposals are considered acceptable.

179. Overall, the proposal is considered acceptable in transport terms and would deliver public realm improvements particularly through the introduction of footway widening on Jewry Street and improvements to Rangoon Street.

### **Waste Collection arrangements**

180. Local Plan policies CS17 and DM17.1 require sustainable choices for waste and for facilities to be integrated into building design. Draft City Plan policies S16 and CE1 requires developments to consider circular economy principles.

181. The submitted Waste Management Plan estimates one waste collection per day. The proposed waste storage is located at basement level which includes recycling facilities for at least 50% of capacity, which would be accessed by a lift from ground floor which is accessed from the loading bay facing Carlisle Avenue.

182. The Cleansing Team have reviewed the waste collection arrangements and confirmed this is considered acceptable.

183. The waste storage is considered to comply with Local Plan policies CS17 and DM17.1 and draft City Plan policies S16 and CE1.

## **The impact of the proposal in terms of environmental sustainability**

184. The Applicant has provided assessments regarding: circular economy; operational energy and carbon emissions; BREEAM; whole life-cycle carbon emissions; urban greening and biodiversity; and climate resilience, which are discussed further below.

### **Circular Economy**

185. London Plan Policy SI7 sets out a series of circular economy principles that major development proposals are expected to follow. The Local Plan Policies CS15 and DM17.2, draft City Plan Policies S16 and CE1 set out the City's support for circular economy principles.

186. The submitted Circular Economy Statement describes the strategic approach to incorporating circularity principles and actions according to the GLA Circular Economy Guidance. The applicant submitted supplementary information to support the circular economy principles as requested.

187. The applicant has considered three development options, all of which would achieve approximately the same overall floorspace figures (the maximum retention option would achieve 232sqm less floorspace compared to the other 2 options). The options differ in the quantity of retained structure, looking at:

1. "maximum retention" (63% retention of fabric by volume excluding facade),
2. "new superstructure" (5% retention) and
3. "all new structure" (0% retention).

The assessment of the options in whole life-cycle carbon terms indicates that option 2 would result in 16% higher whole life-cycle carbon emissions (life-cycle modules A-C, excluding operational carbon emissions) compared to option 1, due to necessary structural alterations and strengthening works. The applicants consider that the circularity benefits of option 2 would offset the higher carbon emissions through incorporating flexibility, adaptability as well as material efficiency in the fit-out to a hotel, Option 3 would result in 26% higher carbon emissions compared to option 1 and is not considered to add significant value over option 2. Therefore options (1) and (3) have been discounted, as set out in more detail in the Whole Life-Cycle carbon emissions section.

188. The option "new superstructure" subject to this planning application is based on the retention of 5% of fabric by volume, including part retention of ground floor slab, part retention of basement floor slab of

retaining wall, part retention of foundations and retention of some existing columns, but excluding the facades.

189. The new development will encompass a wide range of circularity principles:

- Consideration of Design for Manufacture and Assembly (DfMA) and offsite fabrication where possible.
- Materials to be responsibly sourced, locally where possible, and maximising of recycled content and use of FSC timber.
- Steel frame proposed as demountable and potential use of recycled steel.
- Designing spaces for flexibility whilst enabling access to all elements that could be reused or need more frequent replacement.
- Designing for adaptable ground floor space.
- Designing out waste through modular design.
- Aiming to achieve GLA target for 95% of non-hazardous demolition waste to be diverted from landfill.
- Aiming to achieve GLA target for 95% of non-hazardous construction waste to be diverted from landfill.
- Incorporating appropriate refuse storage to enable recycling and best practice waste management.
- Aiming to achieve 65% municipal waste recycling London Plan target.

190. Further details that address all aspects of circular economy would be confirmed after the detailed design phase. A Detailed Circular Economy Assessment and a post-completion update in line with the Mayor's guidance on Circular Economy Assessments to confirm that high aspirations can be achieved have been requested by conditions. The detailed assessment will be expected to demonstrate that the relevant targets set out in the GLA Circular Economy Guidance can be and have been met.

191. Subject to conditions, the development is considered to comply with London Plan Policy SI7, Local Plan Policies CS15 and DM17.2, and draft City Plan Policies S16 and CE1.

### **Operational energy strategy and carbon emissions**

192. The London Plan states that major development should be net zero-carbon (Policy SI 2) with a minimum on-site reduction of at least 35% beyond Building Regulations.

193. Local Plan policies CS15 and DM15.2 requires development to minimise carbon emissions and reduce energy consumption and Policy DM15.3 promotes use of low and zero carbon technologies. Policy DM15.4 requires offsetting of carbon emissions.
194. The Energy Statement accompanying the planning application demonstrates that the development has been designed to achieve an overall 54% reduction in regulated carbon emissions compared with a Building Regulations compliant building. This exceeds the London Plan target of 35%. To account for shortfall to 'zero carbon' of 46%, the applicant will provide a carbon offsetting contribution to 100% (currently estimated at £786,654).
195. The proposed energy demand reduction strategy includes a comprehensive package of energy efficiency measures (listed below), however only 1% in carbon emissions reduction can be achieved at planning stage due to the high energy demand for hot water in a hotel. The proposed energy efficiency measures that include:
- 'Fabric first' approach for façade design to achieve optimum balance between natural light to reduce artificial light while minimising solar gain through adjusting glazing specifications to orientation, and façade shading depths, and internal blinds;
  - Water-efficient fixtures and fittings;
  - Mechanical Ventilation with Heat Recovery (MVHR);
  - Low-energy, efficient light fittings (such as LED or CFL) and lighting control systems;
  - insulation of heating and hot water pipework;
  - energy efficient white goods with low heat output.
196. A condition is recommended for the Applicant to provide an assessment of opportunities to improve the energy efficiency from the GLA 'Be Lean' Stage.
197. The Applicant has discounted the following efficiency measures:
- Openable elements to drive the potential for passive ventilation and night cooling, reducing the potential for overheating and reliance on mechanical cooling;
  - Waste water heat recovery due to space, access and maintenance limitations to each hotel bedroom, as well as considerations of its operational and embodied carbon impact.

198. A condition is recommended for the applicant to provide details of opportunities to provide passive ventilation for hotel bedrooms in the detailed design phase.
199. There is currently no available district heating network close enough to the site, however, the opportunity to connect to a future district heating network would be incorporated into the proposed development as shown in the proposed basement plan.
200. Air Source Heat Pumps (ASHPs) combined with variable refrigerant flow (VRF) systems and a PV panel installation of 35sqm would result in a reduction of regulated CO2 emissions of 53%.
201. The site-wide energy strategy demonstrates overall compliance with the London Plan carbon emission reduction targets. 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 would 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 London Plan.
202. Subject to conditions, the development is considered to comply with London Plan Policy SI 2, Local Plan Policies CS15, DM15.2, DM15.3 and DM15.4, and draft City Plan Policy DE1.

### **BREEAM**

203. Local Plan Policy CS15 and requires major development to achieve "excellent" or "outstanding", with draft City Plan Policy DE1 requiring development to aim for "outstanding" with "excellent" as a minimum and requires maximum credits for the City's priorities (energy, water, pollution, materials and climate resilience).
204. A BREEAM New Construction 2018 pre-assessment has been prepared, targeting an "excellent" rating with an aspiration for "Outstanding".
205. The assumptions made as part of the preliminary pre-assessment indicate that the proposals can meet all the mandatory level requirements for the targeted rating including a score of at least 75.7%. The pre-assessment is on track to achieve a high number of credits in the CoL's priority categories of Energy, Water, Pollution and Materials, as well as the climate resilience credit in the Waste category,

with the exception of the Water category due to the high water demand of a hotel. Details of potable water saving features are recommended to be requested by condition to ensure that water use is minimised and measures to reduce water demand in line with policy and to improve BREEAM credits in water category.

206. The BREEAM pre-assessment results comply with Local Plan Policy CS15 and draft City Plan 2036 Policy DE1. A post construction BREEAM assessment is requested by condition.




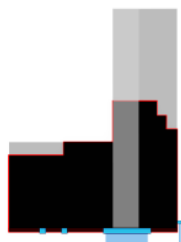


### **Whole Life-Cycle carbon emissions**

207. London Plan Policy SI2 (Minimising greenhouse gas emissions) requires applicants for development proposals referable to the Mayor (and encouraging the same for all major development proposals) to submit a Whole Life-Cycle (WLC) Carbon assessment against each life-cycle 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 end of 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 WLC Carbon emissions of the building. The WLC Carbon assessment is therefore an important tool to achieve the Mayor's net-carbon city target.
208. Local Plan CS15 requires the highest feasible sustainability standards in the design, construction, operation and 'end of life' phase of development. Policy DM15.2 requires development to reduce likely energy consumption. In addition draft City Policy DE1 requires major development to demonstrate retention of embodied carbon within building structures where feasible.
209. The proposed strategy is underpinned by a quantitative assessment of whole life-cycle carbon emissions of the proposed "new superstructure" option compared to a "maximum retention" option and a "all new structure" option. The applicants have confirmed that this assessment is principally in line with the method set out in the draft Whole Lifecycle Optioneering Planning Advice Note that was not available at the time the planning application was submitted. The options are designed to achieve comparable levels of floorspace. The

calculations only relate to the upfront carbon as the assessment assumes the same new façade system to improve energy efficiency and to suit the new use, as well as interior and building services fit-out would be the same for all options. These comprise:

1. Maximum Retention: Reusing much of the existing structure, new cores and columns repositioning and strengthening works required along with some new foundations
2. New Superstructure: Retention of most of the substructure and some ground floor structure with new lightweight superstructure above along with some new foundations and strengthening works
3. All New Structure: full redevelopment.

**Table 4:** Whole life-cycle carbon options

Applicable	Existing building	Maximum retention	New superstructure	All new
Images New  Existing 				
Gross Internal Area (GIA)	5,770m <sup>2</sup>	10,889m <sup>2</sup>	11,121m <sup>2</sup>	11,121m <sup>2</sup>
Increase in GIA	-	5,119m <sup>2</sup>	5,351m <sup>2</sup>	5,351m <sup>2</sup>
Embodied carbon (A1-A5)	409 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	627 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	681 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	714 kgCO <sub>2</sub> e/m <sup>2</sup> GIA
% structural material retained relative to existing volume (excluding façade)	100%	63%	5%	0%
Embodied carbon (A1-A5, B1-B5, C1-C4)	1,108 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,326 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,380 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,413 kgCO <sub>2</sub> e/m <sup>2</sup> GIA
Operational energy (B6)	5,466 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,607 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,607 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	1,607 kgCO <sub>2</sub> e/m <sup>2</sup> GIA
Fuel source	Gas	Electricity	Electricity	Electricity
Total WLCA (A1-A5, B1-B6, C1-C4, D)	6,192 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	2,552 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	2,606 kgCO <sub>2</sub> e/m <sup>2</sup> GIA	2,639 kgCO <sub>2</sub> e/m <sup>2</sup> GIA
Total WLCA (A1-A5, B1-B6, C1-C4, D)	35,731 tCO <sub>2</sub> e	27,783 tCO <sub>2</sub> e	28,976 tCO <sub>2</sub> e	29,343 tCO <sub>2</sub> e

210. The assessment concludes that option 2 would result in a 16% increase of whole life-cycle carbon emissions compared to option 1, and 26% less carbon emissions compared to option 3, as demonstrated by the graph below that indicates the carbon emissions from modules A1-A5 (for product and construction process stages at practical completion) and from modules A-C (product, construction process, use and end of life stages), expressed in tonnes for the whole development. The decision was made in favour of option 2 – new superstructure, due to:

- the opportunities linked to the flexibility that a new superstructure would provide in terms of future adaptability, longevity, disassembly, building services replacement and optimisation of material use for the fit-out;
- and in particular the existing head height constraint of the deep reinforced concrete frame that would restrict an efficient building services layout;
- limitations to the enhancement of the public realm including moving the servicing of the building to Carlisle Avenue.

211. In addition, the Applicant has confirmed that the Proposed Development would result in 17% retention of existing embodied carbon from structure, compared to 3% of an all new development.

212. The assessment demonstrates that the typical floors of the Proposed Development could accommodate residential, student residential and co-living models, and alterations would be feasible to incorporate office uses into the ground and first floor.

213. The submitted Whole Life-Cycle carbon assessment sets out the strategic approach to reduce operational and embodied carbon emissions and calculates the predicted performance that compares to current industry benchmarks as set out in the table below. Further improvements are sought during the forthcoming detailed design stage to reach the GLA's Aspirational Benchmark, in particular with regard to material selection – maximising recycled contents, influence product specifications – as well as using refrigerants with low global warming potential.



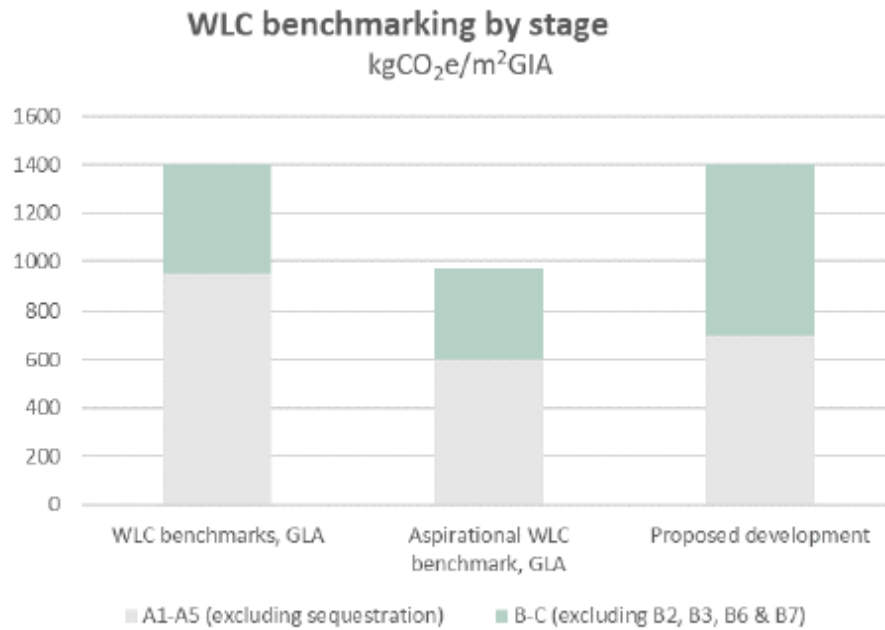


Figure 14: Comparison of the WLC (Modules A1-A5, B1-B5, C1-C4) to published GLA standard and aspirational benchmarks.

214. These figures would result in overall (including B6 and B7) whole life-cycle carbon emissions of 22,132,700 kg CO<sub>2</sub>e being emitted over a 60-year period. The decarbonisation of the grid would result in reducing the operational carbon emissions as part of the whole life-cycle carbon emissions from 56% to 31%.

215. This graph shows that, over the proposed building's whole life-cycle, the embodied carbon emissions calculations at planning stage demonstrate a reduced amount of carbon emissions compared to the GLA's standard benchmark emissions target. It is anticipated that during the detailed design stage further improvements can be achieved, in particular in the product stages A1 – A3 of the building's life-cycle, by careful choice of materials and structural optimisation. A detailed Whole Life-Cycle carbon assessment incorporating improvements that can be achieved through the detailed design stage, and a confirmation of the post-construction results have been requested by conditions.

216. Therefore the development is considered to comply with London Plan Policy SI2, and Local Plan policies CS15 and DM15.2, and Draft City Plan policies DE1 and S8.

**Urban Greening and Biodiversity**

217. Local Plan Policy DM19.2 promotes Urban Greening and Biodiversity, and Local Plan policies DM10.2 and DM10.3 and draft City Plan

policies OS2 and OS3 encourage high quality roof gardens and terraces and green walls, and promotes biodiversity. Biodiversity measures are promoted through the City of London Biodiversity Action Plan 2021-2026.

218. The existing site is hardscaped with no planting. The proposed development would include green walls, green roofs, roof terraces, planting and public realm improvements. Green walls through climber plants are proposed to the columnar arches of the facade adding a further layer of greening.
219. An Urban Greening Factor (UGF) calculation based on the London Plan has been submitted. The UGF for this application has been calculated as 0.32 based on the information provided which exceeds the target in the London Plan of 0.3. it would include 45 trees (birch, pine and cherry trees) across the different roof levels.
220. A Biodiversity Enhancement and Management Plan has been submitted and, in addition to habitat creation through greening, the applicant proposes log piles, bat boxes and bird boxes. This would result in a net gain in biodiversity to the site.
221. The green roofs, green walls and planting proposed would enhance biodiversity and encourage the use of outdoor spaces improving well-being. The green roof would include a blue roof, with a potential area of 635 sqm. The urban greening elements would enhance the environment as this area of the city is lacking in green features.
222. Details of the quality and maintenance of the proposed urban greening including blue roof are required by condition.
223. The proposed greening and biodiversity measures are considered to accord with policies DM19.2, DM10.2 and DM10.3 of the Local Plan.

### **Contaminated Land**

224. Local Plan Policy DM15.8 and draft City Plan Policy HL4 expects development to carry out detailed ground investigation to establish whether the site is contaminated. The Applicant has submitted a Ground Investigation Report with the application.
225. The Proposed Development includes basement works. The results of the chemical analyses have indicated the samples tested to be free from elevated concentrations of contaminants. The Report states that consideration should be given to a ground movement assessment

once the proposals have been finalised in order to determine movements to be expected as a result of development.

226. Conditions are recommended to require reporting on any identified contaminated land.
227. Subject to conditions, the development is considered to comply with Local Plan Policy DM15.8 and draft City Plan Policy HL4.

## **Climate Change Resilience**

### **Water resources**

228. The Applicant is proposing water efficiency measures to encourage efficient water use through fixtures, fittings and appliances including a leak detection system to help reduce the internal water consumption of the proposed development. The Development is targeting as a minimum, 1 credit out of 5 towards achieving BREEAM Excellent, which is the equivalent to a 12.5% reduction in water consumption over a baseline building. Further opportunities for reduction would be explored as the design develops.
229. The Applicant is not proposing the incorporation of a rainwater and greywater collection system for irrigation of landscaping and other water uses, as requested by Officers. This would reduce potable water demand of the development minimising use of water resources.
230. Therefore a condition is recommended which would require the Applicant to provide details for greywater and rainwater recycling at the detailed design stage.

### **Heat Stress**

231. The sustainability statement outlines measures to prevent overheating through passive design measures including shading, reduced glazing areas and insulation have been incorporated into the design. Air conditioning through high efficiency VRF systems and ASHPs would be provided.
232. In addition, landscaping within the public realm at ground level and at roof levels would contribute to reducing the urban heat island effect.
233. The applicant is not proposing natural ventilation despite Officer requests. This would minimise summer heat gain and would reduce the need for carbon intensive air conditioning for the majority of the development making the building resilient to higher temperatures and

urban heat island effects. The Applicant has said the openable windows are not provided as the performance of the building fabric has been maximised to ensure heating and cooling loads are minimised and that openable window would degrade the acoustic performance of the façade.

234. Officers have raised concerns regarding the absence of openable windows as this would reduce overheating through passive measures and would increase the flexibility of the building for future uses in line with circular economy aims.

235. Therefore a condition is recommended which requires the Applicant to explore opportunities for openable windows at the detailed design stage.

#### Natural Capital and Pest & Diseases

236. The proposed development will incorporate urban greening and enhance ecological value of the site that would improve significantly on the existing quantity and quality of urban greening in the area, both as public realm enhancement and biodiversity gain overall. This will help to enhance biodiversity providing green routes and small habitats. The details of the landscape planting will be important in ensuring that the plants and habitats created are resilient to hotter dryer summers, warmer wetter winters, more extreme weather events and pests and diseases.

237. Overall, this development includes a range of measures which will improve its resilience to climate change. Details of these measures will determine how effectively the building performs in coming decades, and conditions are attached to seek more detailed modelling and planting plans against the UK Climate Projections UKCP18 to 2080.

#### Flood Risk and Sustainable Urban Drainage

238. London Plan Policy GG6 requires development to be designed to adapt to changing climate and Policy SI requires flood risk management including natural flood management methods, and Policy SI13 require sustainable drainage.

239. Local Plan Policy CS18 seeks to ensure the City remains at low risk of all flooding. The use of Sustainable Drainage Systems (SuDS) is supported by policy CR3 of the draft City Plan.

240. The Applicant has submitted a Flood Risk Assessment and a Sustainable Drainage Strategy which confirms the site is within Flood Zone 1 which has the lowest probability of flooding.
241. The surface water drainage system will be designed for all storms up to and including the 1 in 100 year + 40% climate change event. The expected percentage reduction of surface water discharge (for a 1 in 100 year rainfall event) is 89%.
242. To protect the basement level from the risk of surcharging public sewers, a submersible packaged pumping station (with dual pumps and alarms) would be incorporated into the design to pump any drainage requirements from basement level.
243. Thames Water have been consulted and recommended a condition.
244. The Lead Local Flood Authority have reviewed the details and recommended two conditions for details to be submitted prior to construction, and prior to completion of shell and core.
245. The proposed Flood Risk and SUDS strategy would accord with Local Plan Policy CS18 of the Local Plan, S15, CR2 and CR3 of the draft City Plan and policies GG6, SI12 and SI13 of the London Plan.

### **Sustainability Conclusion**

246. The City of London Climate Action Strategy supports the delivery of a net zero, climate resilient City. The agreed actions most relevant to the planning process relate to the development of a renewable energy strategy in the Square Mile, to the consideration of embedding carbon analysis, circular economy principles and climate resilience measures into development proposals and to the promotion of the importance of green spaces and urban greening as natural carbon sinks, and their contribution to biodiversity and overall wellbeing.
247. The proposed development, by way of its central location within London, its opportunities for providing a positive and healthy living environment, and its environmental credentials, would positively contribute to the economic, social and environmental sustainability of the City of London. The proposed sustainability strategy meets, and in some aspects, exceeds current London Plan policies as well as Local Plan policies, and it targets an “excellent” BREEAM assessment rating.
248. The proposals indicate that Whole Life-Cycle Carbon emissions can be significantly reduced, improving on the GLA’s standard benchmark.

Circular Economy principles can be positively applied to achieve a long term, robust, low carbon, flexible and adaptable development. The building design responds well to climate change resilience by reducing solar gain, providing various opportunities for urban greening and biodiversity, and low energy technologies would be employed to significantly reduce operational carbon emissions beyond London Plan requirements.

### **Environmental Impact of Proposals on Surrounding Area**

249. 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. Draft City Plan Strategic Policy S8 and Policy DE2 requires developments to optimise microclimatic conditions addressing solar glare, daylight and sunlight, wind conditions and thermal comfort.

### **Daylight and Sunlight and Overshadowing**

#### ***Policy and Guidance Context***

250. Policy D6(d) of the London Plan states that the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context.
251. Local Plan Policy DM10.7 seeks to resist development that would result in unacceptable daylight and sunlight levels to nearby dwellings and open spaces taking account of the BRE guidelines.
252. Draft City Plan Policy DE8 requires development proposals to demonstrate that the daylight and sunlight available to nearby dwellings and open spaces is appropriate for its context and provides acceptable living standards taking account of the Building Research Establishment's guidelines.
253. Both policies recognise that it may not always be practicable to enable ideal daylight and sunlight conditions in densely developed city-centre locations. Paragraph 3.10.41 of the Local Plan and Policy HS3 of draft City Plan state that the City will take into account the cumulative effect of development proposals.
254. Local Plan Policy DM21.3 seeks to protect the residential environment including daylight and sunlight to adjacent residential accommodation.
255. The BRE guidelines present the following methodologies for measuring the impact of development on the daylight and sunlight

received by nearby existing dwellings and any existing non-domestic buildings where the occupants have a reasonable expectation of natural light (such as schools, hotels and hostels) (a full explanation of the methodologies is provided in Appendix C):

### ***Daylight***

256. Impacts to daylight are measured using the Vertical Sky Component (VSC) method: a measure of the amount of sky visible from a centre point of a window; and the No Sky Line (NSL) method, which measures the distribution of daylight within a room. The BRE advises that this measurement should be used to assess daylight within living rooms, dining rooms and kitchens; bedrooms should also be analysed although they are considered less important. The BRE Guide recommends compliance with both the VSC and daylight distribution (NSL) guidelines.

### ***Sunlight***

257. Impacts to sunlight are measured using Annual Probable Sunlight Hours (APSH) for all main living rooms in dwellings if they have a window facing within 90 degrees of due south.

### ***Interpreting results***

258. In undertaking assessments a judgement is made as to the level of impact on affected windows and rooms. Where there is a less than 20% change (in VSC, NSL or APSH) the effect is judged as to not be noticeable. Between 20-30% it is judged to be minor adverse, 30-40% moderate adverse and over 40% major adverse. All these figures will be impacted by factors such as existing levels of daylight and sunlight and on-site conditions.

### ***Overshadowing***

259. Overshadowing is measured using Sunlight Hours on the Ground (SHOG) and BRE guidelines recommends that the availability of sunlight should be checked for open spaces including residential gardens and public amenity spaces.

### ***Setting Alternative Target Values (including Mirror Massing)***

260. BRE guidelines notes that the numerical target values are purely advisory and different targets may be used based on the characteristics of the proposed development and/or its location. Therefore, a mirror massing study can be undertaken to set an alternative target generated from the scale/layout of existing development within the surrounding context or be based on an extant planning permission. This could be set to a 'mirror-image' building of

the same height and size, an equal distance away on the other side of the boundary. In this case, the student accommodation building was used.

### **Assessment**

261. A comprehensive daylight, sunlight, overshadowing and solar glare assessment has been provided having regard to the BRE guidance (2011). Since the Assessment was undertaken, updated BRE guidance (2022) has been published; the Consultant has confirmed that this does not affect the calculations or conclusions in the report as the guidance for considering the effect on neighbouring properties and open spaces remains consistent with the previous version of the BRE Guidelines, which is accepted by Officers.
262. It should be noted that the proposals have been revised in response to Officer requests and include a reduction to the massing at the southern prow of the proposed development on Jewry Street, to help mitigate the impact on the daylight and sunlight received by the student accommodation opposite. The reduction in massing has been offset by an increase in massing on Carlisle Avenue from five to seven storeys.
263. In addition to the standard methods of assessment for daylight recommended by the BRE (VSC and NSL), the updated Assessment includes a supplementary radiance-based assessment of the internal daylight levels within the student accommodation at Emperor House and Roman Wall House, which takes account of internal and externally reflected light in the existing and proposed scenarios and a mirror massing assessment, which has adopted the profile of the existing development at Roman Wall House for setting alternative target values for daylight for the Proposed Development (if it mirrored the massing of the recently completed Urbanest scheme opposite).
264. The updated daylight and sunlight report has been independently reviewed by chartered surveyors, Delva Patman Redler.
265. The assessment considers three neighbouring receptors listed below:
1. Flats 1-19, 8 India Street;
  2. Flats 1-14 Fenchurch House, 136-138 Minories;
  3. Roman Wall House/Emperor House: student accommodation.

### **Residential properties**

266. The neighbouring properties assessed for the potential impact on daylight and sunlight levels were at 8 India Street and Flats 1-14 Fenchurch House, 136-138 Minories.



267. Reductions in sunlight and daylight in all rooms at 8 India Street and 136-138 Minories would be within BRE guidelines and are considered to be negligible.

Roman Wall House and Emperor House: Student accommodation

268. Student housing is considered to be a more sensitive use than offices in terms of reductions in daylight and sunlight, but less sensitive than permanent residential housing.

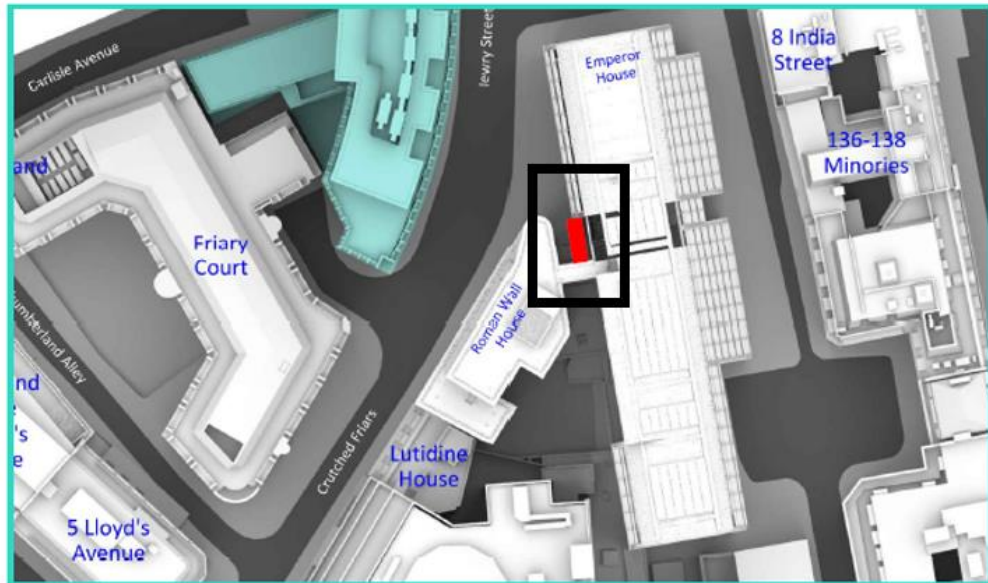
269. The student accommodation includes two linked buildings: Emperor House a larger building partially screened behind Roman Wall House and set back from Jewry Street, and Roman Wall House fronting Jewry Street. A total of 266 windows serving 158 bedrooms and studio rooms were assessed.

*Sunlight*

270. There are 33 rooms within Emperor House which contain a window facing within 90 degrees of due south. The sunlight assessment concludes that all rooms would experience reductions that would be within the BRE guidelines and therefore would not be adversely affected.

*Daylight: Vertical Sky Component*

271. The VSC daylight results demonstrate that 118 windows (44%) would experience a small loss of light that would not be considered noticeable (i.e. within 20% of the existing baseline), in accordance with the BRE guidelines.
272. Of the remaining 148 windows, 52 would experience minor adverse reductions of between 21% - 30%; 33 would experience moderate adverse reductions between 31% - 40%; and 63 would experience major adverse reductions which are greater than 40%.
273. The windows that would experience the greatest percentage reductions in daylight are located between the two building elements of Emperor House and Roman Wall House (highlighted in red below). These receive very low levels of daylight in the existing scenario due to location between buildings, and whilst the percentage reductions in VSC would be high, the actual reduction in the amount of daylight received would be low (below 2% VSC).



*Daylight: No-Sky Line*

274. The NSL daylight results demonstrate that 108 of the 158 rooms (68%) would experience small reductions in daylight distribution, which would be within the BRE guidelines (within 20% of the existing baseline) therefore not considered noticeable.

275. Of the remaining 50 rooms, 15 would experience minor adverse reductions in NSL of between 21 and 30%, 11 would experience moderate adverse reductions of between 31 and 40%, and 24 would experience reductions greater than 40% (a major adverse impact).

*Daylight – Radiance and Mirror Massing*

276. The Radiance Assessment undertaken is not meant to replace the submitted daylight and sunlight assessments, but to provide a further way to illustrate daylight changes within habitable rooms in the neighbouring properties.

277. The radiance-based assessment demonstrates that 124 of the 125 rooms within Roman Wall House would retain a radiance based ADF value of 1%, which is typically adopted as a minimum target for bedrooms. The remaining room (R4/2021) would retain a radiance based ADF of 0.88%, falling below 1% as a result of the Proposed Development. A total of 15 of the rooms within Roman Wall House are classified as studios, which are typically considered against a 1.5% ADF minimum target value within residential accommodation, given the presence of a kitchen within the space. When assessed against this value, 8 of the 15 studios (at first to fourth floor levels) would fall below the minimum target.

278. Student accommodation is not explicitly assigned a target Daylight Factor value within the BRE Guidelines, but it is understood that it is common practice is to assign a minimum target of 1% ADF to student rooms. Taking this approach, the radiance-based assessment demonstrates that, except for one room at first floor level (R4/2021), the student accommodation within Roman Wall House would retain ADF values that meet and exceed this minimum target.
279. At Emperor House, 30 of the 33 bedrooms assessed would not meet the 1% ADF target value in the existing or proposed scenario. This is because they are positioned behind Roman Wall House and have limited access to daylight in the existing built context. The mirror massing assessment, which has been conducted by plotting a mirrored building profile of Roman Wall House on the development site, demonstrates that a number of rooms and windows within Emperor House / Roman Wall House would experience slight gains in VSC and NSL as a result of the proposed development (when assessed against the hypothetical mirror massing baseline). The largest reduction in daylight when assessed against a mirror massing baseline would be 18.27%, which would not be noticeable. Overall, the proposed scheme would be considered to have a similar effect as mirror massing, which can be considered to be acceptable.
280. The radiance assessment demonstrates that with the exception of one room, all rooms within Roman Wall House would meet and exceed the minimum 1% ADF target that is generally assigned to student accommodation. The mirror massing assessment demonstrates that the proposed development would have a similar impact to a hypothetical mirror massing of the development at Roman Wall House, and that a number of rooms and windows would experience slight gains in daylight. Taking these factors into consideration, the impacts of the proposed development on the student accommodation is considered to be acceptable.
281. In addition, the Assessment highlights that the approved plans for the student accommodation show the area immediately in front of the windows for the location of the desk where higher levels of daylight would be experienced (than the ADF figure provided for the entire room) which would retain adequate light given the city centre location.

## Non-domestic nearby uses

### *31 Jewry Street*

282. City records show that the address directly to the northeast includes educational and religious uses at 31 Jewry Street. Whilst it is noted that development plan policy explicitly focuses on the impact on neighbouring housing / dwellings (and open spaces), a supplementary daylight (VSC, NSL and radiance) and sunlight (APSH) assessment has been provided for 31 Jewry Street, who have objected that the proposed development would adversely impact their rights to light. Whilst rights to light is not technically a material consideration in the determination of planning applications (unlike daylight and sunlight impacts), the building is, in part, in educational use, which, as per the BRE guidelines, may be considered to have a reasonable expectation of daylight.
283. The daylight consultants have obtained floor plans for 31 Jewry Street, which indicate that the windows to the southern end of the building typically serve classrooms. The rooms to the central part of the building along Jewry Street typically serve office areas and whilst the windows to the northern end of the building serve more classrooms, they are too far from the proposals to be notably affected. Detailed calculations have therefore been undertaken to the classrooms to south end of the building only.
284. The Vertical Sky Component, No-Sky Line and Annual Probable Sunlight Hours results indicate that the existing levels of daylight and sunlight are relatively low. Whilst the percentage reductions from the existing conditions are beyond the BRE guidance the actual reductions are relatively small, especially on the lower floors. The highest percentage reductions occur to the windows on the southern corner of the building, but these rooms are typically dual aspect which reduces the overall significance of the overall impact on the availability of light to these rooms.
285. It is noted that the top floor rooms have lantern lights and will therefore enjoy good levels of daylight in the existing and proposed conditions. In order to understand the likely actual effect on the building in greater detail the consultants have provided radiance-based results on a floor-by-floor basis in both the existing and proposed conditions.
286. When running Radiance based Average Daylight Factor (ADF) tests, British Standard 8206-2:2008 tells us that to have a predominantly daylit appearance a room should achieve an ADF between 2% to 5%.

287. When above 5% ADF, a room is unlikely to require electric lighting during the daytime. When below 2% ADF electric lighting is likely to be required for most, if not all of the time.
288. Starting at basement level, the Radiance results show that the existing ADF levels are very low and well below 2%. It is therefore clear that electric lighting will be required whenever the rooms are in use. In the proposed condition the radiance assessments show relatively little change and it is considered therefore that the proposed development will not materially affect the use nor enjoyment of these spaces.
289. At ground, first and second floor levels, the existing ADF levels are again all below 2%. The highest ADF recorded is 1.39% and all but 3 rooms are below 1% ADF in the existing condition. It is therefore again clear that in order to use the rooms as classrooms (which would require a similar light level as an office space), electric lighting will most likely be required whenever the rooms are in use. Whilst there is a more noticeable difference between the existing and proposed results on the upper floors, the reduction of light in each case is a relatively small area close to the window. In addition, with the electric lights on, it is anticipated that this reduction of light is unlikely to be noticeable. It is therefore considered that the proposed development would not materially affect the use or enjoyment of these spaces.
290. At third floor level the rooms have the benefit of lantern lights and enjoy an existing ADF between 2% and 5%. This continues to be the case in the proposed condition so it is not anticipated that the way in which the rooms are used (i.e. whether they use supplementary electric lighting or not) will not materially change. In addition, the reductions of natural light in each room are relatively small and therefore the proposed development would not materially affect the use or the enjoyment of these spaces.
291. In summary the standard VSC, NSL and APSH results indicate that reductions beyond the BRE guidelines are likely to occur. However, the radiance-based results show that the existing levels of daylight are relatively low, and electric lighting is likely to be required to all rooms in the existing condition, except those on the top floor. This position does not change as a result of the proposed development so the way in which the rooms are used is unlikely to be materially affected. At third floor level the existing natural light levels are much higher, and they will remain high in the proposed condition due to the presence of the rooflights. Again therefore, the way in which the rooms are used are unlikely to be materially affected.

### *Offices on Carlisle Avenue*

292. A comparative sectional study has been provided whereby the consultant has compared a typical section of the relationship between Friary Court and the consented 80 Fenchurch Street with a section through the proposed building and 88-90 Fenchurch Street. The study demonstrates that the proposed development could be considered comparable with the immediate surrounding buildings and therefore considered to be acceptable.
293. The consultant concludes that the affected Carlisle Avenue offices can therefore be considered to retain acceptable levels of daylight and sunlight. Whilst the height of the scheme could be considered comparable by way of the sectional study, daylight and sunlight levels have not been fully assessed as the properties are commercial offices, which is considered to be acceptable in a scenario where comparable sections have been demonstrated.

### **Overshadowing**

294. The BRE guidelines suggest that the availability of sunlight should be assessed for open spaces including residential gardens and public amenity spaces, stating that, for a garden or amenity area to appear adequately sunlit throughout the year, no more than half (50%) of the area should be prevented by buildings from receiving two hours of sunlight on the 21st March. If as a result of the proposed development an existing garden or amenity area does not meet the guidance, or the area which can receive the sun is less than 0.8 times its former value (i.e. more than 20 % reduction) then the loss of sunlight is likely to be noticeable.
295. The Applicant has assessed Aldgate Square and Aldgate Primary School, located to the north of the Site. The results demonstrate that these spaces would not be shaded by the Proposed Development and the effects can therefore be considered to be negligible.
296. In addition, the Assessment included a review of overshadowing to surrounding streets. The results demonstrate that on 21st June, a small amount of additional overshadowing will occur to the north of Jewry Street however overall, the streetscapes would continue to be able to enjoy a good level of sunlight.
297. Overall, the likely overshadowing the effects are not considered material and within what is expected in a dense urban environment.

## **Solar Glare**

298. Three viewpoints were assessed and two of these would experience no solar glare. In a viewpoint looking west at the Proposed Development from India Street, the report identifies minor solar glare occurrences which would occur for a maximum of 15 minutes between 06:45 am and 07:00am on the 23rd May – 7th June and again from 7<sup>th</sup>-21<sup>st</sup> July.
299. This would be for approximately four weeks during the year where minor solar glare occurrences may occur. These occurrences can be mitigated through drivers using their visors if solar glare issues are experienced during the limited periods identified. In addition, the façade includes a significant element of solid materials (vs. glazing) and therefore impacts are considered acceptable.

## **Daylight, Sunlight, Overshadowing and Solar Glare Conclusion**

300. Taking into account the BRE Guidance and the site's location within a dense urban environment, it is considered that the proposal would not result in an unacceptable impact on the existing properties, would not noticeably reduce the daylight and sunlight to nearby dwellings or open spaces to unacceptable levels or result in unacceptable solar glare.
301. The assessment results demonstrate that the student accommodation in Emperor House and Roman Wall house would experience some adverse effects to the daylight received. The significance of these effects can be considered within the context of the relative transient nature of student accommodation when compared to permanent residential, and in that sense the BRE guidelines can be applied with a degree of flexibility.
302. The reductions in daylight that would be experienced as a result of the revised proposals represent an improvement on the original scheme. This can be attributed to the reduced massing at the southern prow of the building to Jewry Street.
303. The assessment results show that any daylight or sunlight reductions to the surrounding residential properties would continue to be within the BRE Guidelines and are unlikely to be noticeable to the occupants.
304. Overall, the impacts to the surrounding properties for daylight, sunlight, solar glare and overshadowing are considered to be acceptable.
305. As such, the impacts as a result of the proposed development is considered to be in accordance with Local Plan Policies DM10.7 and

DM21.3, Policy DE8 of the draft City Plan 2036 and London Plan policy D6(d).

### **Light pollution**

306. Local Plan policies DM10.1 and DM15.7 and Draft City Plan policies HL3 and DE9 states developers must consider lighting impacts of development and reduce light pollution and light spillage from internal and external lighting.
307. The Applicant has provided a high-level Lighting Strategy. The report prepared by the daylight and sunlight consultant states that the potential for unwanted light pollution to occur onto the nearby residential buildings is very low due to the proposed use as a hotel as occupants are likely to draw curtains at night preventing light spillage.
308. The Applicant states that all external lighting provided as part of the Proposed Development will be designed in compliance the ILP Guidance notes for the reduction of obtrusive light (2011) and will be automatically switched off between 23:00 and 07:00.
309. A Lighting Strategy is recommended as a condition to reduce negative impacts of artificial light, particularly to student housing opposite. Subject to reserved details, the potential impacts are not considered to be material.
310. Therefore, subject to condition, the Officers consider the development complies with Local Plan policies DM10.1 and DM15.7, and Draft City Plan policies HL3 and DE9.

### **Wind assessment**






311. London Plan Policy D8, Local Plan Policy DM10.1 and Draft City Plan Policy S8 require developments to optimise micro-climatic conditions and not to result in unacceptable wind impacts.
312. Computational Fluid 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.
313. Wind conditions are compared with the intended pedestrian use of the various locations including carriageways, footways, bus stops and building entrances. The assessment uses the wind comfort criteria, referred to as the City Lawson Criteria in the Wind Microclimate Guidelines, consisting of five Comfort Categories defining conditions



suitable for: frequent sitting /occasional sitting /standing /walking /uncomfortable.

314. Table 6 outlines the various criteria for wind microclimate assessment. Assessments have been carried out for both the Windiest Season and the Summer Season and with surrounding buildings within a 400m radius of the site.

**Table 6:** City of London criteria included in assessment (and taken from the City’s Microclimate Guidelines, 2019).

Key	Comfort Category	Threshold	Description
	Frequent Sitting	<2.5 m/s	Acceptable for frequent outdoor sitting use, e.g. restaurant, café.
	Occasional Sitting	2.5-4 m/s	Acceptable for occasional outdoor seating, e.g. general public outdoor spaces, balconies and terraces intended for occasional use, etc.
	Standing	4-6 m/s	Acceptable for entrances, bus stops, covered walkways or passageways beneath buildings.
	Walking	6-8 m/s	Acceptable for external pavements, walkways.
	Uncomfortable/unsafe	>8 m/s	Not comfortable for regular pedestrian access.

315. In addition to the baseline scenario In the Assessment, the following scenarios were tested:

- Proposed Development with Existing Surrounding Buildings;
- Proposed Development with Consented Cumulative Surrounding Buildings; and
- Proposed Development with Consented Cumulative Surrounding Buildings and In-planning Schemes.

316. No soft landscaping has been included in the configurations tested, providing a worst-case scenario.

317. The City of London criteria for wind safety and comfort specifies a lower limit strong wind threshold when winds exceed 15m/s for more than 0.022% of the time (approximately 1.9 hours per year). These winds would present a safety risk for cyclists and pedestrians, particularly the elderly or very young and as such remedial measures would be required to reduce the occurrence of these winds.

318. Wind conditions were not assessed at the roof terraces of 80 Fenchurch Street. However the consultant has confirmed that due to the positioning of Boundary House, the proposed development is

expected to result in no impacts to wind conditions at 80 Fenchurch Street.

### **Existing Baseline Scenario**

319. Wind conditions for the baseline scenario, all thoroughfares, pedestrian crossings, building entrances, bus stops and amenity spaces, are suitable for the intended use.
320. There are small areas of standing conditions locally around building corners and beneath existing buildings. Strong wind exceedances of 15m/s for more than 1.9 hours annually are not expected to occur.

### **Proposed Scenario**

#### **Proposed building with existing buildings**

321. With the Proposed Development in place, conditions would be suitable for frequent sitting and occasional sitting use during the windiest season, with isolated areas of standing conditions, notably underneath the Proposed Development, consistent with the baseline conditions. Wind conditions during the summer season would overall become one category calmer.
322. There would be improvements to the north of Jewry Street, and windier areas immediately north, east and south of the Proposed Development.
323. All thoroughfares, entrances, bus stops, pedestrian crossings and ground level amenity would have suitable wind conditions for their intended uses.
324. The Level 14 terrace would range from frequent sitting to walking use during the summer and the south part would have walking and standing conditions. There is potential for strong wind exceedances to occur. Therefore, the terrace would have windier conditions than suitable, requiring mitigation measures to make the conditions suitable for its intended use, and it is expected that the mitigation would resolve strong wind exceedances.
325. The assessment states that with the implementation of these measures, the conditions would be acceptable for the intended use. Further details for the wind mitigation measures would be required to be submitted and approved prior to implementation and would be secured via condition.

326. Seating provisions off-site (Aldgate Square) would have the same conditions as reported in the baseline scenario, suitable for their intended use.

#### Cumulative scenarios

327. In the cumulative scenario including the consented schemes, wind conditions would remain suitable for standing use or calmer at ground level during the windiest season. Wind conditions at all thoroughfares, entrances, bus stops, crossings and ground floor amenity would remain suitable for intended usages.

328. The level 14 terrace would experience standing and walking conditions which would include uncomfortable conditions at the southern corner where there is potential for strong wind exceedances to occur, therefore mitigation measures (as identified above) would be required.

329. In the cumulative scenario with the in-planning schemes (not consented), wind conditions would remain suitable for standing use or calmer at ground level during the windiest season. When compared to the cumulative scenario (not including unconsented schemes), there would be an overall improvement in conditions with more areas of frequent sitting conditions around surrounding buildings.

330. Wind conditions at all thoroughfares, entrances, bus stops, crossings and ground floor amenity would remain suitable for the intended usages.

331. Standing and walking conditions on the proposed terrace at level 14 would remain and include uncomfortable conditions at the southern corner where there is potential for strong wind exceedances to occur therefore would require mitigation measures to improve conditions.

332. In all scenarios, no strong wind exceedances of 15m/s for more than 1.9 hours annually are expected to occur apart from the southern corner of the terrace in the absence of mitigation measures.

#### Mitigation measures

333. Mitigation measures are required for the terrace and the assessment recommends additional landscaping elements including:

- 3 metre trees;
- porous screens;
- shrubs in planters;
- balustrade height of at least 1.5metres.

334. Details of the mitigation measures would be required to be submitted and approved via condition.

### **Wind Microclimate Conclusion**

335. A comprehensive pedestrian level wind assessment including an assessment of the level 14 roof terrace has been undertaken.

336. The assessment states the Proposed Development is not significantly taller than the surrounding buildings and therefore does not significantly change the local aerodynamics.

337. In conclusion, with the proposed development in place, where wind conditions become windier at ground level they remain suitable for the intended uses in the proposed and cumulative scenarios therefore no additional mitigation above that proposed is required.

338. There are unacceptable conditions at the proposed level 14 terrace to the south. Mitigation measures would be required in the form of trees, screens, planters and balustrades to make the wind conditions suitable for the intended use. The Details of the proposed mitigation measures will be secured by condition and will be required to be maintained throughout the life of the building.

339. 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 Assessment, to identify if the completed development has any material adverse effects not identified in the submitted CFD Wind Assessment and if any material adverse impacts are realised, mitigation measures would need to be explored and implemented.

340. Therefore, subject to mitigation measures, the development is considered to comply with London Plan Policy D8, Local Plan Policy DM10.1, and Draft City Plan 2036 Policy S8.

### **Thermal Comfort**

341. London Plan Policy D8 and D9 and Draft City Plan Policy S8 states that development proposals should ensure that microclimatic considerations should be taken into account in order to encourage people to spend time in a place and that the environmental impacts - wind, daylight, sunlight penetration and temperature conditions around the building and neighbourhood - must be carefully considered and not compromise comfort and the enjoyment of open spaces and seeks to optimise micro-climatic conditions, addressing solar glare, daylight and

sunlight, wind conditions and thermal comfort and delivering improvements in air quality and open space. Draft City Plan Strategic Policy S12 requires developers to take account of the potential microclimate and thermal comfort impacts from tall building development at an early stage in the design process. Draft City Plan Policy S15 indicates that buildings and the public realm must be designed to be adaptable to future climate conditions and resilient to more frequent extreme weather events.

342. Although not considered a tall building in local policy, the assessment has been undertaken in this case.
343. The Thermal Comfort Guidelines for Developments in the City of London (2020) sets out how the thermal comfort assessment should be carried out. The technique involves merging wind, sunlight, temperature and humidity microclimate data at a seasonal level to gain a holistic understanding of Thermal Comfort and how a microclimatic character of a place actually feels to the public. The assessment quantifies the thermal comfort conditions within and around the Site, by comparing the predicted felt temperature values and frequency of occurrence.
344. The Universal Thermal Climate Index (UTCI) metric will be utilised for predicting thermal comfort. The usage categories for thermal comfort is set out below and is used to define the categorisation of a given location.

**Table 7.** Thermal comfort categorisation for usage.

<b>Usage Category</b>	<b>% of hours with Acceptable UTCI</b>	<b>Description</b>
<i>All Season</i>	≥90% in each season	Appropriate for use all year round (e.g. parks)
<i>Seasonal</i>	≥90% spring-autumn AND ≥70% winter	Appropriate for use during most of the year (e.g. outdoor dining).
<i>Short Term</i>	≥50% in all seasons	Appropriate for short duration and/or infrequent sedentary uses (e.g. unsheltered bus stops or entrances) year-round.
<i>Short Term</i>	≥50% spring-autumn	Appropriate for short duration

		and/or infrequent sedentary uses during most of the year.
<i>Transient</i>	Transient <25% in winter OR <50% in any other season	Appropriate for public spaces where people are not expected to linger for extended period (e.g. pavements, cycle paths).

345. In accordance with the City of London Thermal Comfort Guidelines an outdoor thermal comfort assessment has been prepared. The proposals introduce sensitive receptors including new entrances at ground, public realm works and the roof level terrace.

346. Sensitive receptors within a 200m radius of the existing site have been considered in the assessment. At ground level, all entrances have been considered and would require short-term thermal comfort conditions or better to be considered acceptable for their intended use.

347. Four configurations have been assessed including:

- the existing site with existing surrounding buildings;
- the proposed development with the existing surrounding buildings;
- the proposed development with consented cumulative surrounding buildings; and
- the proposed development with consented and unconsented cumulative surrounding buildings.

348. At ground level, all entrances would require short-term thermal comfort conditions or better for the intended uses. For existing ground and terrace level amenity areas, these would require short-term or better thermal comfort conditions with small areas of short-term seasonal thermal comfort conditions considered acceptable for their intended use.

349. A public space proposed at Rangoon Street and the proposed terraces at level 14 would require all season or season thermal comfort conditions due to seating requirements. For bus stops, all-season short-term conditions are targeted.

350. The following ground and terrace level amenity spaces within the local area have been assessed:

- The playground of the Aldgate School Primary School;
- Aldgate Square;
- The amenity space in front of 65 Crutched Friars;
- Portsoken Street Garden;
- The roof terrace of Saint Claire House;
- The roof terrace at the south-west of One Creechurch Lane; and
- The roof terrace of One America Square.

351. Thermal comfort conditions were not assessed at the roof terraces of 80 Fenchurch Street. Based on the results of this assessment and RWDI's professional judgement, it is not expected that the introduction of the Proposed Development would have a material effect on the thermal comfort conditions at the terraces of 80 Fenchurch, as the Proposed Development is considerably shorter and in an upwind location relative to 80 Fenchurch Street.

352. The wind mitigation measures were not considered during the wind microclimate assessments therefore have not been included in the study.

### **Existing Baseline Condition**

353. Current public realm conditions are suitable for all season or seasonal thermal comfort aside from the roof terrace on north-west corner of One America Square which has short term thermal comfort conditions along the northern edges and the north west corner.

354. Immediately around the site, all areas are suitable for all season use apart from an area of Jewry Street to the north east which is suitable for seasonal use.

355. As conditions are suitable for seasonal use (at worst) along all pavements, all bus stops (which are required to be suitable for short term use) are suitable for the intended use.

### **Proposed development with existing surrounding buildings**

#### **Jewry Street:**

356. The introduction of the proposed development would increase the amount of time that part of Jewry Street to the north would have all season thermal comfort conditions as it would improve thermal comfort during the winter season (from thermally comfortable 80-85% of time to 95-100%).

Carlisle Avenue:

357. The junction at Carlisle Avenue and Jewry Street would experience more seasonal conditions and would introduce additional short-term conditions than shown in the existing scenario due to the wind being squeezed through the narrower entrance beneath the overhang. However, conditions would be suitable for intended use (walking and cycling) for short duration and/or infrequent sedentary uses during most of the year.

Rangoon Street:

358. The proposed amenity space in Rangoon Street as well as the dedicated seating locations along the eastern façade would have all season or seasonal thermal comfort conditions, suitable the intended usage for short duration and/or infrequent sedentary uses during most of the year.

Entrances at site:

359. The ground floor level entrances to the Proposed Development would have all season thermal comfort, the best possible conditions.

Terraces at site:

360. There are two proposed terraces at level 14; the northern terrace would have all season and seasonal thermal comfort suitable for long-term dining use, however the southern terrace is predicted to have short term thermal comfort which would not be comfortable for long term dining use without any landscape features and mitigation measures. With the proposed mitigation measures, the terrace is expected to have suitable thermal comfort conditions for the intended long term dining use.

Wider surrounding area:

361. In the surrounding area, at ground level including bus stops and amenity spaces, there would be all season and seasonal comfort conditions which would be suitable for their intended use for short duration and/or infrequent sedentary uses.

362. The surrounding podium and roof level areas would experience no material difference to thermal comfort from the existing scenario.

**Proposed development with consented surrounding buildings**

363. The introduction of consented developments in this cumulative scenario results in the following changes:



### Jewry Street

364. The introduction of the consented applications would result in slight increases to seasonal conditions towards the entrance of Carlisle Avenue and to the south of the site, however the areas are suitable for the intended use.

### Carlisle Avenue

365. The entrance to Carlisle Avenue from Jewry Street would experience a slight increase to short term conditions underneath the overhang however the conditions are suitable for the intended use.

### Rangoon Street

366. There would be no changes to the conditions, which are suitable for intended use.

### Entrances at site

367. There would be no changes to the conditions, which are suitable for intended use.

### Terraces at site

368. There would be no changes to the conditions from the previous scenario (with no cumulative development), and the terrace would require wind mitigation measures.

### Wider surrounding area

369. In the surrounding area, at ground level including bus stops and amenity spaces, there would be all season and seasonal comfort conditions which would be suitable for their intended use.

370. The assessment demonstrates that the roof terrace at 120 Fenchurch would receive more all season conditions in the cumulative scenario therefore represents an improvement.

## **Proposed development with consented and unconsented surrounding buildings**

371. The introduction of unconsented (submitted but not approved) and consented developments in this cumulative scenario results in the following changes.

### Jewry Street

372. The introduction of unconsented schemes does not result in much change to previous proposed scenarios and the conditions are considered to be suitable for intended uses.

### Carlisle Avenue

373. The entrance to Carlisle Avenue from Jewry Street would experience slightly less seasonal and short term conditions than Configuration '3' (consented only) and the conditions are considered to be suitable for intended uses.

### Rangoon Street

374. There would be no changes to the conditions than in previous proposed scenarios, which are suitable for intended use.

### Entrances at site

375. There would be no changes to the conditions in existing scenario, which are suitable for intended use.

### Terraces at site

376. There would be no changes to the conditions to the previous proposed configurations, which require wind mitigation measures.

### Wider surrounding area:

377. In the surrounding area, at ground level including bus stops and amenity spaces, there would be all season and seasonal comfort conditions which would be suitable for their intended use and the unconsented schemes would have little effect on conditions.

378. There would be no material impacts as a result of unconsented schemes to roof and podium level for surrounding areas.

379. The terrace at One America Square experiences some short-term conditions however the existing site (without the Proposed Development) experiences small areas of short term conditions which are not materially different in any of the configurations therefore are not considered to result from the Proposed Development.

### Thermal Comfort & Climate Change Effects

380. This analysis was conducted based on the guidelines from the City of London, and is based on recent historic data rather than data that has been adjusted based on forecasted changes to the world's climate. The Assessment states that the localised effects of climate change at the scale around an individual building are challenging to quantify and come with significant uncertainty even within an assumed emissions scenario. Nonetheless, the Assessment has considered climate change effects.

381. At ground level, for the winds predicted to 'squeeze' through the overhang to Carlisle Avenue would result in the area would be too cold for a small amount of time during the winter. Therefore although not directly forecast, in the event of ambient wind speed increase, this area may be perceived as too cold more often during the winter, and potentially during the seasons either side. However the assessment notes this may be countered by an increase in temperatures and wind mitigation measures could be employed.
382. For the terraces at Level 14, it has been predicted to be too hot during a small percentage of the summer in the proposed scenario and in the event that ambient temperatures increase, this would occur more frequently. This effect could be countered by stronger winds and/or increases in cloud cover. The proposed landscaping includes a number of trees which would provide shade to occupants and also act to slow wind speeds passing through.
383. A robust maintenance program for the trees would help reduce climate change induced health risks and adjustable shading devices and/or wind screens would also help provide adaptability depending on the changes to the local climate.

#### Mitigation measures

384. The Assessment recommends mitigation measures for the Level 14 terrace as the area would not be considered thermally comfortable for occupants expected to be spending long periods of time in this area, due to the exposure to south-westerly winds during the windiest season. Therefore wind mitigation measures are recommended including landscaping with trees of at least 3metres and a 1.5metre balustrade.
385. With the proposed mitigation measures, the terrace is expected to have suitable thermal comfort conditions for the intended long term dining use.

#### Thermal Comfort Conclusion

386. In the proposed and cumulative scenarios, all ground level conditions are suitable for the intended use, and no adverse impacts due to thermal comfort are expected, although there is an increase of seasonal conditions and the introduction of short-term conditions as a result of the development. This applies to all roadways, bus-stops, thoroughfares, building entrances (both existing and proposed), covered walkways and seating areas. For surrounding terrace and

podium level spaces, the majority would experience conditions suitable to their uses.

387. The results demonstrate that all areas except the level 14 terrace would experience thermal comfort conditions suitable for their intended use. Mitigation measures have been recommended to achieve appropriate conditions and a condition is recommended for mitigation measures to be installed on the terrace to ensure safe sitting conditions associated with the hotel restaurant use. All other areas of the 14th floor terrace level of the Proposed Development would have acceptable thermal comfort conditions for the intended long-term dining use.
388. The Assessment has also considered climate change effects and provided details of potential mitigation.
389. Subject to mitigation measures, the development is considered to comply with London Plan Policies D8 and D9 and Draft City Plan 2036 Policy S8.

### **Noise and Disturbance**

390. London Plan Policy D13 requires the proposed development to mitigate noise-generating uses and Policy D14 aims to avoid significant adverse noise impacts on health and quality of life, and Local Plan Policies DM3.5 and DM15.7, seek to ensure that operational noise does not adversely affect neighbours. Policies S1 and HL3 of the Draft City Plan requires that noise does not adversely affect nearby land uses, supporting a healthy and inclusive City.
391. The impact of the proposed development in terms of noise associated with the operational stage would be negligible. The public realm and the roof terrace amenity uses are all appropriate and in keeping with the area. The proposed plant equipment is to be located internally at basement level or on the roof levels located higher on the building.
392. In regard to noise from plant, an acoustic report has been submitted with the application. This indicates that plant could be operated without detrimentally impacting on neighbouring properties in respect of noise and disturbance.
393. The Environmental Health team have been consulted and conditions have been included with the recommendation. This includes a condition to restrict the hours of use for the terrace from 7am – 10pm (Monday to Saturday).

394. The proposed hotel accommodation has the potential to increase pedestrian movements around the site at a range of times and therefore potential for noise and disturbance to neighbouring properties. The applicant has submitted a Hotel Management Plan with the application, the details of which would be secured by the condition. The onsite management, restricting loitering outside the building would ensure any potential disturbance would be mitigated.
395. Overall, subject to conditions, the development should not detrimentally impact on amenity of surrounding properties in respect of noise and disturbance. Therefore, the Proposed Development complies London Plan Policy D13 and D14, Local Plan Policies DM3.5 and DM15.7, and Policies S1 and HL3 of the Draft City Plan.

### **Air Quality**

396. Local Plan Policy CS15 seeks to ensure that developments positively address air quality. Policy DE1 of the draft City Plan 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 SI1 of the London Plan.
397. The application includes an Air Quality Assessment which includes the likely impact of the proposed development on air quality as a result of the construction and operational phases of the development.
398. The Assessment states the Proposed Development is considered Air Quality Neutral with regards to building emissions, and therefore no mitigation measures are required. However, the proposals are not considered Air Quality Neutral with regards to transport emissions. The development would be car-free and appropriate mitigation measures have been included in the Framework Travel Plan and the development would utilise ASHPs for operation therefore, subject to conditions and obligations, the impacts are considered acceptable.
399. 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.

400. Subject to the compliance with conditions, the proposed development would accord with Local Plan Policy CS15, policies HL2 and DE1 of the draft City Plan, policy SI1 of the London Plan which all seek to improve air quality.

### **Fire Safety**

401. Policy D12 of the London Plan seeks to ensure that proposals have been designed to achieve the highest standards of fire safety, embedding these into developments at the earliest possible stage. Policy D5 requires development to incorporate safe and dignified emergency evacuation for all building users with a minimum of one lift per core to be a suitably sized fire evacuation lift.
402. Regulation 7(2) of the Building Regulations (as amended) restricts the use of combustible materials in the external walls of 'relevant buildings' over 18metres, The building is 49metres. At present hotel uses are excluded from the definition of 'relevant buildings'. However, the Government has made changes to the Building Regulations which will come into force on 1st December 2022, and this development would then fall under the definition of a 'relevant building'. This would be relevant for the materials of the external walls of this development. The Applicant has confirmed that the building has been designed to be in accordance with Regulation 7(2) as a 'relevant building'.
403. The application is accompanied by a fire safety statement which demonstrates how the development would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel.
404. The proposal would provide one evacuation lift as per London Plan Policy.
405. The Health and Safety Executive (HSE) were contacted to ascertain whether formal consultation was required under the Building Safety Bill and it was determined that the application did not fall under the definition of a 'relevant building' for the purposes of Planning Gateway One.

406. The District Surveyors reviewed the submitted Fire Statement and following comments, confirmed there were no objections.

407. A condition is recommended to require the submission of an Accessibility Management Plan which must include details for the evacuation lift, therefore, the proposed development would meet the requirements of Policy D5 and D12 of the London Plan.

### **Suicide Prevention measures**

408. Local Plan policy CS3 requires that security and safety measures are of an appropriate high quality design. Draft City Plan Policy DE5 requires security and safety to be considered. The City recently adopted the 'Preventing Suicide in High Rise Buildings and Structures' Planning Advice Note (2022) which requires suicide prevention and safety measures to be considered and incorporated where necessary.

409. The proposal includes an accessible terrace at Level 14 to the south and north of the roof only, which is associated with the restaurant use.

410. The Applicant has confirmed that the rooftop terrace has been designed in line with the adopted Advice Note. This includes the following suicide prevention measures proposed to be incorporated:

- All balustrading at the roof is 1.5m tall, exceeding the 1.1m required building regulations and the 1.4m suggested by the Planning Advice Note.
- All aspects of the terrace are overlooked by floor-to-ceiling glazing from the restaurant providing clear, unobstructed natural surveillance to all areas. A generous portion of this glazing will also be openable. This would be supplemented by adequate lighting.
- Defensive planting would be located along the majority of the Jewry Street frontage to restrict and deter access and naturally contain publicly accessible areas to the north and south.
- A CCTV system, monitored 24/7 by the operator, will also be in place on the rooftop area.

411. The proposal is considered to comply with Local Plan Policy CS3 and draft City Plan Policy DE5 and the recommendations of the Planning Advice Note.

412. A condition is recommended for details of suicide prevention measures to be submitted and approved by the City prior to occupation of the rooftop restaurant level.

### **Health Impact Assessment**

413. Policy HL9 of the draft City Plan 2036 advises applicants of major developments to assess the potential impacts their development may have on the health and well-being of the City's communities.
414. The applicants have submitted a Rapid Health Impact Assessment based on the NHS Healthy Urban Development Unit's criteria and toolkit. The proposed development was satisfactorily assessed against 39 criteria relevant to the proposed development and the City of London. The development is expected to result in positive impacts, including through the provision of community uses and public realm improvements. Two categories were assessed as having a potentially negative impact. The remaining are considered to be positive, neutral or impact uncertain.
415. The potential negative impacts identified related to construction impacts such as dust, noise, vibration and odours, and to air pollution caused by traffic (transport emissions will be exceeded). The applicants have outlined mitigation measures to minimise the impacts as much as possible.
416. It is important to note that the proposal includes all-electric strategy and is targeting an air quality neutral benchmark for building emissions.
417. Potential negative impacts identified would need to be mitigated during the construction and operational phases, for example through:
- Implementation of a Delivery and Service Plan (DSP) to ensure sustainable modes and operation of freight;
  - Implementation of a Construction Environmental Management Plan (CEMP) including dust, noise and vibration and hours of construction works;
  - Implementation of a Construction Logistics Plan (CLP) to minimise the environmental and road traffic related impacts of the demolition and construction;
  - Secure local employment and training initiatives via planning obligations;
  - An Air Quality and Management Plan to minimise the impact of dust at the construction phase; and



- Requirement for a Hotel Operational Management Plan to minimise noise at the operational stage.
418. Potential negative impacts identified in the Assessment would be mitigated by the requirements of relevant conditions and Section 106 obligations.
419. The HIA assessment adequately addresses potential health impacts and therefore the development complies with draft City Plan HL9.

### **Public Sector Equalities Duty**

420. When considering the proposed development, the Public Sector Equality Duty requires City of London to consider how the determination of the application will affect people who are protected under the Equality Act 2010, including having due regard to the effects of the proposed development and any potential disadvantages suffered by people because of their protected characteristics.
421. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:-
- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
422. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
423. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.
424. The Applicant submitted an Equalities Statement to support the application.
425. This application has been assessed against the Equality Act 2010 and any equality impacts identified.

426. As set out in the submitted Statement of Community Involvement (SCI), the consultation process included a targeted programme, which sought to understand the needs of the local community and identify opportunities for partnership and facilitation particularly in relation to part of the public benefits of the project.
427. The Applicants have held a range of meetings with stakeholders and the following stakeholders are considered to be relevant in the context of the Equalities Act:
- Local Ward Members and Planning and Transportation Members;
  - Co-Principal at David Game College, Jewry Street;
  - Development Director at Urbanest Student Accommodation, Vine Street;
  - BID Manager at Aldgate Connect BID.
428. Potential impacts of the proposed development on the nearby occupiers identified above have been assessed including the impacts on the uses. Officers do not consider that they would be detrimentally impacted in so far as these spaces become unusable nor would it be considered that there would be disadvantages or material impact on any persons who share a relevant protected characteristic as identified in the Equalities Act 2010.
429. The section on Accessibility and Inclusive Design sets out how the scheme has been designed to be accessible to all. In addition the proposed development has been assessed against Policy GG1 of the London Plan and would be considered to support and promote the creation of an inclusive London where all Londoners, regardless of their age, disability, gender, gender identity, marital status, religion, race, sexual orientation, social class, or whether they are pregnant or have children, can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

### **Human Rights Act 1998**

430. 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”).
431. Insofar as the grant of planning permission will result in interference with the right to private and family life (Article 8 of the ECHR) or right to enjoyment of property (Protocol 1, Article 1) including by causing harm to the amenity of those living in nearby residential properties and

student residential properties, it is the view of officers that such interference is proportionate, in the public interest and strikes a fair balance between the interests of the owner of the site, those living nearby and the community as a whole.

432. As set out above, it is the view of officers that there would be no infringement of Article 8 or Article 1 of Protocol 1 of the ECHR.

**CIL and Planning Obligations**

433. 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.

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

435. On 1 April 2019 the Mayoral CIL 2 (MCIL2) superseded the Mayor of London’s CIL and associated section 106 planning obligations charging schedule. Through MCIL2The Mayor collects funding for Crossrail 1 and Crossrail 2 under the provisions of the Community Infrastructure Levy regulations 2010 (as amended).

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

**Table 8: MCIL2**

<b>Liability in accordance with the Mayor of London’s policies</b>	<b>Contribution (excl. indexation)</b>	<b>Forwarded to the Mayor</b>	<b>City’s charge for administration and monitoring</b>
<b>MCIL2 payable</b>	£698,267	£670,337	£27,931

**Table 9: City CIL and S106 Planning Obligations**

<b>Liability in accordance with the City of London's policies</b>	<b>Contribution (excl. indexation)</b>	<b>Available for allocation</b>	<b>Retained for administration and monitoring</b>
<b>City CIL</b>	£397,500	£377,625	£19,875
<u>City Planning Obligations</u>			
<b>Affordable Housing</b>	£265,000	£262,350	£2,650
<b>Local, Training, Skills and Job Brokerage</b>	£159,000	£157,410	£1,590
<b>Carbon Reduction Shortfall (as designed)</b> <i>Not indexed</i>	£787,740	£787,740	£0
<b>Section 278 (Evaluation and Design) - Not indexed</b>	£50,000	£50,000	£0
<b>S106 Monitoring Charge</b>	£2,500	£0	£2,500
<b>Total liability in accordance with the City of London's policies</b>	<b>£1,661,740</b>	<b>£1,635,125</b>	<b>£26,615</b>

City's Planning Obligations

437. 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 (incl. Highways Schedule of Condition Survey, site access, obtaining consents, licences etc.);
- Local Procurement Strategy;
- Local Training, Skills and Job Brokerage Strategy (Demolition & Construction & End Use);
- Delivery and Servicing Management Plan (including Consolidation) including a requirement for reversing servicing

vehicle movements to be overseen by a trained member of the facilities management team;

- Cycling Promotion Plan;
- Construction Monitoring Costs;
- Carbon Offsetting;
- Section S72/278 Agreement (CoL);
- Public Realm (Specification & Management Plan);
- Cultural Implementation Strategy incl. Management and Marketing Plan for the co-working space and a requirement that the co-working space is provided as affordable workspace or community space if an occupier for the co-working space is not confirmed, and confirmation of occupier for coworking space prior to occupation of hotel;
- In respect of the office floorspace obligations to secure that:
  - 10 hours a month of free community use of meeting rooms;
  - 10 hours a month free meeting room hire for nearby education uses (daytime);
  - 10 hours a month of 50% discount rate to hire the podcast studio for local community groups.
  - Podcast studio rental at £35 per hour (RPI);
  - One free hire per month of event space for community groups.
- Television Interference Survey;
- 'Be Seen' Energy Performance Monitoring;
- Wider public realm works to Rangoon Street.

438. I request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations and enter into the S72/278 agreement.

439. The scope of the s278 agreement may include, but is not limited to, improving crossings and the surrounding footway/carriageway to accommodate increased pedestrian and cyclist movements and the planting of street trees.

#### Monitoring and Administrative Costs

440. 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.

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

#### Site Specific Mitigation

442. The City will use CIL to mitigate the impact of development and provide the infrastructure necessary for the wider area.

#### Conclusion

443. The proposal has been assessed in accordance with the relevant statutory duties and having regard to the development plan (i.e. the London Plan and 2015 Local Plan) and relevant policies and guidance, SPDs and SPGs, relevant advice including the NPPF, the draft Local Plan and considering all other material considerations.
444. Two objections have been received. An objection from a resident was received on sustainability and aesthetic grounds, and an objection from a nearby educational use has cited rights to light.
445. The scheme would deliver a high-quality development for hotel accommodation with complementary co-working space which would also be utilised for cultural and community uses.
446. The building considers sustainability standards, incorporating climate resilience, targeting BREEAM 'Excellent' and adopting Circular Economy principles and Whole Life Carbon principles. Dedicated areas of planting and greening would be incorporated through urban greening, significantly increasing the biodiversity on site and providing 45 trees at roof level.
447. Whilst there would be a loss of office floorspace on the site, in terms of total permitted floorspace, it would not have an adverse impact on the overall stock of floorspace in the City or prejudice the City's role as an international business and professional centre. The hotel, coworking and community spaces would contribute towards diversifying the City's building stock and land uses, adding vibrancy and activity for seven days per week. This wider range of activity would contribute towards the City Corporation's ambitions for a City of Culture and Commerce and align with the City Corporation's ambitions for a post Covid City. The loss of office accommodation is therefore considered to be acceptable within the provisions of Local Plan policies CS1 and DM1.1 and emerging policy in the draft City Plan.

448. The proposed hotel use would support the primary business function and cultural role of the City and would provide a range of complementary facilities including, an ancillary ground floor café area and a rooftop restaurant, in addition to a small provision of office space. The proposals would contribute to the balance and mix of uses in the immediate locality.
449. In addition, the provision of community and cultural facilities is supported by the Local Plan and would diversify uses in the area.
450. The proposal would result in daylight losses to nearby student residential accommodation beyond that which is recommended by the BRE and therefore is considered to be contrary to part of Local Plan Policy DM11.3 which resists new hotels which result in adverse impacts to amenity of neighbouring occupiers. Losses beyond the BRE guidelines are likely to occur to the education use at 31 Jewry Street, however the existing levels of daylight to the property are relatively low, and electric lighting is likely to be required to all rooms in the existing condition. This proposed development would not be considered to change the way in which the rooms are used as they already rely on electric lighting and so is unlikely to be materially affected.
451. All impacts to permanent residential properties are within BRE guidelines therefore are considered to be negligible.
452. Taking into account the BRE Guidance and the site's location within a dense urban environment, it is considered that the proposal would not result in an unacceptable impact on the existing properties and would not noticeably reduce the daylight and sunlight to nearby dwellings or open spaces to unacceptable levels. As such, the impact on daylight and sunlight as a result of the proposed development is considered to be in accordance with Local Plan Policies DM10.7 and DM21.3, Policy DE8 of the draft City Plan 2036 and London Plan policy D6(d).
453. Overall, it is considered that the proposed hotel use would not prejudice the primary business function of the City; would contribute to the balance and mix of uses in the immediate locality; and would not result in unacceptable adverse impacts on the amenity of neighbouring properties.
454. The design approach to the site would result in a development appropriate in scale, architectural form, innovative use of materials, and quality that would add a level of richness and visual interest to the local townscape, and would contribute to public realm through planters,

seating and footway widening on Jewry Street. The proposals therefore comply Local Plan Policies CS10 and DM10.1, emerging City Plan Policy S8 and DE2, and London Plan D3 and paragraphs 130 and 132 of the NPPF.

455. The proposals have been assessed against Local Plan Policies CS12, DM12.1, draft City Plan 2036 policies S11 and HE1, London Plan Policy HC1 and the relevant NPPF paragraphs 199-208. There would be no harm to the setting of 31 Jewry Street and the special architectural and historic interest of the building would be preserved. Overall, the proposal would comply with Local Plan Policies listed above.
456. It is considered that the proposal would preserve the special architectural and historic interest and heritage significance and contribution made by the setting of: Church of St Botolph, 10 Trinity Square or the David Game College. There would be no harm to the significance of the Lloyds Avenue Conservation Area.
457. The proposals are considered to accord with S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant NPPF paragraphs 194-208.
458. The proposed development would not harm the characteristics and composition of the LVMF strategic view and their landmark elements, preserving the ability of the observer to recognise and appreciate the strategically important landmarks, in accordance with Local Plan Policy CS13(1), London Plan Policy HC4 and draft City Plan 2036 Policy S13 and guidance contained in the LVMF SPG.
459. Subject to conditions requiring wind mitigation the proposal would have an acceptable impact on the microclimate on and around the site.
460. The Applicant is proposing on-site servicing with consolidation of deliveries, to be capped at 12 deliveries per day to take place outside of peak times, and would deliver cycle parking in compliance with London Plan standards. All servicing vehicles would be required to reverse into the off-street area in order to exit in a forward gear. This falls short of the requirements in Policy DM16.5 which require servicing areas to facilitate both access and egress in a forward gear. However it is considered that the reversing manoeuvre would however be significantly shorter and safer than the existing situation on Rangoon Street.



461. To facilitate the development, 23 sqm of public highway is proposed to be stopped up. Due to the area of private land proposed to be adopted as highway, there would be a net gain of highway of 15 sqm.
462. The Applicant has revised the original submission following Officer comments which includes changes to design, materiality, massing and an alternative servicing location, and changes have improved the quality of the proposal and reduce environmental impacts to surrounding uses.
463. There are no unacceptable adverse built development, construction or operational impacts anticipated for the proposed development and use, including cumulative impacts, and the recommendation is subject to conditions to mitigate impacts to surrounding uses, including the requirement to provide deconstruction and construction logistics plans, a scheme of protective works, a hotel accommodation management plan, travel management plan and relevant environmental health conditions including relating to noise. It is considered the proposed development complies with Local Plan Policies CS1, DM1.1, DM1.5, DM15.7, DM21.1, DM 21.7, and draft City Plan Policies HL3, S24, and SB1 regarding impact on amenity.
464. It is almost always the case that where major development proposals come forward there is at least some degree of non-compliance with planning policies, and in arriving at a decision 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.
465. The Local Planning Authority must determine the application in accordance with the Development Plan unless other material considerations indicate otherwise.
466. The additional material considerations are as follows:
- Securing a development within the City that would provide land uses which support the diversification, vitality and growth of the City as a world class business destination;
  - Provision of high-quality public realm at ground floor and urban greening at ground and roof level;
  - Securing a development that is environmentally responsible in that it would seek to promote active travel, provide biodiversity and urban greening, target BREEAM 'Excellent', reduce carbon emissions and reduce waste;

- The proposed building would result in an aesthetic enhancement to the Jewry Street locality including through the use of high-quality materials and would respond to the contextual height and massing of the site.

467. In this case, the proposals are considered to be in accordance with the development plan as a whole.

468. When taking all matters into consideration, subject to the recommendations of this report it is recommended that planning permission be granted.

## **APPENDIX A**

### **Background Papers**

#### Application documents

- Existing drawings.
- Application Form completed 23 March 2022.
- CIL form.
- Covering letter prepared by Montagu Evans dated 23.09.2021.
- Outdoor Thermal Comfort Assessment, Rev A dated 16.09.2021.
- MEP Engineering – Ventilation Summary Statement, prepared by Hoare Lea 21/09/2021.
- Boundary House Operator's Management Statement, September 2021.
- Air Quality and Air Quality Neutral Assessment Rev 01, prepared by Hoare Lea dated 16.09.2021
- Statement of Community Involvement, prepared by Field Consulting, September 2021.
- Biodiversity Enhancement and Management Plan Report No: 155671-03 prepared by Middlemarch Environmental, dated September 2021.
- Ground Investigation Report J21197A (Rev 0) prepared by Geotechnical & Environmental Associates Limited dated September 2021.
- Rapid Health Impact Assessment, dated 20 September 2021.
- Sustainable Urban Drainage Statement, Rev P1 prepared by Elliot Wood dated 15.09.2021.
- Flood Risk Assessment, Rev P1 prepared by Elliot Wood dated 15.09.2021.
- Noise Impact Assessment Revision '0' prepared by Scotch Partners, dated 20.08.2021.
- Framework Travel Plan prepared by RGP, September 2021.
- Transport Assessment prepared by RGP, September 2021.
- Heritage, Townscape and Visual Impact Assessment prepared by Montagu Evans, September 2021.
- Carbon Emissions Reporting Spreadsheet submitted 30.09.2021.
- Be Seen Spreadsheet submitted September 2021.
- Appraisals prepared by CBRE, August 2021.
- Equalities Statement prepared Montagu Evans, submitted September 2021.
- Planning Statement prepared by Montagu Evans, September 2021.
- Applicant response to queries prepared by Sheppard Robson, dated 10.12.2021.
- Microclimate Modelling Addendum prepared by RWDI, dated 27.01.2022.

- Transport Assessment Addendum prepared by RGP, January 2022.
- Written Scheme of Investigation for Archaeological Evaluation prepared by MOLA, dated 07.02.2022.
- Applicant response to sustainability queries prepared by Hoare Lea dated 18.02.2022.
- EW Response to Planning comments, prepared by Elliot Wood dated 03.03.2022.
- Addendum Covering Letter prepared by Montagu Evans dated 24.03.2022.
- Design and Access Statement prepared by Sheppard Robson dated 24.03.2022.
- Public realm and landscape Statement prepared by Phil Allen Design dated 22.03.2022.
- Heritage, Townscape and Visual Impact Assessment Addendum prepared by Montagu Evans dated March 2022.
- Archaeological desk-based assessment, prepared by MOLA dated March 2022.
- Transport Assessment Addendum prepared by RGP, dated March 2022.
- Delivering and Servicing Management Plan prepared by RGP, dated March 2022.
- Pedestrian level wind microclimate CFD Assessment prepared by RWDI, dated 18.03.2022.
- Addendum – Thermal Comfort Assessment prepared by RWDI, dated 11.03.2022.
- Daylight, sunlight and overshadowing, light pollution and solar glare report V2 prepared by Point 2, March 2022.
- Sustainability Statement Rev 05 prepared by Hoare Lea dated 18.03.2022.
- Circular Economy Statement Rev 02 prepared by Hoare Lea dated 16.03.2022.
- Second addendum to CBRE report dated August 2021.
- Fire Statement prepared by Trigon dated March 2022.
- Waste Management Plan, RGP, dated March 2022.
- Letter received from Point 2 dated 19.04.2022.
- Construction Management and Logistics Plan prepared by RGP dated May 2022.
- Updated Urban Greening Factor Calculation prepared by Phil Allen Design.
- Letter from Point 2 dated 27.05.2022.
- Embodied carbon option comparison prepared by Elliot Wood, received June 2022.
- Transport Assessment Addendum prepared by RGP, dated May 2022.

- Email from Montagu Evans dated 16.05.2022.
- Email from Montagu Evans dated 15.06.2022.
- Energy Strategy prepared by Hoare Lea dated 01.06.2022.
- Design and access statement addendum prepared by Sheppard Robson dated 06.06.2022.
- Addendum covering letter prepared by Montagu Evans dated 06.06.2022.
- GEA floorspace schedule dated 07.06.2022.
- GIA floorspace schedule dated 14.06.2022.
- Addendum – Wind Microclimate Assessment prepared by RWDI dated 14.06.2022.
- Independent review of daylight, sunlight, overshadowing, solar glare and light pollution assessment, prepared by Delva Patman Redler and dated 16.06.2022.
- Transport Assessment Addendum prepared by RGP, dated June 2022.
- Whole Life Carbon Assessment Rev 03 prepared by Hoare Lea, dated 30.06.2022.
- Commercial, Cultural & Community Strategy, AND, July 2022.
- Updated visuals received 05.07.2022.

### Consultation responses

#### *External*

- Letter from the London Borough of Southwark dated 17.05.2022.
- Letter from the London Borough of Tower Hamlets dated 25.04.2022 and 22.06.2022.
- Letter from Historic England dated 12.04.2022.
- Emails from Transport for London dated 10.02.2022 and 28.10.2021.
- Emails from Thames Water dated 05.11.2021, 14.04.2022, 14.02.2022 and 24.06.2022.
- Email response from the Health and Safety Executive dated 04.11.2022.
- Letter from Historic England dated 20.10.2021.

#### *Internal*

- Memo from Contract and Drainage Service dated 12.10.2022.
- Memos and emails from the Environmental Health team dated 25.10.2022, 05.05.2022, and 31.05.2022.
- Memo from Air Quality Officer dated 01.11.2022, 11.04.2022 and 06.07.2022.
- Memo from Access Adviser dated 11.11.2022, 13.01.2022, 01.04.2022 and 16.06.2022.
- Email from City Public Realm dated 31.01.2022, 15.06.2022 and 17.06.2022.

- Memos from Lead Local Flood Authority dated 27.10.2021, 26.02.2022 and 22.06.2022.
- Memos and emails from District Surveyor dated 09.11.2021, 12.05.2022, 14.06.2022, and 05.07.2022.
- Email from City of London Police dated 12.04.2022, 26.04.2022 and 16.06.2022.
- Email from Cleansing team dated 13.04.2022 and 04.07.2022.
- Transport Planning team comment received 16.06.2022.
- Cleansing team response dated 04.07.2022.

#### Representations

21.06.2022 Mr Richard Foley  
23.04.2022 Mrs Jane Luca  
21.04.2022 Mr Leopold Deliss

## **APPENDIX B**

London Plan (2021), Local Plan (2015) and draft City Plan 2036 policies that are most relevant to the consideration of this case are set out below.

### London Plan (2021)

Policy GG1 (Building strong and inclusive communities) encourages early and inclusive engagement with stakeholders, including local communities, in the development of proposals, seeking to ensure positive changes to the physical environment and provide access to good quality community spaces, services, amenities and infrastructure. In addition, it supports London continuing to generate a wide range of economic and other opportunities promoting fairness, inclusivity and equality.

Policy GG2 (Making the best use of land) supports the prioritisation of well connected sites for development including intensifying the use of land to support, amongst other things, workspaces, and promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

Policy GG3 (Creating a healthy city) seeks to "ensure that new buildings are well-insulated and sufficiently ventilated to avoid the health problems associated with damp, heat and cold" and to "promote more active and healthy lives for all Londoners and enable them to make healthy choices."

Policy GG5 (Growing a good economy) recognises the strategic aim to "promote the strength and potential of the wider city region", including the support and promotion of "sufficient employment and industrial space in the right locations to support economic development and regeneration."

Policy GG6 (Increasing efficiency and resilience) states that planning and development must help London to become a more efficient and resilient city.

Policy SD4 (The Central Activities Zone (CAZ)) states that "the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values"

Policy SD5 (Offices, other strategic functions and residential development in the CAZ) states that "offices and other CAZ strategic functions are to be given greater weight relative to new residential development."

Policy D2 (Infrastructure requirements for sustainable densities) states that the density of development proposals should: 1) consider, and be linked to, the provision of future planned levels of infrastructure rather than existing levels; 2) be proportionate to the site's connectivity and accessibility by walking, cycling, and public transport to jobs and services (including both PTAL and access to local services).

Policy D3 (Optimising site capacity through the design-led approach) states that all development must make the best use of land by following a design-led approach, and proposals should consider form and layout, experience, and quality and character.

Policy D4 states that "design and access statements submitted with development proposals should demonstrate that the proposal meets the design requirements of the London Plan."

Policy D5 (Inclusive Design) seeks to achieve the highest standard of accessible and inclusive design across new developments.

Policy D8 (Public Realm) establishes criteria for proposals which include public realm space. These criteria include making public realm "well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. Lighting, including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution."

Policy D11 (Safety, security and resilience to emergency) states that "development proposals should maximise building resilience and minimise potential physical risks, including those arising as a result of extreme weather, fire, flood and related hazards. Development should include measures to design out crime that - in proportion to the risk - deter terrorism, assist in the detection of terrorist activity and help mitigate its effects. These measures should be considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area."

Policy D12 (Fire Safety) encourages proposals to achieve the highest standards of fire safety and ensure that they: "1) identify suitably positioned unobstructed outside space for fire appliances to be positioned on and which is appropriate for use as an evacuation assembly point; 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire."

Policy D13 (Agent of Change) states that development should be manage noise and other potential nuisances.

Policy D14 (Noise) seeks to avoid significant adverse noise impacts on health and quality of life, and mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development.

Policy S1 (Developing London's social infrastructure) states that development proposals should provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies. New facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres.



Policy E1 (Offices) explicitly supports increases in the current office stock, noting that "improvements to the quality, flexibility and adaptability of office space of different sizes (for micro, small, medium-sized and larger enterprises) should be supported by new office provision, refurbishment and mixed-use development."

Policy E2 (Providing suitable business space) states that Boroughs should seek to "support the provision, and where appropriate, protection of a range of B Use Class business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand." The policy also states that "development proposals for new B Use Class business floorspace greater than 2,500 sqm (gross external area), or a locally determined lower threshold in a local Development Plan Document, should consider the scope to provide a proportion of flexible workspace or smaller units suitable for micro, small and medium-sized enterprises."

Policy E3 (Affordable workspace) outlines the requirement for affordable workspace. It is noted that leases or transfers of space to workspace providers should be at rates that allow providers to manage effective workspace with submarket rents

Policy E10 (Visitor Infrastructure) states that "London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management and supporting infrastructure.." and that a "sufficient supply and range of serviced accommodation should be maintained". It further states: "Within the CAZ, strategically-important serviced accommodation should be promoted in Opportunity Areas, with smaller-scale provision in other parts of the CAZ except wholly residential streets or predominantly residential neighbourhoods (see Policy SD5 Offices, other strategic functions and residential development in the CAZ), and subject to the impact on office space and other strategic functions. Intensification of the provision of serviced accommodation should be resisted where this compromises local amenity or the balance of local land uses." The Policy states that serviced accommodation should ensure sufficient choice for people who require an accessible bedroom.

Policy E11 (Skills and Opportunities for all) states that "development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations where appropriate".

Policy HC1 (Heritage conservation and growth) requires development proposals "should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings."

Policy HC2 (World Heritage Sites) requires that "development proposals in World Heritage Sites and their settings, including any buffer zones, should

conserve, promote and enhance their Outstanding Universal Value, 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 Outstanding Universal Value, or the authenticity and integrity of their attributes." The policy also states that "development proposals with the potential to affect World Heritage Sites or their settings should be supported by Heritage Impact Assessments. Where development proposals may contribute to a cumulative impact on a World Heritage Site or its setting, this should be clearly illustrated and assessed in the Heritage Impact Assessment."

Policy HC3 (Strategic and Local Views) states that development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view. Policy HC4 (London View Management Framework) states that "development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. They should also preserve and, where possible, enhance 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 HC4 (London View Management Framework) states that "Development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. They should also preserve and, where possible, enhance 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 HC5 (Supporting London's culture and creative industries) states that "the continued growth and evolution of London's diverse cultural facilities and creative industries is supported".

Policy HC6 (Supporting the night-time economy) states that planning decisions should "promote the night-time economy, where appropriate, particularly in the Central Activities Zone..." and should promote "management of the night-time economy through an integrated approach to planning and licensing, out-of-hours servicing and deliveries, safety and security, and environmental and cleansing services should be supported".

Policy G1 (Green infrastructure) states that "development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network."

Policy G4 (Open space) identifies that "development proposals should 1) not result in the loss of protected open space; 2) where possible create areas of publicly accessible open space, particularly in areas of deficiency."

Policy G5 (Urban greening) states that "major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage."

Policy G6 (Biodiversity and access to nature) states that "development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process."

Policy G7 (Trees and woodlands) states that the planting of additional trees should generally be included in new developments.

Policy SI1 (Improving air quality) states that "development proposals should not: a) lead to further deterioration of existing poor air quality; b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits; c) create unacceptable risk of high levels of exposure to poor air quality."

Policy SI2 (Minimising greenhouse gas emissions) requires that all new major development should be net zero-carbon. Major development proposals should also include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.

Policy SI3 (Energy infrastructure) states that "development proposals should: 1) identify the need for, and suitable sites for, any necessary energy infrastructure requirements including energy centres, energy storage and upgrades to existing infrastructure; 2) identify existing heating and cooling networks, identify proposed locations for future heating and cooling networks and identify opportunities for expanding and inter- connecting existing networks as well as establishing new networks."

Policy SI4 (Managing heat risk) identifies that "development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure." The policy also states that "major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems."

Policy SI7 (Reducing waste and supporting the circular economy) identifies that "referable applications should promote circular economy outcomes and aim to be net zero-waste."

Policy SI12 (Flood risk management) requires development proposals to "ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses."

Policy SI13 (Sustainable drainage) states that "development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible."

Policy TI (Strategic approach to transport) highlights that development "should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated." Development that promotes walking through improved public realm is also supported.

Policy T2 (Healthy streets) encourages development proposals to deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Proposals should "1) demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance; 2) reduce the dominance of vehicles on London's streets whether stationary or moving; 3) be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport."

Policy T3 (Transport capacity, connectivity and safeguarding) states that "development proposals should support capacity, connectivity and other improvements to the bus network and ensure it can operate efficiently to, from and within developments, giving priority to buses and supporting infrastructure as needed."

Policy T4 (Assessing and mitigating transport impacts) notes that "where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified."

Policy T5 (Cycling) supports increases in cycling across London through the provision of secure, integrated, convenient and accessible cycle parking facilities as well as associated changing and facilities and showers.

Policy T6 (Car parking) (and T6.2, T6.4, T6.5) sets out parking standards which need to be complied with and that "car-free development should be the starting point for all development proposals in places that are (or are planned to be) well connected by public transport."

Policy T7 (Deliveries, servicing and construction) states that "development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.

## Relevant Local Plan (2015) Policies

### ***CS1 Provide additional offices***

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

#### ***DM1.1 Protection of office accommodation***

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

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

#### ***DM1.2 Protection of large office sites***

To promote the assembly and development of sites for large office schemes in appropriate locations. The City Corporation will:

- a) assist developers in identifying large sites where large floorplate buildings may be appropriate;
- b) invoke compulsory purchase powers, where appropriate and necessary, to assemble large sites;
- c) ensure that where large sites are developed with smaller buildings, the design and mix of uses provides flexibility for potential future site re-amalgamation;
- d) resist development and land uses in and around potential large sites that would jeopardise their future assembly, development and operation, unless there is no realistic prospect of the site coming forward for redevelopment during the Plan period.

#### ***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.

***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.

***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.

### ***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.

#### ***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.

#### ***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.

#### ***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.

#### ***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.

#### ***DM11.1 Visitor, Arts and Cultural***

- 1) To resist the loss of existing visitor, arts and cultural facilities unless:
  - a) replacement facilities are provided on-site or within the vicinity which meet the needs of the City's communities; or
  - b) they can be delivered from other facilities without leading to or increasing any shortfall in provision, and it has been demonstrated that there is no demand for another similar use on the site; or
  - c) it has been demonstrated that there is no realistic prospect of the premises being used for a similar purpose in the foreseeable future.

2) Proposals resulting in the loss of visitor, arts and cultural 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 floorspace has been actively marketed as a visitor, arts or cultural facility at reasonable terms.

### ***DM11.3 Hotels***

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

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

### ***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.

#### ***DM12.2 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.

#### ***CS13 Protect/enhance significant views***

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

## ***CS15 Creation of sustainable development***

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

### ***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.

#### ***DM15.8 Contaminated land***

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

#### ***CS16 Improving transport and travel***

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

#### ***DM16.1 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.

### ***CS17 Minimising and managing waste***

To support City businesses, residents and visitors in making sustainable choices regarding the minimisation, transport and management of their waste, capitalising on the City's riverside location for sustainable waste

transfer and eliminating reliance on landfill for municipal solid waste (MSW).

#### ***DM17.1 Provision for waste***

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

#### ***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.

#### ***DM18.2 Sustainable drainage systems***

1. The design of the surface water drainage system should be integrated into the design of proposed buildings or landscaping, where feasible and practical, and should follow the SuDS management train (Fig T) and London Plan drainage hierarchy.
2. SuDS designs must take account of the City's archaeological heritage, complex underground utilities, transport infrastructure and other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.
3. SuDS should be designed, where possible, to maximise contributions to water resource efficiency, biodiversity enhancement and the provision of multifunctional open spaces.

### ***DM18.3 Flood protection and climate***

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

### ***CS19 Improve open space and biodiversity***

To encourage healthy lifestyles for all the City's communities through improved access to open space and facilities, increasing the amount and quality of open spaces and green infrastructure, while enhancing biodiversity.

### ***DM19.2 Biodiversity and urban greening***

Developments should promote biodiversity and contribute to urban greening by incorporating:

- a) green roofs and walls, soft landscaping and trees;
- b) features for wildlife, such as nesting boxes and beehives;
- c) a planting mix which encourages biodiversity;
- d) planting which will be resilient to a range of climate conditions;
- e) maintenance of habitats within Sites of Importance for Nature Conservation.

### ***CS21 Protect and provide housing***

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

### ***DM21.3 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.

### ***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.

#### ***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.

## 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  
HL5 Location and protection of social and community facilities  
HL9 Health Impact Assessments  
S2 Safe and Secure City  
SA1 Crowded Places  
SA2 Dispersal Routes  
SA3 Designing in security  
S3 Housing  
HS3 Residential environment  
S4 Offices  
OF1 Office development  
OF2 Protection of Existing Office Floorspace  
S6 Culture, Visitors and the Night -time Economy  
CV3 Hotels  
CV4 Evening and Night-Time Economy  
S7 Smart Infrastructure and Utilities  
IN1 Infrastructure provision and connection  
IN2 Infrastructure Capacity  
IN3 Pipe Subways  
S8 Design  
DE1 Sustainability requirements  
DE2 New development  
DE3 Public realm  
DE4 Pedestrian permeability  
DE5 Terraces and Viewing Galleries  
DE8 Daylight and sunlight  
DE9 Lighting  
S9 Vehicular Transport and Servicing  
VT1 The impacts of development on transport  
VT2 Freight and servicing  
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  
S13 Protected Views  
S14 Open spaces and green infrastructure  
OS2 City greening  
OS3 Biodiversity  
OS4 Trees  
S15 Climate resilience and flood risk  
CR1 Overheating and Urban Heat Island effect  
CR2 Flood Risk  
CR3 Sustainable drainage systems (SuDS)  
CR4 Flood protection and flood defences  
S16 Circular economy and waste  
CE1 Zero Waste City  
CE2 Sustainable Waste Transport  
S27 Planning contributions



## **APPENDIX C**

### **Methodology for daylight (including radiance), sunlight and overshadowing assessment**

Policy D6(d) of the 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.

Local Plan Policy DM10.7 'Daylight and Sunlight' seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels, taking account of the Building Research Establishment's (BRE) guidelines 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' (2022).

Policy DE8: 'Daylight and sunlight' of the Draft City Plan 2036 states that development proposals will be required to demonstrate that the daylight and sunlight available to nearby dwellings and open spaces is appropriate for its context and provides acceptable living standards, taking account of the BRE guidelines.

Local Plan Policy DM21.3 seeks to protect the residential environment including daylight and sunlight.

Paragraph 3.10.41 of the Local Plan indicates that BRE guidelines will be applied consistent with BRE advice that ideal daylight and sunlight conditions may not be practicable in densely developed city centre locations.

Paragraph 3.10.41 of the Local Plan and Policy HS3 of Draft City Plan 2036 states when considering proposed changes to existing lighting levels, the City Corporation will take into account the cumulative effect of development proposals.

Within the BRE Guidance, it states that the methods of assessment can be applied to non-domestic buildings where the occupants have a reasonable expectation to light. In this case it is Officers' view that the impact to student residential should be considered.

### **Methods of Assessment**

#### **Daylight to Existing Buildings**

The BRE guidelines present the following methodologies for measuring the impact of development on the daylight and sunlight received by nearby existing

dwellings and any existing non-domestic buildings where the occupants have a reasonable expectation of natural light (such as schools, hotels and hostels):

- 1. Daylight to windows: Vertical Sky Component (VSC):** a measure of the amount of sky visible from a centre point of a window. The VSC test is the main test used to assess the impact of a development on neighbouring properties. A window that achieves 27% or more is considered to provide good levels of light, but if with the proposed development in place the figure is both less than 27% and reduced by 20% or more from the existing level (0.8 times the existing value), the loss would be noticeable.
- 2. Daylight Distribution: No Sky Line (NSL):** The distribution of daylight within a room is measured by the no sky line, which separates the areas of the room (usually measured in sq. ft) at a working height (usually 0.85m) that do and do not have a direct view of the sky. The BRE guidelines states that if with the proposed development in place the level of daylight distribution in a room is reduced by 20% or more from the existing level (0.8 times the existing value), the loss would be noticeable. The BRE advises that this measurement should be used to assess daylight within living rooms, dining rooms and kitchens; bedrooms should also be analysed although they are considered less important.

The BRE Guide recommends compliance with both the VSC and daylight distribution (NSL) guidelines.

#### Sunlight to Existing Buildings

**Sunlight to windows: Annual Probable Sunlight Hours (APSH):** Sunlight levels are calculated for all main living rooms in dwellings if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are considered less important although care should be taken not to block too much sun. The BRE explains that sunlight availability may be adversely affected if the centre of the window:

- Receives less than 25% of annual probable sunlight hours (APSH), or less than 5% APSH between 21 September and 21 March; and
- Receives less than 0.8 times its former sunlight hours (as result of a proposed development) during either period; and
- Has a reduction in sunlight hours received over the whole year greater than 4% of annual probable sunlight hours.

To clarify, all three of the above criteria need to be met for there to be a noticeable reduction in the sunlight that can be received (at the centre of the window that has been assessed).

The BRE guidelines advises that if the available sunlight hours are both less than 25% ASPH annually and 5% APSH in winter and less than 0.8 times their former value, either over the whole year or just in the winter months (21 September to 21 March) then the occupants of the existing building would notice the loss of sunlight; if the overall/absolute annual loss of sunlight is greater than 4% of APSH, the room may appear colder and less pleasant.

#### Overshadowing

**Sunlight to open spaces: Sunlight Hours on the Ground (SHOG):** The BRE guidelines recommends that the availability of sunlight should be checked for open spaces including residential gardens and public amenity spaces, stating that, for a garden or amenity area to appear adequately sunlit throughout the year, no more than half (50%) of the area should be prevented by buildings from receiving two hours of sunlight on the 21st March. If as a result of the proposed development an existing garden or amenity area does not meet the guidance, or the area which can receive the sun is less than 0.8 times its former value (i.e. more than 20 % reduction) then the loss of sunlight is likely to be noticeable.

#### Radiance Assessment

A Radiance Assessment is a lighting simulation tool that measures the individual 'daylight factors' at a number of given points (usually based on a grid) within a room (or defined space). This method of assessment takes into account the total glazed area to a room, the transmittance quality of the glazing, the total area of the room's internal surfaces, including ceilings and floors, and their reflectance values (which may be actual or reasonably assumed). The radiance method of assessment also takes into account the quantum of light reflected off external surfaces, including the ground and nearby buildings.

Whilst there is currently no established guidance regarding what constitutes a 'noticeable' or 'significant' change in daylight when using the Radiance methodology, radiance-based assessments can draw upon the BRE's recommended Average Daylight Factor (ADF) target values, which recommend an ADF of 5% or more if no supplementary electric lighting is to be used within a room, or 2% or more if supplementary electric lighting is provided. The BRE guidelines recommend the following minimum ADF values for residential properties: 1% for bedrooms, 1.5% for living rooms and 2% for kitchens.

Whilst student accommodation is not explicitly discussed within the BRE Guidelines, it is understood that it is common practice is to assign a minimum target of 1% ADF to student rooms (the target for bedrooms), which is considered by officers to be reasonable.

Radiance assessment results are presented as floor plans colour rendered to illustrate the individual daylight factors within room, which range between 0% and 5%. In addition, the average value of the individual daylight factors within a room can be expressed as a 'radiance based' ADF percentage for the room as a whole.

It should be noted that the Radiance Assessment undertaken is not meant to replace the submitted daylight and sunlight assessments, but to provide a further way to illustrate daylight changes within habitable rooms in the neighbouring properties.

#### Setting Alternative Target Values (including Mirror Massing)

Appendix F of the BRE guidelines provides advice on setting alternative target values for daylight and sunlight. This notes that the numerical target values are purely advisory and different targets may be used based on the characteristics of the proposed development and/or its location.

Alternative targets may be generated from the scale/layout of existing development within the surrounding context or be based on an extant planning permission. The BRE guide provides an example of a narrow mews in an historic city centre where the VSC values derived from the obstruction angle could be used as a target value for development in that street if new development is to match the existing layout.

The guide notes that a similar approach may be adopted in cases where an existing building has windows that are unusually close to the site boundary and taking more than their fair share of light. In that case, to ensure that new development matches the height and proportions of existing buildings, the VSC and APSH targets for the relevant windows could be set to those for a 'mirror-image' building of the same height and size, an equal distance away on the other side of the boundary.

In undertaking assessments a judgement is made as to the level of impact on affected windows and rooms. Where there is a less than 20% change (in VSC, NSL or APSH) the effect is judged as to not be noticeable. Between 20-30% it is judged to be minor adverse, 30-40% moderate adverse and over 40% major adverse. All these figures will be impacted by factors such as existing levels of daylight and sunlight and on-site conditions. The judgements that arise from these percentages are drawn from approaches to environmental impact assessment and have become part of an industry standard utilised by Daylight and Sunlight specialists. It is for the Local Planning Authority to decide whether any losses result in a reduction in amenity which is or is not acceptable.

It should be noted that where there are existing low levels of daylight in the baseline figures any change in the measured levels has been generally described in two ways to give a more complete picture. These are:

- Percentage change (10% reduced to 8% = 20% reduction); and
- Actual/Absolute change (10% reduced to 8% = 2% change).

## SCHEDULE

APPLICATION: 21/00826/FULMAJ

### Boundary House 7 - 17 Jewry Street London

**Demolition of the building and the erection of a basement, ground plus part 14 storey and part six storey building plus plant comprising of a 311 bedroom hotel with a ground floor cafe/bar and roof top restaurant (Use Class C1) and office floorspace (Use Class E) at part ground and part first floor with ancillary community uses, hard and soft landscaping, cycle parking and associated works.**

## 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 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 T7 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.
- 3 Prior to any stripping-out or demolition of the existing building or building elements, a material audit of the building or elements to be demolished should be submitted to and approved in writing by the Local Planning Authority to understand the value of the building 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, demonstrating that as little waste as possible is generated. 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: London Plan; GG5, GG6, D3, SI 7, SI 8 - Local Plan; CS17, 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.

- 4 All Parish Markers and commemorative plaques on the existing building shall be carefully removed prior to demolition commencing, stored for the duration of building works, reinstated and retained for the life of the building on the new building in accordance with detailed specifications including fixing details which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the works affected thereby.

REASON: In the interest of visual amenity and to maintain the historic and cultural interest of the site in accordance with the following policy of the Local Plan: DM12.1.

- 5 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.

- 6 Prior to the commencement of development a Demolition and Construction Methodology and Structural Assessment (prepared by a Heritage Accredited Structural Engineer), assessing implications of the demolition and construction phase, as well as any medium and longterm structural and non-structural implications for the London Wall remains at Roman Wall House, 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 Roman Wall House in accordance with the following policies of the Local Plan: CS12, DM12.1.

- 7 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.

- 8 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, demonstrating that the Whole Life-Cycle Carbon emissions savings of the development achieve at least the GLA's Standard Benchmark and setting out further opportunities to achieve the GLA's Aspirational Benchmark set out in the GLA's Whole Life-Cycle Assessment Guidance. The assessment should include details of measures to reduce carbon emissions throughout the whole life-cycle of the development and provide 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 and operated and managed in accordance with the approved assessment for the life-cycle of the development.

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: London Page 146 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.



- 9 Prior to the commencement of development, an assessment of opportunities to improve the energy efficiency from the GLA 'Be Lean' Stage for carbon reduction from the building to futureproof the development for low carbon operation shall be required to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the carbon reduction measures outlined shall remain in place for the lifetime of the development.  
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. 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.
- 10 Prior to the commencement of the development a Climate Change Resilience Sustainability Statement (CCRSS) shall be submitted to and approved in writing by the Local Planning Authority, that demonstrates that the development is resilient and adaptable to predicted climate conditions during the lifetime of the development. The CCRSS shall include details of the climate risks that the development faces (including flood, heat stress, water stress, natural capital, pests and diseases) and the climate resilience solutions for addressing such risks. The CCRSS will demonstrate that the potential for resilience and adaptation measures (including but not limited to solar shading to prevent solar gain; high thermal mass of building fabric to moderate temperature fluctuations; cool roofs to prevent overheating; urban greening; rainwater attenuation and drainage; flood risk mitigation; biodiversity protection; passive ventilation and heat recovery and air quality assessment to ensure building services do not contribute to worsening photochemical smog) has been considered and appropriate measures incorporated in the design of the building. The CCRSS shall also demonstrate how the development will be operated and managed to ensure the identified measures are maintained for the life of the development. The development shall be carried out in accordance with the approved CCRSS and operated & managed in accordance with the approved CCRSS for the life of the development.  
REASON: To comply with Local Plan Policy DM 15.5 Climate change resilience and adaptation.
- 11 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 Mayor of London Control of Dust and Emissions during Construction and Demolition SPG July 2014 (Or any subsequent iterations) to ensure appropriate plant is used and that the emissions standards detailed in the SPG are met. An 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.

- 12 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. 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.
- 13 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 T7 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.
- 14 Unless otherwise agreed in writing by the Local Planning Authority, archaeological evaluation shall be carried out in accordance with the

'Written Scheme of Investigation', MOLA, dated 07/02/2022, hereby approved, in order to compile archaeological records.

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.

- 15 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.
- 16 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.
- 17 Prior to the commencement of the development (except demolition), after RIBA Stage 4, a detailed Circular Economy Statement, to include a site waste management plan, shall be submitted to and approved in writing by the Local Planning Authority, that demonstrates that the Statement has been prepared in accordance with the GLA Circular Economy Guidance and that the development is designed to meet the relevant targets set out in the GLA Circular Economy Guidance. The end-of-life strategy of the statement should include the approach to storing detailed building information relating to the structure and materials of the new building elements (and of the interventions in order to distinguish the historic from the new fabric). The development shall be carried out in accordance with the approved details and operated & managed in accordance with the approved details throughout the lifecycle of the development.  
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 Plans: 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

construction work commencing in order to establish the extent of recycling and minimised waste from the time that construction start.

- 18 No work except demolition to basement slab level shall take place until an investigation and risk assessment has been undertaken to establish if the site is contaminated and to determine the potential for pollution in accordance with the requirements of DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

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

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

- 19 Within five working days of any site contamination being found when carrying out the development hereby approved the contamination must be reported in writing to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with the requirements of DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use must be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the remediation scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

- 20 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.
- 21 No development other than demolition shall take place until the detailed design of all wind mitigation measures and a tree planting plan 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 and location, 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.
- 22 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.

- 23 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, rainwater pipework, flow control devices, design for system exceedance, design for ongoing maintenance; surface water flow rates shall be restricted to no greater than 2 l/s from no more than one outfall, provision should be made for an attenuation volume capacity capable of achieving this, which should be no less than 84.9m<sup>3</sup>;
  - (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.

- 24 Prior to construction details for water saving features for to reduce water demand, and details for the rainwater harvesting and greywater collection systems, to include the location of tanks and areas/locations of use for the collected water, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To assist the environmental sustainability of the development and its resilience and adaptation to climate change in accordance with the following policies of the Local Plan: CS15, DM15.1, DM15.5

- 25 Prior to construction, details of opportunities for the provision of openable windows shall be submitted to and approved in writing by the Local Planning Authority. All development pursuant to this permission shall be carried out in accordance with the details approved and retained for the life of the development.

REASON: To assist the environmental sustainability of the development and its resilience and adaptation to climate change in accordance with the following policies of the Local Plan: CS15, DM15.1, DM15.5

- 26 Prior to construction, an updated Air Quality Neutral Assessment shall be submitted to and approved in writing by the Local Planning

Authority. All development pursuant to this permission shall be carried out in accordance with the details approved and all measures detailed in the report shall thereafter be maintained in accordance with the approved report(s) for the life of the building.

REASON: 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

- 27 Prior to commencement of works on the superstructure of the building, revised details of the bicycle storage area shall be submitted to and approved by the Planning Authority. The development shall be carried out in accordance with the approved amended drawings.

REASON: To ensure all cycle parking spaces are fully accessible, in accordance with policies of the development plan in particular policy DM 16.3.

- 28 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.

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

a) particulars and samples of the materials to be used on all external faces of the building including GRC columns and soffit, glazed brick tile with grout, finishing corner details, masonry fins, brick columns and spandrel panels, external bleacher steps, benches and planters, window and door frames, upper level surfaces, PCC metal, any tinted glass;

b) details of the proposed new facade(s) including typical details, materiality, dimensions of typical bays, fenestration, rooftop

- fenestration and ground floor visitor, cycle, accessible, vehicular entrances;
- c) typical details of stonework including expansion joints, fluted column detailing, soffit, 'fins' junctions with the ground and external public seating and planters;
  - d) details of ground floor elevations including servicing bay door and canopy, back of house UKPN entrance, bleacher steps and planters;
  - e) details of the flank wall(s) of the proposed new building including lighting, grouting, curved corner details, junction with soffit, pavement and adjoining premises;
  - f) hand rails and balustrades;
  - g) details of junctions with adjoining premises, to the public realm pavement;
  - h) details of the integration of window cleaning and any general equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level;
  - i) details of plant, ventilation and air-conditioning and ductwork to serve the development;
  - j) details of all ground level surfaces including materials to be used;
  - k) details of walkway surfaces including materials to be used;
  - l) measures to be taken during the period of demolition and construction for the protection of the trees to be retained and details of any pruning of the trees;
  - m) details of the arrangements for the provision of refuse storage and collection facilities within the curtilage of the site to serve each part of the development.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.

- 30 Before any works thereby affected are begun, details for measures to provide active frontages facing Jewry Street and Carlisle Avenue including window details and for maintaining views into communal and active areas, shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details, and shall be maintained for the life of the building.

REASON: To ensure the 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 in accordance with Local Plan Policy DM10.1.

- 31 All unbuilt surfaces, including amenity terraces, 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, including details of:
- (a) Tree planting, public seating and wind mitigation measures;



- (b) Irrigation;
  - (c) Provision for harvesting rainwater run-off from road to supplement irrigation;
  - (d) Spot heights for ground levels and planters and seating;
  - (e) Soil;
  - (f) Planting pit size and construction;
  - (g) Tree guards;
  - (h) Species and selection of trees including details of its age, growing habit, girth of trunk, how many times transplanted and root development. to be submitted to and approved in writing by the Local Planning Authority before any landscaping works are commenced.
- REASON: In the interests of visual amenity in accordance with the following policies of the Local Plan: DM10.1, DM19.2.

32 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.

33 Prior to the relevant works a final urban greening and biodiversity enhancement strategy shall be submitted to and agreed in writing with 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

34 Details of the position and size of the green wall(s)/ climber(s), green roof(s) and blue roof(s), the type of planting, the maintenance regime including fire strategy and the contribution of the green roof(s) to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any such works are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development.

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, and to ensure that the safety of future visitors to the development and surrounding uses through mitigating the risk of fire from the green roof in accordance with draft City Plan Policy S2 and London Plan Policy D12.

- 35 Notwithstanding the drawings hereby approved, the steps from Rangoon Street to the entrance of the building are hereby not approved, and 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) Full details of the steps from the building entrance from Rangoon Street and corner of Jewry Street including details of the design and layout, tree planting, and the interaction with public highway and building lines; and
  - b) Full details for accessibility and inclusive design including platform lifts, door furniture, manifestation, handrail design and positioning and contrast nosing for both building entrances.
- REASON: To ensure compliance with building lines and to ensure a satisfactory treatment at ground level and highway in accordance with the following policies of the Local Plan: DM10.1, DM10.8, DM16.2.
- REASON: To ensure compliance with building lines and to ensure a satisfactory treatment at ground level and highway in accordance with the following policies of the Local Plan: DM10.1, DM10.8, DM16.2.
- 36 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, semiexternal 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.
- 37 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.

- 38 Notwithstanding the details shown on the drawings, before any works thereby affected are begun, details of measures to prevent jumping or falling from the development shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be in place prior to occupation and remain in situ for the lifetime of the development.  
REASON: In the interests of safety in accordance with the following policies of the draft City Plan 2036: DE2 and DE5.
- 39 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 food and drinks uses. 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 food and drink use takes place.  
REASON: In order to protect residential/commercial amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 40 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.
- 41 No cooking shall take place within any hotel uses 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.
- 42 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

- 43 (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.
- 44 Prior to the installation of any generator, a report shall be submitted to show what alternatives have been considered including a secondary electrical power supply, battery backup or alternatively fuelled generators such as gas fired or hydrogen. The details of the proposed generator shall be submitted for approval. The generator shall be used solely on brief intermittent and exceptional occasions when required in response to a life-threatening emergency and for the testing necessary to meet that purpose and shall not be used at any other time.
- REASON: In order to ensure that the generator does not have a detrimental impact on occupiers of residential premises in the area and in accordance with the following policy of the Local Plan: DM15.6 and to maintain local air quality and ensure that exhaust does not contribute to local air pollution, particularly nitrogen dioxide and particulates PM10, in accordance with the City of London Air Quality Strategy 2019 and the London Plan Policies SI1 and SD4 D.
- 45 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.

REASON: 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.

- 46 No later than 3 months after completion of the building and prior to the development being occupied, a post-completion Circular Economy Statement shall be submitted to and approved in writing by the local planning authority to demonstrate that the targets and actual outcomes achieved are in compliance with or exceed the proposed targets stated in the approved Circular Economy Statement for the development.

REASON: To ensure that circular economy principles have been applied and Circular Economy targets and commitments have been achieved to demonstrate compliance with Policy SI 7 of the Publication London Plan.

- 47 Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the development being occupied (or if earlier, prior to the development being handed over to a new owner or proposed occupier,) the post-construction Whole Life-Cycle Carbon (WLC) Assessment (to be completed in accordance with and in line with the criteria set out in in the GLA's WLC Assessment Guidance) shall be submitted to the Local Planning Authority . The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

REASON: To ensure whole life-cycle carbon emissions are calculated and reduced and to demonstrate compliance with Policy SI 2 of the London Plan.

- 48 Within 6 months of completion details of climate change resilience measures must be submitted to the Local Planning Authority demonstrating the measures that have been incorporated to ensure that the development is resilient to the predicted weather patterns during the lifetime of the building. This should include details of the climate risks that the site faces (flood, heat stress, water stress, natural capital, pests and diseases) and the climate resilience solutions that have been implemented.

REASON: To comply with Local Plan Policy DM 15.5 Climate change resilience and adaptation.

- 49 A post construction BREEAM assessment demonstrating that a target rating of at least 'Excellent' 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

'Excellent' 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.

- 50 Details of a Hotel Management Plan to ensure the security and safety of visitors and staff at the development, and details for CCTV including for external cycle parking, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the hotel hereby permitted. The Management Plan must include details for the security arrangements for the publicly accessible spaces. The building facilities shall thereafter be operated in accordance with the approved Security Management Plan (or any amended Security Management Plan as may be varied from time to time by the Local Planning Authority) for the duration of the hotel use.  
REASON: To ensure that the development is secure from crime, disorder and terrorism in accordance with the following policy of the Local Plan: CS3.
- 51 Details of an Operational Management Plan demonstrating the arrangements for management of the building, including food and beverage activities at ground floor and the arrangements for guests that require blue badge car parking spaces and the arrangements for waste collection, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The building facilities shall thereafter be operated in accordance with the approved Operational Management Plan (or any amended Management Plan as may be varied from time to time by the Local Planning Authority) for the life of the building.  
REASON: To ensure that the development does not have an adverse impact on the amenity of the surrounding uses in accordance with the following policy of the Local Plan: DM11.3
- 52 No development shall be occupied until confirmation has been provided that either:  
-all water network upgrades required to accommodate the additional flows to serve the development have been completed; or  
-a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.  
REASON: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.
- 53 Prior to the occupation of any part of the building all exposed flank or party walls must be faced or treated and all surface areas at ground or

upper levels must be laid out, paved, planted, lighted and treated in accordance with details to be approved in writing by the Local Planning Authority before any such works are commenced and all development pursuant to this permission shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.

- 54 Prior to the occupation of any part of the building, the land between the existing building lines and the face of the proposed new building shall be brought up to street level, paved and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall not be fenced or otherwise enclosed or obstructed.

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

- 55 Prior to occupation of the hotel hereby approved an Accessibility Management Plan shall be submitted to and approved by the Local Planning Authority and this should include accessibility details for the publicly accessible spaces and management plan for the evacuation lift. The hotel shall only be operated in accordance with the approved management plan.

REASON: To ensure the hotel provides a fully accessible and inclusive facility in accordance with Policy DM10.8.

- 56 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.

- 57 The roof terrace on level 14 hereby permitted shall not be used or accessed between the hours of 22:00 on one day and 07:00 on the following day and not at any time on Sundays or Bank Holidays, 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.

- 58 No part of the roof areas except those shown as roof terraces on the drawings hereby approved shall be used or accessed by occupiers of the building, other than in the case of emergency or for maintenance purposes.

REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

- 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 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
- 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 A minimum of 5% of the long stay cycle spaces shall be accessible for larger cycles, including adapted cycles for disabled people.  
REASON: To ensure that satisfactory provision is made for people with disabilities in accordance with Local Plan policy DM10.8, London Plan policy T5 cycling, emerging City Plan policy 6.3.24.
- 63 Unless otherwise agreed in writing by the Local Planning Authority a minimum of 5 showers and 14 lockers shall be provided adjacent to the bicycle parking areas and changing facilities 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 cycle more convenient in order to encourage greater use of cycles by commuters in accordance with the following policy of the Local Plan: DM16.
- 64 The loading bay doors must be closed at all times when vehicles are loading or unloading.  
REASON: To ensure satisfactory arrangements for service delivery vehicles in accordance with the following policies of the Local Plan: DM11.3 and DM16.5.



65 Except as may be approved in writing by the Local Planning Authority the loading and unloading areas at ground floor level must remain ancillary to the use of the building and shall be available at all times for that purpose for the sole use of 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.

66 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.

67 Any servicing of the premises during the hours of 23:00 on one day and 07:00 on the following day from Monday to Saturday and between 23:00 on Saturday and 07:00 on the following Monday and on Bank Holidays shall only be undertaken within the confines of the dedicated premises loading bay located on Carlisle Avenue. Servicing includes the loading and unloading of goods from vehicles and putting rubbish outside the building.

REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM15.7, DM16.2, DM21.3.

68 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

69 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

70 The development must include provision for an evacuation lift.

REASON: To ensure compliance with London Plan Policy D5 regarding accessibility and fire safety.

71 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, as soon as in approved basement plan.

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.

- 72 Provision shall be made for disabled people to obtain access to the building via the principal entrance without the need to negotiate steps and shall be maintained for the life of the building.

REASON: To ensure that disabled people are able to use the building in accordance with the following policy of the Local Plan: DM10.8

- 73 A minimum of 10% of the hotel bedrooms within the development shall be wheelchair accessible as set out in the approved details.

REASON: To ensure the hotel provides a fully accessible and inclusive facility in accordance with Policy DM10.8.

- 74 The areas within the development marked as workspace on the floorplans at ground level hereby approved, shall be used for office purposes within Class E (g) 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 reenacting that Order with or without modification.

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 CS9.

- 75 A further set of doors must be fitted between Jewry Street and the main entrance and this extra set of doors shall be retained for the life of the premises. These doors must not be left open except in an emergency or for maintenance purposes.

REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

- 76 Unless otherwise approved by the Local Planning Authority, no plant or telecommunications equipment shall be installed on the exterior of the building, including any plant or telecommunications equipment permitted by the Town & Country Planning (General Permitted Development) Order 2015 or in any provisions in any statutory instrument revoking and re-enacting that Order with or without modification.

REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1

- 77 The development shall provide:  
456 sq.m (GEA) of office floorspace (Class E).

REASON: To ensure the development is carried out in accordance with the approved plans.

78 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:

6777-SRA-XX-00-DR-A-02001, Rev P04  
6777-SRA-XX-00-DR-A-02602, Rev P03  
6777-SRA-XX-01-DR-A-02603, Rev P01  
6777-SRA-XX-02-DR-A-02604, Rev P01  
6777-SRA-XX-02-DR-A-02605, Rev P01  
6777-SRA-XX-02-DR-A-02606, Rev P01  
6777-SRA-XX-05-DR-A-02607, Rev P01  
6777-SRA-XX-05-DR-A-02608, Rev P01  
6777-SRA-XX-05-DR-A-02609, Rev P01  
6777-SRA-XX-05-DR-A-02601, Rev P01  
6777-SRA-XX-05-DR-A-02610, Rev P02  
6777-XX-DRZZ-A-02621, Rev P01  
6777-XX-DRZZ-A-02622, Rev P01  
6777-SRA-XX-00-DR-A-02202, Rev P05  
6777-SRA-XX-01-DR-A-02203, Rev P04  
6777-SRA-XX-02-DR-A-02204, Rev P04  
6777-SRA-XX-02-DR-A-02212, Rev P01  
6777-SRA-XX-02-DR-A-02213, Rev P01  
6777-SRA-XX-02-DR-A-02213, Rev P04  
6777-SRA-XX-02-DR-A-02210, Rev P03  
6777-SRA-XX-B1-DR-A-02201, Rev P04  
6777-SRA-XX-RF-DR-A-02211, Rev P04  
6777-SRA-XX-XX-DR-A-02205, Rev P04  
6777-SRA-XX-XX-DR-A-02209, Rev P03  
6777-SRA-XX-XX-DR-A-02221, Rev P03  
6777-SRA-XX-XX-DR-A-02222, Rev P03  
6777-SRA-XX-XX-DR-A-02250, Rev P06  
6777-SRA-XX-XX-DR-A-02251, Rev P06  
6777-SRA-XX-XX-DR-A-02252, Rev P06  
6777-SRA-XX-XX-DR-A-02253, Rev P06  
6777-SRA-XX-XX-DR-A-02301, Rev P02  
6777-SRA-XX-XX-DR-A-02302, Rev P02  
6777-SRA-XX-XX-DR-A-02303, Rev P01  
6777-SRA-XX-XX-DR-A-02304, Rev P01.

REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning

## INFORMATIVES

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

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

-a full pre application advice service has been offered;

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

- 2 This approval relates only to the details listed above and must not be construed as approval of any other details shown on the approved drawings.
- 3 Any building proposal which includes catering facilities will be required to be constructed with adequate grease traps to the satisfaction of Thames Water Utilities Limited or their contractors.
- 4 The development will require Technical Approval for the extents oversailing the Highway and applicant must agree this with the landowner if not within their site.
- 5 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](http://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.

- 6 Regarding the public realm, the footways should have a footway clear zone of a preferred minimum of 2000mm and an absolute minimum of 1000mm. This is to comply with London Plan's Healthy Streets act.

- 7 Thames Water advice:

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online.

There are public sewers crossing or close to your development. If you're planning significant work near Thames Water sewers, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other

way. The applicant is advised to read the Thames Water guide working near or diverting their pipes.

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read the Thames Water guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near Thames Water pipes or other structures.

As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information.

There are water mains crossing or close to your development. Please note that Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near Thames Water mains (within 3m), Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read the Thames Water guide working near or diverting their pipes.

# Comments for Planning Application 21/00826/FULMAJ

## Application Summary

Application Number: 21/00826/FULMAJ

Address: Boundary House 7 - 17 Jewry Street London EC3N 2EX

Proposal: Demolition of the building and the erection of a basement, ground plus part 14 storey and part six storey building plus plant comprising of a 311 bedroom hotel with a ground floor cafe/bar and roof top restaurant (Use Class C1) and office floorspace (Use Class E) at part ground and part first floor with ancillary community uses, hard and soft landscaping, cycle parking and associated works. |cr||cr|(RECONSULTATION DUE TO AMENDMENTS TO THE APPLICATION AND RECEIPT OF ADDITIONAL INFORMATION).

Case Officer: Pearl Figueira

## Customer Details

Name: Mr Leopold Deliss

Address: FLAT 76, GILBERT HOUSE, LONDON

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I rarely read the notices posted in the press by The City of London, but did in the case of the above application.

I object to the demolition of this building both on aesthetic grounds and on environmental grounds.

There are few modernist post war buildings left, and they should have some protection against venal developers.

Equally important and currently vital, is the environmental impact of demolishing existing large buildings to replace them with newly created materials; concrete, glass metal etc. Refitting buildings creates as much work for the labour force, just not at the expense of the environment.

We have to stop wasting resources like this to satisfy the greed of developers, whether they be overseas or national.

# Comments for Planning Application 21/00826/FULMAJ

## Application Summary

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Case Officer: Pearl Figueira

## Customer Details

Name: Mrs Jane Luca

Address: 4 Parkside Lane, Mellor Mellor Stockport

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Other

Comment: I am writing to inquire why we only received a letter regarding these plans on 7 April 2022 inviting comments within 21 days when there clearly has been lots of correspondence about these proposals on this website but our attention was not drawn to them.

As residents at 27 Minories we would have appreciated more notice. We would like to know what impact this development will have to the sewers in the vicinity.

Thank you

Jane Luca



**From:** [PlnComments@cityoflondon.gov.uk](mailto:PlnComments@cityoflondon.gov.uk)  
**To:** [PLN - Comments](#)  
**Subject:** Comments for Planning Application 21/00826/FULMAJ  
**Date:** 21 June 2022 21:41:56

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## Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 21/06/2022 9:41 PM from Mr Richard Foley.

### Application Summary

Address: Boundary House 7 - 17 Jewry Street London EC3N 2EX

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Proposal: Demolition of the building and the erection of a basement, ground plus part 14 storey and part six storey building plus plant comprising of a 311 bedroom hotel with a ground floor cafe/bar and roof top restaurant (Use Class C1) and office floorspace (Use Class E) at part ground and part first floor with ancillary community uses, hard and soft landscaping, cycle parking and associated works. |cr|cr|(RECONSULTATION DUE TO AMENDMENTS TO THE APPLICATION AND RECEIPT OF ADDITIONAL INFORMATION).

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Case Officer: Pearl Figueira

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[Click for further information](#)

### Customer Details

Name: Mr Richard Foley

---

Email:

---

Address: 31 Jewry Street London

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### Comments Details

Commenter Type: Neighbour

---

Stance: Customer objects to the Planning Application

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Reasons for comment: - Other

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Comments: The Portal Trust, the freehold owner of 31 Jewry Street wishes to lodge its objection to this proposed development. This is because it will adversely affect our rights of light owing to the proposed height of the new building.

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Kind regards

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# Agenda Item 5

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	19 July 2022
<b>Subject:</b> 347 Crescent House, Golden Lane Estate, EC1Y 0SN Alterations to and replacement of existing single-glazed windows and framing structure for a temporary period of 2 years to sequentially test double and triple glazing options	<b>Public</b>
<b>Ward:</b> Cripplegate	<b>For Decision</b>
<b>Registered No:</b> 22/00322/FULL	<b>Registered on:</b> 26 April 2022
<b>Conservation Area:</b> Barbican and Golden Lane Estates	<b>Listed Building:</b> Grade II Star

## Summary

Planning permission and listed building consent are sought for the replacement of the existing single glazed windows with triple glazed windows to Flat 347, Crescent House, for a 2-year temporary period. The application seeks to test different options for the windows with a sequential approach; first installing double glazing into the existing frames as an intermediate measure prior to the installation of the triple glazing.

Initially the existing timber/metal single glazed windows would be stripped, and all related elements would be inspected and recorded. As an intermediate step the single glazing would be removed, and the timber frames adapted to accommodate double glazing in a manner which seeks to replicate the current window detail as closely as possible. Following installation, there would be a review of the impact on heritage and performance testing to include acoustic, thermal and general weather tightness and a stakeholder review of the double-glazing details to include residents, CoL Planning Officers, Historic England and the Twentieth Century Society. Following this the double glazing would be removed. The existing frames would be removed, inspected and stored for the temporary period. Triple glazed windows would then be installed. This would then be followed by a review of the impact on heritage and performance testing to include acoustic, thermal and general weather tightness and a stakeholder review of the triple glazing details to include residents, CoL Planning Officers, Historic England and the Twentieth Century Society. At the expiry of the two-year temporary period, the outcomes of the testing would be used to inform the next steps in the Crescent House window project. If the intervention of double or triple glazing is deemed to be unacceptable as part of the options testing, this would be removed, and

the historic fabric/single glazing would be repaired and replicated as required and reinstalled.

Listed Building Consent is also sought for new thermal internal insulation to the internal west elevation (Goswell Road) including the roof of the bay window.

The site is in the Barbican and Golden Lane Estates Conservation Area and is a Grade II\* listed building. The wider Golden Lane Estate is Grade II listed. The Golden Lane Estate is on the Register of Historic Parks and Garden Landscape of Special Interest, designated at grade II.

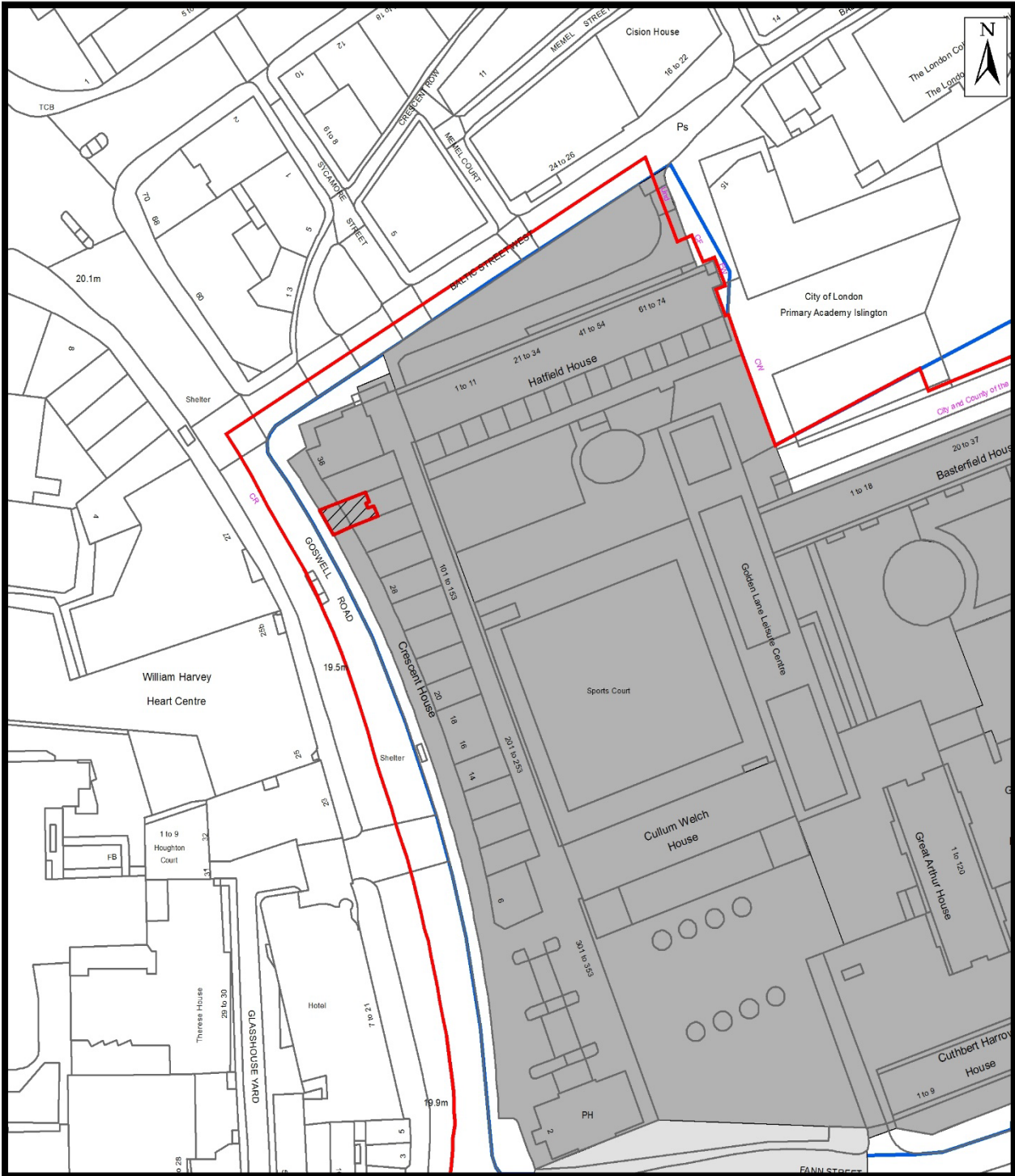
42 objections have been received which are addressed in the ensuing report.

The proposals for double glazing and triple glazing would result in a very slight level of less than substantial harm to the heritage significance of Crescent House and a negligible level of less than substantial harm to the Barbican and Golden Lane Conservation Area which it contributes to. This harm is primarily due to the temporary removal/alteration of historic fabric of high significance, which the applicants anticipate will require repair. Paragraph 200/202 of the NPPF requires this harm to have clear and convincing justification, and to balance this harm against the public benefit. Officers consider that the harm would be demonstrably outweighed by the benefits of the proposals, which include informing the long-term sustaining of a designated heritage asset and improved quality of living and wellbeing for leaseholders and social tenants, and the requirements of paragraph 202 are met. This conclusion is reached whilst attributing great weight and considerable importance, to the relevant statutory tests under s.16, s.66 and s.72 of the Act.

### **Recommendation**

(1) That Planning Permission 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:  
347 Crescent House, Golden Lane Estate

CASE No.  
22/00322/FULL

-  SITE LOCATION
-  AREA WITHIN OWNERSHIP OF APPLICANT
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY
-  CITY OF LONDON BOUNDARY



ENVIRONMENT DEPARTMENT



Photographs



Image 1 – Crescent House, Goswell Road elevation





Image 2 – Flat 347 (Goswell Road elevation) to top





Image 3 – Close up of Flat 347 (Goswell Road)



Image 4 – Flat 347 lightwell elevation





Image 5 – close up of lightwell elevation window



Image 6 – internal view of Flat 347 Goswell Road windows





Image 7 – internal view of flat 347 lightwell windows



Image 8 – internal view of flat 347 vaulted window



Image 9 – internal view of Flat 347 Oriel window





Image 10 – example ironmongery in Flat 347



Image 11 – typical profiling of Goswell Road window frames

## Main Report

### Site and Surroundings

1. Crescent House is part of the Golden Lane Estate, constructed between 1958 and 1962 to designs by Chamberlin, Powell and Bon, of later renown for their Barbican Estate. Crescent House fronts Goswell Road, with its primary façade curving (as its name would suggest) to follow the street alignment.
2. Crescent House sits on the boundary between the City of London and London Borough of Islington, although the works would have no impact on the neighbouring borough.
3. The Golden Lane Estate comprises Crescent House, Hatfield House, Cullum Welch House, Basterfield House, Stanley Cohen House, Bayer House, Bowater House, Cuthbert Harrowing House, and Great Arthur House, Community Centre, Sports Centre and landscape setting.
4. With the exception of Crescent House which is listed at Grade II\*, the rest of the Estate was listed at Grade II in 1997. Crescent House is designated Grade II\* separately from the rest of the Estate as it illustrates the pivotal role, in built form, the development of Chamberlin, Powell and Bon's ideas had in the evolution of post war architecture in Britain.
5. The Estate is also a Designated Landscape (Registered Historic Park and Garden) at Grade II referred to in the report as a registered park and garden.
6. The 'Site' also sits within the Barbican and Golden Lane Estate Conservation Area (BGLE Conservation Area).
7. The 'Site' is also within the Culture Mile, although this has no bearing on the works.
8. There are no other designations or constraints relevant to the Site or the proposals.
9. The Golden Lane Estate is in residential use with retail units at ground floor level of Crescent House. There are 159 flats within Crescent House.
10. The 'Site', Flat 347 Crescent House is on the third floor and has elevations facing west onto Goswell Road and east into the internal lightwell for the block. It is a studio flat of around 39m<sup>2</sup>.

### **Relevant Planning History**

11. There is no planning history relevant to Flat 347 Crescent House.
12. The only application relating to replacement of windows within Crescent House is 13/00875/LBC (approved 24.10.2013) relating to 119 Crescent House. The application was for 'retention of double-glazed units installed into existing hardwood window frames throughout the flat'. The alterations to the windows were not considered to be detrimental to the special architectural or historic interest of the listed building and were approved following their initial unauthorised installation.

### **Background to the Proposal**

13. The City of London Corporation's Department of Community and Children's Services, as the 'Applicant', has for the past two years been working towards upgrades to all windows across the Golden Lane Estate as part of the wider strategic objectives of the Climate Action Strategy.
14. Given the number of different buildings and therefore window typologies across the Estate, the project has been broken down, starting with Crescent House.
15. Consultation on the proposals for Crescent House has been ongoing for the past two years with residents and other key stakeholders including Historic England and the Twentieth Century Society.
16. Throughout 2021, optioneering for the windows was discussed with the key stakeholders, including the option of refurbishing the existing single glazed windows, installing double-glazing into the existing frames, and replacement of the windows and framing to install triple glazing.
17. The work has now culminated in the pilot project before us under this application, which involves the works described above – changing windows, on a temporary basis, in flat 347, to inform the wider works in the future.

### **Current proposals**

18. The Applicant is the City of London, and a Handling Note has been prepared in accordance with the Handling Arrangements Procedure.
19. As above, planning permission and listed building consent are sought for the replacement of the existing single glazed windows with triple glazed on a temporary basis for two years. As an intermediary measure, double glazing would be installed into the existing frames to test options and inform the future

project. Listed building consent is also sought for the installation of internal insulation.

20. The applications were originally for a 5-year temporary period, but this has since been reduced to 2 following concerns over the length of time the trial windows would be in situ.
21. According to the application submission, it is intended that the work to the windows is carried out in broadly the following sequence:
  - a) Record, inspect and assess the condition of the existing timber frames
  - b) Strip the timber frames of their existing finish and glazing, to establish their condition
  - c) Expose the windows' fixings and their supporting structure, to establish the condition of the building fabric and its ability to accommodate the new window and fixings
  - d) Assess how best to work on the windows and how best to remove them
  - e) Try to increase rebates of the timber and metal frames to add double glazing
  - f) If the metal windows cannot be adapted, to insert new double-glazed equivalents to replace the existing profiling as closely as possible.
    - g) Allow all key project stakeholders (residents, planners, Historic England, 20th Century Society, Building Control) to inspect, review and feedback on the proposals
  - h) Assess visual and aesthetic impact and undertake performance testing
  - i) Remove the existing structural components, frames and windows
  - j) Install new triple glazed windows
  - k) Install internal thermal insulation
  - l) Make good
  - m) Allow all key project stakeholders (residents, planners, Historic England, 20th Century Society, Building Control) to inspect, review and feedback on the proposals.
  - n) Performance testing to assess the success of the installation against predicted performance
  - o) Whether double glazing in existing frames or triple glazing in new frames is the final preferred option, should it be determined at the end of the temporary permission that the windows must be returned to their existing, single-glazed state, historic timber frames would be reinstalled or replicated in terms of the profiles and glazing of the existing windows, like for like. Any damage to the finishes such as plasterwork would also be made good.



22. Listed Building Consent is also sought for internal insulation. The insulation is proposed to be installed to the thermal bridges at greatest risk of condensation, with only the minimum amount of insulation required being installed to minimise the impact on the historic building fabric.

### **Consultation**

23. As this is not a major planning application, the applicant does not need to provide a Statement of Community Involvement.
24. However, the applicant has undertaken stakeholder engagement since the projects' inception. The website for the project ([goldenlanewindows.site](https://goldenlanewindows.site)) shows the consultation that has been carried out over the past two years including formal public consultation events (in person and online) in September 2021 and November 2021, a letter regarding the pilot project sent to residents in March 2022, and the setting up of a Residents' Liaison Group which met initially on 4 April 2022, and again on 26 May 2022 and 23 June 2022 following submission of the application for the pilot. The applicant has advised that there will be hybrid Residents Liaison Group meetings on the fourth Thursday every month going forward.
25. As part of the current application, the City of London Corporation acting as the Local Planning Authority ('LPA') has undertaken consultation with neighbouring residents in line with statutory duties. This includes a further consultation exercise upon receipt of additional information and an amended description of development.
26. Neighbour letters were sent to all properties within Crescent House; site notices (for both the planning and listed building consent applications) were erected in 6 different locations around the wider Golden Lane Estate; the applications were advertised via press notice and the 'weekly list'.
27. A letter sent to the City Police from a local resident has been forwarded to the local planning authority which included a photo of the planning application site notice, albeit that it doesn't appear to be a representation in response to the planning and listed building applications. Officers are satisfied that the report addresses all material planning considerations in respect of the proposal.
28. The application for planning permission was taken before the Conservation Area Advisory Committee who raised no objection to the proposals.
29. Historic England and the Twentieth Century Society were also consulted, continuing the pre-application engagement with them. The Golden Lane Estate Residents Association and the Golden Lane Tenants Forum were also consulted. Comments from statutory consultees should be given great weight.

30. Copies of all received letters and emails 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.

<b>Consultation Response</b>	
<b>Twentieth Century Society</b>	<p>Objection.</p> <p>The Society was involved in pre-application discussions with the applicant and the LPA about the proposed façade renewal work and have since been on site again to inspect the windows in flat 347 and to discuss the pilot application and overall scheme with the project team.</p> <p>The Society understands and accepts that the original windows at Crescent House are now sixty years old and require significant refurbishment. They also appreciate that the City wishes to improve the environmental performance of the building.</p> <p>However, they consider the quality of the original very substantial hardwood sections as extremely high and consider that the windows have survived well. The Society would prefer a solution that retains as much of the original fabric of the windows as possible.</p> <p>Rather than using the trial project as an opportunity to construct a triple glazed solution across the whole bay, the Society recommended that a hybrid exploratory project is undertaken, with double glazing inserted into some panels within the existing frames and triple in others.</p>
<b>Officer Response to Comments</b>	<p>The applicant has responded to these comments, and notes that the response from the Society does not outline how they view the proposals to be contrary to any relevant part of the NPPF.</p> <p>With regards the Society's request for a hybrid proposal for the installation of double glazed panes into some existing window frames and the replacement of other windows positioned within the projecting bays with triple glazed units, double glazing is still being tested as part of the pilot following removal of the existing single glazing, but it would not be useful to have both double glazing panels and triple glazing panels in the same window as it would not make for the most efficient testing for thermal, acoustic, air and weather tightness given the varying conditions.</p>
<b>Historic England</b>	<p>Historic England acknowledge that Crescent House, and the Goswell Road elevation in particular, is in need of repair. There are provisions with the Golden Lane Listed Building Management Guidelines SPD for repairs and best practice.</p>

	<p>Historic England consider that the provisions have been followed in developing the pilot project for Flat 347 window repairs.</p> <p>They are supportive of the work in principle as part of the on-going discussions to secure a long-term solution to the performance challenges of this building. They expect to be involved in the review of the pilot along with other stakeholders before a final solution is agreed.</p> <p>They acknowledge that the proposals would result in some potential loss of historic fabric in one flat. However, they acknowledge the method statement states that if triple-glazed windows are deemed to be unsuitable, steps will be taken to return the windows to their existing appearance as far as possible, and are satisfied that these works are a reasonable next step in the scoping of the repairs project.</p> <p>They consider it is also important that performance issues such as heating and ventilation are addressed as part of a holistic approach to the repair of the building.</p> <p>Historic England consider that the application meets the requirements of the NPPF, in particular paragraph numbers 200 and 202.</p>
<b>Officer Response to Comments</b>	<p>Noted.</p> <p>The applicant has advised that triple glazing has been chosen as it can give the greatest improvements in heating, ventilation and other performance issues over the existing windows or the double-glazing refurbishment option. Heating and ventilation, amongst other things, will be tested in situ as part of the pilot project and it is all secured by condition.</p>
<b>Conservation Area Advisory Committee</b>	No objection.
<b>Officer Response to Comments</b>	Noted. No further action needed.
<b>Golden Lane Estate Residents Association</b>	Objection not in principle but in content. Concerns over lack of constructive engagement with applicant. Concerns over impact of proposals on the listed building. Concerns over resident welfare.
<b>Officer Response to Comments</b>	The applicant is understood to have undertaken considerable engagement with residents of Crescent House throughout the pre-application process. Assessment of the

	impact of the proposals on the listed building below under <i>Design and Heritage</i> section. Assessment of the impact of the proposals on the welfare of residents below under the <i>Amenity</i> section.
<b>Golden Lane Tenants Forum</b>	No response received.
<b>Officer Response to Comments</b>	N/A

31. 42 no. objections have been received in total across the planning and listed building consent applications. These are summarised below.

<b>Representations (Objection)</b>
<p>Why triple glazing is the preferred option over double glazing.</p> <p><b>Applicant Response:</b> Double glazing is still being tested as part of the pilot project, but triple glazing has been chosen for the main element of the trial as it is the option that could offer the most significant benefits to residents with particular focus on energy efficiency and improved health and wellbeing through reduced noise impacts, better air and weather tightness and reduction in condensation and mould.</p> <p>The applicant has also stated that triple glazing represents the best long-term cost out of the refurbishment options, with their cost consultants calculating that the whole life cycle costs over 25 years for (a) refurbishing the existing windows and replacing with double glazing is £11.49million, whereas (b) replacing the windows with triple glazing is £10.72million.</p>
<p>Request for mock-ups of alternative options.</p> <p><b>Officer Response:</b> Prior to the triple glazing being installed, the applicant would be exploring options to refurbish the existing windows and install double glazing. The double glazing would be inspected on site by the Local Planning Authority and stakeholders and is secured by condition.</p>
<p>Why is an overhaul of the heating system and/or additional information not included in the pilot?</p> <p><b>Officer Response:</b> The applicant has stated that these works are being looked into separately, but the work they have undertaken to date indicates that the majority of heat is lost through the glazing so therefore the glazing is being addressed first.</p>
<p>Concerns over construction – noise nuisance and displacement and impact on resident wellbeing.</p> <p><b>Officer Response:</b> Flat 347 is currently unoccupied so there will be no displacement of residents within. The construction methodology for any future projects is not a material consideration in respect of this application; however, by undertaking the pilot project the applicant has stated that they will be able to</p>

better understand how to undertake future works whilst keeping disruption to residents to a minimum. A Scheme of Protective works is secured by condition to ensure the amenity of neighbours is safeguarded throughout the deconstruction and construction processes in regard to noise nuisance, odour, dust etc.

Concerns over the loss of historic fabric and detailing, and general heritage concerns with regards the Listed Building Management Guidelines.

**Officer Response:** This is covered in the body of the report below. It should also be noted that Historic England have raised no objection to the works, considering them to be in accordance with repair as outlined in the Listed Building Management Guidelines and with paragraphs 200 and 202 of the NPPF.

Concern that the proposals do not follow what residents have been requesting during previous engagement with the applicant.

**Officer Response:** As discussed above, all options are being pursued through the trial, with the triple glazing being the final step in the process.

Concern over reduction in floor area from the proposals.

**Applicant Response:** The total floor area of the flat would be reduced by only 0.07m<sup>2</sup> (0.18% reduction) from the windows and the insulation works, which would not be noticeable to occupiers.

Concerns over appearance of the triple glazed units including detailing and uniformity on the rest of the building.

**Applicant Response:** The purpose of the pilot project is to test all options for the windows, including refurbishing and adding double glazing to the existing frames. It is also being used to refine detailing on any new windows proposed, so they can match the existing as closely as possible.

The applicant has stated, and the drawings show, that the replacement frames are 5mm deeper (front to back) and the same depth (top to bottom) as the existing, with a single additional section of framing required to the opening light in the vaulted window. The internal beading would be reduced to accommodate the triple glazing, with the pivoting windows requiring an additional internal bead to improve air and weather tightness. The internal profiles would maintain the shadow gaps.

With regards to uniformity, at the end of the temporary period the windows would either be reinstated as existing (single glazing), or replacement windows could be rolled out across Crescent House (subject to further applications for planning and listed building consent). So, ultimately windows to Crescent House (at the end of the temporary period) will either all revert back to single glazing, therefore maintaining uniformity, or they will all be replaced or refurbished depending on the outcome of the trial, therefore also maintaining uniformity.

<p>Concern over temporary nature of permission/consent and whether existing windows could be reinstated.</p> <p><b>Officer Response:</b> The existing windows would be removed as carefully as possible but at this stage it is not known whether there is hidden rot. A methodology for their removal and details of their safe storage is required by condition. If at the end of the trial period the existing windows are to be reinstated (if a subsequent application for planning permission and listed building consent is not made and approved) but they are in a condition which means they cannot be, the condition also covers details of any new works and works of making good required to ensure that any replacement single glazed windows match the existing.</p>
<p>There is no certainty that total façade replacement would be feasible, affordable, or a desired solution for the whole building.</p> <p><b>Applicant Response:</b> The applicant states that considerable work has been undertaken thus far to establish this, and the trial project is the next step.</p>
<p>Concerns over carbon footprint (loss of embodied carbon) resulting from the proposals.</p> <p><b>Officer Response:</b> Embodied carbon is of course an important consideration, but we must also look at Whole Life Cycle Carbon and the energy improvements that can be achieved through other options. This is covered in the main body of the report.</p>
<p>Comments that the condition of the windows is satisfactory to allow for their retention according to the Hallas window survey.</p> <p><b>Applicant Response:</b> The applicant has stated the pilot project seeks to fully establish the condition of one set of frames. It is not possible to fully understand the condition of the timber in-situ, for example it is known that water tracks under the cills of the windows. Given the depth of the frame sections it is entirely possible for there to be degradation of the frames in unseen areas.</p>
<p>Queries regarding the retention of the ironmongery.</p> <p><b>Officer Response:</b> The existing ironmongery, according to the applicant, cannot be re-used in the triple glazing option due to its weight and that it is also incompatible with the multi-point locking mechanism of the new windows. A full photographic and condition survey of the existing ironmongery is secured by condition. The ironmongery would be reused for the double-glazing installation.</p>
<p>Queries in regard to the acoustic benefits from the triple glazing.</p> <p><b>Officer Response:</b> This is discussed in the main body of the report; however, to summarise, an acoustic survey has been carried out in flat 347 prior to the works, and will be tested again once the double glazing, and later the triple</p>

glazing, is installed. Triple glazing provides noise reduction of 37db whereas typically single glazing provides noise reduction of 29dB.

32. 1no. letter of support has been received, as summarised below.

**Representations (Support)**

I support the planning application to install triple glazing to replace existing single glazed windows, together with the installation of insulation on interior walls.

Once the project is implemented, it will help alleviate the annoying traffic noise that I personally find it unbearable. It will also protect against the draught, especially during the winter season. This would save energy costs.

**Policy Context**

33. The development plan consists of the London Plan 2021 and the City of London Local Plan 2015. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.
34. The City of London has prepared a draft plan, the City Plan 2036, which was published for Regulation 19 consultation in early 2021. Onward progress of the Plan has been temporarily paused to enable further refinement, but it remains a material consideration in the determination of applications (although not part of the development plan) alongside the adopted 2015 City of London Local Plan and the London Plan 2021. The Draft City Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.
35. Government Guidance is contained in the National Planning Policy Framework (NPPF) July 2021 and the Planning Practice Guidance (PPG) which is amended from time to time.
36. There is relevant GLA supplementary planning guidance and other policy in respect of: GLA supplementary planning guidance and other policy in respect of: Sustainable Design and Construction SPG (GLA, September 2014), Control of Dust and Emissions during Construction and Demolition SPG (GLA, September 2014), London Environment Strategy (GLA, May 2018), Shaping Neighbourhoods: Character and Context (GLA June 2014).
37. Relevant City Corporation Guidance and SPDs comprises: Barbican and Golden Lane Conservation Area Appraisal (CoL 2022) and Golden Lane Estate Listed Building Management Guidelines (CoL 2013).

### **Considerations – relevant statutory duties**

38. 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, local finance considerations so far as material to the application, and to any other material considerations. (Section 70 Town & Country Planning Act 1990); and
  - to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
39. 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). This duty must be given considerable weight and importance when weighing any harm to the setting of a listed building in the balance with other material considerations.
40. In determining a planning application for a building or land in the Barbican and Golden Lane Estates Conservation Area, special attention must be paid 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).
41. In considering the application for Listed Building Consent special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S16(2) Planning (Listed Buildings and Conservation Areas) Act 1990).
42. The National Planning Policy Framework (NPPF) states at paragraph 2 that “Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”.
43. The NPPF states at paragraph 8 that achieving sustainable development has three overarching objectives, being economic, social, and environmental.
44. Paragraph 10 of the NPPF states that “at the heart of the Framework is a presumption in favour of sustainable development. That presumption is set out at paragraph 11. For decision-taking this means:
  - (a) approving development proposals that accord with an up-to-date development plan without delay; or



- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 45. 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).
- 46. Chapter 8 of the NPPF seeks to promote healthy, inclusive, and safe places.
- 47. Paragraph 92 states that planning decisions should aim to achieve healthy, inclusive, and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles.
- 48. Chapter 12 of the NPPF seeks to achieve well designed places. Paragraph 126 advises that “The creation of high quality, beautiful and sustainable 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 126 advises that “The creation of high quality, beautiful and sustainable 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.”
- 50. Paragraph 130 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.

51. Chapter 14 of the NPPF relates to meeting the challenge of climate change. Paragraph 152 states that the planning system should support the transition to a low carbon future in a changing climate. It should help to; shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including conversion of existing buildings.
52. Paragraph 154 states that new developments should avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures.
53. Chapter 16 of the NPPF relates to conserving and enhancing the historic environment.
54. Paragraph 195 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.
55. Paragraph 197 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."
56. Paragraph 199 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.
57. Paragraph 200 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. 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.
58. Paragraph 202 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 or any features of special architectural or historic interest which it possesses.
59. The Golden Lane Estate Listed Building Management Guidelines SPD 2013 sets out the significance of the Golden Lane Estate and Crescent House in detail. Section 4.2.2 sets out the best practice guidance for the restoration of the windows. The Barbican and Golden Lane Estate Conservation Area Appraisal 2022 describes the character and appearance and significance of the Conservation Area.

#### **Considerations in this case**

60. In considering this planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
61. The principal considerations in this case are:
- The extent to which the proposals comply with the development plan
  - The extent to which the proposals comply with the NPPF
  - The impact of the development in design and heritage terms including special architectural and historic interest and heritage significance of Crescent House, the character and appearance and significance of the Barbican and Golden Lane Conservation Area and the significance of the Golden Lane Registered Landscape.
  - The impact of the proposal in terms of energy and sustainability
  - The impact of the proposed development on the amenity of residential occupiers, both within and adjacent to Flat 347 with regards noise, access to daylight and sunlight, and general amenity.

## **Design and Heritage**

### **Direct Impacts on heritage**

#### **Crescent House (Grade II\*):**

##### *Heritage significance*

62. In 1997 the whole of Golden Lane Estate was listed, including the landscaping and public areas at Grade II but Crescent House was separately listed at Grade II\* due to its progressive influence on post war architecture in Britain and for the sophistication with which the contrasting materials and geometry of the façade are handled. Crescent House has considerable historic, architectural, and artistic values.

##### Historic Interest

63. Crescent House is integral to the Golden Lane Estate. The Estate, completed in 1962 designed by Chamberlin, Powell and Bon (CPB), was an ambitious project of post-World War 2 rebuilding to provide homes for professionals in a devastated area to the north of St Paul's Cathedral.
64. The Estate as a whole was influenced by pre-war architecture and planning schemes of Le Corbusier. This scheme pioneered new philosophies of Modernist Planning, high rise density, formal prescriptive urban design to minute detail and the removal of roads in preference for a new type of network with hard landscaping and community facilities. Golden Lane Estate and Crescent House are important in the redevelopment of this part of the City and contribute to the evolution and narrative of social housing in London.
65. Crescent House was completed last and was the most experimental of the distinctive blocks. Crescent House contains 159 apartments, shops and a public house and when built set a new pattern for high density housing at a modest height. The mixed-use block was seminal in the work of the acclaimed practice Chamberlin, Powell and Bon, reflecting late-Corbusian language. The ideas explored in Crescent House were highly influential serving as a clear precursor to the work of CPB for the Barbican Estate and towards New Brutalism.

##### Architectural and Artistic Interest

66. Crescent House is universally regarded as progressive in style and construction and makes a departure from the earlier curtain walling to the Golden Lane Estate. It is a defining element of the Estates special architectural interest. Unlike the other residential blocks in the Estate, Crescent House deviates from the grid plan as its canopy follows the sweep of the curve of Goswell Road on its west elevation and, like Great Arthur House, comprises two rows with the row along

the east elevation following the grid pattern inside the wider estate. The Goswell Road elevation is of particularly high significance with its distinctive stepped profile. The detailing is experimental, comprising a reinforced concrete construction with mosaics to slab edges, tile clad pilotis, muroglas spandrel panels, and sapele hardwood pivoting centrally hung casements and some crittall side panels. The barrel-vaulted roofscape is perforated by lightwells along the length of the building. Internal corridors run the length of the building at first, second and third floor levels, with the latter under the light wells. The inner courtyard elevation takes a much simpler form with a combination of crittall metal and soft windows to kitchens and bathrooms set under the continued barrel vaulted roofscape.

67. The flat interiors were carefully planned to maximise the use of space and light within compact units. Flat 347 is located at third floor level towards the northwest directly facing Goswell Road. It is a studio flat with a partitioned sleeping area typical of apartments in the building. As a third floor flat it has a vaulted concrete roof and arched fanlights on both the living room and kitchen side. The interior is relatively plain and compact with a series of different window types both timber (sapele and softwood), and aluminium, muroglas panels, Georgian wire and clear glazing, projecting bay in the living area and ingenious integrated bookshelf designed into the original fit out.
68. Crescent House is unique in terms of style and innovation and has significant artistic and architectural values individually. and makes an important contribution to the overall Golden Lane Estate masterplan and to the settings of other listed buildings within the complex.

#### Archaeological values

69. The designated heritage asset does not have any identified archaeological values.

#### *Justification and detailed proposals*

70. NPPF para 200 requires clear and convincing justification to support listed building consent where there is harm or loss to significance. It is clear the existing windows, which are 60 years old, need to be upgraded due to their poor condition, particularly windows on the exposed Goswell Road elevation.
71. There is a pressing need to improve thermal performance due to the buildings age and lack of insulation within its fabric, occupants have been experiencing high fuel bills, condensation, and fluctuating internal temperatures.
72. Consultation objections refer to the Hallas Survey Report 2020 which is on the applicant's public website for the project, but this is not included as part of the application. The conclusion in the Hallas report identified most defects as wet rot

on the Goswell Road elevation bay windows. The report considers the project is urgent due to public safety and the severe and progressive nature of the defects. The report estimates 95% of historic timber is in situ. The report however is only an observational survey. The pilot project would provide more detail regarding the possibilities for alterations and adaptations, and is considered an essential part of the further assessment to find a sensitive and optimum long-term solution for Crescent House.

73. The pre-application discussions have been extensive and have included Historic England, Twentieth Century Society and CoL planning officers. Through this process the significance of the original windows has been assessed, as well as the nature of the failings and scoping of repair methods and/or replacement.
74. The proposals are a considered and methodical approach with an overarching ambition to find the best solution which balances the demands of heritage, climate change and social wellbeing to sustain and secure the future of Crescent House. The proposals would impact a single apartment and are intended to explore the art of the possible to inform the ongoing discussions to secure long terms solutions to performance challenges across Crescent House. The work builds on the work already undertaken at Great Arthur House to replace the failing façade.
75. A step-by-step process is proposed to analyse the existing fabric of Flat 347 Crescent House to the kitchen, bathroom and living room windows: stripping back and condition assessment; testing in situ double glazing options including the reuse of existing window frames ; testing removal and replacement to Goswell Road west elevation to incorporate triple glazing and insulation, and triple glazing to the windows on the courtyard/east elevation.
76. At each stage there would be recording, analysis and opportunities for stakeholders to review the double glazing and triple glazing proposals. Following site investigations and a condition survey, a methodology statement would be required for dismantling, storage and repairs for all components including timber, glazing and associated ironmongery. The methodology and work for all stages would be conditioned to be undertaken by an appropriate expert. The double and triple glazing components would be inserted to be reviewed by Twentieth Century Society and Historic England, and other stakeholders.
77. The double-glazing intervention works would be undertaken in situ and consist of the following:

Living Room, kitchen and bathroom windows

- Adjusting the existing sapele and metal window rebates to accommodate double glazed units with grey spacer

- If the existing pivoting metal windows cannot be retrofitted, then new double-glazed metal-framed equivalents would be installed
  - Softwood timber windows in the kitchen and bathroom would be adapted to accommodate double glazing
  - Georgian wire glass replaced with acoustic clear glazing
  - New beading
  - Ironmongery would be retained and reused
78. The triple glazing intervention works would require entire facade replacement on the Goswell Road elevation, and would consist of the following:

#### Living Room

- New sapele (to match existing historic material) structural elements and window frames to incorporate triple glazed windows based on original design intent with grey spacers. All frames to be airtight and insulated.
- New beading profiles and cills to reduce water ingress and damp
- Replacement of the altered roof to the oriel window including changes to profile to reduce water ingress
- Insulate oriel window roof
- Oriel window centre post replaced in sapele
- Incorporate air seals and trickle vents to improve ventilation and thermal performance
- New ironmongery throughout to provide consistency, designed to match existing as far as possible
- Window proportions and opening mechanisms to be reproduced for casement metal pivot timber and fanlight windows with new hinges, and pivots (other than the metal window to the Goswell Road elevation) to become a single hung casement rather than a vertical pivot window
- Insulate panels between adjacent oriel windows
- Glazing tinted to match existing
- Replacement of infill spandrel panels with white opaque glazing to match existing with insulated back panel.
- Historic Georgian wired safety glass replaced throughout with triple glazed acoustic safety glass
- Replacement of tongue and groove bookshelf internally and externally
- Materials and lacquer, paint and varnish finishes would match the original finishes internally and externally. The external timber of Crescent House has been painted.
- Insulate internal west facing wall and soffit of bay

#### Kitchen and bathroom

- The white-painted softwood kitchen windows with metal external beading would be replaced with triple-glazing in white-painted, hardwood sapele

frames.

- The white-painted softwood arched fanlight overlooking the kitchen roof will be replaced with triple-glazing in white-painted, hardwood sapele frames.
- The glazed louvres in metal frames located in the bathroom and overlooking the kitchen roof, would be replaced with fixed triple-glazing in white-painted, hardwood sapele frames.
- The fixed bathroom window next to the glazed louvres, would likewise be replace with fixed triple-glazing in white-painted, hardwood sapele frames.

79. Following the applicant's review and stakeholder engagement process in terms of visual and aesthetic impacts and the outcomes of the performance tests, the various options to sustain the future of the flat would be considered. If the proposals for triple glazed full facade replacement are deemed to be unacceptable by the Local Planning Authority in consultation with stakeholders following the review and required performance tests, and in compliance with condition 3, the historic windows and structural elements would be repaired and flat 347 would be required to be returned to its pre-existing condition as closely as possible and by reusing as much historic fabric as possible.
80. This is a justified pilot study to enable rigorous assessment of the quality and detail and to evaluate the impact on heritage significance and to make informed decisions regarding thermal performance and sustaining Crescent House.

#### *Impact*

81. *Double glazing:* The proposals to test the double glazing of the timber framed windows would require adjustment to the rebate to accommodate the thickness of the glazing. The anticipated method of installation would comprise the removal of hardwood beading, putty and single glazing, the cutting out of an enlarged slot in the frame, the insertion of double-glazed units and reinstatement of original or new beading. Due to the thickness and solidity of the Crescent House hardwood window frames, it is likely the insertion of double-glazed units could be achieved with minimal damage to listed fabric, by a method that is visually discrete. Existing ironmongery would be retained and reused. This has been undertaken on another apartment with Crescent House (refer to Planning History section).
82. If the existing metal windows cannot be adapted to accommodate double glazing, they are to be carefully removed and stored and new double-glazed equivalents would be installed.
83. The methodology and the details of the installation would be conditioned to be reviewed by stakeholders and performance tested. The rebates for the glass in the existing frames will be increased in order to accommodate double glazing prior to any removal of the existing frames, therefore it may not be possible to



- reinstate the existing single-glazing into the existing frames.
84. The double glazing would result in a degree of harm due to the adaptation and temporary removal of historic fabric; this is deemed to be less than substantial and considered to be slight.
  85. *Triple glazing*: The façade replacement and triple glazing would require an extensive removal of historic fabric. The proposals for the triple glazing would seek to replicate the profiles of the existing frames, integrating notches and shadow gaps as closely as possible. However, to accommodate triple glazing and replicate detailed design elements such as shadow gaps, the profiles and thickness of the framing would increase. The minimal frame at the curved barrel vault which allows the visual continuation of the vault from inside to outside, would also be likely to be visually different, both in the main living space and kitchen. The framing to metal windows would also be thicker compared to existing windows and this would also have a visual impact. This is demonstrated in the comparative joinery drawings.
  86. The proportions and opening mechanisms for all the windows would be matched to existing, other than the metal framed pivoting window on the Goswell Road elevation. This would need to become a side hung casement to achieve greater air tightness and thermal efficiency.
  87. The triple glazing and testing support a holistic approach and include interventions to address ventilation, potential condensation and mould, cold bridging as far as possible, and improvements to water tightness, runoff from the oriel window roof, and acoustic quality.
  88. Minor reversible internal insulation is proposed to the inner face of the apartment including bookshelf and bay. Due to the new framing and the insulation, there would be a small area of floor space that would be removed, which would be 0.0072sqm. This would be negligible.
  89. The roof of the bay has been replaced in the past and the original flat roof has had remedial repairs to prevent water ingress. These repairs have failed and therefore the application includes a design solution to slightly alter the pitch of the roof to improve drainage. There would also be a change in altering Georgian wired glass to acoustic clear glazing. Alternative levers, pivots and other ironmongery are proposed all with improved thermal performance.
  90. These interventions would all be reviewed internally and externally as part of the post installation assessment.
  91. Regardless of the ultimate solution adopted, whether double or triple glazing, should it be deemed necessary to reinstate the original, single-glazed, design, condition 3 secures this. The applicants have indicated that to facilitate the

dismantling, double glazing testing and reinstallation, it is likely to result in some repairs and reproduction of historic elements. This would be commissioned, replicating the profiles and dimensions of the existing, like-for-like.

92. Any harm to the significance of the listed building is primarily due to the transitional temporary removal of fabric which is of high heritage significance and the applicants anticipated requirement to repair and replicate historic fabric as part of the dismantling and reinstallation process. This harm is evaluated at less than substantial at the lowest end of the spectrum due to: the proportion of the historic fabric removed relative to the overall scale of Crescent House, the designated heritage asset; the proposed temporary nature of the proposal; any loss or replacement required would be a scholarly like for like reinstatement informed by the level of information and evidence available.
93. The step-by-step process for the two options - double glazing and triple glazing - is comprehensive and would allow the following to be understood and assessed:
  - It would allow the applicant project team, residents and stakeholders to thoroughly understand the condition and structural capacity of the window frames of Crescent House.
  - It would allow options to refurbish the frames and retrofit double glazing or to replace fully with triple glazing to be assessed and evaluated in terms of visual impacts with an opportunity for stakeholder engagement
  - It would allow the full replacement to fully test general weather tightness, acoustic insulation, and heat loss.
  - The outcomes of the two options would provide an understanding of the complexities of the different options and potential disruption to residents which can then be used to work up a scheme of protection to minimise disruption
  - The pilot project outcomes would inform the decision making of the next steps for the comprehensive project for Crescent House
94. Once the impact of this pilot has been evaluated, this will be able to be weighed against evidenced thermal performance, solar control, acoustic and wellbeing benefits and the whole life cycle carbon assessment to inform a decision about Crescent House as a whole. As such, the outcomes of this post installation analysis will inform next steps for the window upgrading project and may direct the project to alternative less intrusive proposals, such as retrofitting with double glazing. The temporary permission would not automatically provide consent across Crescent House for full facade replacement and associated thermal upgrading, and further applications need to be made.
95. The proposed interventions of the pilot project would impact a single vacant unit and result in a slight level of less than substantial harm.

*Golden Lane Estate Listed Building Management Guidelines 2013 (LBMG)*

96. This is a supplementary planning document prepared to provide further guidance to explain policies and the development plan.
97. Section 3 sets out best practice and the approach regarding: stakeholder engagement, appointment of consultants, and exploring conservation focussed bespoke solutions. The LBMG also identifies the pressing need to address environmental initiatives in para 6.25 and states the City Corporation is committed to being at the forefront of action in response to climate change. Para 1.2.2.2 identifies the need to address thermal and acoustic performance in facades. This advises solutions should be: compatible with the original design intent; not be piecemeal; and should have a mock up to review.
98. Whilst the guidance states the replacement of facade elements such as windows is unlikely to be supported, the SPD advocates an investigative bespoke approach for problem solving. The application for a temporary pilot study which would inform the next steps is a comprehensive approach for Crescent House, which would align with the overall intentions and best practice set out in the LBMG.
99. Historic England comment the LBMG sets out procedures for repairs and steps to dealing with failing components. Historic England state *“The pilot project sits within this guidance as a trial sample.”*

Barbican and Golden Lane Estate Conservation Area (BGLE Conservation Area)

*Heritage Significance*

100. The significance of the Conservation Area is set out in the Barbican and Golden Lane Estates Conservation Area Appraisal 2022. The area is characterised by two distinct developments: Golden Lane Estate to the north and Barbican Estate to the south. The characteristics which contribute to the special interest of the Conservation Area are:
  - Two estates which, together, provide a unique insight in the creative processes of a seminal English architectural practice, Chamberlin, Powell & Bon
  - Integration of the ancient remains of the Roman and medieval City wall, including Bastions 12, 13 and 14 and the medieval church of St Giles Cripplegate in a strikingly modern context
  - In scope and extent, the estates are important visual evidence of the scale of devastation wrought by the WW2 ‘Blitz’ bombing campaign of 1940-41
  - Seminal examples of ambitious post-war housing schemes incorporating radical, modern ideas of architecture and spatial planning reflecting the development of both Modernism and Brutalism

- Unprecedented and ingenious provision of open space and gardens within central London, which continue to be a defining characteristic of the estates today
- New and striking architectural idioms, particularly at the Barbican, applied on a significant scale; a new architectural language deliberately modern and forward-looking; a way of planning and arranging buildings and spaces which was unprecedented in Britain and reflected evolving ideas of the modern city. Crescent House embodies this characteristic and is a pivotal building within the Conservation Area.

### *Impact*

101. The temporary intervention and alterations to Crescent House to test the installation of double glazing and triple glazing options would have a negligible level of less than substantial harm to Crescent House, a pivotal building which embodies key characteristics of the BGLE Conservation Area. The impact is identified as negligible due to the scale and temporary nature of the proposal and the limited visual impact which would be isolated and incidental.

### Golden Lane Estate Registered Park and Garden (Grade II):

### *Heritage Significance*

102. The intensely urban landscape at Golden Lane Estate by Chamberlin, Powell and Bon was designed and constructed between 1952 and 1962. Its significance is derived from design interest, historic interest and survival. At Golden Lane Estate, the spaces and the relationship between the blocks including Crescent House were designed as strong simple forms which were central to the overall layout and pattern of the Estate.

### *Impact*

103. The temporary alterations to Crescent House to test the installation of double glazing and triple glazing options would have no impact on the identified values which contribute to significance. The visual impact would be isolated and incidental and confined to Crescent House and would not impact on the layout, landscape and spaces between buildings. The proposals would have a neutral impact and there would be no harm to the identified significance of Golden Lane Estate as a registered park and garden in accordance with the statutory tests and policy DM12.5 of the Local Plan.

### **Indirect impacts to heritage**

104. The impact of the proposals on the settings of the other listed buildings and their significance, have been fully assessed and taken into consideration including Hatfield House; Stanley Cohen; Cullum Welch House; Great Arthur House;

Cuthbert Harrowing House; Bowater House; Bayer House; Basterfield House; Fann Street Community Centre and Landscape areas.

105. Their settings and the contribution this makes to the significance of these listed buildings, would not be adversely affected by the temporary proposals due to the relative distance of the proposal on Goswell Road where it would not appear unduly prominent in the context of surrounding designated heritage assets. The proposed development would not harm the significance or setting of these listed buildings.

#### Heritage conclusion

106. The proposals have been assessed against Local Plan Policies CS12, DM12.1, DM12.2, DM12.3 and DM12.5, draft City Plan 2036 policies S11 and HE1, London Plan Policy HC1 and the relevant NPPF paragraphs 195-208. There has been special regard given to the desirability of preserving Crescent House and surrounding listed buildings including their setting and any features of special architectural or historic interest which they possess, under s.16 and s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended. Considerable importance and weight has been attached to and special attention has been paid to the desirability of preserving or enhancing the character or appearance of Barbican and Golden Lane Conservation Area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.
107. There would be no harm to the significance of the Golden Lane Estate registered park and garden and its significance would be preserved.
108. The proposal would preserve the special architectural and historic heritage significance and settings of surrounding listed buildings and spaces within the wider Golden Lane Estate.
109. Any harm to the significance of the listed building is primarily due to the transitional temporary removal of fabric which is of high heritage significance and the applicants anticipated requirement to repair and replicate historic fabric as part of the dismantling and reinstallation process. This harm is considered be less than substantial and at the lowest end of the spectrum.
110. There would be a negligible level of less than substantial harm to BGLE Conservation Area.
111. Overall, the proposal would comply with Local Plan Policies, DM12.1, DM12.2 (2 and 3) DM12.3 (1) and DM12.5, emerging City Plan 2036 policies S11 and HE1 (3,4 and 5), London Plan Policy HC1 (A, B, D and E).

112. The proposals would however be contrary to CS12, DM12.2 (1), DM 12.3 (2), emerging policy HE1 (1 and 2) and London Plan Policy HC1 (C).

### **Environment effects and sustainability**

113. London Plan policy GG6 states that development should seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero-carbon city by 2050 and to ensure buildings and infrastructure are designed to adapt to a changing climate.

114. Local Plan Policy CS15 and Draft City Plan policy DE1 seeks to ensure development achieves highest feasible sustainability standards.

115. The wider sustainability benefits would be more appropriately considered for the future project across the whole

116. The flat has an EPC rating of 'E', which is the worst score that can be achieved whilst also being lettable.

117. The existing windows are noted in the EPC rating as having very poor thermal performance due to their age and single glazing.

118. Concern was raised through public consultation about (a) a refurbishment of the existing windows not being pursued and (b) new triple glazing windows instead of retrofitted double glazing.

119. The applicant states that although the windows and frames in flat 347 do not appear on the surface as being in the worst state as surveyed across the Estate, it is not known what the condition of the frames is behind the outer layer, and whether there is hidden rot, for example.

120. As part of the sequencing of the pilot project, once the framing has had its paint stripped back, the applicant is intending on inspecting the existing framing and surrounds in situ. The methodology and results of this are reserved by condition.

121. Further, one of the next steps in the sequencing of the pilot will include enlarging the rebate of the existing frames to install double glazing and test its performance. This again is reserved by condition for both methodology for the installation of the double glazing and a full condition survey of the frames once the single glazing is removed.

122. Overall, though, triple glazing has been chosen for the final trial option as it offers the most significant benefits for energy efficiency and health and wellbeing for residents in terms of heat loss, but also acoustic comfort, air and water tightness.
123. Although refurbishment of the existing single glazing and the installation of double glazing may be possible, it is not just the glazing on the existing windows that is causing problems of heat loss, condensation and mould, and poor water and air tightness – the existing framing is understood to have significant gaps due to the method of manufacture and installation when Crescent House was built, and varying degrees of warping, rotting and repair over time that further reduces thermal performance by allowing air in.

*Thermal performance – heat loss*

124. Thermal analysis in the application submission has shown that around 55% of winter heat in the flats is lost through the glazing to the front and rear facades, with further heat losses through ventilation and air leaks.
125. The heat loss through the different types of glazing (single, double, triple) has been assessed in the application submission, although noting this is done on manufacturers specifications and the full results will be clearer once tested in situ.
126. The level of improvement on heat loss varies across the different glazing types. The applicant has stated that, based on the overall Energy Strategy<sup>1</sup> (being produced in the background to this project to help inform the wider works), the triple glazed option would deliver energy reductions of up to 50%, offering the best results of the options.
127. Next, double glazing (although in this scenario tested with new frames rather than retrofitting double glazing into the existing frames) could reduce heating energy demand by 38%. Retrofitting double glazing would offer less improvement due to the heating losses through the frame, gaps and vents, and the sealing of the frames within the building.

*Thermal performance – solar gain*

128. The solar gain, or 'G' Values of the different glazing types has also been assessed, with the 'G' value measuring the ability of the glass to limit solar radiation passing through the windows with 1 being all the sun's heating reaching the room and 0 being none.

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<sup>1</sup> Etude, acting for the Applicant, have used a 3D Rhino model combined with a spreadsheet-based heat loss calculator to calculate the U-Value, and PHPP (Passivhaus Planning Package) software to calculate the reductions, which is generally regarded as providing a more accurate calculation than SAP (Standard Assessment Procedure).

129. The existing glazing has a poor performance at 0.87 'G' rating. It is understood that there have been concerns raised by residents about overheating during the summer months. Overheating from solar gain increases the likelihood of mechanical ventilation being needed.
130. Double glazing would achieve 0.64 'G' value which could be improved but by using glass with a noticeable tint which would be undesirable in design and heritage terms.
131. Triple glazing could deliver a 'G' value of 0.54 with no tint required due to the thicker air gap between panes and overall thickness of the glazing that would disperse and stop the heat penetrating through.

#### *Fuel poverty*

132. With current energy prices, high fuel costs caused by high levels of internal heating required to offset the heat loss through the windows, is of the utmost importance for residential occupiers.
133. The reduction in fuel costs for all options has been measured as part of the submission, with the calculations based off homes using a gas boiler.
134. It is understood that since the calculations were undertaken, the average gas price has risen from 2.9p/kwh to 7.8p/kwh so the figures have been updated.
135. Triple glazing represents the greatest reduction in fuel costs with the potential to save residents more than £800/year over refurbished single glazing.

#### *Embodied carbon and Whole Life Carbon*

136. Concern was raised through public consultation regarding the loss of the embodied carbon in the existing windows. This is noted and understood.
137. However, when assessing the carbon impacts of a development we must also take Whole Life Carbon into account. The "carbon footprint" of the pilot project has been measured using the RICS guidance and methodology for calculating whole life carbon.
138. Within the application's environmental assessment, the applicant has looked into all carbon emissions associated with new windows including manufacture, transport, installation, use, maintenance, and disposal.
139. The embodied carbon impacts of the existing windows have been compared against the operational carbon benefits of each option.



140. The new triple glazed windows whole life carbon assessment shows that the delivery of the new windows is responsible for 286 tCO<sub>2</sub>e. The new triple glazed windows would save 112tCO<sub>2</sub> per year (based on the current heating strategy).
141. So, although triple glazing has the largest embodied carbon from the stages outlined in para 138, it also delivers the best reduction in operational carbon and could provide an offset to the embodied carbon emission through the operational carbon reductions in just over 2 years based on the CO<sub>2</sub> amounts as outlined above.
142. The reduction in heating load that triple glazing can provide also makes low carbon heating solutions a possibility, which is being explored separately by the applicant, thereby increasing the likelihood of further reducing operational CO<sub>2</sub> emissions in the future.

#### *Ventilation*

143. A review into the ventilation strategy of Crescent House is required despite the glazing options. The new frames would allow for the provision of new, controllable and background ventilation through trickle vents and should reduce the need for large amounts of mechanical ventilation and the environmental effects associated with it.

#### *Heating*

144. Concern was also raised through public consultation about why the wider project to improve heating across the Estate is not being pursued as a pilot.
145. This is being done separately to the windows. It is understood that it would not be worthwhile improving the heating systems unless and until the windows are improved given the heat loss issues that the site currently experiences.
146. Further, the homes in Crescent House that are heated with gas boilers have flues penetrating through the windows, which are unsightly.
147. The pilot project under consideration here can be used to test alternative heating solutions that could be rolled out across the Estate to avoid using gas boilers, thus removing unsightly flues.

#### *Insulation*

148. The addition of insulation is designed to work as part of a comprehensive strategy for insulating the cold bridges in the building. These cold bridges, which allow heat to escape through the building fabric, are the areas which are most vulnerable to condensation and mould formation. To be fully effective, adjacent

flats and the slab edges should also be insulated. However, that project is wider than the pilot before us.

149. The addition of insulation to flat 347 would provide an indication of the impact of the insulation visually to the building. The proposed insulation would be flexible, high-performance, silica aerogel-based material. Overall, insulation would reduce the cold bridges from exposed party walls and the concrete vaulted ceilings, in turn reducing the risk of condensation and mould, the latter being an important move to ensure resident health and wellbeing.

#### *Acoustic performance*

150. Each option for the windows has also been assessed against their capability to reduce noise nuisance to the occupiers.
151. Goswell Road is a main road with high levels of noise pollution so a reduction in noise nuisance through improved glazing performance would be a welcome intervention for the wellbeing of residents.
152. Repair of the existing windows could achieve a 26dB reduction in noise pollution inside flat 347; new frames with double glazing could achieve a 35dB reduction; and triple glazing could achieve a 37dB reduction. No information is available for the potential reduction from the installation of double glazing in the existing frames, as the acoustic performance of the frames is not known due to the issues outlined above, with the possibility of hidden rot and lack of air tightness around the existing frames. However, this would be tested as part of the pilot once the double glazing is installed.

#### **Conclusion on environmental impacts and sustainability**

153. Overall, it has been shown that the applicant has considered the environmental impacts of all four options – refurbishment, refurbishment with double glazing in existing frames, double glazing in new frames, and triple glazing in new frames – in deciding to pursue the trial project.
154. Although the overall application is for triple glazing to remain in situ for the temporary consent period, the refurbishment with double glazing would also be tested and this is secured by condition.
155. Through the stripping of the frames' paint, the applicant would be able to assess the existing frames for hidden rot and other defects; through the removal of the existing glazing, the applicant would be able to further assess the existing frames for hidden defects in situ before modifying the frames to see if it would be possible to fit double glazing into the existing rebates of the windows.

156. Following the testing of the double glazing, the window and frame would be removed to allow the applicant to assess the overall structure of the surround, in particular the Oriel window, prior to the installation of the triple glazing, which itself would then be subject to extensive testing.
157. Testing would include thermal performance, pressure (air tightness) testing, weather tightness through a 'hosepipe' test, and acoustic testing.
158. Officers are satisfied that the applicant is exploring all possible options for improving the performance of the windows through the trial project, which would be secured by conditions attached to the permission, and although the outcomes are not completely known at this stage, the application is in the spirit of policies CS15 and DM15.1 of the Local Plan and policy DE1 of the draft City Plan 2036.

### **Amenity**

159. London Plan policy D13 ('Agent of Change') and Policy D14 ('Noise') requires development to limit and mitigate noise impacts from proposals.
160. Local Plan Policies CS21 (Housing) and DM21.3 ('Residential Environment') and draft City Plan policies S3 and HS3, requires amenity of existing residents in identified residential areas to be protected; and Figure 7 of the draft Plan identifies Golden Lane Estate as a residential area.
161. Local Plan policy DM15.7 and Draft City Plan policy HL3 require noise pollution to be considered.
162. Local Plan policy DM10.7, draft City Plan policy DE8, and London Plan policy D6 considers impact of development on existing daylight and sunlight of residential properties.
163. A noise assessment was not submitted with the application as this was not considered necessary as the scope of the application relates to works to windows only.
164. The works when completed would have no impact on noise to neighbouring occupiers; and would have a positive impact on noise to future occupiers of flat 347 given the improved acoustic performance of the new windows, although noting this would only be for a temporary period to align with the temporary consent. A Scheme of Protective Works is required by condition 10 of the planning permission to ensure protection of residential amenity during the deconstruction and construction works.
165. The proposed works would have no impact on levels of daylight and sunlight afforded to neighbouring occupiers as there would be no material increase in the

size of the frames, nor would there be an impact on levels of privacy afforded to neighbouring occupiers as there are no new openings proposed.

166. Overall, there would be no materially harmful impact to the amenity of neighbouring occupiers.
167. Given the very slight increase in the size of the frames for the new windows, there would be a very small reduction in the total floor area of the flat of 0.07 sqm (a 0.18% reduction). This figure includes the floorspace lost due to the proposed insulation. This is not considered materially harmful.
168. The slight increase in size of the frames would not materially alter the amount of daylight and sunlight afforded to future occupiers of flat 347 given that the profiles are still relatively slim. Noting that flat 347 is currently unoccupied, will remain so for the duration of the works and afterwards whilst testing and visits are made by stakeholders, the amenity of flat 347 would be maintained.
169. Overall, the proposals are in accordance with policies CS21, DM15.7, DM21.3 of the Local Plan and policies HL3, S3 and HS3 of the draft City Plan.

### **Public Sector Equalities Duty**

170. When considering the proposed development, the Public Sector Equality Duty requires the City of London Corporation to consider how the determination of the application will affect people who are protected under the Equality Act 2010, including having due regard to the effects of the proposed development and any potential disadvantages suffered by people because of their protected characteristics.
171. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:-
- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
172. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
173. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.

174. This application has been assessed against the Equality Act 2010 and any equality impacts identified. The Applicants have held a range of meetings with stakeholders.
175. Potential impacts of the proposed development on the nearby occupiers have been assessed, including the impacts on the use and functionality of the spaces. Officers do not consider that nearby occupiers would be detrimentally impacted in so far as these spaces become unusable nor would it be considered that there would be disadvantages or material impact on any persons who share a relevant protected characteristic as identified in the Equalities Act 2010. Longer term, if as a result of the pilot better living conditions can be provided for residents (in terms of the reduction in condensation, noise, heat loss and mould) this could positively impact on some disabilities and have positive health impacts. Young children, the elderly, those with respiratory problems and weakened immune systems can be particularly sensitive to damp and mould.
176. In relation to policy GG1 of the London Plan, the proposals are considered to support and promote the creation of an inclusive London where all Londoners, regardless of their age, disability, gender, gender identity, marital status, religion, race, sexual orientation, social class, or whether they are pregnant or have children, can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

### **Human Rights Act 1998**

177. 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")).
178. Insofar as the grant of planning permission will result in interference with the right to respect for one's private and family life (Article 8 of the ECHR) or peaceful enjoyment of one's possessions (Article 1 of Protocol 1), including by causing harm to the amenity of those living in nearby residential properties, this will be very minor and limited to the short periods whilst work is being carried out. It is the view of officers that such interference is in the public interest and necessary in order to secure the benefits of the scheme and to balance the interests of the residents of Crescent House, and proportionate. Conditions have been recommended to minimise the impact as much as possible.
179. As set out above, it is the view of officers that there would be no infringement of Article 8 or Article 1 of Protocol 1 of the ECHR.

## **Heritage impact and assessment against paragraph 202**

180. When addressing the balancing exercise, the heritage harm as outlined is afforded considerable importance and great weight in line with the NPPF. The more important the asset, the greater the weight should be given to the asset's conservation and in this case there are multiple designations, Crescent House is a grade II\* listed building, within BGLE conservation area and set within a registered park and garden.
181. Paragraph 202 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". Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF. The Planning Practice Guidance, provides that 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 be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.
182. When carrying out the paragraph 202 NPPF balancing exercise in relation to the less than substantial harm caused to Crescent House, considerable importance and weight must be given to the desirability of preserving the building and its setting.
183. When considering the listed building consent application, the duty imposed by section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies and in considering whether to grant listed building consent special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
184. When considering the planning application, the duty imposed by section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies and in considering whether to grant planning permission special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. When considering the planning application, the duty imposed by S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special attention must be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
185. The overall finding is that there would be a slight level of less than substantial harm to Crescent House due to the temporary removal of fabric which is of high

heritage significance and the applicants anticipated need to repair and replicate historic fabric as part of the dismantling and reinstallation process. The proposals would result in a less level of less than substantial harm to the BGLE Conservation Area evaluated as negligible due to the temporary and incidental nature of the proposals.

186. The benefits that would be delivered by the temporary pilot project should be considered as public benefits, and should be afforded moderate weight, are as follows:

- The proposals would inform the visual impact of the options on the designated heritage assets which in the longer term will help secure the public benefits listed below whilst minimising harm.
- The proposal will inform decisions to improve the comfort and wellbeing of residents by mitigating condensation, reducing mould and provide more comfortable living, reducing energy consumption and reducing fuel costs including poverty fuel, which will ultimately secure its future as a residential building which is more sustainable and more closely aligned with the current standards expected of residential accommodation.
- As a result of the above, the proposal will allow decisions to be taken which will support the long-term future of Crescent House and reduce risks to the heritage asset.

187. An assessment of the significance of designated heritage assets has also been undertaken including of Crescent House, the wider Golden Lane Estate, the BGLE Conservation Area, Golden Lane Estate registered park and garden where there are direct and indirect impacts on significance. In this case, slight less than substantial harm has been identified to Crescent House (grade II\*) and negligible less than substantial harm to BGLE Conservation Area is identified. This assessment is proportionate and sufficient for the scope of works for the pilot proposals and complies with NPPF para 194.

188. This is a justified pilot study to support informed decisions regarding the future of Crescent House, to secure compatible design detail, and provide homes which can meet modern living standards.

189. This is considered a progressive and low risk approach to addressing the challenge of adapting historic buildings to meet the ever-pressing climate change.

190. The proposals are necessary, justified, and temporary in nature. Any harm to the significance of the listed building and conservation area is primarily due to the transitional temporary removal of fabric which is of high heritage significance and the applicants anticipated need to repair and replicate historic fabric as part of the dismantling and reinstallation process.

191. This application identifies a slight level of less than substantial harm to Crescent House and negligible less than substantial impact on the BGLE conservation area. Great weight is attached to the significance of these assets of national importance and to the level of harm, albeit proportionate to the almost *de minimis* level of that harm.
192. It is considered that the almost *de minimis* harm when given considerable importance and weight is outweighed by the public benefits, and this conclusion is reached even when giving great weight to the preservation of heritage significance. It is considered that the proposal would accord with paragraph 202 of the NPPF.

### **Conclusion**

#### **Conclusion on planning permission, Reference 22/00322/FULL and overall planning balance**

193. 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, and the emerging Local Plan and considering all other material considerations.
194. Overall, the impacts to the amenity of surrounding occupiers are considered acceptable and it is considered that any impacts relating to noise during deconstruction and construction works can be satisfactorily mitigated through measures by the Applicant and through recommended conditions.
195. Triple glazing has been chosen for the final and main stage of the trial as it offers the most significant benefits for energy efficiency and health and wellbeing for residents in terms of heat loss but also acoustic comfort, air and water tightness.
196. The proposals are in accordance with Local Plan policies CS15, DM15.7, DM21.3, and draft City Plan policies HL3 and HS3 with regards to amenity.
197. The proposals to improve the thermal efficiency of the building in line with the City of London Corporation Climate Action Strategy are welcomed. The proposals are in accordance with policies CS15 and DM15.1 of the Local Plan and policy DE1 of the draft City Plan with regards sustainability.
198. There would be no harm to the significance of the Golden Lane Estate registered park and garden and its significance would be preserved in accordance with policy DM12.5.
199. The proposal would preserve the special, architectural and historic heritage



significance and settings of surrounding listed buildings within the Golden Lane Estate.

200. Any harm to the significance of the listed building is primarily due to the transitional temporary removal of fabric which is of high heritage significance and the applicants anticipated need to repair and replicate historic fabric as part of the dismantling and reinstallation process. Any harm to the conservation area is due to the scale and temporary nature of the proposal and the limited visual impact which would be isolated and incidental. This harm is considered be less than substantial and at the lowest end of the spectrum, bordering on de minimis for the listed building and negligible for the conservation area.
201. The dismantling of historic fabric to undertake repairs, investigation or as part of a larger project is common practice provided and controlled by methodology statements.
202. The heritage policies in the London Plan (in particular HC1) and in the Local Plan (in particular CS12) do not incorporate a balancing exercise as found in paragraph 202 of the NPPF. As a result, if a proposal results in any harm to the significance of a heritage asset it will result in conflict with the heritage policies.
203. The application proposals conflict with London Plan policy CS12, DM12.2 (1), DM 12.3 (2), emerging policy HE1 (1 and 2) and London Plan Policy HC1 (C) Whilst in this case the proposals are in compliance with a number of policies, conflict has also been identified with a number of other development plan policies as outlined above in this conclusion. However, it is the view of officers that taken as whole the proposal complies with the development plan. Overall, the proposal would comply with Local Plan Policies, DM12.1, DM12.2 (2 and 3) DM12.3 (1) and DM12.5, emerging City Plan 2036 policies S11 and HE1 (3,4 and 5), London Plan Policy HC1 (A, B, D and E).
204. The proposals would however be contrary to CS12, DM12.2 (1), DM 12.3 (2), emerging policy HE1 (1 and 2) and London Plan Policy HC1 (C).
205. The LPA must determine the application in accordance with the development plan unless other material considerations indicate otherwise. It is for the LPA to weigh the other material considerations and decide whether those that support the development outweigh the priority statute has given to the development plan, and the other material considerations which do not support the proposal.
206. In accordance with the balancing exercise carried out pursuant to paragraph 202 of the NPPF the public benefits of the proposal are considered to be as follows:  
The proposals would:-
  - The proposals would inform the visual impact of the options on the designated heritage assets which in the longer term will help secure the

public benefits listed below whilst minimising harm.

- Improve the comfort and wellbeing of residents by mitigating condensation, reducing mould and provide more comfortable living and reduce fuel costs including poverty fuel, which will ultimately secure its future as a residential building which is more sustainable and more closely aligned with the current standards expected of residential accommodation.
- As a result of the above, the proposal will allow decisions to be taken which will support the long-term future of Crescent house and reduce risks to the heritage asset.

207. The NPPF, in paragraph 202, requires that harm be balanced against the public benefits. The paragraph 202 balancing exercise is to be applied when considering the harm to designated heritage assets and impacts on Crescent House. That balancing exercise is set out in the body of this report.

208. 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 significance and setting of listed building, the identified harm is outweighed by the public benefits.

209. The proposal has been assessed in accordance with other relevant SPGs, SPDs and guidance notes listed in the report.

210. When taking the development plan as a whole the proposal is considered to comply with the provisions of the development plan. Other material considerations also indicate that planning permission should be granted. Accordingly, subject to the recommendations of this report it is recommended that planning permission be granted.

#### Conclusion on listed building consent, Reference 22/00323/LBC and overall planning balance

211. The proposal would result in slight less than substantial harm, at the lowest end of the spectrum, failing to preserve the special architectural and historic interest and heritage significance of the listed building. Any harm to the significance of the listed building is primarily due to the transitional temporary removal of fabric which is of high heritage significance and the applicants anticipated need to repair and replicate historic fabric as part of the dismantling and reinstallation process. Otherwise, the intentions of the pilot project, steps by step approach and long terms aspirations are supported, particularly by the LBMG.

212. Overall, the proposal would conflict with Local Plan Policies CS12, DM 12.2 (1) and DM 12.3 (2), draft City Plan 2036 policies S11 and HE1, London Plan Policy HC1 (C).

213. When addressing the balancing exercise, this harm has been afforded considerable importance and weight, and account taken of the importance of those heritage asset as a II\* listed building in accordance with the advice given in paragraph para 199 NPPF that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). The full heritage planning balance is considered under the *Heritage assessment and assessment against paragraph 202 section* of the report. It is considered that the almost *de minimis* level of harm would be outweighed by the public benefits.
214. When taking all matters into consideration including the development plan and the NPPF tests, subject to the recommendations of this report, it is recommended that listed building consent be granted.

## **BACKGROUND PAPERS**

**22/00322/FULL**

### Application documents

Design Statement, Studio Partington, 30 June 2022.  
Cover Letter, Grade Planning, 20 April 2022 and 30 June 2022.  
Supplementary Heritage Statement, Studio Partington, 30 June 2022.  
Energy, Carbon and Thermal Comfort Strategy, Etude, July 2021.  
Junction Details, Studio Partington, 30 June 2022.

### External

#### Objects:

Letter, Roland Jeffrey, 24 May 2022.  
Email, Benedict Langlands, 29 May 2022.  
Online comment, Sarah Winman, 30 May 2022.  
Online comment, Sarah O'Connor, 30 May 2022.  
Online comment, Howard Sullivan, 30 May 2022.  
Email, Johannes Davis, 1 June 2022.  
Online comment, Rachel Roberts, 2 June 2022.  
Online comment, Barbara Chesterman, 2 June 2022 (dup)  
Online comment, Ognjen Ristic, 7 June 2022.  
Online comment, Lisa Mansson, 9 June 2022.  
Online comment, Patrick Seal, 9 June 2022.  
Letter, Philippe Rogueda, 8 June 2022.  
Online comment, Philippe Rogueda, 9 June 2022.  
Email, Matthew Carter, 9 June 2022.  
Online comment, Pablo Abellan, 9 June 2022.  
Online comment, Luke Johnson, 9 June 2022.  
Online comment, Yan Ki Lee, 9 June 2022.  
Online comment, Judith Brown, 9 June 2022.  
Online comment, Jacqueline Swanson, 10 June 2022.  
Online comment, Patricia Niven, 10 June 2022.  
Letter, Steve Smith, 11 June 2022.  
Online comment, Graham Kern, 13 June 2022.  
Online comment, Neil Haas, 14 June 2022.  
Letter, Gavin Hutchison, 15 June 2022.  
Email, Nigel Smith, 15 June 2022.  
Letter, Jane Dixon, 16 June 2022.  
Email, Sarah Batty-Smith, 16 June 2022.  
Email, Polly Powell, 16 June 2022.  
Email, Tim Godsmark, Chair of Golden Lane Residents Association, 18 June 2022.  
Letter, D Reid, 20 June 2022.  
Application Report, Purcell Heritage Consultancy, June 2022 – on behalf of Objectors.

Supports:

Online comment, Ying Yang, 30 May 2022.

Other:

Letter, City of London Conservation Area Advisory Committee, 16 June 2022.

Letter, Historic England, 26 May 2022.

Letter, Twentieth Century Society, 9 June 2022.

Letter, Damian ?, 22 June 2022.

Regulation 64(2) Handling Note, City of London Corporation, 5 July 2022

## **Appendix A**

### **Relevant London Plan Policies**

Policy GG1 (Building strong and inclusive communities) encourages early and inclusive engagement with stakeholders, including local communities, in the development of proposals, seeking to ensure positive changes to the physical environment and provide access to good quality community spaces, services, amenities and infrastructure. In addition, it supports London continuing to generate a wide range of economic and other opportunities promoting fairness, inclusivity and equality.

Policy GG3 (Creating a healthy city) seeks to "ensure that new buildings are well-insulated and sufficiently ventilated to avoid the health problems associated with damp, heat and cold" and to "promote more active and healthy lives for all Londoners and enable them to make healthy choices."

Policy GG6 (Increasing efficiency and resilience) seeks to "improve energy efficiency and support the move towards a low carbon circular economy", and "ensure buildings are designed to adapt to a changing climate."

Policy D4 states that "design and access statements submitted with development proposals should demonstrate that the proposal meets the design requirements of the London Plan."

Policy D14 (Noise) seeks to avoid significant adverse noise impacts on health and quality of life, and mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development.

Policy HC1 (Heritage conservation and growth) requires development proposals "should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings."

### **Relevant GLA Supplementary Planning Guidance (SPGs)**

- Control of Dust and Emissions during Construction and Demolition SPG (September 2014);
- Sustainable Design and Construction (September 2014);
- London Environment Strategy (May 2018);
- Shaping Neighbourhoods: Character and Context (June 2014).

### **Relevant Draft City Plan 2036 Policies**

S1 Healthy and inclusive city

HL1 Inclusive buildings and spaces

HL3 Noise and light pollution

HS3 Residential environment

S8 Design

DE1 Sustainability requirements

DE2 New development

S11 Historic environment

HE1 Managing change to heritage assets

S15 Climate resilience and flood risk

S16 Circular economy and waste

CE1 Zero Waste City

S23 Smithfield and Barbican

**Relevant City Corporation Guidance and Supplementary Planning Documents (SPDs)**

Barbican and Golden Lane Estates Conservation Area Appraisal (2022);

Golden Lane Estate Listed Building Management Guidelines (2013).

## Relevant Local Plan Policies

### ***CS10 Promote high quality environment***

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

### ***CS12 Conserve or enhance heritage assets***

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

### ***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.

### ***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.

### ***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.

### ***DM10.7 Daylight and sunlight***

1) To resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels, taking account of the Building Research Establishment's guidelines.

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

### ***DM12.1 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.

#### ***DM12.5 Historic parks and gardens***

1. To resist development which would adversely affect gardens of special historic interest included on the English Heritage register.
2. To protect gardens and open spaces which make a positive contribution to the historic character of the City.

#### ***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.

#### ***DM15.7 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.

### ***DM21.3 Residential environment***

1. The amenity of existing residents within identified residential areas will be protected by:
  - a) resisting other uses which would cause undue noise disturbance, fumes and smells and vehicle or pedestrian movements likely to cause disturbance;
  - b) requiring new development near existing dwellings to demonstrate adequate mitigation measures to address detrimental impact.
2. Noise-generating uses should be sited away from residential uses, where possible. Where residential and other uses are located within the same development or area, adequate noise mitigation measures must be provided and, where required, planning conditions will be imposed to protect residential amenity.
3. All development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential accommodation.
4. All new residential development proposals must demonstrate how potential adverse noise impacts on and between dwellings will be mitigated by housing layout, design and materials.
5. The cumulative impact of individual developments on the amenity of existing residents will be considered.

## SCHEDULE

APPLICATION: **22/00322/FULL**

**347 Crescent House Golden Lane Estate London**

**Alterations to and replacement of existing single-glazed windows and framing structure for a temporary period of 2 years to sequentially test double and triple glazing options**

### CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission. The applicant shall notify the Local Planning Authority in writing within seven working days of the commencement of the implementation of the planning permission.  
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be for a limited period only, expiring 2 years from the date of the implementation of the planning permission referred to in condition 1.  
REASON: To ensure compliance with the terms of Section 91(1(b)) of the Town and Country Planning Act 1990.
- 3 The triple glazed windows shall be removed and the land restored to its original condition upon expiry of this permission, in accordance with a scheme of work and full details of any new works as required to reprovide and make good, which shall be submitted to and approved in writing by the Local Planning Authority no later than two months prior to the expiry, unless planning permission has been granted in the interim relating to all windows within Crescent House.  
REASON: To ensure the protection of the special architectural or historic interest of the building and to ensure that the visual amenity of the area is not prejudiced when the works are removed in accordance with the following policies of the Local Plan: DM10.1, DM12.2, DM12.3.
- 4 Before any works hereby permitted are begun, a full survey including photographic record of the existing windows, frames and ironmongery shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: To ensure suitable record is kept of historic building features and fabric to allow future reinstallation in accordance with the following policies of the Local Plan: DM10.1, DM12.2
- 5 Before any works hereby permitted are begun, a methodology for dismantling the existing windows including framing, glazing, and all related ironmongery, and details of the safe storage of the existing windows shall be prepared by a suitably qualified professional and submitted to and approved in writing by the Local Planning Authority. All development pursuant to this permission must be carried out in accordance with the approved details.

REASON: To ensure suitable record is kept of historic building features and fabric to allow future reinstallation in accordance with the following policies of the Local Plan: DM10.1, DM12.2.

- 6 Before any works hereby permitted are begun, a detailed methodology of the adaptation works required to install the double glazing to the timber frames and full details of the new aluminium double-glazed windows shall be prepared by a suitably qualified professional and submitted to and approved in writing by the Local Planning Authority. All development pursuant to this permission must be carried out in accordance with the approved details.  
REASON: To ensure suitable record is kept of historic building features and fabric to allow future reinstallation in accordance with the following policies of the Local Plan: DM10.1, DM12.2.
- 7 Prior to the installation of the triple glazing, full particulars and drawings in respect of the following 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) Sapele panels and opaque glazed spandrel panel which span the party wall (between the oriel windows of flat 347 and neighbour); and  
(b) the external manifestation of the bookshelf  
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, DM12.2.
- 8 Following the removal of the existing glazing from the frames and prior to the installation of double glazing, a full condition survey of the existing frames, fixings, and supporting structure shall be prepared by a suitably qualified professional and submitted to and approved in writing by the Local Planning Authority.  
REASON: To ensure suitable record is kept of historic building features and fabric to allow future reinstallation in accordance with the following policies of the Local Plan: DM10.1, DM12.2.
- 9 Following installation of the double glazing and before any works to remove the existing window framing are begun, the Local Planning Authority, in consultation with Historic England, Twentieth Century Society and residents of Golden Lane Estate, shall inspect the windows on site to assess the visual detailing, and the following details shall be submitted to and approved in writing by the Local Planning Authority:  
(a) Details and results of acoustic testing to the double-glazed windows;  
(b) Details and results of pressure testing to the double-glazed windows;  
(c) Details and results of water tightness testing to the double-glazed windows;  
(d) Details and results of thermal performance testing as appropriate to the double-glazed windows;  
(e) Details and results of any other testing as appropriate.  
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, and to ensure that there are adequate results of the trial with regards acoustic and energy performance that are provided to the Local

Planning Authority, in accordance with the following policies of the Local Plan: DM10.1, DM12.2, DM15.1.

- 10 Following installation of the triple-glazed windows, the Local Planning Authority, in consultation with Historic England, Twentieth Century Society and residents of Golden Lane Estate, shall inspect the windows on site to assess the visual detailing, and the following details shall be submitted to and approved in writing by the Local Planning Authority:
- (a) Details and results of acoustic testing to the triple-glazed windows;
  - (b) Details and results of pressure testing to the triple-glazed windows;
  - (c) Details and results of water tightness testing to the triple-glazed windows;
  - (d) Details and results of thermal performance testing as appropriate to the triple-glazed windows;
  - (e) Details and results of any other testing as appropriate.
- 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, and to ensure that there are adequate results of the trial with regards acoustic and energy performance that are provided to the Local Planning Authority, in accordance with the following policies of the Local Plan: DM10.1, DM12.2, DM15.1.
- 11 All new work and work in making good 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 permission.  
REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1, DM12.2.
- 12 The works hereby permitted shall not be begun until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during deconstruction and 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 demolition and 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 demolition and construction 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: DM15.7, DM21.3. These details are required prior to demolition in order that the impact on amenities is minimised from the time that development starts
- 13 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: Site Location Plan; 2414-10-ZZ-PL-00-1730A Rev

1; 2414-10-ZZ-PL-00-1730 Rev 1; 2414-10-ZZ-PL-00-1781A Rev 1; 2414-10-ZZ-PL-00-1781 Rev 1; 2414-10-ZZ-PL-00-1782A Rev 1; 2414-10-ZZ-PL-00-1782 Rev 1; 2414-10-ZZ-PL-00-1790A Rev 1; 2414-10-ZZ-PL-00-1790 Rev 2; 2414-10-ZZ-PL-00-1800A Rev 1; 2414-10-ZZ-PL-00-1800 Rev 1; 2414-10-ZZ-PL-00-1900A Rev 1; 2414-10-ZZ-PL-00-1900 Rev 2; 2414-10-ZZ-PL-00-1902A Rev 1; 2414-10-ZZ-PL-00-1902 Rev 2; 2414-10-ZZ-PL-00-1909A Rev 1; 2414-10-ZZ-PL-00-1909 Rev 2; 2414-10-ZZ-PL-00-1910A Rev 1; 2414-10-ZZ-PL-00-1910 Rev 2; 2414-10-ZZ-PL-00-1911A Rev 1; 2414-10-ZZ-PL-00-1911 Rev 2; 2414-10-ZZ-PL-00-1913A Rev 1; 2414-10-ZZ-PL-00-1913 Rev 2; 2414-10-ZZ-PL-00-1917A Rev 1; 2414-10-ZZ-PL-00-1917 Rev 2; 2414-10-ZZ-PL-00-1950A Rev 1; 2414-10-ZZ-PL-00-1950 Rev 2; 2414-10-ZZ-PL-00-1951A Rev 1; 2414-10-ZZ-PL-00-1951 Rev 2; 2414-10-ZZ-PL-00-1952A Rev 1; 2414-10-ZZ-PL-00-1952 Rev 2; 2414-10-ZZ-PL-00-1954A Rev 1; 2414-10-ZZ-PL-00-1954 Rev 2; 2414-10-SI-PL-00-1295 Rev 1; 2414-10-SI-PL-00-1581 Rev 2; 2414-10-SI-PL-00-1582 Rev 2; 2414-10-SI-PL-00-1590 Rev 2.  
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

## INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:  
  
detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;  
  
a full pre application advice service has been offered;  
  
where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.
- 2 You are requested to notify the Chief Planning Officer on commencement of the development in order that the works can be inspected and monitored.
- 3 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.

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## **BACKGROUND PAPERS - 22/00322/FULL**

### Application documents

Design, Access and Heritage Statement, Studio Partington, 20 April 2022.  
Cover Letter, Grade Planning, 20 April 2022.  
Supplementary Heritage Statement, Studio Partington, 5 May 2022.

### External

#### Objects:

Letter, Roland Jeffrey, 24 May 2022.  
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Online comment, Judith Brown, 9 June 2022.  
Online comment, Jacqueline Swanson, 10 June 2022.  
Online comment, Patricia Niven, 10 June 2022.  
Online comment, Graham Kern, 13 June 2022.  
Online comment, Neil Haas, 14 June 2022.  
Letter, Gavin Hutchison, 15 June 2022.  
Email, Nigel Smith, 15 June 2022.  
Letter, Jane Dixon, 16 June 2022.  
Email, Sarah Batty-Smith, 16 June 2022.  
Email, Polly Powell, 16 June 2022.  
Email, Tim Godsmark, Chair of Golden Lane Residents Association, 18 June 2022.  
Letter, D Reid, 20 June 2022.  
Application Report, Purcell Heritage Consultancy, June 2022 – on behalf of Objectors.

#### Supports:

Online comment, Ying Yang, 30 May 2022.

#### Other:

Letter, City of London Conservation Area Advisory Committee, 16 June 2022.  
Letter, Historic England, 26 May 2022.  
Letter, Twentieth Century Society, 9 June 2022.

24<sup>th</sup> May 2022

PLNCOmments@cityoflondon.gov.uk

Dear Madam / Sir,

**Planning Application 22/00323/FULL  
Listed Building Consent Application 22/00323/LBC  
Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL**

**I am writing to OBJECT to these applications for the following reasons**

- 1) The application is for temporary planning consent for 5 years — but involves destruction of two of the facades of a flat in a Grade II\* listed building which is also the most highly designated asset in the Conservation Area. As the original fabric will not be replaced on the expiry of the consent this. It should not be described as a temporary consent.
- 2) The applicant declares that the works covered by this application are part of an analysis and development of options for the repair of Crescent House and an upgrade of thermal performance. Whilst repair and thermal upgrade are admirable objectives in themselves—and as a full-time resident of the building I am acutely aware of the need for both—destroying wholesale the fabric of a Grade II\* listed building in a spirit of experiment appears cavalier, especially since less destructive strategies seem to be available and remain unexplored.
- 3) At no point does the application demonstrate the feasibility of thermal upgrades by means of alternative techniques such as dry-lining of existing fabric, upgrading glazing in window openings from single-glazed to double-glazed, the application of external thermal cladding to the ground/1<sup>st</sup> floor soffit and 3<sup>rd</sup> floor roof vaults.
- 4) In other words the Pilot pre-emptively chooses one particular option before a proper comparison with others is properly done.

Trial before roll-out

It is good practice and widely accepted with works to listed buildings that full scale mock-ups of critical elements are trialled where there a change of design and/or materials is proposed, so that these can be assessed alongside each other.

This was the approach at Great Arthur House on the Golden Lane Estate adjacent to the application property, where a 1:1 scale bay was fabricated and erected on site to demonstrate the impact of proposals, 'before' and 'after'. These were viewable side-by-side so that a comparison could be made. As a result of this 1:1 mock-up bay the design was modified in various small but important ways during and following the application process

and consultees (Historic England, C20 Society and resident stakeholders) had a secure basis for their judgements. Details such as windows openings could be assessed for ease of use; and larger townscape and architectural effects critical to the special character of the listed building, such as the reflectivity and colour of the double glazing units in natural light conditions could also easily be assessed. The eventual finished result at Great Arthur House is of benchmark standard (though the build-out was badly managed).

Although the present application relates to a building that is more highly designated (at II\*) the so-called Pilot for trialing the project is nothing like as sophisticated as this successful mock-up and appears to trying to short-circuit the necessary work. This is because:

- One of the two options to be considered (see Schedule of works in design statement page 8) as part of this application project will be destroyed wholesale as part of the Pilot process.
- There will be no opportunity to see entirely new façade elements alongside double glazed repaired and upgraded elements. The only comparison will be with the existing fabric.
- The first of the two options listed (repair and upgrade - see Schedule of works in design statement page 8) is only being 'explored', presumably as a desktop exercise, and not constructed as a prototype, designed and drawn or apparently taken seriously; there are no construction details included in the present application.
- Though the application is to consider two options all of the drawings appear to relate to one option only, namely wholesale replacement of the façade.

### Appraisal Methodology

In spite of a statement (Design Statement 2.0 page 5) that two options have emerged for the refurbishment of Crescent House there no indication of methodology for comparing the options nor what other options have been discarded, or why. The options and the methodology have certainly not been shared with stakeholders, especially the Crescent House Residents Group.

The Design Statement is misleading in giving the impression that the application supports examination and assessment of the two remaining options. The application is not even-handed with respect to the two short-listed options.

### The Repair and Upgrade Option

The repair, upgrade and double glazing option—the first of the two listed in the Schedule of Works—has been shown to be feasible in principle in two flats in Crescent House where double glazing has been retro-fitted with improved window and door seals, etc. These are not to be considered as part of this consultation and will not be made available to residents and other stakeholders as part of the consultation because they are in privately occupied flats. However, they indicate a strong likelihood that repair and upgrade is feasible and attractive on grounds of cost, appearance and the extent of retention of heritage fabric. It is also more likely to achieving a high standard of finish because fine tolerance and high craftsmanship work will be directed on site, not in a remote building components factory. Nevertheless, work to the most recent of the two flats to be so fitted, was completed in one day. The standard of finish in the two flats upgrade using a repair and upgrade option is to such a high quality that it is very difficult to spot the upgrade.

The premise of the application is that the preferred option of the two has been selected without testing and justification in architectural, heritage or environmental terms.

During pre-application discussion between Historic England and the applicant HE made their position clear, namely that

*“the replacement of the original windows would result in the loss of historic fabric. However, if it can be demonstrated that the windows are at the end of their functional life and/or are failing due to flaws in the original design (such as at Great Arthur House), this could form the basis of the necessary justification for these proposals.”* (HE letter of advice to City of London dated 08 May 2019 ref Our ref: PA00976171)

The present application does not provide such a justification; indeed the 100% close in section window survey found exactly the opposite; namely that the faced and windows were capable of repair. It is surprising that this survey is not mention and that it is not appended to the application, since it was commissioned for this purpose.

It appears that the present application is flying in the face of advice from the Government’s statutory heritage advice agency.

### Heritage Significance

The City as applicant was made aware of the particular importance of Crescent House as a result of its pre-application discussion with Historic England who wrote to the City confirming that Crescent House

*“is one of the jewels in the crown of the City of London’s architectural legacy and widely admired for its unique style and innovation. It illustrates in built form, the development of CPB’s ideas which is highly significant given their key role in the evolution of post-war architecture in Britian. Its status as a grade II\* listed building reflects this.”* HE letter of advice to City of London dated 08 May 2019 ref Our ref: PA00976171)

In the light of this it is very surprising that the Heritage statement associated with this application to destroy wholesale both facades of one flat is not a more thoughtful and sophisticated document. It is also surprising that conservation accredited architects have not been employed and that no heritage advice is included in the application.

As the application involves wholesale demolition of two of the facades (front and back) of this flat and their replacement with a replacement that is not an accurate replica the application amounts to substantial harm to the heritage asset. For a heritage asset the starting point is that such loss is always unacceptable if there are other options.

Even if environment benefits accrue (and these are not specified or benchmarked in the application) they must be weighed against the substantial harm to the designated building arising from wholesale destruction of the two public faces of the flats. No such weighing is evident nor is there the requisite ‘clear and convincing justification’ (NPPF, par 200) is found in this application for the Pilot. The information and justification should be ‘proportional to its significance’ (NPPF para 194) and for a Grade II\* listed building the application does not provide this. It should, for example be a more thorough process and trailing than that for

Gt. Arthur House, briefly outlined above. In fact it is a poorly considered and less-convincing process for Crescent House, the more highly designated building.

#### Inadequate Information Provided

The information provided in support of the application is lacking in detail.

For example:

- The Heritage Statement makes no attempt to identify the reasons for the heritage significance ascribed. There are ample sources, from the remarkably (and unusually) extensive list description to the thorough two-volume Golden Lane Estate Listed Building Management Guidelines (the latter adopted as supplementary planning guidance for the site). For a Grade II\* building in the City I would expect to see this level of research and assessment
- There is no attempt to establish the fragility of the heritage significance, which is very surprising in an application to destroy such an extensive amount of fabric and replace it with non-replica designs.
- The overlay technique used on the drawings of the scheme, of before and after, make it very difficult indeed to assess the visual impact of the proposed works.
- None of the drawings relates to the first option being considered under the Schedule of Works: repair and upgrade with double glazing.
- There is no indication of the repair methods to be adopted for the first option being considered or how outcomes might be assessed.
- There is no stated benchmark for the thermal performance of either option.
- There is no weighing exercise in which the self-evident severe harm to the listed fabric might be justified, as is required by the NPPF.
- There is no learning from the two flats that have been retro-fitted with improved thermal performance and bespoke prefabricated double-glazed units.

#### Maintenance & Repair

The history of poor maintenance of Crescent House (and other buildings on the Golden Lane Estate) by the City of London is well documented. Most relevant to the present application is the 100% Close Inspection Survey commissioned in 2021 from Hallas & Co Surveyors (March 2020) which is referenced in the application, but not appended. This examined 100% of windows externally and a sample of 15% of flats internally. It indicated that 85% of the original façade timber would remain if the windows were repaired rather than replaced. Notwithstanding serious localised rot in areas where weather is harsh the remainder may be repaired as part of a façade upgrade. This survey evidence, commissioned by the applicant in preparation of this application, does not support wholesale destruction of the façade. The survey should be attached to the application nevertheless, inconvenient though it may be to the case made in the application.

Poor maintenance by the City as freeholder of the Golden Lane Estate has been especially egregious in the case of Crescent House. The coating of the windows in waterproof paint about 25 ago as part of a maintenance project has exacerbated decay by rot, because it has trapped water and because the brown painted surface has not been re-coated or maintained in 25 years. Indeed no building-wide maintenance or cyclical repair of the façades has been

undertaken for 25 years, at least, when a cycle of 6 or 7 years is the typical professional standard for this type of building. (It is puzzling to know why, since the City has a well-developed and effective rolling programme of maintenance for African hardwood windows across the Barbican Estate immediately adjacent, and this does not utilise brown vapour barrier paints or other inappropriate techniques).

It is well established in respect to listed building 'where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision' (NPPF para 196).

#### Design Details - Ventilation

Many flats (this may apply to about half of flats) in Crescent House have internal kitchens that require mechanical ventilation to meet statutory standards. The original ventilation was removed by the applicant body in the last five years and not replaced. The applicant is without a strategy for the necessary mechanical ventilation for these flats. Though it is assumed that top floor flats such as no. 347 will use openable windows as the means of ventilation the application should show how mechanical ventilation will affect the amenity and appearance of flat 347 and other top floor flats. Ventilation proposals from the applicant body (installed without benefit of Listed Building Consent so now removed) were designed to exhaust near the openable windows of top floor flats including 347 and would have impaired both the amenity by reason of smells and vibration, as well as the appearance of the building generally. Without an effective ventilation strategy, the proposals do not enable the heritage asset to contribute to a sustainable community (NPPF para 197b).

#### Design Details - Boiler Flues

Crescent House, in common with many other social housing blocks built in the same period (1959-61), performs poorly thermally and this presents severe difficulties for residents, well above half of whom are in low income brackets. The problem has been severe since the City of London disconnected the original underfloor heating system in Crescent House utilising an Estate-wide boiler room. This disconnection was abrupt and undertaken without a viable alternative heating strategy.

The Crescent House Resident Group Survey indicates that 61% of residents use gas boilers to heat their units and these invariably vent to atmosphere via the facades. There is no indication in the application about how individual gas boiler flues are to be dealt with.

Even allowing for survey error and changes in resident preferences, this is a serious issue, since flues passing through the external façade will affect the claimed thermal performance and will adversely affect appearance of the building. The applicant is without a strategy for existing flues, or those installed in future. Without a heating strategy the proposals do not enable the heritage asset to contribute to a sustainable community (NPPF para 197b). Given thermal efficiency is an important pretext for the scheme this is a serious omission.

#### Design Details – Solar Gain

The application is silent on severe problems of solar gain, which is especially acute in the upper two floors and on the elevations of the building facing Aldersgate Street/ Goswell Road / Fann Street where opening windows is not an acceptable way to address overheating

since these windows overlook a busy, noisy and polluted road (namely the A1, a major network route road from London to Edinburgh). In the Crescent House Residents Group survey 27% of resident scored solar gain highly as a problem and as this related primarily to Westward facing flats, it is probably a majority of residents that are badly affected on the elevations facing sun.

#### Design Details – rainwater

It is not clear how the reconstructed Oriel roofs are to shed rainwater. No drainage spouts are shown and since an upstand is introduced to the roof detail ponding will result. Moreover the fall to these oriel roofs has the effect of making the leading edge of the roofs thinner in the highly important elevation to Aldersgate Street/Goswell Road. Though the roofs have been recovered in metal with upstand seam, this fall appears to be derived from the original design intention of giving the roofs an elegance that will be lost if the roofs are flat. If they are given an upstand as well this clumsy and inelegant detail will be further worsened. For reasons of the appearance of the important elevation and to deal properly with rainwater the present design is inadequate.

#### Summary

Flat 347 is located within a Grade II\* listed building. The removal of most of the fabric of two elevations of this flat amount to substantial demolition of a listed structure, an 'irreplaceable resource' that should be conserved 'in a manner appropriate to its significance'. (NPPF 2021 para 198).

This application must meet a high threshold and as the grade of listing is higher than other heritage assets on the Golden Lane Estate the weight given to conserving the special character of the asset must be proportionally higher (NPPF para 199).

The present application fails to make a 'clear and convincing justification' required by the NPPF because it gives undue weight to just one option of two considered; and because it fails to show the benefits of the option premiated.

The option premiated is the most destructive in terms of fabric and character; it does not address the presenting problems of disrepair through neglect and poor thermal performance in a consistent and appropriate way appropriate to a grade II\* listed building in a Conservation Area.

**I urge you, therefore, to REJECT this application**

**From:** [Williams Amy](#)  
**To:** [PLN - Comments](#)  
**Subject:** FW: Planning Ref: 22/00322/FULL - Alternative Reference PP-11143903 - 347 Crescent House, Golden Lane Estate, London EC1Y 0SN  
**Date:** 06 June 2022 10:11:57  
**Attachments:**

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**From:** Benedict Langlands  
**Sent:** 29 May 2022 21:23  
**To:** Williams, Amy [REDACTED]  
**Subject:** Planning Ref: 22/00322/FULL - Alternative Reference PP-11143903 - 347 Crescent House, Golden Lane Estate, London EC1Y 0SN

THIS IS AN EXTERNAL EMAIL

Dear Amy Williams,

We are writing to you because I have tried to register my objection to the above planning application on the City of London website and even though I am doing everything correctly the website is not allowing me to submit my comments.

We have tried many times and I always get an error message when I press the **submit** button. Please see the attached screenshot.

We object to this planning application because it doesn't include and thereby ignores the alternative options that must be considered, ie. 1. double glazing or 2. the repair of the existing historic windows and building fabric. All of the three options must be considered together so that a proper comparison can be made to assess the relative merits and benefits of at least three important criteria which must include: 1. the aesthetic and heritage attributes, or lack thereof, of each of the three different schemes / specifications, 2. The thermal and sound insulation properties of each of the three different schemes / specifications, and 3. The cost of each of the three different schemes / specifications. Furthermore our own windows at 119 Crescent House are double glazed and in good condition so it is not a foregone conclusion that they need to be replaced at all, especially without considering the alternative possibilities first.

Yours sincerely,

Ben Langlands & Nikki Bell

119 Crescent House  
Golden Lane Estate  
Goswell Road  
London  
EC1Y 0SJ



# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Ms Sarah Winman

Address: 115 Crescent House Golden Lane Estate LONDON

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I vehemently object to this proposal. This triple-glazed total replacement option is not what the tenants and leaseholders of Crescent House want, so why are you still pursuing this exercise at Flat 347? Is this to create a precedent?

Please STOP this.

This is an option being pushed through with absolute disregard for the environmental impact of the project, with total disregard to the buildings Gradell\* listing, with total disregard to the other overwhelming problems associated with the building. And for those of us on the first floor, one of the major problems is the flooring and the lack of insulation, which we have been told is NOT going to be addressed as part of this overhaul. I therefore shall still be left with a freezing flat.

I wish for my windows (which are in pretty good condition - and the majority are) to remain intact; to be skilfully, sensitively repaired where needed and to have secondary glazing, which they are wide enough and strong enough to accommodate. This is not only the sensible option, it is the most cost effective and will also have the most respectful consideration on the tenants.

A complete replacement will also lead to the displacement of tenants, and where I ask are you going to house these tenants whilst this intended work goes ahead? Many are old. Historically - and I've been here since 1992 - repair works run monstrously over. How will you factor that in? The psychological impact, I'm talking about.

We were promised dialogue around this issue, and then we wake up one day and see this replacement option being pushed through without dialogue.

Please halt this application to install triple glazing in flat 347.

Sarah Winman 115 Crescent House

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Ms Sarah O'Connor

Address: 321 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I object to this planning application as there has been no proposal to repair the windows of Crescent House, as not all windows need to be replaced. There has been no survey of the windows that need repairing versus the windows that are functional and do not need repairing. This forced application to replace all windows that are fine, is unfairly adding costs to the project that are totally unnecessary. Replacing windows that do not need replacing is unnecessarily adding to the carbon foot print of this project, destroying existing hardwood window frames and glass that are totally serviceable. This planning application goes against the projects purported green agenda. This application is no longer about replacing window the scope of the planning application has been expanded without consultation of residents, actually the plan is to replace the whole face of Crescent House, this goes far beyond just replacing windows. Crescent House is Grade 2\* listed, its unique and important place in modern urban design needs to be protected, this project is going to undermine the architectural integrity of the building. There has been no meaningful consultation with resident, with jargon heavy virtual meetings with architects, and sales pitch flyers through doors, no effort has been made to present accessible information in a format that all residents can make a informed decision on. This application feels like the residents of Crescent House are being railroaded into a plan that bears no reference to the actual needs to repair the windows.

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Howard Sullivan

Address: 345 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other

Comment: I live next door to this property. The proposed windows have not been fully approved by Listed Building Consent and viewing them, they are thicker and chunkier. I do not want to see the external façade of the Estate butchered in this way, piecemeal, before the full processes of the windows' renovations throughout the whole building have been fully approved through the right channels. This is a Grade II\* listed building, and as such, needs to be treated with the upmost importance and due diligence. I would like to appeal against this work until there is full consensus and agreement from London Heritage/ Listed Building Consent and all experts feeding into this case to ensure the correct architectural standards are approved and agreed. To note- there would be considerable damage to the existing building and removal of serviceable windows which need to be retained due to the listing. This would undermine the Grade II\* listing.

**From:** [Williams, Amy](#)  
**To:** [PLN - Comments](#)  
**Subject:** FW: 22/00322 347 Crescent House  
**Date:** 06 June 2022 10:13:31

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-----Original Message-----

From: Johannes Davis  
Sent: 01 June 2022 14:12  
To: Williams, Amy <Amy.Williams@cityoflondon.gov.uk>  
Subject: 22/00322 347 Crescent House

THIS IS AN EXTERNAL EMAIL

Dear Amy

I object to the planning application to install triple glazing to 347 Crescent House. This is on the grounds that the installation would remove and potentially damage materials which are protected by grade ii\* listed status. If triple glazing and a new curtain wall remained then this would likely compromise the heritage status of the building. I get that we need to improve the thermal performance of the curtain walls but this could be done with Fineo glass in existing frames and retrofitting some insulation to wooden panels. This would also be a cheaper and more sympathetic option.

Regards

Johannes Davis, Flat 215 Crescent House

Sent from my iPhone

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Miss Rachel Roberts

Address: 210 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other
- Residential Amenity

Comment:

I am fully in favour of repairing the windows and improving our environment, but only when all sensible options for other residents of Crescent House have been considered, planned and costed, not by forcing the situation thereby implementing the most expensive, damaging and disruptive option.

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Ms Barbara Chesterman

Address: 235 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: Thank you for telling me at last without conversation before this, I do object strongly to the alteration of the windows, not only windows but the front of the building. Considering the amount of work that this will take what will happen whilst the work is being completed. I rather like the front of the building and it sets apart Crescent House for the other buildings around here and this proposed plan would alter the whole shape of the front of the building. This goes against the listed status of Crescent House and would drastically change the look of Crescent House impacting on its listed status as Grade 2 \*. Talk of replacing the windows of Crescent House has around for nearly 20 years, in those 20 years the no real efforts have been made to repair the windows and resulted in this catastrophic plan that will irrevocably and detrimentally change Crescent House forever, bastardising the original plan and vision of the building for ever.

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Ms Barbara Chesterman

Address: 235 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: Thank you for telling me at last without conversation before this, I do object strongly to the alteration of the windows, not only windows but the front of the building. Considering the amount of work that this will take what will happen whilst the work is being completed. I rather like the front of the building and it sets apart Crescent House for the other buildings around here and this proposed plan would alter the whole shape of the front of the building. This goes against the listed status of Crescent House and would drastically change the look of Crescent House impacting on its listed status as Grade 2 \*. Talk of replacing the windows of Crescent House has around for nearly 20 years, in those 20 years the no real efforts have been made to repair the windows and resulted in this catastrophic plan that will irrevocably and detrimentally change Crescent House forever, bastardising the original plan and vision of the building for ever.



# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Ognjen Ristic

Address: 317 Crescent House London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I am writing to object to application 22/00322/FULL for the following reasons:

1) Destruction of existing heritage - The applicant has provided insufficient justification as to why the existing façade is not fit for purpose and has to be removed and replaced entirely. The condition survey carried out by the council had determined that the façade did not need replacing and could be refurbished.

2) Applicant should do an initial exploratory application to test out upgrading of existing frames to double or vacuum glass prior to taking this destructive work on - Unlike situations with traditional sash windows in listed buildings the upgrade to double or triple glazing of these existing window frames is very straightforward. They are deep enough to actually allow for an upgrade without the removal of the entire façade.

3) Applicant should provide details of how they will return the façade back to original following the trial

4) Installation of new window ironmongery which go against the character of the existing windows by introducing surface mounted trickle vents, off the shelf handles, casement stays and the like. Refer to page 10 of document and supplied details. The applicant should provide further details on the ironmongery intended for the application as part of the application. The ironmongery alongside the frame design is what makes the scheme unique.

5) Installation of triple glazed windows using off the shelf profiles with single points of seal rather than two or three as would be expected for this type of construction. This detail suggests that the applicant is carrying out a tick box exercise, i.e. ticking of triple glazing, more possibly for publicity rather than intent. The window frame design should be bespoke to match the existing. If trickle

vents are to be required then they should be designed to be concealed within the frames (since they are going through all the effort and removing the frames)

6)The roof of the oriel window needs further development

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Miss Lisa Månsson

Address: 310 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I object to the planning application intending to install triple glazed windows in 347 Crescent House.

I live on the top floor of Crescent House, part of why I bought my flat was because of the amazing architecture and the historic fabric and heritage value of Crescent House.

With this planning going through this will cause a destruction in just that, not only will it damage the environment by removing serviceable windows by destroying them it will also undermine the Grade II\* listed status of Crescent House. This said, why would you completely remove and replace the original facade that the listing is based on?

This plan will also cause a longer disruption than an upgrade and we, who live here will have to remove features we have next to windows in both living room and kitchen. Will we be able to stay in our flats while this work is carried out? If not, who is going to pay for temporary accommodation?

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Patrick Seal

Address: 39 Chimney Court London

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: The case for such wholesale replacement of architecturally interesting building fabric is not justified by the application both from a heritage listing status nor from a sustainability perspective in the application documentation. If repeated across all flats the look and feel of the building will be degraded.

If the pilot is not successful how will the existing facade and look be reinstated.

Jumping straight to replacement before attempting a more sympathetic and environmentally friendly refurbishment option is ill considered and therefore I object to this application.

8 June 2022

The City Of London  
Guildhall  
Sent by email to [PLNCOmments@cityoflondon.gov.uk](mailto:PLNCOmments@cityoflondon.gov.uk)

Topic: Objections to both Planning Application 22/00322/FULL and Listed Building Consent Application 22/00323/LBC

Dear Sirs/Madams

I am writing to OBJECT to both Planning Application 22/00322/FULL and Listed Building Consent Application 22/00323/LBC.

The applications are titled: "Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat. Temporary planning permission for 5 years".

These applications are not about replacing single glazed windows but destroying a façade. The windows are the curtain walls. The application is trying to downplay the reality of the massacre or Crescent House the Major Works Team of the City and Studio Partington are orchestrating.

The applications are a deliberate attempt to dilapidate of an historic Grade II\* building, the only residential Grade II\* building in the City and one of the rare examples of residential post war brutalist architecture in London and the UK. The planned work is nothing short of environmental, historical, financial, and architectural vandalism. The works proposed are consistently and systematically in opposition to all the advice given to the City by its own experts on repairs, maintenance and respect for the fabric of the building. The works proposed run roughshod over the 2008 and 2013 City of London Golden Lane Listed Building Guidelines.

The suggestion of installing a triple glazing will not resolve any of the issues listed on the application: noise, thermal improvement and ventilation. Noise affects the flats on Goswell Road, the ones on the courtyard side are quiet. A triple glazing would improve thermal insulation in the winter but will make the flats unliveable in the summer. Issues of condensation in the flats are not due to single glazing but lack of ventilation which is a behavioural problem as well as a reluctance to open the windows to air the properties due to noise and pollution from Goswell Road. I have no condensation in my flat, because I ventilate the property. Were the City serious about the welfare of its tenants, it would reduce traffic on Goswell Road, which would enable the residents to open the windows and ventilate the flats. This would reduce the noise nuisance as well.

The consequences for the City of the work proposed will be manifold, from potential criminal proceedings for having destroyed the fabric of a Grade II\* listed building to lawsuits from the residents and leaseholders for the damage done, the loss of value of the properties and failing to abide by the terms of our leases or peaceful enjoyment. The City has lost its reputation and the legal case against the residents of Great Arthur House, is it ready for a second round?

Further comments include:

- 1) Notifications, Dates and Deadlines

The application was received on 25 April 2022, validated on 9 May, with a consultation period from 13 May to 10 June. Notices were sent to neighbours and leaseholders around 13 May, and notices went up on Goswell Road dated 19 May. There is a profusion of dates, none of them line up. No letters were sent to leaseholders and non-residents by mail, a number of our neighbours have complained of not being informed by the City. Is this a deliberate attempt from the City to create confusion about the deadline for comment?

On a procedural ground only, these applications must be withdrawn.

## 2) Heritage statement Studio Partington dated 5 May 2022

Despite claiming to want to respect the nature of the Grade II\* listing, Studio Partington goes on to recommend no less than destroying the façade by destroying all the detailing and historic fabric. This is a remarkable position to take and will lead to a criminal offence. The losses include:

- all the timber frame
- removal of ventilation profiles
- changing the profile of frames
- changing the profile and design of the oriel
- the aluminium windows
- the central pivot and design of aluminium windows
- the spandrel
- the shelving
- all the detailing of the panelling and frames
- all the ironmongery

In short, Studio Partington is suggesting a systematic and thorough destruction of the façade of flat 347. How can the City and Studio Partington claim to follow the guidelines of the City and Historic England while destroying some much heritage?

Studio Partington asserts that the dismantling of the existing frames will enable a thorough assessment and record of the condition of the frames. That will certainly destroy them. As for assessing the frames, any good heritage joiner will be able to do this without destroying the frame. Studio Partington claims to be respecting the design intent of Chamberlin Powell and Bon while destroying their work. This is a serious case of cognitive dissonance.

## 3) Letter from Grade dated 20 April 2022 and signed by Ben Rogers

This letter is web of untruths. Let's unpick them.

Mr Rogers asserts that the City has conducted consultation with residents. It is true that events have taken place, these were tick boxes exercises to be seen to satisfy a process. The residents have repeatedly told the city we did not want new windows not double/triple glazing, we wanted the original windows to be repaired and maintained as per the terms of our leases. The City and Mr Rogers are ignoring any feedback we have given. Our feedback was and is clearly opposed to the works proposed in these applications.

Grade mentions the City's Climate Action Strategy. This is a faddish strategy that will go out of fashion as quickly as it has been embraced. Restoring historical building needs to go beyond the latest buzzwords and preserve the heritage for future generations. The City owns many properties in London, Crescent House is only one of many. The City only owns 50% of the flats of Crescent House. Therefore, the contribution of Crescent House to net zero fantasy target will be irrelevant, but damage done to the fabric of the building immense.

Grade mentions that the residents of Crescent House will be as little impacted by the works as possible. They have not done any impact assessment.

Grade mentions that through the destruction of the windows they will be able to assess them. Destruction to assess if something works? This is an interesting concept.

Grade claims that the new windows match the existing profile, that is blatantly untrue when looking at the drawings provided.

Grade claims the planning application is for 5 years only and that the windows might be replaced. The application does not contain any information about how the windows will be replaced once they are destroyed.

Grade claims that the interventions will ensure minimal impact that is not true, the work is designed to have maximum impact.

Grade refers to a Climate Action Strategy but does not explain which aspect of the strategy is relevant to Crescent House and how the work will contribute to it.

Grade mentions that the Design and heritage Statement explains how the proposals will enhance the thermal performance of the building. The Statement does make assertions but does not justify them. These are empty promises.

The Letter from Grade is a web of deceitful statements.

#### 4) Carbon footprint

The proposals insist on contributing to a vaguely defined Climate Action Strategy. As mentioned above, the works at Crescent House will not contribute much to the ill-defined strategy of the City. What is certain is that the destruction of the fabric of the walls (without accounting for their replacement at this stage) will have a carbon footprint much higher than repairing it. The carbon footprint of the project (windows removal+new windows) is gigantic and has not been assessed accurately by the Major Works Team. Sapele is a very expensive wood both financially and environmentally. Sapele is a hardwood listed on the IUCN red list as threatened timber species. It is wilful environmental vandalism to destroy existing Sapele frames and replace them by new ones. Is the City ready for the reputational damage this will trigger?

#### 5) Timelines

The proposals mention development dates for 1 Phase from June 2022 to August 2022: it is impossible to carry out the work in such timeframe and raises questions on the intent of the application.

#### 6) Execution and disruption

The applications do not mention anything about how the works will be carried out, the need for scaffolding, the disruption to the commerce on the ground floor and to the residents.

A thorough analysis of the structure of the building does not require the destruction of the windows nor their removal. It is perfectly possible these days to analyse a building and its windows without removing them.

The financial cost of destruction and replacement of the windows is set at £2MM, which is astronomical for a project that has been priced previously at £35k.

In conclusion, this Pilot project is not necessary to evaluate the state of the windows of Crescent House.

This application should be withdrawn as it is disingenuous and clearly intending to obfuscate a very serious issue. It is very poorly thought through. The City should expect better from its employees and contractors.

This application should be struck down as it is supporting acts of vandalism: environmental, financial, against our heritage, historical, legal. Should the City approve the application it would be complicit in destroying the fabric of a Grade II\* building which is a criminal offence. Once these applications are voted down or withdrawn, a working party between the leaseholders and the City must be set up with external experts to schedule a maintenance (no replacement) plan that will upgrade the facades. The upgrading to triple glazing should be optional.

Philippe Rogueda

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Dr Philippe Rogueda

Address: 342 Crescent House London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: This application is not about replacing single glazed windows but destroying a façade. The windows are a curtain wall. The application downplays the massacre of Crescent House the Major Works Team of the City is orchestrating. The application is a deliberate attempt to dilapidate the only residential Grade II\* building in the City. The planned work is nothing short of environmental, historical, financial, and architectural vandalism. The works proposed are consistently and systematically in opposition to all the advice given to the City by its own experts on repairs, maintenance and respect for the fabric of the building. The works proposed run roughshod over the GLE Listed Building Guidelines. Installing triple glazing will not resolve the issues paraded on the applications: noise, thermal and ventilation. Noise affects the flats on Goswell Road, the ones on the courtyard side are much quieter. A triple glazing would improve thermal insulation in the winter but will make the flats unliveable in the summer. Issues of condensation in the flats are not due to single glazing but lack of ventilation which is a behavioural problem and a reluctance to open the windows due to noise and pollution from Goswell Road. I have no condensation in my flat, because I can ventilate the property. Reduce the traffic on Goswell Road to enable residents to open their windows. The consequences for the City of the work proposed will be manifold, from criminal proceedings for having destroyed the fabric of a Grade II\* listed building to lawsuits from the residents and leaseholders for the damage done, the loss of value of the properties and failing to abide by the terms of our leases for peaceful enjoyment. The City has lost its reputation and the legal case against the residents of Great Arthur House, is it ready for a second round? The applications must be dismissed, a new application put in to schedule a maintenance (no replacement) of the windows with optional double glazing.



**From:** [REDACTED]  
**To:** [PLN - Comments](#)  
**Subject:** Planning Application 22/00322/FULL Listed Building Consent Application 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL  
**Date:** 09 June 2022 19:33:04

THIS IS AN EXTERNAL EMAIL

Dear Sir/ Madam,

## Planning Application 22/00322/FULL Listed Building Consent Application 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL

I am writing to object to these planning applications.

I feel that this application is a way for my landlord to push their preferred triple glazing scheme without listening to the residents who live in this building. Retro fitted double glazing is completely feasible and can be done in a very short space of time and without all the upheaval this project will undoubtedly entail.

A survey taken by the COL on the condition of the windows in Crescent revealed that 85% of them were sound. I do not understand why they are not using a case by case scheme to look at each of the flats and determine which windows need repair and which windows need to be replaced, surely a more cost effective option and more sustainable than cutting down trees in Africa.

It would be far better to make a mock-up of a triple glazed Crescent house window that residents could view in the community centre (as was done for Great Arthur House) rather than remove a grade II \* listed facade to achieve the same ends.

We already live in a fairly small space and the proposed plans will reduce the floor space further.

For residents like myself who live on the first floor our main loss of heat is through the floor as I live above a void. There has been no commitment to insulate the colonnade soffit below.

I have lived in Crescent house for over 20 years and am proud of its listed building status and feel this ill thought out project will undermine that status and deliver something that the majority of us residents do not want.

Yours Sincerely,

Matthew Carter

106 Crescent House  
Golden Lane estate,  
London  
EC1Y 0SJ

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Pablo Abellan

Address: 307 Crescent house Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I OBJECT to the application to replace the windows on 347 crescent house.

Over the last 20 years living on the estate I have experienced great neglect to the structure and no maintenance procedures followed to protect this grade2\* heritage asset so loved by people that live here.

Promises have been made to engage with residents regarding the upgrade of the windows. The first meeting with a residents liason group happened only after this application had been filed.

A residents meeting organised by residents last autumn found that all attendees prefer to see their windows double glazed and restored to not only avoid large costs but to also save the hardwood that is still in perfect condition (the surveyed commissioned by the corporation found 85% of it to be in perfect condition)

I demand more clarity in this process and for the freeholder to stop ignoring the recommendations made by all heritage bodies on the protection of the original fabric of crescent house. I also demand a surgical approach to restoration and upgrades needed to meet environmental challenges.

Discarding hardwood African wood frames from the 1960s to replace with new hardwoods is an environmental atrocity and must be stopped!

I invite every member of the planning committee to knock on my door and run their hands over

the beautiful frames crafted lovingly now 60 years ago. Is heart wrenching to think these could all be gone on the near future.

Please allow all parties involved to continue a conversation to reach a design solution worthy of this heritage asset by rejecting this application.

Regards

Pablo

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Luke Johnson

Address: 307 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I am writing to object on the basis of the following points:

\* Undermining of the Grade II\* listed status of Crescent House.

Damage to the environment by removing serviceable windows and destroying them.

\* Destruction of the historic fabric and heritage value of Crescent House.

I am fully in favour of repairing the windows when all sensible options have been considered, planned and costed, not by forcing the most expensive, damaging and disruptive option.

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Dr Yan Ki Lee

Address: 319 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: The proposal totally ignores that a Grade II\* listed structure which as a resident we highly respect and proud to live in.

The Application to "replace" the entire facade for 347 in order to have a triple glazed design, there is no application for a refurbishment approach.

Residents did a survey among us and many of us believe that it should be an option for repairing in order to have building fabric retained wherever possible.

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Ms Judith Brown

Address: 344 Crescent House London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I object to this proposal on the basis of the damage it would do to the historic fabric of this listed building.

The total removal of both facades of this flat would be an unacceptable loss in conservation terms.

Replacement windows would create an 'odd' section in a very prominent part of the facade.

To call this a 'temporary' permission is a nonsense since there is no possibility to reinstate the original windows.

There is no certainty that total facade replacement would be a feasible, affordable or desirable solution for the entire building.

Options to repair and improve the existing fabric should be fully examined first.

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Ms Jacqueline Swanson

Address: 324 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I am writing to OBJECT.

Whilst I very much welcome the exploratory pilot project I believe at this stage replacing the existing single glazed windows with triple glazed is unnecessarily destructive, and wasteful.

With reference to the Design Statement / Report:

4.0 Proposed Schedule of Works

e) Try to increase rebates of the frame and add double glazing

If the applicant is successful in increasing the rebates then residents would prefer the applicant to retain the double glazing in situ, replacing only those windows that are necessary. A stand alone mock-up of triple glazed window panels should be made available which could quite easily be installed in the void flat for direct comparison to the double glazed windows installed in the repaired (where necessary) window frames.

This allows for all the environmental and acoustic assessments to be made with the option that creates the least damage to the fabric of this grade 2\* listed building. Triple glazing will materially change the look of the exterior and interior and residents have consistently fed back to the City that they want this avoided unless absolutely necessary. It's nothing short of an act of environmental and aesthetic vandalism to rip out the windows of any property and replace with triple glazed windows without evidence of the absolute need to. How can assessments of the void with triple glazing give us any idea of how double glazing will work?

Unfortunately, the applicant has to date failed to give residents a cogent explanation as to why triple glazing is preferable to double glazing and so we must first determine whether double glazing is adequate. Our environmental obligations are not just about ticking boxes.

The windows programme is ay behind schedule and residents are very keen to have warm, well insulated homes particularly as we face rising fuel costs. It is a shame that the applicant is not offering an approach that residents can support. We should be working together on this.



# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Ms Patricia Niven

Address: 115 Crescent House Golden Lane Estate LONDON

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I whole-heartedly oppose this application. You are vandalising a grade II\* listed building and for what end? We do not wish for the complete replacement of the window wall to be the solution to the Crescent House window crisis. The majority of the windows are in good enough condition to pursue a restoration and double-glazed option - which is what the majority of leaseholders and tenants want. Why will you not listen to us? You did promise us that.

This application is a pointless exercise. You are not making the flats of this building 'greener' with this option. If you were serious about heating, cost of living crisis, you would have factored in an overhaul of the heating system within the building and also insulating the floors of the flats on the first floor, which you are not going to do.

This is the worst option to pursue. Where will you house displaced tenants whilst you take out a wall of the building? How will you factor in the safe disposal of the asbestos whilst people are living nearby? Who will bear the cost of this temporary living arrangement. Who will bear the cost of the interior redecoration of every single flat?

I can only surmise that you may have already gone into a financial agreement with the window manufacturers. What else explains your refusal to countenance the alternative option that we all continually put forward - one that respects the buildings listed status and historic value, that respects the impact on sustainability, that respects the tenants' wishes and respects the overall costing.



# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Graham Kern

Address: 213 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: Put simply, this hasty attempt to rejuvenate Crescent House is visually illiterate.

In 1997, Historic England formally documented the sophisticated design of Crescent House and awarded its very rare, Grade II\* listing.

Yet, for the past 25 years, the City has been dilatory in its obligated care and preservation of Crescent House - which is now 60 years old and blighted with fast advancing and unsanitary decay.

Historic England vigorously championed the Corbusier-inspired, design of Crescent House which, in turn, powerfully influenced the Barbican Estate, whilst also aligning Crescent House with the exalted architecture which animates the Square Mile.

Our cityscape is unique and magnificent: it spans 2,000 years from Roman settlements; via the English Baroque of Sir Christopher Wren; to the dazzling 'hi-tech' of Sir Norman Foster.

Why then is the City proposing to coarsely future-proof Crescent House with chunky-framed, triple glazing?

Against the highly considered listing, the City's proposal is unsuited for the densely glazed block, not least its stepped West façade.

Indeed, it is preposterous.

It is equal to bolting dozens of fluorescent-pink Chinese Pagodas over the dome of St. Paul's Cathedral in the deluded hope that it will look youthful.

Please, I implore the City to stop haemorrhaging funds for its dozy and spurious research, and to cease wasting further years of the Residents' precious lives.

Instead, the City must work swiftly with professional experts for, now, the situation is an emergency.

Urgently the City must liaise with, and eagerly defer to, experienced Heritage Architects who will swiftly guide, visualise and credibly scope affordable proposals to revive Crescent House.

The City's current proposal is ill-conceived and I object to it.

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Neil Haas

Address: 106 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other
- Residential Amenity

Comment: I am objecting to the application for the following reasons-

1. Flats should be considered on a case by case basis and not be subject to a blanket proposal that is developed by an application approval arising from work carried out on one property only.

Complete removal of the existing frames is unnecessary and the success of the procedure in one flat is crucially limited in its suitability to provide a building wide roadmap for the window works program as around 85% of the flats have existing original frames that are suitable to be refurbished and are able to receive new glazing without being removed and destroyed.

Any ongoing application should as thoroughly investigate refurbishment possibilities to the same level as the current removal and replacement proposal.

2. Removal of windows and surrounding building fabric will have a devastating effect visually and in terms of the residents' wellbeing.

Crescent House is a Grade 2\* listed building and is of international architectural significance. The viability of retro-fitting the existing units with triple or double glazing and refurbishing frames where possible should be thoroughly researched and an application developed for this.

Furthermore any vulnerable residents will be unable to cope with the disruption, mess, noise and

destruction of the part or whole outside wall of their flats, especially since the City of London have not provided any plan for how to house residents whilst the work is undertaken.

I know first hand of several neighbours in their 80s who will not be able to cope with or even face the thought of such disruptive works. The welfare of these residents should be considered on a personal level and the flats they live in on a case by case basis.

The current proposals do not consider these serious personal and social issues in any depth and this needs to be completely rectified in any further application.

Gavin Hutchison, 103 Crescent House, Golden Lane Estate, London, EC1Y 0SJ

[PLNCOmments@cityoflondon.gov.uk](mailto:PLNCOmments@cityoflondon.gov.uk)

15th June 2022

Dear Madam / Sir,

**Planning and Listed Building Consent Applications 22/00322/FULL and 22/00323/LBC**

**Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL**

**Planning Reference - PP-11143903**

I wish to vigorously object to these application on the following grounds :-

### **Process Objections**

The application itself is contrary to commitments made by the applicant's team during resident consultation; including at a Final Public Consultation Session 24.11.2, that a refurbishment approach would be drawn and costed before any planning application was made.

The application for a 5-year temporary consent for changes to a Grade II\* listed building is not appropriate to the importance of the heritage asset. That the very visible changes to this building are not considered worthy of a permanent consent should be taken as evidence that the applicant is either not confident of their proposal or would like the consultees to consider the application with less weight. The idea that a dismantled façade is ever likely to re-constructed on the building is misleading.

### **Heritage Impact Objections**

In terms of heritage impact, the proposals are (a) unjustified in the very "light touch" and insubstantial application documents; and (b) in any event harmful to the heritage significance of this important 20<sup>th</sup> century building. For the local planning authority to grant planning permission for these proposals would amount to a major departure from both planning legislation and planning policy. Accordingly, I object to the proposals on these grounds.

The protection of England's historic environment is delineated by a listing system which identifies 2% of our building stock with characteristics that deserve special care. Grade II\* protection is unusual and applies to around 5% of this number. Very few of these were built in the 20<sup>th</sup> Century and only a handful are 'mass housing' which were often built quickly and cheaply. This is not what happened at Golden Lane where the City Corporation commissioned and built a '*total environment*' with a '*good claim to be the most successful of England's housing developments from the early 1950s*' Listing 1021941

Paragraph 199 of the NPPF provides that when a local planning authority is considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Crescent House is the **only** building in the Barbican and Golden Lane Estate that Historic England has deemed worthy of a II\* listing. Accordingly, it is a building that deserves an extremely high level of protection and whose conservation should carry very great weight in terms of the NPPF.

Furthermore, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for alteration of a listed building, special regard must be had to the desirability of preserving the building, its setting, or any features of special architectural or historic interest which it possesses.

There is therefore a very high bar indeed for the City Corporation as applicant (and as local planning authority) to justify the granting of planning permission and listed building consent for these proposals.

However, the application documents are woefully inadequate to justify such a major intervention in a Grade II\* listed building. The heritage assessment in particular has been poorly considered and delivered :-

- The heritage case developed for the replacement of a complete Grade II\* façade has not been produced by independent and properly qualified heritage consultants. Pre-application documents show consultancy work being undertaken by The Heritage Advisory, but their appointment has not concluded in a final report. One may ponder why they were not in a position to provide their professional assessment of this scheme.
- Studio Partington hold no heritage accreditations and are in effect 'self-marking' their own proposals whilst apparently lacking relevant expertise in designated buildings. As a result, their analysis is light, of low quality and inherently partial. It does not comply with Chapter 16 of the NPPF, the research on the original fabric, design and significance of Crescent House being cursory and lacking rigour and thoroughness. The systematic classification of changes measured against heritage significance is non-existent and the conclusions drawn have been jumped to with no reasoning basis. The document does not reflect process as would be expected of a developed heritage case and has clearly been written to justify a pre-ordained design.

I refer to the separately submitted independent report produced by Purcell, one of the UK's foremost architectural heritage specialists. The author of the report is their 20<sup>th</sup> Century Heritage Consultant, Jon Wright. The research, analysis and conclusions have been carried out in accordance with best practice and the NPPF. As you will see, the Purcell report concludes that:

- (a) the application documentation is inadequate to justify the proposals; and
- (b) the proposals would be harmful to the heritage significance of Crescent House. Purcell identify that the level of harm to Crescent House would be "substantial" (within the meaning of paragraph 201 of the NPPF)

Given that the proposals entail "substantial harm", it must be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm. The application fails to do this. There are alternative solutions (ie enhanced double or vacuum glazing) which would achieve the same benefits of the proposals without causing harm to the listed fabric. Moreover, in the context of the statutory duty in section 66 of the LBA 1990, it is impossible to see how the loss of the original fabric can be acceptable.

The Purcell report was commissioned by a group of residents of Crescent House but is an independent report of a professionally qualified heritage consultant, who is expert in 20<sup>th</sup> century architecture. I adopt the findings of the report as part of my objection. Clearly the findings of the Purcell report must carry great weight in the decision of the local planning authority on this application. The more so, since this is an application that the City Corporation has made as applicant, so it will be absolutely essential that the decision of the local planning authority does not have any appearance of bias or "light touch".

The documentation fails to justify the proposals in other respects:-

- no exploratory works on site have been demonstrated to inform the drawings
- the drawings have been found to include dimensional and detail inaccuracies
- there are no dimensions on the detailed drawings
- the materials proposed are only generally specified where final specification is necessary
- drawings that overlay existing and proposed conditions are confusing to most viewers

The drawings are essentially diagrammatic and do not provide consultees with a reasonably illustrated case for the proper consideration of the application.



## Environmental Design Objections

The designs for Crescent House have had a long gestation yet they are proposed for this one unit without the holistic approach recommended by all stakeholders. No Services Consultant has been present for the project – a serious omission.

Studio Partington’s site observations and resident surveys have identified condensation as difficult to manage in flats, yet the application does not propose new ventilation or tackle the challenge of incorporating this within the Grade II\* listed fabric. The applicant’s sustainability consultant, Etude, have described this inclusion as necessary to avoid the significant condensation problems caused by improving the insulative value and airtightness of the flat. (Crescent House Planning Energy Strategy Rev E Page 13). As also committed to *‘We will definitely need some form of mechanical extract ventilation as a minimum ... as upgrading the windows alone will certainly exacerbate the risk of condensation and mould’* Studio Partington, Final Public Consultation Session 24.11.21. As proposed, this project will cause progressive damage to the property.

## Sustainability Objections

The proposals for this application and the wider project have been justified as a response to the City of London - Climate Action Strategy. The aims of this policy are highly laudable but as proposed this project will be contrary to its aims.

No calculations have been undertaken on the embodied energy of the existing and new facades to provide a basis for the carbon cost of construction and occupation of Crescent House.

The full replacement of the façade is argued as necessary to reduce heat loss to a level compatible with low-temperature heating solutions and triple glazing is provided as the only solution without factoring the carbon cost of the loss of the original material and the harvesting of new high quality tropical hardwood from West Africa. A refurbishment approach of retaining the existing frames and installing slimline vacuum glazing could deliver similar U-Values compatible with low-temperature heating and with relatively little embodied carbon outlay. The effective demolition of this facade is therefore contrary to best practice sustainable design.

## Specification Objections

This topic is critical as the supposed necessity for thick and heavy triple glazing is a key driver for the replacement of the façade, on the basis that the existing frames are not deemed strong enough to carry it.

The triple glazing proposal is an outdated specification for this type of project. Changing glazing from 6mm single plate to 40mm triple paned with the addition of a prominent spacer bar edge will significantly change the visual appearance of the building and cause harm [fig.1](#)



fig.1

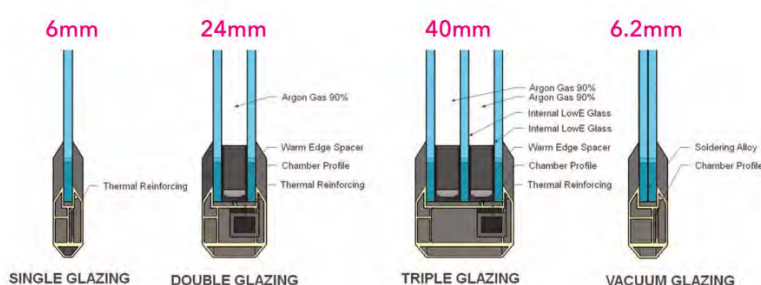


fig.2

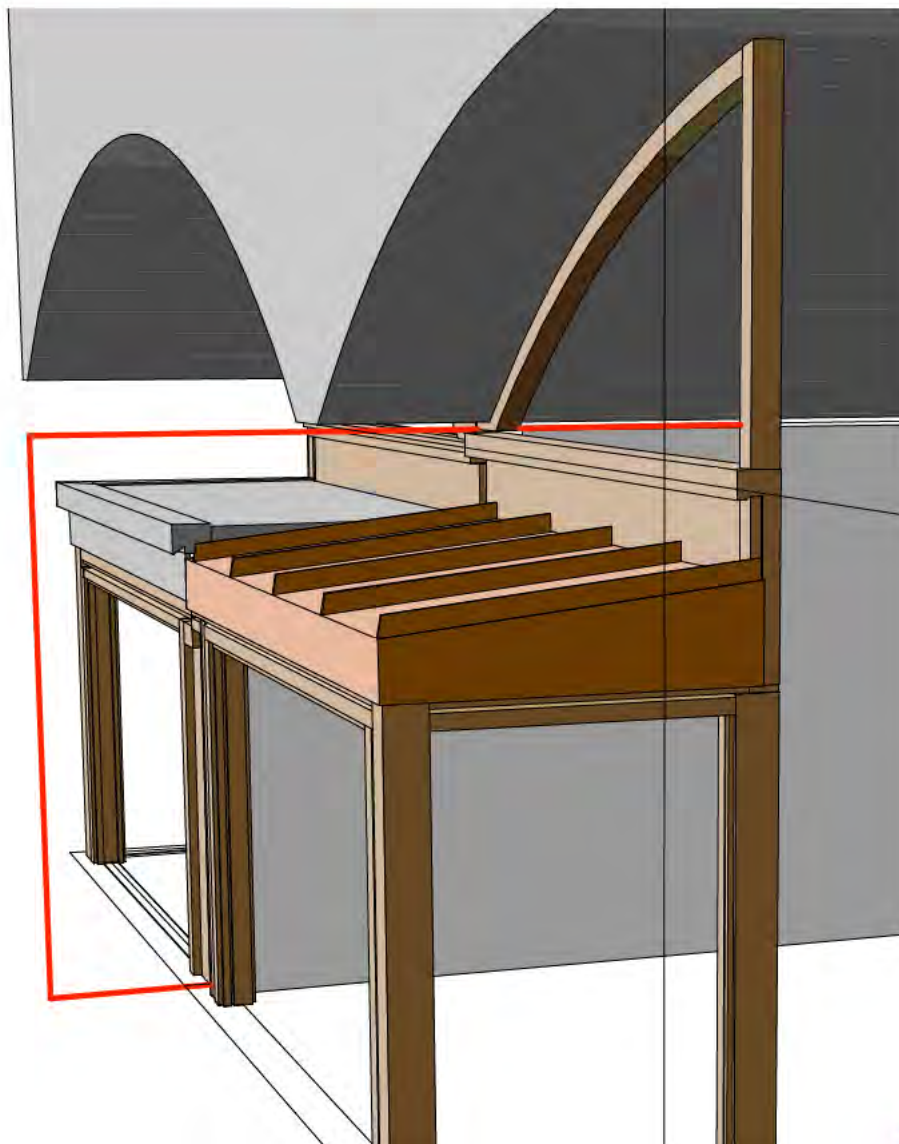
Heritage compliant, vacuum glazing panels, regularly used on historic buildings would be a 'like for like' replacement to the existing panes and match the weight, thermal and acoustic properties of triple glazing. [fig.2](#) This product has been specified extensively for all new windows on the high profile **Museum of London** refurbishment and has been reviewed and approved by the **City of London Planning Team**. The Project Team are aware of such products but have chosen not to provide a refurbishment option that utilises their benefits.

### Visual Objections

The proposed façade arrangement does not match the existing even though a precise replica is perfectly possible with new hardwood frames incorporating modern glazing and high-performance insulation.

The removal of a checks and rebates and resultant increase of section sizes will increase the visual heaviness of the frame and destroy the carefully considered elegance and proportion of the original facades.

The roof of the bay window has been swapped from a standing seam metal roof to a parapet edged un-drained flat membrane with a completely different profile. It is difficult to justify such a significant change to the basic design of a listed building and If these exist side by side, they will be visually uncoordinated in proportion, section and colouration. If carried through on a future project the change to the original designs will be detrimental as the heavy roof edge will become more dominant. All issues would be harmful to the listed building [fig.3](#) (red line denotes boundary)



[fig.3](#)

The proposal to replace the existing offset centre pivot aluminium window with a side hung thick framed ersatz copy will cause substantial harm to the 'punctuation' of the elevations. This is a highly sophisticated and elegant feature which was specially fabricated for the project. This generic replacement will change the detailed proportions and when open will protrude from the façade much further than the existing. The proposal should have included fabricating a modified replica utilising high performance glass for this pilot to be credible.

#### Weathertightness Objections

The technical problems of detailing and weathering between the new and the existing fabric when these are a different shape have not been solved. It is not acceptable to note '*To be resolved when the fabrication drawings for the joinery are produced*' in an application for LBC. The reason applications expect complete detail is that such resolutions have visual impacts. The attached 3D views have been generated directly from the application drawings to demonstrate the above issue which can only be solved by unsightly flashings and would deface and endanger the building [fig.4](#) (red line denotes interface)

Note : it is instructive that the application documents do not include any 3D visual information illustrating the new designs in isolation, as a comparison or in context on the façade.

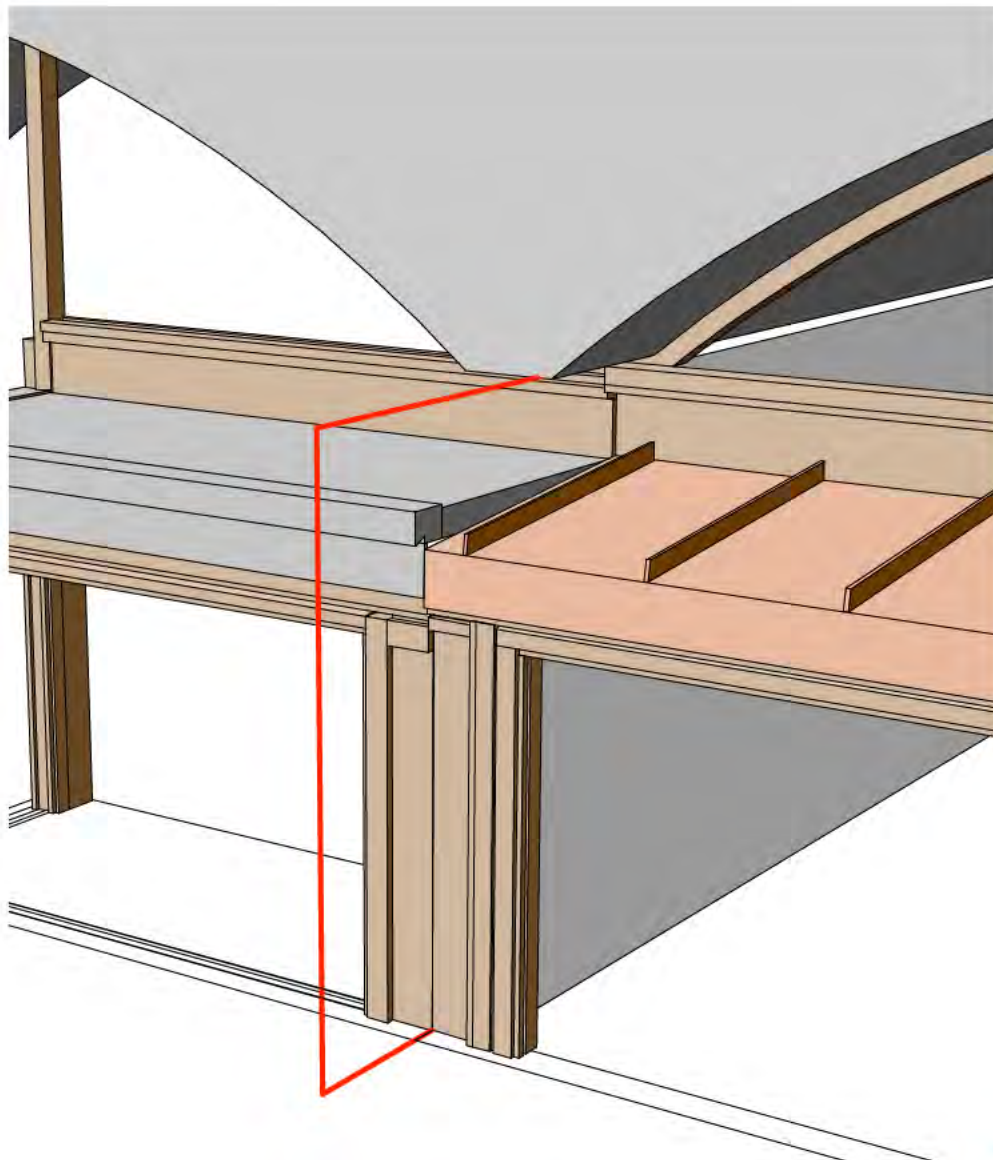


fig.4



## Conclusion

The designs proposed for this property, and as a pilot for Grade II\* Crescent House as a whole, are completely unjustified in terms of heritage impact. They have not been fully developed, are unsustainable, fail to resolve technical details, do not take advantage of new technology and ignore the visual impact on the rest of the building façade. Above all, they would cause irremediable harm to the heritage significance of the building which cannot possibly be justified in light of the fact that there are alternative means of improving the building's energy performance without wholesale replacement of its original façade.

The proposals in this 'pilot' project embody the strangest form of conservation practice, whereby the protected artefact is destroyed to understand how to preserve it. Replacing the entire façade of a Grade II\* listed building without proven justification and with no realistic expectation that it would be re-instated would result in substantial harm to Crescent House.

Accordingly, I object in the strongest terms to the proposals and urge you to reject.

**From:** [Williams, Amy](#)  
**To:** [Parker, Joanna](#); [Environment - PLN Support](#)  
**Subject:** FW: OBJECTION Planning Application 22/00323/FULL & 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate EC1Y 0SL  
**Date:** 15 June 2022 13:21:42  
**Attachments:** [image001.png](#)

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**From:** Nigel Smith [REDACTED]  
**Sent:** 15 June 2022 12:13  
**To:** Williams, Amy <Amy.Williams@cityoflondon.gov.uk>  
**Subject:** OBJECTION Planning Application 22/00323/FULL & 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate EC1Y 0SL

THIS IS AN EXTERNAL EMAIL

Dear Amy Williams

Apologies for late Representation

I trust you can accommodate it

**Planning Application 22/00323/FULL**

**Listed Building Consent Application 22/00323/LBC**

**Flat 347, Crescent House, Golden Lane estate, London EC1Y 0SL**

**I am writing to OBJECT to these applications for the following reasons**

The applications are described as a 'pilot' for the future full-scale replacement of the windows and façades to approximately 150 occupied flats at this important grade II\* listed building Crescent house at Grade II \* listed is the most highly designated building located in The Conservation Area. Further, I am not aware of any other 20th-century grade II\* listed building in the City of London

The application appears to propose the complete renewal of the windows and façades to both elevations of this particular singular flat as a 'pilot' study

I am at a loss as to what a 'temporary' planning consent for five years' actually effectively means?

In the circumstances does 'temporary' have any particular legal or statutory definition It's confusing and incomprehensible. And misleading

Although the application make reference to 2 approaches namely

1.

The upgrading of the windows within the existing hardwood frames

2.

Alternatively, the complete renewal of the frames and façades in their entirety with triple glazing inserted

The application pays much greater attention to the latter and very scant attention to former Careful inspection to the details of this application and to the absence of addressing significant associated issues (outlined below) reinforces this apparently pre-existing prejudice

The Hallas Window Survey (2020) condition survey commissioned by the City recognises that 85% of the hardwood frames were capable of reuse with only 15% requiring repair . Although the application makes reference to this report it does not include its details within the application

This omission, seemingly, to give greater weight to the entire replacement of the façade elements

There are grave dangers in giving approval to this application if it is used as a 'pilot' to be replicated to a further approximately 150 units.

The curved and varying nature of Crescent House is of great sophistication and is one of the main reasons for it being listed Grade ii\*

The number of individual and peculiar configurations which will be encountered in extrapolating the existing proposal in such a mechanistic fashion will be myriad and individually complex Each one giving an opportunity for ad hoc and ill considered constructional junctions/details which cumulatively are very likely to completely destroy the original appearance of the façades These elements being one of the main reasons for the original listing

The 20th Century Society (see their letter 9/6/22) and English Heritage's pre-application advice to the City dated 8 May 2019 (copy available if required) makes great play that a **complete holistic approach** to any works to this building is **vital**

Regrettably the current application suggests otherwise

Further complications that will arise as to exercising any repairs and upgrading this Grade II\* building will necessarily involve addressing the following additional issues - if anything like a holistic approach is to be achieved

#### Central heating flues

A very significant proportion of the 150 flats in this block have individual gas-fired boilers with flues penetrating the external envelope in a variety of fashions. The problems in accommodating such existing flue ways and any new flue-ways penetrating the external envelope both from a visual, practical and thermal insulative aspect require very careful consideration

There is no evidence in this application such matters have been considered

#### The main roof thermal capacity

The thermal capacity of the main roof is extremely poor and contributes to heat loss and condensation in the upper units.

No proposals to upgrade these areas is proposed

#### Cantilevered first floor structures

These have very limited thermal insulation and again give rise to high degrees of resident discomfort and occurrences of condensation and mould growth

No proposals to address these issues is proposed

#### The projecting bay structures

To the front elevation do require sensitive repair due to inherent design defects, defects to subsequent alterations, and many years of poor maintenance.

These elements present a most important contribution to the elegance of the western façade  
Focused consideration to addressing constructional shortcomings to these important elements is not clearly addressed

The drawings accompanying this application

Are at such a small scale and give no appreciation of the visual differentiation the proposals would create to the main elevations

I cannot see how proper meaningful consideration to this application can be given without such drawings

Namely

There are no large-scale details indicating the size of the existing timber window sections and the proposed window sections - which would give an indication of the visual ramifications of increasing the dimensions of such elements

The application discounts the use of heritage consistent vacuum glazing which would deliver comparable U values and improved RW acoustic values and be capable of being accommodated in increased rebates to the original hardwood sections - without the visual disruption inherent replacing these framing elements with timbers of increased dimension

Without such consideration I cannot see how proper evaluation of this application can be given Roland Jeffrey's letter of objection (the contents of which I wholly endorse) makes mention of several units on the block having been double glazed by having the existing hardwood sections rebated to accommodate thin vacuum double glazing.

He states how quickly this can be executed at how completely visibly unobtrusive such works are on completion

I completely concur. I have witnessed such works myself and further, have executed identical works to my own flat in the adjacent Golden Lane Estate block Basterfield House - without the necessity of scaffolding and executed in a couple of days

The applicants give no indication as having seriously considered this strategy

English Heritage in their pre-application advice to the city dated 8 May 2019 say

*Crescent House is one of the **jewels in the crown of the City of London's architectural legacy** and widely admired for its unique style and innovation.*

*It illustrates in built form, the development of CPB's ideas which is highly significant given their key role in the evolution of post-war architecture in Britain. Its status as a grade II\* listed building reflects this.*

They further state

*... Given the specialist nature of this work, I do urge that you appoint a design team with appropriate skills and knowledge of post-war housing and if possible, the work of CPB...* (The original Architects Chamberlain Powell & Bon)

Despite representations to the City on this matter The City continued to progress to appoint Studio Partington a firm which admittedly has had some experience with historic buildings but is not an Historic Building Accredited Consultancy

I respectfully suggest that the nature of this application indicates serious shortcomings arising from the rather limited experience of this firm with buildings of this rare and particular nature

C20's letter of objection dated 9 June 202 ( contents of which I wholly endorse ) recommends the refusal of this application and promotes an alternative approach suggesting retaining the existing hardwood frames to the main part of the building (85% of which are free from significant defect) but with sensitive reconstruction of the projecting bays to the west elevation (which have

suffered from their exposed locations, some aspects of the original design, from poorly detailed repair works and years of non-maintenance)

C20 stress that the existing timber design sections window furniture etc to the bays should all be respected including the reuse of existing window fittings and the window cleaning pole element (including effective and unobtrusive rainwater discharge)

Rowland's letter of objection outlines the current defects/neglect to these projecting bays - to which I again concur

### Architectural Importance

Both C20 and Mr. Jeffery's letter clearly and lucidly outline the high significance of this Grade II \*listed building and comprehensively rehearse the Statutory Obligations inherent to protect such buildings in the event of any proposed works

In these circumstances I do not propose to reiterate these arguments (to which I wholeheartedly concur)

Save for the following

*Great weight should be given to the conservation of the special interest of both designated heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In considering whether to grant planning permission for development which affects a listed building or its setting, 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." Section 72 requests that local authorities pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (NPPF, 2021) includes paragraph 199 which 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." Paragraph 200 states that any harm to, or loss of, significance should require clear and convincing justification.*

I would therefore request you revisit these texts and consider their implications and whether any (unfortunate) approval of this application would meet the City of London's Statutory responsibilities in this regard

For all the above reasons

**I urge you therefore to REJECT this application**

Nigel Smith  
Chartered Surveyor & Chartered Architect  
MSc Dip(Arch) FRICS RIBA  
Late of 338 Crescent House  
Now of 56 Basterfield House  
Golden Lane Estate  
London  
EC1Y 0TR  
Mobile: [REDACTED]  
email: [REDACTED]



## **I object to the proposals in this Application – 22/00322/FULL**

I have lived in my flat in Crescent House for 16 years, one of the main reasons for moving to it was the beauty of the design. The windows of the facade are unique in their elegance and scale and are one of the major design features of the flats, especially those on the third floor.

Whilst some parts of the window frames do certainly need repair and refurbishment (following neglect by the City of London in their duty of maintenance of them) there are large sections which are still in very good condition (a situation in my own flat but also borne-out by the City of London's own condition survey which suggested that 85% of the timber frames across the whole building are in suitable condition for renovation rather than needing any replacement).

I object because this current Application is not exploring the possibilities of any option to repair rather than replace, nor to test the merits and feasibility of double glazing rather than triple. If the result of this 'pilot' scheme was subsequently a wholesale removal of all the frames in Crescent House and replacement with new frames and triple glazing this would have a very negative impact on my life and my home.

Such a result would mean an unnecessary and harmfully distressing amount of disruption to my life due to the scale of works involved - the unwanted and unbearable cost, the need to temporarily move out of my home (to where? for how long?) or if I were to live in my home during works (behind a partition wall?) then the loss of light and the noise and disruption involved would be significantly damaging to my ability to live well.

I object to this Application for a 'pilot' project because there will inevitably be irreversible change and damage (even if in the unlikely event that the original frames are somehow to be put back in at a later date) both to the Goswell Rd facade of this architecturally significant building, and to the interior of the flat in which the replacement project is being trialled. Efforts and research should focus on repair and renovation of the existing windows wherever possible, coupled with an option to fit double glazed units within the existing, renovated frames. This approach would also prevent the shockingly unnecessary environmental waste involved in wholesale replacement (if this were to be the consequence of this 'pilot' project) of good quality, original hardwood frames.

The necessity for warm, well-ventilated and quieter homes (an issue of noise is very relevant in those flats facing Goswell Rd but hugely less so in the flats on the opposite side which are, on the whole, extremely quiet) can be achieved without the destruction of a Grade II\* listed facade and all the heritage value this embodies.

All residents of Crescent House should be allowed safe, peaceful occupation of their homes – there is a need to balance the protection of the building and that of the people living within it and I do not feel that this Application (and the potential implications of it) offers sufficient respect to either.

**Jane Dixon, 334, Crescent House, Golden Lane Estate**

**From:** [Sarah Batty-Smith](#)  
**To:** [PLN - Comments](#)  
**Cc:** [Williams, Amy](#)  
**Subject:** Planning Application 22/00322/FULL Listed Building Consent Application 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL  
**Date:** 16 June 2022 11:49:18  
**Attachments:** [rich text with attachments \(RTFD\).rtfd](#)

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THIS IS AN EXTERNAL EMAIL

I object to the planning applications and work you are planning to undertake under the above references for the reasons below.

1. A grade II\* building is being vandalised to illustrate/prove a point. This will result in substantial harm. Surely not what the listed building committee foresaw when they granted listed building consent to Crescent House. Why is a sloping roof being replaced by a flat one?

Below is the listing description

2. The intention to re-instate the work after 5 years is really beyond comprehension as it will not be possible. And why 5 years, that seems an awful long time?

3. Besides the changes to 347 being vandalism, it will look totally odd from the outside. What sort of message does that convey to passers by?

4. A new window and facade could be mocked up. There should be a mock up of a triple glazing unit and facade and another with double glazing, the latter being the preference of residents and as has been advised to the City.

5. The application does not take into account ideas put forward by residents for a refurbishment, it prefers a wholesale rip out and replace as advocated for by the City and subsequent devaluation of an asset.

6. The energy used for replacement materials for a rip out and replace exercise has embodied energy implications.

7. Flat 347 is very different to mine, I am first floor east facing. Mine is one of the smallest flats in Crescent House so any reduction in floor space I vehemently oppose, for floor space read ceiling and wall too, a reduction in space will affect the price of the flat!! Additionally, as it's east facing it is easily warmed in the summer, in fact fairly unbearable so any glass should partially reflect the heat back, so make it bearable to live in.

8. There is no mention of the other necessary works that go hand in hand with the window/facade work. As I understand it, there is presently a non functioning ventilation system in Crescent House, certainly for the flats situated in the corridor that do not benefit from windows in the kitchen and bathroom. Additionally, no installation of insulation is mentioned for the soffit on the void area for the flats on the first floor. Both need to be included and the best they can be to bring Crescent House up to a good standard that people want to and are proud to live in.

9. This is a pilot project. But what thought and planning has there been about the upheaval and displacement of residents when the work is to be done this has never mentioned?

Thanks  
Sarah Batty-Smith (Miss)

130 Crescent House  
Golden Lane Estate  
EC1Y 0SJ

Sent from my iPhone

**From:** [Polly Powell](#)  
**To:** [PLN - Comments](#)  
**Cc:** [Williams, Amy](#)  
**Subject:** Planning Application 22/00322/FULL Listed Building Consent Application 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL  
**Date:** 16 June 2022 18:11:45

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THIS IS AN EXTERNAL EMAIL

Dear Planning Committee,

> I have become aware of the planning application by the City of London Corporation to undertake a pilot project on flat 347 Crescent House for the replacement of existing single-glazed windows with triple glazed windows, together with installation of insulation to internal walls of the flat.

>

> I am the daughter of the architect Geoffrey Powell (of Chamberlin, Powell & Bon, the architects of both the Golden Lane Estate and the Barbican Estate). I am also the publisher of Stefi Orazi's recent book on the Golden Lane Estate. Consequently, I have considerable knowledge of the Estate.

> I object to this pilot scheme. The reason I am objecting is because the proposed changes do not adhere to the original build and materials, intrinsic to the original plans. The fact Crescent House is grade II\* listed, and recognised as a national heritage asset, makes the proposals not just insensitive, but wrong. The proposals will cause substantial harm and will incur unnecessary expense and environmental harm.

>

> The original fixtures and fittings are an important feature of the Golden Lane Estate. Indeed, properties that retain their original fixtures and fittings are bought and sold at a premium. Repairing the existing windows (rather than replacement) is a more appropriate, sophisticated approach that will help retain the value that is placed on the Golden Lane Estate.

>

> I think it is very important that the voices of the residents are heard. Any decision on the current proposals should be ratified by the residents.

Yours sincerely,

Polly Powell  
46 Wilmington Square  
London WC1X0ET

**From:** [Williams, Amy](#)  
**To:** [Parker, Joanna](#); [PLN - Comments](#)  
**Subject:** FW: REFERENCE: 22/00322/FULL  
**Date:** 20 June 2022 08:47:32

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**From:** TIM GODSMARK  
**Sent:** 18 June 2022 10:59  
**To:** Williams, Amy <Amy.Williams@cityoflondon.gov.uk>  
**Subject:** REFERENCE: 22/00322/FULL

THIS IS AN EXTERNAL EMAIL

Dear Ms Williams,  
I write on behalf of the Golden Lane Estate Residents' Association.

It has long been a concern for GLERA that the windows of Crescent House have progressively fallen into a state of disrepair, and whilst we support the City of London's Climate Action Strategy and agree that proposals need to be brought forward to tackle repair, thermal and acoustic performance as well as improved insulation and ventilation, we OBJECT to these proposals - not in principle but in content.

Residents have made constant attempts at constructive engagement drawing on the depth of knowledge and passion available amongst those concerned. Throughout the consultations a consistent message has come across; that most residents would prefer an approach that upgrades the building in-situ, replacing only where necessary, refurbishing the rest and installing the best possible specification of glazing and infill panel.

That the City of London Corporation have instead come forward with a scheme for 347 that, despite some side commentary, sticks to a mantra of demolition and complete replacement is deeply disappointing, particularly as residents are keen to see work progress as soon as possible. Pressure is being brought to bear on them to accept a pilot scheme that shows little regard for the Grade II\* listed status of the estate, or the appalling environmental impact of discarding all of the current window frames should the proposals be replicated on a wider scale. If this were an eighteenth or nineteenth century listed building there would be no question that as much of the listed fabric would be kept unless it was beyond saving. I am not clear why the same approach has not been followed. These proposals will cause significant harm to the historic character of the listed building.

We are, however, keen to improve living standards in the flats and save on energy usage and would support double glazing as it would not affect the character of the building and would have been used originally if widely available when the building was constructed. We believe that a more holistic approach needs to be put in place where the windows, roof and other insulation, heating and ventilation proposals are seen as a whole.

We are also deeply conscious of welfare concerns all residents have based on the level of disruption this could have on their lives. Residents want their building, their homes and their lives treated with care and respect. We believe a gentler approach to the building will translate directly to the welfare of residents, keeping more of them in their homes for longer and encroaching as little as possible on the flats when they are in occupation.

We understand that there may be issues with the funding of the widows programme as a whole and are concerned that we will have a non-matching facade element in place for many years whilst this is resolved. We would note that we were initially told that we would have new windows installed by 2012 and have little confidence that the process has accelerated or will begin on site any time soon. If the City does change the proposals to a less intrusive programme this also will leave a non-matching element in place with the absurdity of replacing new work with elements to match the existing. We believe that it is premature to carry out this work before it has been agreed what the proposals are for the facades as a whole and this wider program has planning and listed buildings permissions.

We would urge the City of London Corporation to take an approach to the windows of Crescent House that residents can support; replacing only where necessary, refurbishing the rest and installing the best possible specification of glazing and infill panel and that they withdraw this application while the proposals are reconsidered.

Regards,

Tim Godsmark  
Chair Golden Lane Residents' Association

If you would like to book a meeting with Tim please go online to <https://muuwp.youcanbook.me/>

Dear Amy,

I have lived in Crescent House for 14 years and appreciate living here because of its historic value and sense of community. I am writing to comment on the planning application for a pilot flat 347.

I am concerned about how disruptive the work to install triple glazing could be if carried out across the whole of Crescent House, when compared to alternative options.

My primary concern is that such works would have an enormous effect upon myself, and also the more elderly and less mobile residents of the estate. I have two neighbours in who are in their 80s, both have health and mobility concerns. What will happen to them if extensive works are carried out? Has the City considered that for vulnerable residents, their homes are their security that contributes to their sense of well-being? To remove vulnerable residents from their flats, or to carry out major work around them can only be detrimental to their well-being. Moreover, who picks up the bill for rehousing residents?

The City should also consider that many people, like myself, work from home either some or most of the time. If I have to move out, I am worried about to where this would be, and for how long. Where would my possessions be stored? If an easier way could be found to repair the windows and improve insulation and condensation it would be great relief.

I understand why the City wants to improve insulation and reduce noise into our flats, and I agree with that but replacing the outside walls does seem to be extreme. The heritage of the building matters a lot to me, and every effort should be made to preserve as much of the original fabric of the building as possible.

Kind regards,

Mr D Reid  
Crescent House Resident

# Crescent House

Planning Application 22/00323/FULL Listed Building Consent Application 22/00323/LBC  
For Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SN





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1	Instruction and Summary
2	Outline History of the Site
3	Golden Lane Estate - Its Inspiration and its Impact on post-war developments
4	Heritage Context
5	Assessment of Statement of Significance & Heritage Statement
	Policy & Policy Compliance
	Heritage Impact Assessment

## I Instruction

Purcell have been instructed to assess and report on the above application by three residents of Crescent House, namely Gavin Hutchison of Flat 103, Roland Jeffery of Flat 209 and Gaby Robertshaw of Flat 204 Crescent House as an application that impacts the material fabric and significance of the listing building. The instruction is to focus specifically on planning heritage policy and practice with respect to the treatment of Heritage assets in planning policy and guidance.

It has been completed by Jon Wright a specialist heritage consultant with Purcell Architects who has expertise in the architectural history and conservation of listed twentieth century buildings and sites.

The report addresses 2 key aspects of the application

1. The suitability of the accompanying Heritage Statement that has been submitted
2. The compliance with international, national, regional and local planning guidance

This assessment begins by setting out the basic history of the site and the building and is then focused on an assessment of the submitting documentation and its compliance with the policy and guidance that gives the listed building its heritage protection within the planning system.

References to the 'application' in this report refer to City of London Planning Application 22/00323/FULL or City of London Listed Building Consent Application 22/00323/LBC for Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL

### I.1 Summary Finding

It is the finding of this report that the scheme proposed in the application is not proportionate to the significance of the listed building and that consequently, the justification for the changes proposed is neither sufficiently supported by the documentation provided or compliant with the policy framework that is in place to guide change at the site.

## 2 Outline History of the Site



Cripple Gate and neighbourhood, from Civitas Londinum, c. 1560



The Golden Lane Estate area, with Grub Street bottom right and Pickax Street to the left, according to John Rocque's 1746 map of London.

The area on which the Golden Lane Estate now stands was historically known as Cripple Gate, a name which the current electoral ward of the area retains. Originally the northern entrance to Londinium's Roman fort, it was one of six main gates - the others being Ludgate, Aldersgate, Newgate, Aldgate, Bishopsgate, with the fifteenth century addition of Moorgate - alongside lesser posterns and cut-throughs.

By the mid-1700s Cripple Gate itself was demolished, and the formerly wealthy neighbourhood had declined. The most renowned thoroughfare in the area was Grub Street, which ran from Fore Street east of St Giles-without-Cripple Gate (Cripple Gate ward was bisected by the city walls, and was therefore both "within" and "without") and was indicative of the area: it was an impoverished lane which existed on the margins of London's literary and journalistic scene, set amidst the neighbourhood's doss-houses, brothels and coffeehouses.

Its close geographical proximity to both Moorfields and Bedlam hospitals linked the street to

prostitution and madness, and the name of the street itself became a pejorative term for bad writing. To the west of the area lay Pickax Street (now Goswell Road), its name is thought to derive from 'Pickt Hatch' - an area of brothels said to be in this part of London during the Elizabethan era. The interim blocks comprised with alleys, stables, and courts.



An historic photograph of the area of Cripple Gate after WWII bombing, showing protruding isolated walls and rubble.



A view of the Milton Street area (facing south toward the Thames, with the Golden Lane area out of shot to the centre/bottom of the photo) from the air, showing the extensive bomb damage and clearance (photo 1953).

### Victorian period to 1950s

In 1829 Grub Street was renamed Milton Street, apparently in memory of a tradesman who owned the building lease of the street, in order to raise the profile of the area. The influx of business that followed saw a loss of residents, a process which was accelerated by the Farringdon-Moorgate underground railway extension in 1865.

The late Victorian commercial warehouses that occupied the majority of the area were devastated by extensive bombing during the Second World War, with contemporaneous

photography showing it reduced to vast swathes of rubble.

In February 1951 the City Corporation acquired the site, extending its original planned site to Goswell Road (where Crescent House now stands) in May 1954 with the compulsory purchase of a further 4.7 acres, resulting in a total area of nearly 7 acres.

### 3 Golden Lane Estate - Its Inspiration and its Impact on Post-War developments

The competition for designs to regenerate the area was announced in 1951, with the City Corporation's brief outlining proposals for 940 one, two, three or four room flats at the maximum possible density of 200 residents to the acre, with a central heating and hot water system, a basement storage area in each block, and a community centre. The partnership of Chamberlin, Powell and Bon was formed when on 26 February 1952 Geoffrey Powell was announced as competition winner and subsequently formed a partnership with two other lecturers in architecture from the Kingston School of Art - the three having entered into an agreement that if any of their separate entries won the competition, they would share the commission as a team.

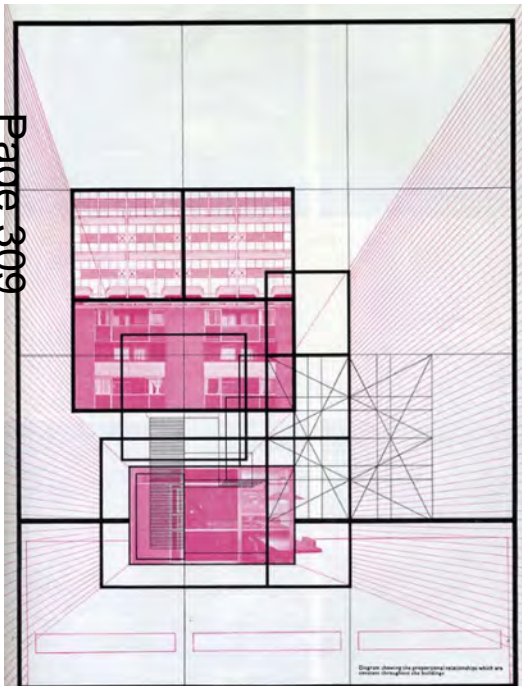


Diagram produced by Chamberlin, Powell and Bon showing the proportional relationships which are constant throughout the buildings on the Golden Lane Estate including those at Crescent House

Chamberlin, Powell and Bon stated in the Architect's Journal in 1953 that they "attempted to make Golden Lane truly urban as, for instance, Florence or Oxford City are truly urban", eschewing the Garden City Tradition, their design championed the "strong contrast between true town and true country", using the heights of buildings to house restaurants and pubs "like a lot of stork nests [with] views of the Thames, or railway termini."

Their scheme consisted of an 11-storey tower and 12 lower-level blocks and a community centre, all set around a series of pedestrian courts, designed to function as an urban microcosm.

With the requisition of additional land adjoining Goswell Road in 1954, the by-then already altered design of the estate continued to evolve, with a large number of flats being concentrated into the landmark tower-block (increasing from 11 to 16 storeys), and the utilisation of deep basements of destroyed buildings, with the further provision of shops, tennis courts and a swimming pool, a pub, and further blocks of housing.

The estate as a whole was influenced by pre-war architecture and planning schemes of Le Corbusier, with its conceptual recreation of a city in miniature, "stork nests", open plan stairs, and double height stair spaces. Crescent House, however, has an affinity with the Post-War work of Le Corbusier, perhaps principally Maison Jaoul at Neuilly-sur-Seine. The building owes much of its aesthetic identity to Maison Jaoul which placed the planar surfaces and geometric façade composition and frank materiality; but other projects such as Maison Lannemazan (1940) Maison Perissac, Algeria (1942) were possibly influential. Chamberlin Powell and Bon followed the output of Le Corbusier closely and in great detail and the partners organised office trips to visit the works.

Designed by Le Corbusier for the industrialist André Jaoul and built in 1954-6, Maisons Jaoul are a celebrated pair of houses in the Paris suburb of Neuilly-sur-Seine. The houses are considered among his most important post-war buildings, as well as his earliest brutalist works. They feature a rugged aesthetic of béton brut and rough brick, notably employing great concrete lintels as horizontal bearers, distributing the weight of the vault over the irregular openings.

Crescent House borrows heavily from Le Corbusier, including the use of a proportional measuring system in a mixed-use, modernist, and residential high-rise. Whilst at a very different scale to Maisons Jaoul, Crescent House directly references the heavy arched concrete lintels and rugged heavy timber windows and in-fill panels, instilling the structure with a sense of monumentality, and marking it out as a unique example of the move towards New Brutalism.





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Corbusier's Maisons Jaoul at Neuilly-sur-Seine



## 4 Heritage Context

### 4.1 Listed Buildings

Crescent House is part of the Golden Lane Estate and pre-dates the nearby Barbican in its aesthetic and materiality. The estate is part of a larger group of listed structures which contribute to an area with a very high proportion of heritage assets a full list is given here for context -

**Grade I** Church of St Giles

**Grade II\*** Crescent House

**Grade II** Barbican Estate, Dorothy Annan Murals on Speed Highwalk, Great Arthur House, Cuthbert Harrowing House, Cullum Welch House, Bowater House, Golden Lane Community Centre, Bayer House, Stanley Cohen House, Basterfield House, Golden Lane Leisure Centre, Hatfield House, Sir Ralph Perrin Centre

**Designated Landscapes**

Barbican Estate (Grade II\*) Golden Lane Estate (Grade II)

**Scheduled Ancient Monuments** London Wall: section of Roman and medieval wall and bastions, West and North of Monkwell Square

Crescent House is the only Grade II\* listed building on either the Golden Lane or the Barbican Estate. Designated in 1997, its listing included the ground floor parade of shops and a public house. The list description is extensive and includes detailed expression of the role the façade plays in the historic and aesthetic values of the building as well as underlining its value to the wider context of British Post-War architecture.

*"The massing of the curved and arched cornice, with the sill and pilotis below, and the stepped profile of the dark and largely glazed floors of flats in between is exceptionally impressive. Hardwood timber windows stained dark, with pivoting centrally-hung casements and some aluminium side opening lights." \*\**

\*\* The list description is inaccurate here as these side windows are actually on a central pivot.

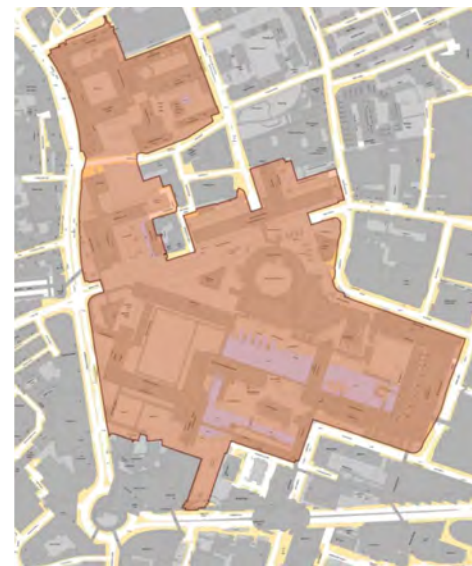
*"It is Grade II\* for its place in the evolution of post war architecture and for the sophistication with which the contrasting materials and geometry of the facade are handled."*

The nearby Barbican Estate is also Grade II listed in its entirety, making it one of the largest heritage assets in Europe. The landscaping here is listed at the higher Grade II\*, indicating its high quality of design as a formal landscape and its international value as a public space with private gardens.

### 4.2 Conservation Area

In April 2017 the Barbican Association and Golden Lane Estates Residents' Association approached the City with proposals for a new conservation area to include both estates. The City of London responded by designating the boundary in 2018 and producing an area SPD that was completed in November 2020. The boundary shown on the accompanying map covers both estates and is designed to give supplementary planning advice.

The document contains the following important clause that is concerned with potential change to the buildings on both estates, offering informed commentary on the survival of character and highlight repair and maintenance as a key aspect of the conservation effort to preserve and enhance that character.



Barbican and Golden Lane Conservation Area Boundary Map.

### Potential Enhancements

The post-war, modernist character of the Estate has survived well. Small-scale enhancements to urban greening, lighting and wayfinding could all help to enhance the Estate yet further, alongside ongoing projects of repair and maintenance of the fabric. Additionally, the reversal of later alterations could be beneficial where this would better reveal and enhance the original architectural character of the Estate.

## 5 Assessment of Statement of Significance & Heritage Statement

### Overview

It is the view of this report that neither of the supporting documents for this application are sufficient to properly assess the proposals. The high-grade of the listed building and the richness and complexity of the heritage context in which it sits require proportionate response in terms of both assessment and justification. In line with the policy and guidance for a heritage asset of this grade and in this context, the supporting documentation should give a full descriptive account of the building, a complete architectural and design history and a section of contextual or comparative analysis. The heritage statement takes information from a document that remains in draft form and in which the full significance of the building is not presented.

### 5.1 Statement of Significance

The Heritage Advisory Statement of Significance, Ref 2020/5364, was produced in April 2020 and remains in draft form. It is not clear why this work was not completed. It concentrates on the significance of the windows across the estate and draws some conclusions about their comparative value, placing Crescent House at the top of a hierarchical list of the buildings that make up the estate. The relevant paragraphs in the Heritage Statement that relate to significance are taken from this document and so it follows that the conclusions presented in it provide the only baseline information on which the justification for the changes are based.

Whilst the report sets out clearly the methodology set out in Advice Note 12, it follows it only cursorily and there are considerable gaps in the body of evidence that underpins the conclusions. We will address each of the points from Advice Note 12 as given on page 9 & 10 of the Statement of Significance, in turn. The clauses of the guidance are given below in bold, with the commentary in italics below.

**Deciding how to analyse heritage significance is likely to depend on the kind of heritage asset concerned, the nature of the proposal and the level of understanding of its history and significance at the time of application, though it is worth bearing in mind that all these approaches may be needed in especially complex cases:**

*In considering the complexity of the Golden Lane Estate, its richness in terms of designation and the high significance of both it and the Barbican, the level of assessment should be of the highest standard. Only through a robust statement of significance; one that describes in detail the heritage asset and sets out its full history, can firm comparative conclusions about heritage value be reached. Having set out this significance, that then becomes the basis for a conservation-led approach to managing change. Crescent House is a complex case in this regard and therefore all approaches outlined in the guidance are required for the establishment of a proportionate baseline. The Statement remains unfinished and yet its conclusions have been used to define the significance of the building.*

**The context for any analysis of the significance of a heritage asset will be a thorough familiarity with the asset itself, developed through site visits, and appropriate inspection of the fabric, its features, materials and ornament, and also its setting if needed.**

*There is no evidence presented in the Statement of Significance that a site visit was undertaken or that any of the built fabric of Crescent House was visually inspected. There is no description section within the document that addresses the aesthetic value of the building as it is now. This makes it extremely difficult to factor historic development, later changes, material degradation or survival into the discussion about heritage value. This constitutes a major oversight in the Statement and means that it relies solely on historic assessment of the manner in which the buildings were constructed.*

*As is stated in the guidance document, a proper and full assessment of the fabric must be undertaken for the LPA to be able to make an informed judgement on the impact of any given scheme on the significance of the heritage asset as stated in Section 5.*



**It therefore follows from the NPPF requirement that an understanding of significance must stem from the interest(s) of the heritage asset, whether archaeological, architectural, artistic or historic, or a combination of these; and that this understanding:**

**must describe significance following appropriate analysis, no matter what the level of significance or the scope of the proposal;  
should be sufficient, though no more, for an understanding of the impact of the proposal on the significance, both positive and negative; and**

**sufficient for the LPA to come to a judgment about the level of impact on that significance and therefore on the merits of the proposal.**

*Taking these in turn, it is evident that the Statement of Significance has only partially addressed the site for its relative heritage values and that these values have not been fully expressed or placed in their proper contexts. Conclusions about heritage value are presented in general terms without appreciable analysis or a proportionate evidence base.*

*This lack of evidence for the assessment is manifest throughout the document where a series of anecdotal, rather than primary or secondary sources are used as support. The lack of sources is one of the main reasons for this as the document relies almost solely on the Management Guidelines and one secondary source from 1773.*

*Crescent House and indeed the Golden Lane Estate were extensively published in architectural journals at the time of construction and have been the subject of extensive scholarly attention and discussion ever since. The competition itself for the block was a watershed moment for British Post-War architectural development and the completed buildings have long been at the centre of any debate over the challenges and issues facing Post-War heritage. Whilst it would be acknowledged that it would not be proportionate to survey all literature relating to the estate and the building, the document presents none of these sources at all.*

*For heritage assets of this importance, that have been the subject of so much critical attention for so long, it appears a rather major oversight not to have addressed some of this material to support views of the relative values inherent in the design, fabric, plan form, visual identity and cultural value of the architecture.*

*As a result, it cannot be said the LPA are therefore in the position to be able to complete a judgement on the impact of this application, without a proportionate statement to underpin the decision. For an application to legitimately say it has been conservation-led or heritage-led, it must have addressed significance as part of the application for consent. This aspect of the guidance is set out in the document in Section 6, which sets out the requirements for a staged approach.*

## **A staged approach to decision-making in applications affecting heritage assets**

**In practice developing applications for heritage-related consents will usually mean following a staged approach to decision-making. The development of proposals for change to heritage assets, and the consideration of subsequent applications based on the resultant proposals, benefits from a structured approach to the assembly and analysis of relevant information. A staged approach would usually embrace the following stages, informed by the scope of the proposal:**

**1. Understand the form, materials and history of the affected heritage asset(s), and/or the nature and extent of archaeological deposits**

**2. Understand the significance of the asset(s) These two stages fulfil the requirement in paragraph 189 of the NPPF and are undertaken by the applicant.**

*There is, in the Statement of Significance that underpins the Heritage Statement, no evidence that this approach has been followed. There is a brief assessment of the form, materials and history of the estate, but it is far from proportionate to the Grade II\* status of the building. For it to be so, a full account of the built history, a full description of the site as it now is and a detailed historic development and planning history should be evident. These would have then informed a detailed significance assessment section with relative significance judgements for the various elements, spaces and settings of the building. It is therefore not evident that this elementary, 2-staged approach that links historic research to informed judgement on value has been adhered to. Consequently, the report fails to understand the significance of the building and its context in line with the requirements of the NPPF.*

## 5.2 Heritage Statement

The Heritage Statement for the application comes in 2 parts. That which is included in the Design Statement and a Supplementary Note that was written as an addendum to what is written in the Heritage Statement.

What is written in the Heritage Statement falls substantially short of what would be expected in support of an application such as this; especially one which proposes the loss of a considerable amount of historic fabric of a Grade II\*. The assessment of the building given is presented here for ease of reference

### " 5.1 Heritage Crescent House is listed at Grade II\* "

Whilst it might be expected that any heritage information would be contained in an accompanying Heritage Statement, this is cursory at best and in no way sets out the value of the asset.

Studio Partington also prepared, to go alongside this reference, an addendum which was designed to **"supplement the heritage information in the Design Statement"**

This document is more considered and gives salient historic points copied from both the HE List Description and the Management Guidelines but as with the Statement of Significance, the level of assessment is not commensurate with the high grade of the listed building and therefore offers only that which is given elsewhere about the significance of the building and its façade.

These elements are then followed by a Heritage Impact Assessment that the windows of Crescent House are of high significance but that significance is based on **'architectural and aesthetic values, rather than archaeological or historic'**.

Since there is no thorough assessment that cites and makes value judgements about this in any of the submitted or supporting material, it is impossible to qualify this assessment or be convinced by it. It would appear that the primary heritage argument for change based on significance, rests on the notion that the concept of the façade is of higher value than its materiality. This is an assessment that is neither expressed in policy or planning guidance and it has no basis in conservation theory or practice for any listed building - regardless of date.

The heritage assessment information given to justify the changes is neither comprehensive enough in its scholarship or specific and systematic enough about its judgements and it not evidence of a thorough understanding of the architecture or the wide range of heritage values it contains in its built fabric.



At Crescent House, many flats are set round open courts.



## 5.3 Compliance with Management Guidelines

The Design Statement references a section of the Management Guidelines as a justification for the change. The section is copied here for reference

**"Whilst remaining original elements are always of interest for their authenticity and should be retained wherever possible, it may be noted that the 'special interest' of these interior fit-out arrangements inheres primarily in the ingenuity of their detailed design and quality of care as distinct from the actual materials from which they are constructed."**

This text is taken from Section 2.3.5.3 Unit interiors. This section specifically addresses the interior fittings and fixtures of the flats on the estate and is therefore not relevant to any justification for changes to the façade or its components.

It is noteworthy that no further assessment of the Guidelines is given. However, the Guidelines are clear on the importance of Crescent House façade and these are duplicated here for ease of reference. Section 4.16 states clearly that -

**Crescent House, the final building to be constructed, marks a departure from the earlier curtain wall blocks of the 1950's. It is a more robust, expressed structure and its shape responds to the gently curving line of the street, hence its name. The architects were particularly influenced by the work of Le Corbusier and referred to his Maisons Jaoul in developing their design. The ideas explored in the design of this building were significant in the ensuing character of the Barbican Estate, reflecting the importance of Crescent House in the development of the architects' design concepts. The list description for the building states: It is listed Grade II\* for its place in the evolution of post war architecture and for the sophistication with which the contrasting materials and geometry of the façade are handled**

**2.3.5 Crescent House was the final building to be completed - in 1962 - and is a defining element of the estate's special architectural interest.**

**Historic England in the list description, amplify the value of the façade and the contribution it makes to the high grade of the listing.**

**"It is listed grade II\* for its place in the evolution of post war architecture and for the sophistication with which the contrasting materials and geometry of the façade are handled"**

*On the matter of material change to the facades of Crescent House (and the other facades of Golden Lane's individually listed heritage assets), the management guidelines define a 'traffic-light' test, designed to guide change and give assuredness to decision makers, residents and stakeholders. There is a Black category and these works require LBC but a recommendation is given that these are unlikely to be given consent.*

**Black: Proposals for which an LBC application would be required, but where consent is unlikely to be granted**

**Any permanent changes to original existing facing material: timber, glass, concrete, mosaic, brick and blockwork**

**Given the importance of the original material, colours and textures in the architectural character of the estate and within the curtilage of Crescent House, it is highly unlikely that consent would be granted to make any permanent changes to the original material.**

## 6 Policy

The framework of policy that controls and governs change on the Golden Lane Estate and Crescent House more specifically is substantial in heritage terms. This section outlines that policy and gives commentary beneath pertaining to the compliance with the relevant clauses, of the current application. As with the previous section, the relevant clauses are presented in bold with commentary beneath in italics

### 6.1 National Planning Legislation Planning (Listed Buildings & Conservation Areas) Act 1990

The primary legislation relating to Listed Buildings and Conservation Areas is set out in the Planning (Listed Buildings & Conservation Areas) Act 1990.

Section 66(1) reads: "***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 maybe, the Secretary of State shall give special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses***".

*The application proposes demolition of two facades at flat 347 of Crescent House to demonstrate and display a scheme that could be rolled out across the façade.*

*The application does not present options for the preservation of the impacted fabric and so the test for the 'desirability to preserve' is not met. The supporting documentation expresses the special architectural interest of the façade and yet proposes the loss of it as being justified as part of a test. This is not a convincing or sound conservation approach and does not pay proportional regard to the value of the material fabric of the heritage asset in line with its significance.*



## 6.2 National Planning Policy Framework (NPPF)

The revised *National Planning Policy Framework* (NPPF) was published in July 2021, replacing the previously published July 2018 version and 2012 Frameworks. With regard to the historic environment, the over-arching aim of the policy remains in line with the philosophy of the 2012 framework, namely that **"our historic environments..... can better be cherished if their spirit of place thrives, rather than withers."**

The relevant policy is outlined within chapter 16, 'Conserving and Enhancing the Historic Environment'.

**189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value.**

**These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.** There is no evidence base from which to properly assess the proposals and as they stand, they do not represent a correlative conservation response to the highly-graded heritage asset. Loss of all fabric with no methodology for replacement or making good is anathema to the conservation strategy that should be employed on a building of this importance.

**190. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:**

- a the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;**
- b the wider social, cultural, economic and environmental**

**benefits that conservation of the historic environment can bring;**

**c the desirability of new development making a positive contribution to local character and distinctiveness; and**  
**d opportunities to draw on the contribution made by the historic environment to the character of a place.**

*There is no evidence presented as part of the application that a strategy for the conservation of the façade has been fully explored. The facades of Crescent House make a considerable contribution to the overall significance of the building, the Golden Lane Estate and the conservation area that includes the Golden Lane Estate and the Barbican. Crescent House is deserving of a more thorough and open-handed conservation strategy that is led and supported by conservation-accredited professionals and robust supporting documentation. This application is not consistent with that approach and posits loosely that the value inherent in the facades is not the fabric, but the innovation and concept. This is a fundamental misreading of how the fabric relates to value and this has resulted in a scheme that is neither conservation-led or an enhancement of the asset.*

### Proposals affecting heritage assets

**194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.**

The significance of Crescent House has not been adequately expressed as part of this application. Selective quotations from a draft assessment that itself was not backed with any description, site visit or conclusive ratings on the comparative significance of the façade elements present as inadequate supporting material from which to assess the application. The level of detail for a Grade II\* listed asset is substantially higher.

**195. 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.**

*Although the significance has been acknowledged it has only been cursorily explored and expressed in this application and it has not been reinforced by a robust and thorough heritage assessment of the listed building. It is not therefore possible to fully address the notion of conflict between the conservation of the façade and the proposals.*

**197. 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.**

**199. 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.**

This is the primary clause in the NPPF for the consideration of the scheme as regards its impact on the listed building and the conservation area in which it stands. The proposed development seeks temporary planning consent for 5 years - but involves destruction of two of the facades of a flat in a Grade II\*. This total loss of historic fabric constitutes **substantial harm** to the heritage asset.

In proposing the extensive loss of fabric for the purposes of testing the approach that may be implemented across the rest of the building's facades, this application is not conservation-led and parallel options for retention, repair in situ and learning from previously articulated solutions elsewhere in the building have not been identified. This proposal does not in any way suggest that 'great weight' has therefore been given to the asset's conservation.

**200. 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**

Crescent House is an exceptional listed building. Any Post-War listed building has to exceed a high bar for listing at any grade and II\* buildings from the period are understandably rare. This application, for the reasons stated have not set forth convincing justification for these damaging works. The scheme to remove fabric that contributes to the high significance of the listed building constitutes substantial

harm in NPPF terms and the justifications given are a considerable distance from being wholly exceptional. To have made a case for removal, the application would in NPPF terms, require the applicant to have produced strong supporting assessment and a conservation-led strategy for the scheme. This could have been in the form of an appraisal methodology for assessing the relative success of the new façade details with full-scale mock-ups so that comparative judgements could have been made that did not require the substantial harm to the listed building that is proposed. It is good practice with works to listed buildings where demolition is proposed, that full scale mock-ups of critical elements are trialled where there is a change of design or materiality.

**201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:**

**(a) the nature of the heritage asset prevents all reasonable uses of the site; and**

**(b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and**

**(c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and**

**(d) the harm or loss is outweighed by the benefit of bringing the site back into use.**

This scheme proposes the loss of the entire façade fabric of one Grade II\* listed flat and sets a dangerous and unsupported precedent for the future of the rest of the facades on both sides of the listed building. The facades on both sides are different and both require a bespoke and considered conservation response that has at its core the protection or enhancement of the significance of the building. There is no demonstrable public benefit advanced as part of these proposals and therefore on the basis that the losses represent substantial harm to the listed building, should be refused.

**204. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.**

This clause of the NPPF is of fundamental importance in the consideration of this application precisely because no reasonable steps can be taken to ensure the development will proceed and no methodology for making good after demolition has been submitted either. No LPA should accept the loss of fabric of a Grade II\* listed building without these kinds of assurances.

**205. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.**

The significance assessment submitted is not sufficient for the heritage asset. The document is incomplete and selective in its assessment of the various criteria. It provides no relative assessment of features, setting nor any contextual understanding about the building.

**206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.**

The scheme proposes the loss of important Grade II\* fabric. Fabric that has a pivotal role to the architectural and design history of both the estates covered by the conservation area designation. The setting of Golden Lane and the Barbican would be negatively impacted by these proposals.

## 6.3 Planning Practice Guidance (PPG) (2019)

This section sets out other guidance that is relevant to the consideration of the proposals which has not been addressed for the reasons given in the previous section

The Planning Practice Guidance (PPG) was originally published in March 2014 although it has been subsequently updated over time. The 'Conserving and Enhancing the Historic Environment' section of this guidance was last updated on 23 July 2019. In respect of heritage decision-making, the NPPG stresses the importance of determining applications on the basis of significance and explains how the tests of harm and impact within the NPPF are to be interpreted. In particular, the NPPG notes the following in relation to the evaluation of harm: "In determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest." This guidance therefore provides assistance in defining where levels of harm should be set, tending to emphasise substantial harm as a "high test".

Conservation Principles, Policies and Guidance (2008). This document sets out key guiding aims for the management of the historic environment and sets out a methodology for assessing heritage significance

Historic England Advice Note 2 'Making Changes to Heritage Assets' (February 2016) This document provides advice in relation to aspects of addition and alteration to heritage assets: "The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, aside from NPPF requirements such as social and economic activity and sustainability, are proportion, height, massing, bulk, use of materials, durability and adaptability, use, enclosure, relationship with adjacent assets and definition of spaces and streets, alignment, active frontages, permeability and treatment of setting" (paragraph 41).

Historic England: Historic Environment Good Practice Advice (GPA) in Planning Note 2 'Managing Significance in Decision-Taking in the Historic Environment' (March 2015)

This advice note sets out clear information to assist all relevant stake holders in implementing historic environment policy in the NPPF and the related guidance given in the Planning Practice Guidance (PPG). These include: "assessing the significance of heritage assets, using appropriate expertise, historic environment records, recording and furthering understanding, neglect and unauthorised works, marketing and design and distinctiveness" (para 1). Paragraph 52 discusses 'Opportunities to enhance assets, their settings and local distinctiveness' that encourages development: "Sustainable development can involve seeking positive improvements in the quality of the historic environment. There will not always be opportunities to enhance the significance or improve a heritage asset but the larger the asset the more likely there will be. Most conservation areas, for example, will have sites within them that could add to the character and value of the area through development, while listed buildings may often have extensions or other alterations that have a negative impact on the significance. Similarly, the setting of all heritage assets will frequently have elements that detract from the significance of the asset or hamper its appreciation".

Historic England The Setting of Heritage Assets Historic Environment Good Practice Advice (GPA) in Planning (Second Edition) Note 3 (December 2017)

This document presents guidance on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas and landscapes. It gives general advice on understanding setting, and how it may contribute to the significance of heritage assets and allow that significance to be appreciated, as well as advice on how views contribute to setting. The suggested staged approach to taking decisions on setting can also be used to assess the contribution of views to the significance of heritage assets. Page 2, states that "the extent and importance of setting is often expressed by reference to visual

considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places."

Approaches to the Conservation of 20th Century Cultural Heritage ICOMOS Madrid-New Delhi Document (2017) Authored by an international committee, this document provides useful, high-level guidance for the conservation of Twentieth Century Heritage sites and provides an international standard that addresses the sometimes particular approaches required for historic buildings and sites of the recent past. There are a number of relevant clauses in the document and the complete document is attached as an appendix. Some key clauses are given here:

I.2: Identify and assess the significance of individual buildings, groups of structures and cultural and historic urban landscapes. To understand the heritage of the twentieth century it is important to identify and assess all its elements, groups of related or connected places or associated cultural and historic urban landscapes, including the interrelationships between people, the environment and the site or place that contribute to its significance.

I.3: Identify and assess the significance of interiors, fittings, associated furniture and art works, collections, equipment and industrial machinery. To understand significance, it is also necessary to identify and assess interiors, fittings and associated furniture, art works, collections, and equipment and machinery associated with industrial sites and cultural landscapes.

I.4: Recognise and respect structural innovation, forms, construction techniques and building materials. The twentieth century was characterised by the introduction of innovative forms, structural solutions, building materials and construction techniques and these should be identified and their significance assessed.

1.5: Identify and assess the importance of setting. To understand the contribution of context to the significance of a heritage place or site, its setting should be identified and assessed. Setting includes not only the physical/tangible environment, but also the relationships and interaction (such as visual, ecological, historic, spatial) between the place or site and its setting. Heritage places may be part of a complex system where the relationships extend beyond the boundaries of individual sites or places.

2.6: Plan for maintenance and ongoing management. It is important to plan for regular preventive care and maintenance in the ongoing management of all cultural-heritage places and sites. Continual and appropriate maintenance and periodic inspection are consistently the best conservation action for any heritage place or site and reduce long-term repair costs. A maintenance plan will assist this process. Cultural and historic urban landscapes will require management plans to manage the processes of continual evolution and change to sustain significance. Emergency stabilisation work may also be required and assessment and subsequent work should be carried out by appropriately qualified and experienced professionals and implemented in a way that minimises impact on significance.

3.20: Adopt a cautious approach to change. Do only as much as much as is necessary and as little as possible. Any intervention should be cautious. The extent and depth of change should be minimised. Use only proven methods of repair and avoid treatments that may cause damage to historic fabric, and cultural significance; repairs should be undertaken using the least invasive means possible. Changes should be as reversible as possible. Discrete interventions can be introduced that improve the performance and functionality of a site or place on condition that its cultural significance is not adversely impacted. When change of use is under consideration, care must be taken to find an appropriate reuse that conserves the cultural significance.

## 6.5 Golden Lane Estate Listed Building Management Guidelines

In 2007 Listed Building Management Guidelines were prepared to help residents, those managing the estate and planning officers to assess what kind of work will need listed building consent. The Guidelines were formally adopted as Supplementary Planning Document (SPD) and therefore have statutory force. In 2013 a formal review was conducted and an updated version was adopted, reflecting changes in legislation and filling in gaps in the Guidelines that had become apparent since it had been published. Crescent House is described in the document as forming the 'defining elements of the estate's special architectural interest' and 'an important indicator of the evolution of post-war architecture, and design and construction of the late 1950s and early 1960s'.

The document was produced by Avanti Architects, a practice with expert knowledge of conservation of significant 20th century architecture. The document sets out the full history of the estate and gives 'traffic-light' recommendations for the management of change, grouping together works that can be done without Listed Building Consent and those that require it. As stated on page 16 of this document, the Guidelines have a traffic light system to manage change. Destruction of the façade of any kind not only requires Listed Building Consent but is unlikely to receive it.

## 6.6 Local Plan Policy

The following Regional and local plan policies are of relevance in assessing this application and are given for reference only.

### London Plan (2021)

Policy HCI - Heritage Conservation and Growth  
Policy HC3 - Strategic and Local Views

### City of London Local Plan (2015)

Core Strategic Policy CS12: Historic Environment  
Policy DM 12.1 Managing Change affecting all heritage assets and spaces  
Policy DM 12.2 Development in Conservation Areas  
Policy DM 12.3 Listed Buildings  
Policy DM 12.4 Ancient Monuments and Archaeology  
Policy DM 12.5 Historic Parks and Gardens

## 7 Heritage Impact Assessment

The application is for temporary planning consent for 5 years - but involves destruction of two of the facades of a flat in a Grade II\* listed building which is also the most highly designated asset in the Conservation Area - a conservation area that covers two of the most important and influential Post-War housing developments ever built in the UK. It is therefore proportionate and consistent with good conservation practice and policy, that a considered and conservation-led strategy for any works is forthcoming where any change is proposed.

Flat 347 is presented by the applicant as a test case for comparison with the existing fabric of other flats that will remain intact. As the original fabric will not be replaced on the expiry of the consent it is questionable that this represents a temporary consent. The applicant declares that the works covered by this application are part of an analysis and development of options for the repair of Crescent House and an upgrade of thermal performance. Whilst investigative works and on-site and off-site testing would be considered part of the raising of options, it is far from conservation best-practice to demolish complete historic facades with a view to testing their ability in performance terms against the surviving fabric of a listed building.

The elements of the façade impacted by the proposals include a sequence of elements that are of high significance value to the heritage asset. This is made clear in the list description, the management guidelines and the incomplete Statement of Significance that underpins the assessment given in the Supplementary Heritage Statement.

The hardwood timber windows, the pivoting centrally-hung casements, the in-fill spandrel panels, the Georgian wired glass and the built-in shelving and ironmongery, constitute collectively a high proportion of original fabric and their removal would result in substantial harm to the listed building. It is precisely because the character of the building rests so much on the appearance of the facades, that this application is so damaging. The removal of most of the fabric of two elevations of flat 347 amount in proportional terms to substantial demolition of a listed structure.

Lastly, this present application fails to make the 'clear and convincing justification' required by the NPPF because it gives undue weight to just one option without reference or recourse to other possibilities - some of which have been previously initiated in other flats. option proposed is, in the view of this assessment the most destructive in terms of fabric and character and it does not address the obvious and important performance issues in a heritage-led manner. For these reasons and in NPPF terms, this application would cause substantial harm to the listed building.

### 7.1 Conclusion

In not following the NPPF or Historic England policy or guidance, this application does not submit that which is required to properly assess the impact of the scheme on the building and it therefore not in compliance with the policy that governs our historic environment. No proper significant statement has been completed to support the application and that which has been started has been selectively used whilst the main assessment remains as a draft. No NPPF tests have been addressed in the Heritage Statement or the Design Statement, the latter relying on an immaterial clause from the Management Guidelines to justify the intervention. At Grade II\* and as a relatively recent piece of design, Crescent House (1959-61) is in a select and important national group of buildings. Post-War buildings account for only 1% of all nationally designated heritage assets and Grade II\* assets from any date are the top 9-10% of all listed buildings. The application of the listing criteria for Post-War buildings is understandably high and these three things combine to outline the national and indeed international heritage value of this asset.

The proposals, raised for understandable and justifiable reasons, fall considerably short of conservation and on the contrary amount to substantial harm to the listed building through unjustified demolition of some of the key elements of the listed building - elements that contribute strongly to its aesthetic and architectural character and that of the surrounding conservation area.

There has been an assumption in the last decade or more, that Post-War listed buildings should not be treated with the same degree of care and attentions that has previously been bestowed on the important architecture of earlier periods and that ill-founded notion is unfortunately prevalent in the supporting documents for this application. It is therefore the finding of this assessment that the application is not proportionate to the heritage asset. Moreover, it fails to meaningfully address the extensive and carefully raised heritage policy and guidance that governs the conservation and care of Crescent House and for those reasons this application must be refused.

Purcell  
15, Bermondsey Square  
08/06/22

# Comments for Planning Application 22/00322/FULL

## Application Summary

Application Number: 22/00322/FULL

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (Temporary planning permission for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Ms Ying Yang

Address: Flat 125, Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Noise
- Other

Comment: I support the planning application to install triple glazing to replace existing single glazed windows, together with the installation of insulation on interior walls.

Once the project is implemented, it will help alleviate the annoying traffic noise that I personally find it unbearable. It will also protect against the draft, especially during the winter season. This would save energy costs.





Ms Amy Williams

Direct Dial: 020 7973 3765

City of London Corporation

Guildhall, PO Box 270

Our ref: L01497273

London

EC2P 2EJ

26 May 2022

Dear Ms Williams

### **Arrangements for Handling Heritage Applications Direction 2021**

#### **347 CRESCENT HOUSE GOLDEN LANE ESTATE LONDON EC1Y 0SN Application No. 22/00323/LBC**

Thank you for your letter of 13 May 2022 regarding the above application for listed building consent. On the basis of the information available to date, we offer the following advice to assist your Authority in determining the application.

#### **Summary**

Crescent House is highly significant as part of the post-ward development of the City and the work of Chamberlain, Powell and Bon. It is particularly important as it marked a transition in their architectural style and experimentation with Brutalism which defined their work at the Barbican Estate. It is listed grade II\*.

Crescent House, and the Goswell Road elevation in particular, is in need of repair. There are provisions with the Golden Lane Listed Building Management Guidelines SPD for repairs and best practice. These have, in my view, been followed in developing the pilot project for Flat 347 window repairs.

I support this work in principle as part of the on-going discussions to secure a long-term solution to the performance challenges of this building.



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700  
HistoricEngland.org.uk



Historic England would expect to be involved in the review of the pilot along with other stakeholders before a final solution is agreed.

## Historic England Advice

### Significance

The City of London has a long tradition of development and management of some of the finest historic buildings in 'the Square Mile' including the Guildhall, Mansion House and London Bridge. The Golden Lane and Barbican Estates are an important part of this legacy.

Developed just after the end of WWII, Golden Lane Estate was the City's response to the significant decline in its residential population since the turn of the century. Chamberlin, Powell and Bon (CPB) were appointed following a design competition and work began in 1952. The Estate is characterised by a series of rectilinear residential blocks and a community centre set in a carefully designed hard landscape. The structures themselves used innovative curtain wall systems and pioneered new approaches to the planning of post-war housing in Britain.

In contrast to this, Crescent House was designed as a separate phase of the Estate on additional land acquired by the City of London. Constructed in 1962, it marks a transition in architectural style of CPB and the influence of Brutalism, which defined their work for the City of London on the neighbouring Barbican Estate.

The Goswell Road elevation is particularly significant and is a marker of the City's eastern boundary with its distinctive stepped profile along the curved facade. The composition of the exposed concrete aggregate, the hardwood tilting windows and tile clad pilotis at ground level were all a departure from the earlier design of the Estate. The inner courtyard elevation takes a much simpler form with grey crittal windows. The flat interiors were carefully planned to maximise the use of space and light within compact residential units.

Crescent House is one of the jewels in the crown of the City of London's architectural legacy and widely admired for its unique style and innovation.

It illustrates in built form, the development of CPB's ideas which is highly significant given their key role in the evolution of post-war architecture in Britain. Its status as a grade II\* listed building reflects this.

### Impact

The current application seeks to replace all the existing windows in Flat 347 at Crescent House as a pilot project. The results will be used to assess the potential to replace all windows in this grade II\* building.

The works, set out in 4.0 of the Design Statement, include:

- removing the existing window frames



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HistoricEngland.org.uk



- assessing their condition
- increasing the rebates of the frame to allow for double glazing
- removal of the existing frames to install triple glazing.

This work builds on the work already done at Great Arthur House to replace the failing facade and will inform the next steps in the repairs project at Crescent House.

### **Policy**

Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) set out the obligation on local planning authorities to pay special regard to safeguarding the special interest of listed buildings and their settings, and preserving or enhancing the character or appearance of conservation areas.

The National Planning Policy Framework (NPPF) 2021 sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Protecting and enhancing our historic environment is identified within the key environmental objective which delivers sustainable development.

Paragraph 199 gives great weight to conserving heritage assets in a manner appropriate to their significance, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 requires that any harm to a designated heritage asset should require 'clear and convincing justification'.

Paragraphs 202 states that in cases where proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm needs to be weighed against public benefits, and where appropriate, securing the optimum viable use.

The Golden Lane Listed Building Management Guidelines SPD sets out the significance of the estate and Crescent House in detail. Section 4.2.2 sets out the best practice guidance for the restoration of elevational elements including windows.

### **Position**

It is clear that Crescent House, and the Goswell Road elevation in particular, is in need of repair.

The Golden Lane Listed Building Management Guidelines SPD set out the procedures for repairs. It identifies the steps to deal with failing components. This pilot project sits within this guidance as a trial sample. I have no objection, in principle, to these works.

There has been extensive work done throughout the pre-application process to assess



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700  
HistoricEngland.org.uk



significance of the original windows, the nature of the failings and scoping of repair methods and/or replacement. These proposals would result in some potential loss of historic fabric in one flat. However, the method statement states that if triple-glazed windows are deemed to be unsuitable, steps will be taken to return the windows to their existing appearance as far as possible. I am satisfied that these works are a reasonable next step in the scoping of the repairs project.

I note that there is accommodation within the method statement for stakeholders, including Historic England, to inspect, review and feedback on the pilot. This is welcomed.

It is also important that performance issues such as heating and ventilation are addressed as part of an holistic approach to the repair of the building. I trust that this will form part of our on-going discussions as part of the review of this pilot project.

### **Recommendation**

Historic England has no objection to the application on heritage grounds.

We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 200 and 202.

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

### **Breda Daly**

Inspector of Historic Buildings and Areas

E-mail: [REDACTED]



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700  
HistoricEngland.org.uk





Amy Williams  
City of London Corporation  
Guildhall  
London, EC2P 2EJ  
Email: PLNComments@cityoflondon.gov.uk  
Cc'd in: [REDACTED]

09 June 2022

Dear Amy Williams

RE: 22/00323/LBC

**347 Crescent House, Golden Lane Estate, London, EC1Y 0SN**

Thank you for consulting the Twentieth Century Society on the above application for Listed Building Consent for the “Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (temporary consent for 5 years).”

**Context**

The Society has been involved in pre-application discussions with Studio Partington and the City of London Corporation about the proposed façade renewal work. The Society’s Director and Caseworker attended a site visit, its Casework Committee then reviewed the pre-application proposals on 14 June 2021 and we provided feedback in the form of a letter on 25 June 2021. In our letter, we accepted the need to upgrade the windows and looked forward to receiving more information on the proposed approach. We have since been on site again to inspect the windows in flat 347 and to discuss the pilot application and overall scheme with the project team. We now wish to provide further feedback, outlined below (under ‘Comments’).

**Heritage Assets and Policy**

The Twentieth Century Society is a company limited by guarantee, registered in England no 05330664

Registered office: 70 Cowcross Street, London EC1M 6EJ  
Registered Charity no 1110244

Crescent House was built by Chamberlin, Powell and Bon in 1958-62, completing the Golden Lane Estate, which the architects designed for the City Corporation. It is a robust and expressive reinforced concrete structure, which is 'crescent'-shaped in response to the curve of Goswell Road. Crescent House contains shops and the Shakespeare public house on the ground floor, with flats above. It has stepped elevations of single-glazed hardwood timber windows (and some aluminium lights) with mosaic and muroglass panels, beneath exposed concrete, Maisons Jaoul inspired barrel vaults. Stylistically, Crescent House anticipated the design of the Barbican Estate, which the architects went on to build.

Crescent House is Grade II\* listed "for its place in the evolution of post-war architecture and for the sophistication with which the contrasting materials and geometry of the façade are handled". It also falls within the Barbican and Golden Lane Conservation Area.

Great weight should be given to the conservation of the special interest of both designated heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In considering whether to grant planning permission for development which affects a listed building or its setting, 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." Section 72 requests that local authorities pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (NPPF, 2021) includes paragraph 199 which 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." Paragraph 200 states that any harm to, or loss of, significance should require clear and convincing justification.

## Comments

The Society understands and accepts that the original windows at Crescent House are now sixty years old and require significant refurbishment. We also appreciate that the City wishes to improve the environmental performance of the building. However the quality of the original very substantial hardwood sections was extremely high and as a result they have survived extraordinarily well, especially given the lack of recent maintenance. For both heritage and environmental reasons we would much prefer to see a solution which retained as much of the original fabric of the windows as possible.

From our site visits, it is clear that the majority of substantial areas of severe dilapidation are on the projecting bay windows, as opposed to the main plane of the glazing screen. Decay has been caused by the increased exposure of these elements, some aspects of original design details, and the detrimental impact of previous attempts at remedial work (such as the applied drips above the mosaic bands).

We understand from the Hallas Window Survey (2020) that the majority of the frames are original and are in good, repairable condition: “The survey showed that most of the timber in place is original. An estimate is 95% [...] The surveyors estimate of replacement timber required to repair the windows is no more than 10%. Therefore it is estimated that 85% of the original timber would remain if the windows are repaired rather than replaced.” (p.6 of the report). We appreciate, however, that this survey was based on visual inspection, rather than destructive investigation and that these figures may change following a more detailed inspection of the fabric. The Hallas report concurs with our assessment saying “The inspection identified most defects are wet rot located on the bay window corners.” (p.8).

Rather than using the trial project as an opportunity to construct a triple glazed solution across the whole bay, we recommend that a hybrid exploratory project is undertaken. This should retain the existing timber frames to the main plane of the glazing, and adjust it to take double glazed units (and double glazed aluminium casements, where these exist). The projecting bay should be carefully unpicked, to ensure that all available lessons as to why it has failed and what the nature and extent of previous alterations were, are learnt. This part of the window alone could then be reconstructed, taking care to replicate the appearance of joinery details, but using triple glazing. We also request that original window ironmongery and details, such as the exterior window cleaner’s pole, are retained.

Because we think that this hybrid solution to the trial should be pursued, we recommend refusal of the current application for listed building consent for removal of the full window arrangement at flat 347.

The Society’s offices are located at 70 Cowcross Street in Farringdon, a 10 minute walk from Crescent House, and we would be interested in visiting the site during the project to inspect the work and offer heritage advice.

We hope that these comments are of use to you. We would be grateful if you could please inform us of your decision on this application.

Yours sincerely,

The Twentieth Century Society, 70 Cowcross Street, London EC1M 6EJ – [REDACTED]

[REDACTED]  
[www.c20society.org.uk](http://www.c20society.org.uk)

Coco Whittaker

**Caseworker**

The Twentieth Century Society

70 Cowcross Street

London, EC1M 6EJ

Tel [REDACTED]

**Remit:** The Twentieth Century Society was founded in 1979 and is the national amenity society concerned with the protection, appreciation, and study of post-1914 architecture, townscape and design. The Society is acknowledged in national planning guidance as the key organisation concerned with the modern period and is a constituent member of the Joint Committee of the National Amenity Societies. Under the procedures set out in *ODPM Circular 09/2005*, all English local planning authorities must inform the Twentieth Century Society when an application for listed building consent involving partial or total demolition is received, and they must notify us of the decisions taken on these applications.

The Twentieth Century Society, 70 Cowcross Street, London EC1M 6EJ – [REDACTED]

[REDACTED]  
[www.c20society.org.uk](http://www.c20society.org.uk)



①

To Chief Comm. City of London Police  
Ian Dyson.

I am writing concerned at the amount of contracts, being signed for works that don't appear to correspond to 'climate change' i.e. double glazing usually applied in countries with long-term snowfall winters.

And I also enclose some home ground evidence whereby a simple job of 48 hrs <sup>approx</sup> <sup>Nowman, Goudgean,</sup> was vetoed by the City decided Roesl - so that a central heating system was more or less 'booked' situated on the first floor instead of the kitchen - moreover the scheme interfered with asbestos fibres involving asbestos contract worth three times at least the original.

(2)

With regard to the PUBLIC NOTICE the councillors & associates know full well that the contracts which appear to be granted like contracts are contrary to the wishes of the residents and that in 2017 they will boarder their balconies, even up to the mangers flow in street level protest. I should add that in the last few years four of my near neighbours have succumbed to neurological afflictions ultimately - the most recent, had cancer, the victim only 26 yrs which is uncommon in such illness, at such a young age.

①

To Chief Commr. City of London Police  
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2

With regard to the PUBLIC NOTICE the councillors & associates knew full well that the contracts which appear to be granted like contracts are contrary to the wishes of the residents over that in 2017 they will boarder their balconies, even up to the mangers floor in street level protest. I should add that in the last few years four of my near neighbours have succumbed to non-Hodgkin's lymphoma - the most recent, had cancer, the victim only 26 yrs which is uncommon in such illness, at such a young age.

③ Moreover that the present playing inflicts  
my incursions in the respiratory system to  
persistently pollute & despite the atmosphere  
is mentally <sup>dangerous</sup> defective... since 2014 when they  
sold off a £6,000,000 double glazed contract  
I have been victim to a diabolic form of  
high tone which costs me £10:00 per week  
in cleaners... and I appear to be going deaf;  
which isn't surprising that the ~~thorough~~ lane  
on the south side of my residence has been  
dug up with pneumatic/electric equipment around  
20 times at least... this year.

I'd I suspect this an deliberate harassment  
on account of my political activism, by  
hitherto property developers based in the Bahamas,  
- similar to Press houses like Desmond & Murdoch.

(4)

As a resident homeowner I am subject to a £2,500 tax - termed "Service charge" which from my point of view is illegally levied & I am not in receipt of earned income & some five years ago the housing dept. conducted me an inventory which listed as follows:

Gardening Charges  
x 10 different kinds.  
£1900:00  
Special maintenance  
£600:00

And I've thus far written on three different occasions once to Christine & twice to the Colgate office that the cable from my T.V. to the looper @ the hi-vision/telescope be disconnected so that I might receive notification of the job. And in my petition I've been keen to stress that the charge £600:00, isn't an issue I am prepared to meet demand even though I am not using the service.

(5)

I do believe my country is under attack by mass media stations and these "savants" are most clearly illustrated in all commercial T.V. sponsorships - in many Hollywood imports, and in a general attitude from the Broadcasting Corporation whereby there is a tendency to employ foreigners with pronounced accents, coupled with a willful left wing bias in news coverage in programmes such as NEWSNIGHT & HARTALK - to name a few. They are using some form of death ray cooked up by Siberian scientists to damage my brain could be a possibility.

\* I use this term of politically not geographically

6

And also though when I've heard this  
psychiatrist in conversation is managed by a "secret man"  
who owns <sup>a</sup> monopoly on all ad. agencies &  
was once in Special Branch - passed over  
for promotion for account of his "midlands  
accent", he developed a pathological hatred  
of the "solid class" and that he searches  
internet dating agencies for blue ticks  
1000000s. This may just be common & is  
irrelevant to the main point - if I am  
handing out £600:00 I feel I should have  
optical of opt. out.



7

The last person I brought these <sup>\*</sup> Perkins arguments for scouting was Alison Perkins, yet she made no copy even though she requested comment in her last circular.

\* Estate Managers

(8)

I am informed by Paul Stigh, one of the candidates up for last month's local elections, that the disconnection @ leaf top would be an easy strength between jobs.

(1)

bureaucrats

The habit of municipal ~~bureaucrats~~  
not venturing to ~~conspire~~ is academic  
I've petitioned the Sq. Mile (Rep. Glenn  
Hollibaugh) & David Green for a CPN visit  
that I am or most. That is ~~causing~~ ~~visit~~ violent  
& dangerous ~~shaking~~ for a visit from a CPN  
- after in each situation rendering ~~enough~~ ~~meets~~  
lasting 2½ hrs. (on the latter occasion with  
a psychiatrist - Pritchard -) I never got the visit

(10)

I find I am encountering an attitude problem - "WIND UPS" - a colloquial expression meaning those who pretend to cooperate but in reality only wish to disrupt on a personal level.

For example I received a visit from Mark Murphy with charges amounting to "being dishonest", "having home" & finally that day, I wrote out my intention to contribute a donation with my solicitors LIFE DAY @ Churchwell, yet Sabida, the receptionist at the Estate Office refused to take the letter even though I mentioned that Murphy was working with Christine. Now this is the third occasion that she has been deliberately unhelpful, that I should request a letter of apology.

(11)

Moreover when I'd reported a guest who  
had gone missing to Christine Phillips  
she instructed that I was not telling  
the truth when I stated that he had  
been <sup>recruited</sup> ~~recruited~~ to M.I.C (Lt. COLONEL MACDONALD  
John Palmer) & further that: 'quite' I WENT  
NOT TO WRITE TO THE CHIEF COMMISSIONER

I am sure you'd appreciate that confidential  
is the City & London for GG's - the idea  
that I am prohibited for contacting the  
president's police chief or matters of some  
urgency is not realistic - although as it happens  
I didn't pursue the MISSING PERSON inquiry.

(12)

In consideration of these arguments I  
 wouldn't expect you to copy to this  
 information, & I'd hold it information taken  
 than attempt to win civil municipal action  
 in my favour - simply that it isn't  
 a set of direct complaint or prosecution,  
 & I always feel it unfair to contact  
 police unless <sup>the situation is</sup> ~~it is~~ perpetration of a  
clearly defined criminal offence e.g. burglary  
 or malicious damage.

(13)

How can you might forward it to letter on to Donnie Rembleton, who is retired chief of the City Police, & is a professional writer, I feel he could help me with a possible T.V. documentary on political persecution. Otherwise I'd consider it info. that might be helpful.

Donnie Rembleton JS. A. 73.0.1.0.9'2

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<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	19 July 2022
<b>Subject:</b> 347 Crescent House Golden Lane Estate London EC1Y 0SN  Alterations to and replacement of existing single-glazed windows and framing structure for a temporary period of 2 years to sequentially test double and triple glazing options, together with installation of insulation to internal walls of flat.	<b>Public</b>
<b>Ward:</b> Cripplegate	<b>For Decision</b>
<b>Registered No:</b> 22/00323/LBC	<b>Registered on:</b> 9 May 2022
<b>Conservation Area:</b> Barbican And Golden Lane	<b>Listed Building:</b> Grade II Star

## Summary

Listed building consent is sought for the replacement of the existing single glazed windows with triple glazed windows to Flat 347, Crescent House, for a 2-year temporary period. The application seeks to test different options for the windows with a sequential approach; first installing double glazing into the existing frames as an intermediate measure prior to the installation of the triple glazing.

Initially the existing timber/metal single glazed windows would be stripped, and all related elements would be inspected and recorded. As an intermediate step the single glazing would be removed, and the timber frames adapted to accommodate double glazing in a manner which seeks to replicate the current window detail as closely as possible. Following installation, there would be a review of the impact on heritage and performance testing to include acoustic, thermal and general weather tightness and a stakeholder review of the double-glazing details to include residents, CoL Planning Officers, Historic England and the Twentieth Century Society. Following this the double glazing would be removed. The existing frames would be removed, inspected and stored for the temporary period. Triple glazed windows would then be installed. This would then be followed by a review of the impact on heritage and performance testing to include acoustic, thermal and general weather

tightness and a stakeholder review of the triple glazing details to include residents, Col Planning Officers, Historic England and the Twentieth Century Society. At the expiry of the two-year temporary period, the outcomes of the testing would be used to inform the next steps in the Crescent House window project. If the intervention of double or triple glazing is deemed to be unacceptable as part of the options testing, this would be removed, and the historic fabric/single glazing would be repaired and replicated as required and reinstalled.

Listed Building Consent is also sought for new thermal internal insulation to the internal west elevation (Goswell Road) including the roof of the bay window.

The site is in the Barbican and Golden Lane Estates Conservation Area and is a Grade II\* listed building. The wider Golden Lane Estate is Grade II listed. The Golden Lane Estate is a Grade II Registered Landscape.

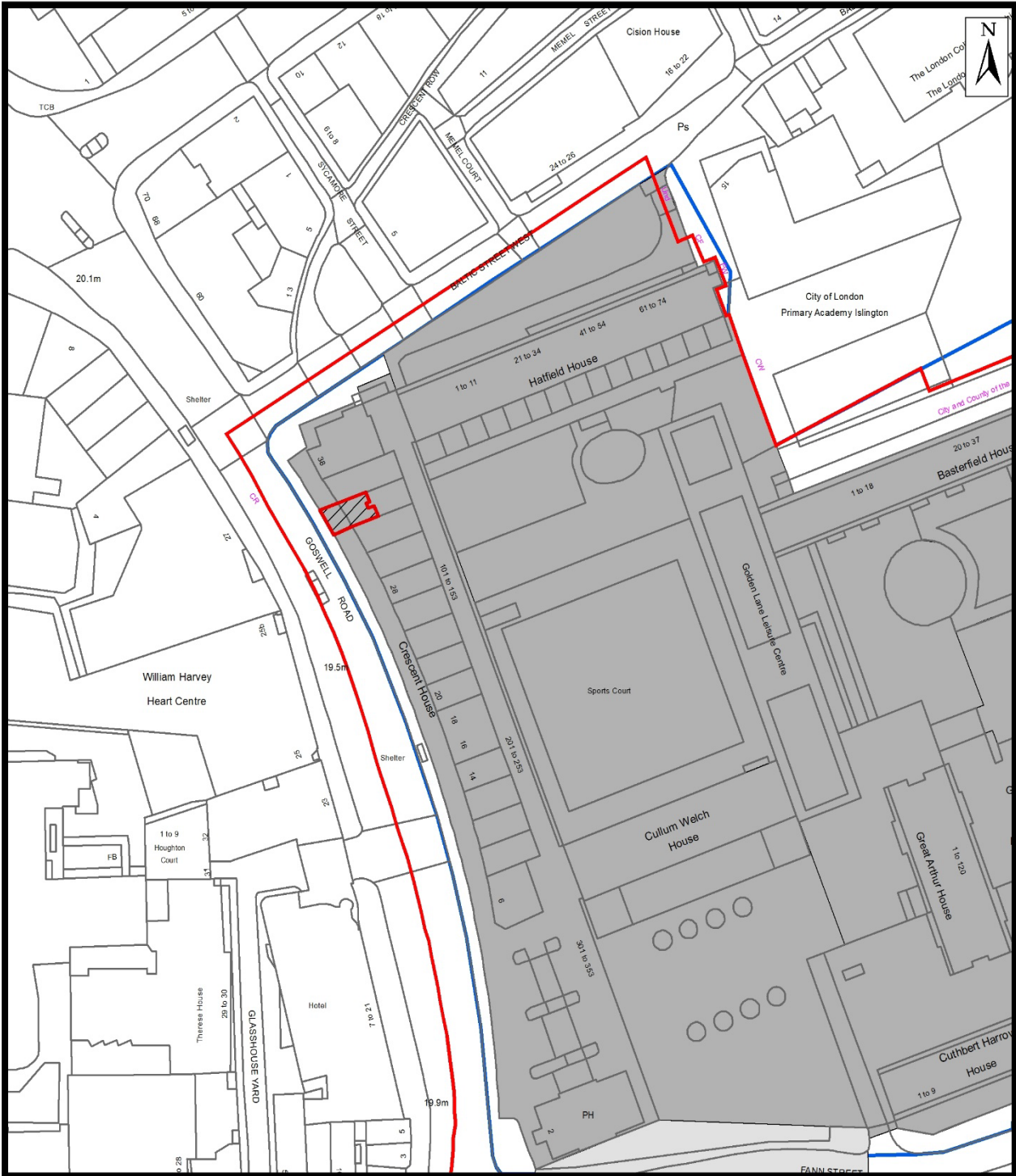
42 objections have been received which are addressed in the ensuing report.

The proposals for double glazing and triple glazing would result in a very slight level of less than substantial harm to the heritage significance of Crescent House and a negligible level of less than substantial harm to the Barbican and Golden Lane Conservation Area which it contributes to. This harm is primarily due to the temporary removal/alteration of historic fabric of high significance, which the applicants anticipate will require repair. Paragraph 200/202 of the NPPF requires this harm to have clear and convincing justification, and to balance this harm against the public benefit. Officers consider that the harm would be demonstrably outweighed by the benefits of the proposals, which include informing the long-term sustaining of a designated heritage asset and improved quality of living and wellbeing for leaseholders and social tenants, and the requirements of paragraph 202 are met. This conclusion is reached whilst attributing great weight and considerable importance, to the relevant statutory tests under s.16, s.66 and s.72 of the Act.

### **Recommendation**

(1) 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:  
347 Crescent House, Golden Lane Estate

CASE No.  
22/00322/FULL

-  SITE LOCATION
-  AREA WITHIN OWNERSHIP OF APPLICANT
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY
-  CITY OF LONDON BOUNDARY



**CITY OF LONDON**

ENVIRONMENT DEPARTMENT



Photographs



Image 1 – Crescent House, Goswell Road elevation





Image 2 – Flat 347 (Goswell Road elevation) to top



Image 3 – Close up of Flat 347 (Goswell Road)





Image 4 – Flat 347 lightwell elevation



Image 5 – close up of lightwell elevation window





Image 6 – internal view of Flat 347 Goswell Road windows



Image 7 – internal view of flat 347 lightwell windows



Image 8 – internal view of flat 347 vaulted window





Image 9 – internal view of Flat 347 Oriel window

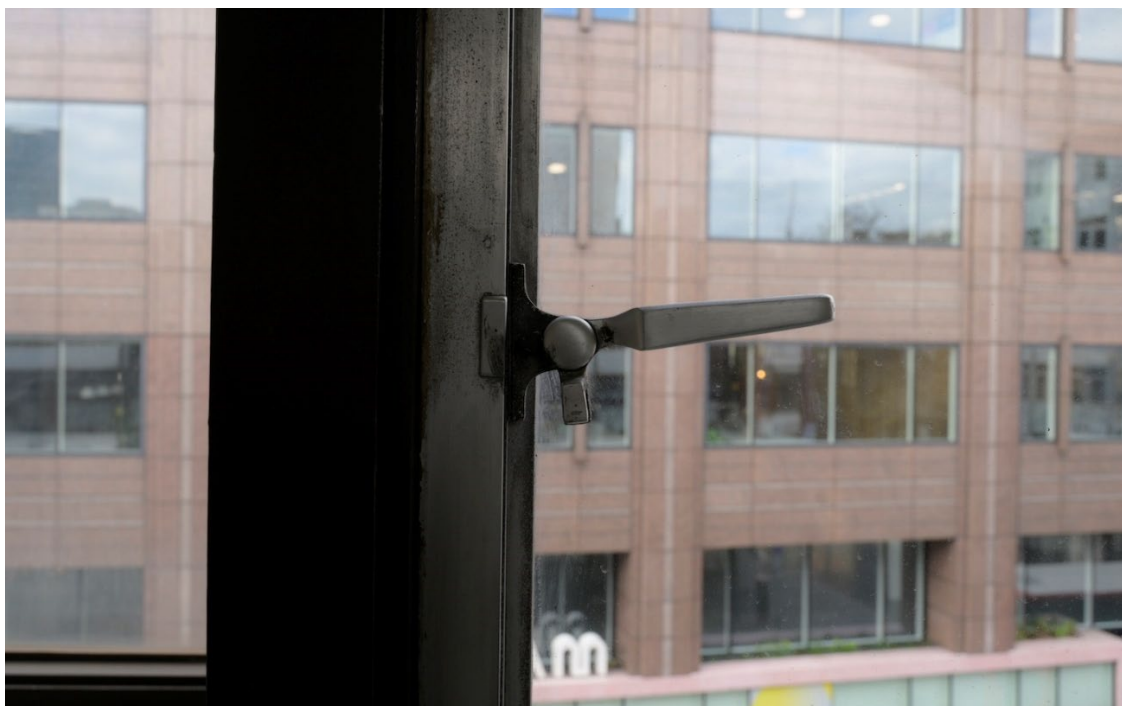


Image 10 – example ironmongery in Flat 347



Image 11 – typical profiling of Goswell Road window frames

**Main Report**

**Please see 22/00322/FULL for Report**

## **BACKGROUND PAPERS - 22/00323/LBC**

### Application documents

Design Statement, Studio Partington, 30 June 2022.  
Cover Letter, Grade Planning, 20 April 2022 and 30 June 2022.  
Supplementary Heritage Statement, Studio Partington, 30 June 2022.  
Junction Details, Studio Partington, 30 June 2022.

### External

#### Objects:

Letter, Roland Jeffrey, 24 May 2022.  
Online comment, Ognjen Ristic, 7 June 2022.  
Letter, Philippe Rogueda, 8 June 2022.  
Email, Matthew Carter, 9 June 2022.  
Online comment, Jacqueline Swanson, 10 June 2022.  
Letter, Steve Smith, 11 June 2022.  
Online comment, Graham Kern, 13 June 2022.  
Online comment, Pablo Abellan, 14 June 2022.  
Online comment, Neil Haas, 15 June 2022.  
Letter, Gavin Hutchison, 15 June 2022.  
Email, Nigel Smith, 15 June 2022.  
Email, Sarah Batty-Smith, 16 June 2022.  
Email, Polly Powell, 16 June 2022.  
Email, Dominique Tipper, 20 June 2022.  
Application Report, Purcell Heritage Consultancy, June 2022 – on behalf of Objectors.

#### Other:

Letter, Historic England, 26 May 2022.  
Letter, Twentieth Century Society, 9 June 2022.

## **Appendix A**

### **Relevant London Plan Policies**

Policy GG1 (Building strong and inclusive communities) encourages early and inclusive engagement with stakeholders, including local communities, in the development of proposals, seeking to ensure positive changes to the physical environment and provide access to good quality community spaces, services, amenities and infrastructure. In addition, it supports London continuing to generate a wide range of economic and other opportunities promoting fairness, inclusivity and equality.

Policy GG3 (Creating a healthy city) seeks to "ensure that new buildings are well-insulated and sufficiently ventilated to avoid the health problems associated with damp, heat and cold" and to "promote more active and healthy lives for all Londoners and enable them to make healthy choices."

Policy GG6 (Increasing efficiency and resilience) seeks to "improve energy efficiency and support the move towards a low carbon circular economy", and "ensure buildings are designed to adapt to a changing climate."

Policy D4 states that "design and access statements submitted with development proposals should demonstrate that the proposal meets the design requirements of the London Plan."

Policy D14 (Noise) seeks to avoid significant adverse noise impacts on health and quality of life, and mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development.

Policy HC1 (Heritage conservation and growth) requires development proposals "should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings."

### **Relevant GLA Supplementary Planning Guidance (SPGs)**

- Control of Dust and Emissions during Construction and Demolition SPG (September 2014);
- Sustainable Design and Construction (September 2014);
- London Environment Strategy (May 2018);
- Shaping Neighbourhoods: Character and Context (June 2014).



### **Relevant Draft City Plan 2036 Policies**

S1 Healthy and inclusive city

HL1 Inclusive buildings and spaces

HL3 Noise and light pollution

HS3 Residential environment

S8 Design

DE1 Sustainability requirements

DE2 New development

S11 Historic environment

HE1 Managing change to heritage assets

S15 Climate resilience and flood risk

S16 Circular economy and waste

CE1 Zero Waste City

S23 Smithfield and Barbican

### **Relevant City Corporation Guidance and Supplementary Planning Documents (SPDs)**

Barbican and Golden Lane Estates Conservation Area Appraisal (2022);

Golden Lane Estate Listed Building Management Guidelines (2013).

## **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: **22/00323/LBC**

### **347 Crescent House Golden Lane Estate London**

**Alterations to and replacement of existing single-glazed windows and framing structure for a temporary period of 2 years to sequentially test double and triple glazing options, together with installation of insulation to internal walls of flat.**

## CONDITIONS

- 1 The development hereby consented shall be begun before the expiration of three years from the date of this consent. The applicant shall notify the Local Planning Authority in writing within seven working days of the commencement of the implementation of the listed building consent.  
REASON: To ensure compliance with the terms of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
- 2 The development hereby consented shall be for a limited period only, expiring 2 years from the date of the implementation of the listed building consent referred to in condition 1.  
REASON: To ensure compliance with the terms of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3 The triple glazed windows shall be removed and the land restored to its original condition upon expiry of this consent, in accordance with a scheme of work and full details of any new works as required to reprovide and make good, which shall be submitted to and approved in writing by the Local Planning Authority no later than two months prior to the expiry, unless Listed Building Consent has been granted in the interim relating to all windows within Crescent House.  
REASON: To ensure the protection of the special architectural or historic interest of the building and to ensure that the visual amenity of the area is not prejudiced when the works are removed in accordance with the following policies of the Local Plan: DM12.3. To ensure compliance with the terms of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4 Before any works hereby consented are begun, a full survey including photographic record of the existing windows, frames and ironmongery shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure suitable record is kept of historic building features and fabric to allow future reinstallation in accordance with the following policy of the Local Plan: DM12.3.

- 5 Before any works hereby consented are begun, a full methodology for the stripping of the frames shall be prepared by a suitably qualified professional and submitted to and approved in writing by the Local Planning Authority. All works pursuant to this consent must be carried out in accordance with the approved details.

REASON: To ensure the preservation of historic building features and fabric in accordance with the following policy of the Local Plan: DM12.3.

- 6 Before any works hereby consented are begun, a methodology for dismantling the existing windows including framing, glazing, and all related ironmongery, and details of the safe storage of the existing windows shall be prepared by a suitably qualified professional and submitted to and approved in writing by the Local Planning Authority. All works pursuant to this consent must be carried out in accordance with the approved details.

REASON: To ensure suitable record is kept of historic building features and fabric to allow future reinstallation in accordance with the following policy of the Local Plan: DM12.3.

- 7 Before any works hereby consented are begun, a detailed methodology of the adaptation works required to install the double glazing to the timber frames and full details of the new aluminium double-glazed windows shall be prepared by a suitably qualified professional and submitted to and approved in writing by the Local Planning Authority. All works pursuant to this consent must be carried out in accordance with the approved details.

REASON: To ensure suitable record is kept of historic building features and fabric to allow future reinstallation in accordance with the following policy of the Local Plan: DM12.3.

- 8 Prior to the installation of the triple glazing, full particulars and drawings in respect of the following shall be submitted to and approved in writing by the Local Planning Authority and all works pursuant to this consent shall be carried out in accordance with the approved details:

(a) Sapele panels and opaque glazed spandrel panel which span the party wall (between the oriel windows of flat 347 and neighbour); and  
(b) the external manifestation of the bookshelf

REASON: To ensure suitable record is kept of historic building features and fabric to allow future reinstallation in accordance with the following policy of the Local Plan: DM12.3

- 9 Following the removal of the existing glazing from the frames and prior to the installation of double glazing within the existing frames, a full condition survey of the existing frames, fixings, and supporting structure shall be prepared by a suitably qualified professional and

submitted to and approved in writing by the Local Planning Authority

REASON: To ensure suitable record is kept of historic building features and fabric to allow future reinstallation in accordance with the following policies of the Local Plan: DM12.3

- 10 Following installation of the double glazing and before any works to remove the existing window framing are begun, the Local Planning Authority, in consultation with Historic England, Twentieth Century Society and residents of Golden Lane Estate, shall inspect the windows on site to assess the visual detailing and ensure compliance with the approved details.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM12.3.

- 11 Following installation of the triple-glazed windows, the Local Planning Authority, in consultation with Historic England, Twentieth Century Society and residents of Golden Lane Estate, shall inspect the windows on site to assess the visual detailing and ensure compliance with the approved details.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policy of the Local Plan:DM12.3.

- 12 All new work and work in making good 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.

- 13 Before any works thereby affected are begun, details of the methods of fixings and extent of the internal insulation shall be submitted to and approved in writing by the Local Planning Authority. All works pursuant to this consent must be carried out in accordance with the approved details.

REASON: In order to safeguard the special architectural or historic interest of the building in accordance with the following policy of the Local Plan: DM12.3

- 14 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: Site Location Plan; 2414-10-ZZ-PL-00-1730A Rev 1; 2414-10-ZZ-PL-00-1730 Rev 1; 2414-10-ZZ-PL-00-1781A Rev 1; 2414-10-ZZ-PL-00-1781 Rev 1; 2414-10-ZZ-

PL-00-1782A Rev 1; 2414-10-ZZ-PL-00-1782 Rev 1; 2414-10-ZZ-PL-00-1790A Rev 1; 2414-10-ZZ-PL-00-1790 Rev 2; 2414-10-ZZ-PL-00-1800A Rev 1; 2414-10-ZZ-PL-00-1800 Rev 1; 2414-10-ZZ-PL-00-1900A Rev 1; 2414-10-ZZ-PL-00-1900 Rev 2; 2414-10-ZZ-PL-00-1902A Rev 1; 2414-10-ZZ-PL-00-1902 Rev 2; 2414-10-ZZ-PL-00-1909A Rev 1; 2414-10-ZZ-PL-00-1909 Rev 2; 2414-10-ZZ-PL-00-1910A Rev 1; 2414-10-ZZ-PL-00-1910 Rev 2; 2414-10-ZZ-PL-00-1911A Rev 1; 2414-10-ZZ-PL-00-1911 Rev 2; 2414-10-ZZ-PL-00-1913A Rev 1; 2414-10-ZZ-PL-00-1913 Rev 2; 2414-10-ZZ-PL-00-1917A Rev 1; 2414-10-ZZ-PL-00-1917 Rev 2; 2414-10-ZZ-PL-00-1950A Rev 1; 2414-10-ZZ-PL-00-1950 Rev 2; 2414-10-ZZ-PL-00-1951A Rev 1; 2414-10-ZZ-PL-00-1951 Rev 2; 2414-10-ZZ-PL-00-1952A Rev 1; 2414-10-ZZ-PL-00-1952 Rev 2; 2414-10-ZZ-PL-00-1954A Rev 1; 2414-10-ZZ-PL-00-1954 Rev 2; 2414-10-SI-PL-00-1295 Rev 1; 2414-10-SI-PL-00-1581 Rev 2; 2414-10-SI-PL-00-1582 Rev 2; 2414-10-SI-PL-00-1590 Rev 2.

REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

## INFORMATIVES

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

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

a full pre application advice service has been offered;

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

- 2 You are requested to notify the Chief Planning Officer on commencement of the development in order that the works can be inspected and monitored.
- 3 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.

24<sup>th</sup> May 2022

PLNCOmments@cityoflondon.gov.uk

Dear Madam / Sir,

**Planning Application 22/00323/FULL  
Listed Building Consent Application 22/00323/LBC  
Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL**

**I am writing to OBJECT to these applications for the following reasons**

- 1) The application is for temporary planning consent for 5 years — but involves destruction of two of the facades of a flat in a Grade II\* listed building which is also the most highly designated asset in the Conservation Area. As the original fabric will not be replaced on the expiry of the consent this. It should not be described as a temporary consent.
- 2) The applicant declares that the works covered by this application are part of an analysis and development of options for the repair of Crescent House and an upgrade of thermal performance. Whilst repair and thermal upgrade are admirable objectives in themselves—and as a full-time resident of the building I am acutely aware of the need for both—destroying wholesale the fabric of a Grade II\* listed building in a spirit of experiment appears cavalier, especially since less destructive strategies seem to be available and remain unexplored.
- 3) At no point does the application demonstrate the feasibility of thermal upgrades by means of alternative techniques such as dry-lining of existing fabric, upgrading glazing in window openings from single-glazed to double-glazed, the application of external thermal cladding to the ground/1<sup>st</sup> floor soffit and 3<sup>rd</sup> floor roof vaults.
- 4) In other words the Pilot pre-emptively chooses one particular option before a proper comparison with others is properly done.

Trial before roll-out

It is good practice and widely accepted with works to listed buildings that full scale mock-ups of critical elements are trialled where there a change of design and/or materials is proposed, so that these can be assessed alongside each other.

This was the approach at Great Arthur House on the Golden Lane Estate adjacent to the application property, where a 1:1 scale bay was fabricated and erected on site to demonstrate the impact of proposals, 'before' and 'after'. These were viewable side-by-side so that a comparison could be made. As a result of this 1:1 mock-up bay the design was modified in various small but important ways during and following the application process

and consultees (Historic England, C20 Society and resident stakeholders) had a secure basis for their judgements. Details such as windows openings could be assessed for ease of use; and larger townscape and architectural effects critical to the special character of the listed building, such as the reflectivity and colour of the double glazing units in natural light conditions could also easily be assessed. The eventual finished result at Great Arthur House is of benchmark standard (though the build-out was badly managed).

Although the present application relates to a building that is more highly designated (at II\*) the so-called Pilot for trialing the project is nothing like as sophisticated as this successful mock-up and appears to trying to short-circuit the necessary work. This is because:

- One of the two options to be considered (see Schedule of works in design statement page 8) as part of this application project will be destroyed wholesale as part of the Pilot process.
- There will be no opportunity to see entirely new façade elements alongside double glazed repaired and upgraded elements. The only comparison will be with the existing fabric.
- The first of the two options listed (repair and upgrade - see Schedule of works in design statement page 8) is only being 'explored', presumably as a desktop exercise, and not constructed as a prototype, designed and drawn or apparently taken seriously; there are no construction details included in the present application.
- Though the application is to consider two options all of the drawings appear to relate to one option only, namely wholesale replacement of the façade.

### Appraisal Methodology

In spite of a statement (Design Statement 2.0 page 5) that two options have emerged for the refurbishment of Crescent House there no indication of methodology for comparing the options nor what other options have been discarded, or why. The options and the methodology have certainly not been shared with stakeholders, especially the Crescent House Residents Group.

The Design Statement is misleading in giving the impression that the application supports examination and assessment of the two remaining options. The application is not even-handed with respect to the two short-listed options.

### The Repair and Upgrade Option

The repair, upgrade and double glazing option—the first of the two listed in the Schedule of Works—has been shown to be feasible in principle in two flats in Crescent House where double glazing has been retro-fitted with improved window and door seals, etc. These are not to be considered as part of this consultation and will not be made available to residents and other stakeholders as part of the consultation because they are in privately occupied flats. However, they indicate a strong likelihood that repair and upgrade is feasible and attractive on grounds of cost, appearance and the extent of retention of heritage fabric. It is also more likely to achieving a high standard of finish because fine tolerance and high craftsmanship work will be directed on site, not in a remote building components factory. Nevertheless, work to the most recent of the two flats to be so fitted, was completed in one day. The standard of finish in the two flats upgrade using a repair and upgrade option is to such a high quality that it is very difficult to spot the upgrade.



The premise of the application is that the preferred option of the two has been selected without testing and justification in architectural, heritage or environmental terms.

During pre-application discussion between Historic England and the applicant HE made their position clear, namely that

*“the replacement of the original windows would result in the loss of historic fabric. However, if it can be demonstrated that the windows are at the end of their functional life and/or are failing due to flaws in the original design (such as at Great Arthur House), this could form the basis of the necessary justification for these proposals.”* (HE letter of advice to City of London dated 08 May 2019 ref Our ref: PA00976171)

The present application does not provide such a justification; indeed the 100% close in section window survey found exactly the opposite; namely that the faced and windows were capable of repair. It is surprising that this survey is not mention and that it is not appended to the application, since it was commissioned for this purpose.

It appears that the present application is flying in the face of advice from the Government’s statutory heritage advice agency.

### Heritage Significance

The City as applicant was made aware of the particular importance of Crescent House as a result of its pre-application discussion with Historic England who wrote to the City confirming that Crescent House

*“is one of the jewels in the crown of the City of London’s architectural legacy and widely admired for its unique style and innovation. It illustrates in built form, the development of CPB’s ideas which is highly significant given their key role in the evolution of post-war architecture in Britian. Its status as a grade II\* listed building reflects this.”* HE letter of advice to City of London dated 08 May 2019 ref Our ref: PA00976171)

In the light of this it is very surprising that the Heritage statement associated with this application to destroy wholesale both facades of one flat is not a more thoughtful and sophisticated document. It is also surprising that conservation accredited architects have not been employed and that no heritage advice is included in the application.

As the application involves wholesale demolition of two of the facades (front and back) of this flat and their replacement with a replacement that is not an accurate replica the application amounts to substantial harm to the heritage asset. For a heritage asset the starting point is that such loss is always unacceptable if there are other options.

Even if environment benefits accrue (and these are not specified or benchmarked in the application) they must be weighed against the substantial harm to the designated building arising from wholesale destruction of the two public faces of the flats. No such weighing is evident nor is there the requisite ‘clear and convincing justification’ (NPPF, par 200) is found in this application for the Pilot. The information and justification should be ‘proportional to its significance’ (NPPF para 194) and for a Grade II\* listed building the application does not provide this. It should, for example be a more thorough process and trailing than that for

Gt. Arthur House, briefly outlined above. In fact it is a poorly considered and less-convincing process for Crescent House, the more highly designated building.

#### Inadequate Information Provided

The information provided in support of the application is lacking in detail.

For example:

- The Heritage Statement makes no attempt to identify the reasons for the heritage significance ascribed. There are ample sources, from the remarkably (and unusually) extensive list description to the thorough two-volume Golden Lane Estate Listed Building Management Guidelines (the latter adopted as supplementary planning guidance for the site). For a Grade II\* building in the City I would expect to see this level of research and assessment
- There is no attempt to establish the fragility of the heritage significance, which is very surprising in an application to destroy such an extensive amount of fabric and replace it with non-replica designs.
- The overlay technique used on the drawings of the scheme, of before and after, make it very difficult indeed to assess the visual impact of the proposed works.
- None of the drawings relates to the first option being considered under the Schedule of Works: repair and upgrade with double glazing.
- There is no indication of the repair methods to be adopted for the first option being considered or how outcomes might be assessed.
- There is no stated benchmark for the thermal performance of either option.
- There is no weighing exercise in which the self-evident severe harm to the listed fabric might be justified, as is required by the NPPF.
- There is no learning from the two flats that have been retro-fitted with improved thermal performance and bespoke prefabricated double-glazed units.

#### Maintenance & Repair

The history of poor maintenance of Crescent House (and other buildings on the Golden Lane Estate) by the City of London is well documented. Most relevant to the present application is the 100% Close Inspection Survey commissioned in 2021 from Hallas & Co Surveyors (March 2020) which is referenced in the application, but not appended. This examined 100% of windows externally and a sample of 15% of flats internally. It indicated that 85% of the original façade timber would remain if the windows were repaired rather than replaced. Notwithstanding serious localised rot in areas where weather is harsh the remainder may be repaired as part of a façade upgrade. This survey evidence, commissioned by the applicant in preparation of this application, does not support wholesale destruction of the façade. The survey should be attached to the application nevertheless, inconvenient though it may be to the case made in the application.

Poor maintenance by the City as freeholder of the Golden Lane Estate has been especially egregious in the case of Crescent House. The coating of the windows in waterproof paint about 25 ago as part of a maintenance project has exacerbated decay by rot, because it has trapped water and because the brown painted surface has not been re-coated or maintained in 25 years. Indeed no building-wide maintenance or cyclical repair of the façades has been

undertaken for 25 years, at least, when a cycle of 6 or 7 years is the typical professional standard for this type of building. (It is puzzling to know why, since the City has a well-developed and effective rolling programme of maintenance for African hardwood windows across the Barbican Estate immediately adjacent, and this does not utilise brown vapour barrier paints or other inappropriate techniques).

It is well established in respect to listed building 'where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision' (NPPF para 196).

#### Design Details - Ventilation

Many flats (this may apply to about half of flats) in Crescent House have internal kitchens that require mechanical ventilation to meet statutory standards. The original ventilation was removed by the applicant body in the last five years and not replaced. The applicant is without a strategy for the necessary mechanical ventilation for these flats. Though it is assumed that top floor flats such as no. 347 will use openable windows as the means of ventilation the application should show how mechanical ventilation will affect the amenity and appearance of flat 347 and other top floor flats. Ventilation proposals from the applicant body (installed without benefit of Listed Building Consent so now removed) were designed to exhaust near the openable windows of top floor flats including 347 and would have impaired both the amenity by reason of smells and vibration, as well as the appearance of the building generally. Without an effective ventilation strategy, the proposals do not enable the heritage asset to contribute to a sustainable community (NPPF para 197b).

#### Design Details - Boiler Flues

Crescent House, in common with many other social housing blocks built in the same period (1959-61), performs poorly thermally and this presents severe difficulties for residents, well above half of whom are in low income brackets. The problem has been severe since the City of London disconnected the original underfloor heating system in Crescent House utilising an Estate-wide boiler room. This disconnection was abrupt and undertaken without a viable alternative heating strategy.

The Crescent House Resident Group Survey indicates that 61% of residents use gas boilers to heat their units and these invariably vent to atmosphere via the facades. There is no indication in the application about how individual gas boiler flues are to be dealt with.

Even allowing for survey error and changes in resident preferences, this is a serious issue, since flues passing through the external façade will affect the claimed thermal performance and will adversely affect appearance of the building. The applicant is without a strategy for existing flues, or those installed in future. Without a heating strategy the proposals do not enable the heritage asset to contribute to a sustainable community (NPPF para 197b). Given thermal efficiency is an important pretext for the scheme this is a serious omission.

#### Design Details – Solar Gain

The application is silent on severe problems of solar gain, which is especially acute in the upper two floors and on the elevations of the building facing Aldersgate Street/ Goswell Road / Fann Street where opening windows is not an acceptable way to address overheating

since these windows overlook a busy, noisy and polluted road (namely the A1, a major network route road from London to Edinburgh). In the Crescent House Residents Group survey 27% of resident scored solar gain highly as a problem and as this related primarily to Westward facing flats, it is probably a majority of residents that are badly affected on the elevations facing sun.

#### Design Details – rainwater

It is not clear how the reconstructed Oriel roofs are to shed rainwater. No drainage spouts are shown and since an upstand is introduced to the roof detail ponding will result. Moreover the fall to these oriel roofs has the effect of making the leading edge of the roofs thinner in the highly important elevation to Aldersgate Street/Goswell Road. Though the roofs have been recovered in metal with upstand seam, this fall appears to be derived from the original design intention of giving the roofs an elegance that will be lost if the roofs are flat. If they are given an upstand as well this clumsy and inelegant detail will be further worsened. For reasons of the appearance of the important elevation and to deal properly with rainwater the present design is inadequate.

#### Summary

Flat 347 is located within a Grade II\* listed building. The removal of most of the fabric of two elevations of this flat amount to substantial demolition of a listed structure, an 'irreplaceable resource' that should be conserved 'in a manner appropriate to its significance'. (NPPF 2021 para 198).

This application must meet a high threshold and as the grade of listing is higher than other heritage assets on the Golden Lane Estate the weight given to conserving the special character of the asset must be proportionally higher (NPPF para 199).

The present application fails to make a 'clear and convincing justification' required by the NPPF because it gives undue weight to just one option of two considered; and because it fails to show the benefits of the option premiated.

The option premiated is the most destructive in terms of fabric and character; it does not address the presenting problems of disrepair through neglect and poor thermal performance in a consistent and appropriate way appropriate to a grade II\* listed building in a Conservation Area.

**I urge you, therefore, to REJECT this application**

# Comments for Planning Application 22/00323/LBC

## Application Summary

Application Number: 22/00323/LBC

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (temporary consent for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Ognjen Ristic

Address: 317 Crescent House London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise

Comment: I am writing to object to application 22/00322/FULL for the following reasons:

- 1) Destruction of existing heritage - The applicant has provided insufficient justification as to why the existing façade is not fit for purpose and has to be removed and replaced entirely. The condition survey carried out by the council had determined that the façade did not need replacing and could be refurbished.
- 2) Applicant should do an initial exploratory application to test out upgrading of existing frames to double or vacuum glass prior to taking this destructive work on - Unlike situations with traditional sash windows in listed buildings the upgrade to double or triple glazing of these existing window frames is very straightforward. They are deep enough to actually allow for an upgrade without the removal of the entire façade.
- 3) Applicant should provide details of how they will return the façade back to original following the trial
- 4) Installation of new window ironmongery which go against the character of the existing windows by introducing surface mounted trickle vents, off the shelf handles, casement stays and the like. Refer to page 10 of document and supplied details. The applicant should provide further details on the ironmongery intended for the application as part of the application. The ironmongery alongside the frame design is what makes the scheme unique.
- 5) Installation of triple glazed windows using off the shelf profiles with single points of seal rather than two or three as would be expected for this type of construction. This detail suggests that the applicant is carrying out a tick box exercise, i.e ticking of triple glazing, more possibly for publicity rather than intent. The window frame design should be bespoke to match the existing. If trickle vents are to be required then they should be designed to be concealed within the frames (since

they are going through all the effort and removing the frames)

6)The roof of the oriel window needs further development

8 June 2022

The City Of London  
Guildhall  
Sent by email to [PLNCOmments@cityoflondon.gov.uk](mailto:PLNCOmments@cityoflondon.gov.uk)

Topic: Objections to both Planning Application 22/00322/FULL and Listed Building Consent Application 22/00323/LBC

Dear Sirs/Madams

I am writing to OBJECT to both Planning Application 22/00322/FULL and Listed Building Consent Application 22/00323/LBC.

The applications are titled: "Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat. Temporary planning permission for 5 years".

These applications are not about replacing single glazed windows but destroying a façade. The windows are the curtain walls. The application is trying to downplay the reality of the massacre or Crescent House the Major Works Team of the City and Studio Partington are orchestrating.

The applications are a deliberate attempt to dilapidate of an historic Grade II\* building, the only residential Grade II\* building in the City and one of the rare examples of residential post war brutalist architecture in London and the UK. The planned work is nothing short of environmental, historical, financial, and architectural vandalism. The works proposed are consistently and systematically in opposition to all the advice given to the City by its own experts on repairs, maintenance and respect for the fabric of the building. The works proposed run roughshod over the 2008 and 2013 City of London Golden Lane Listed Building Guidelines.

The suggestion of installing a triple glazing will not resolve any of the issues listed on the application: noise, thermal improvement and ventilation. Noise affects the flats on Goswell Road, the ones on the courtyard side are quiet. A triple glazing would improve thermal insulation in the winter but will make the flats unliveable in the summer. Issues of condensation in the flats are not due to single glazing but lack of ventilation which is a behavioural problem as well as a reluctance to open the windows to air the properties due to noise and pollution from Goswell Road. I have no condensation in my flat, because I ventilate the property. Were the City serious about the welfare of its tenants, it would reduce traffic on Goswell Road, which would enable the residents to open the windows and ventilate the flats. This would reduce the noise nuisance as well.

The consequences for the City of the work proposed will be manifold, from potential criminal proceedings for having destroyed the fabric of a Grade II\* listed building to lawsuits from the residents and leaseholders for the damage done, the loss of value of the properties and failing to abide by the terms of our leases or peaceful enjoyment. The City has lost its reputation and the legal case against the residents of Great Arthur House, is it ready for a second round?

Further comments include:

- 1) Notifications, Dates and Deadlines

The application was received on 25 April 2022, validated on 9 May, with a consultation period from 13 May to 10 June. Notices were sent to neighbours and leaseholders around 13 May, and notices went up on Goswell Road dated 19 May. There is a profusion of dates, none of them line up. No letters were sent to leaseholders and non-residents by mail, a number of our neighbours have complained of not being informed by the City. Is this a deliberate attempt from the City to create confusion about the deadline for comment?

On a procedural ground only, these applications must be withdrawn.

## 2) Heritage statement Studio Partington dated 5 May 2022

Despite claiming to want to respect the nature of the Grade II\* listing, Studio Partington goes on to recommend no less than destroying the façade by destroying all the detailing and historic fabric. This is a remarkable position to take and will lead to a criminal offence. The losses include:

- all the timber frame
- removal of ventilation profiles
- changing the profile of frames
- changing the profile and design of the oriel
- the aluminium windows
- the central pivot and design of aluminium windows
- the spandrel
- the shelving
- all the detailing of the panelling and frames
- all the ironmongery

In short, Studio Partington is suggesting a systematic and thorough destruction of the façade of flat 347. How can the City and Studio Partington claim to follow the guidelines of the City and Historic England while destroying some much heritage?

Studio Partington asserts that the dismantling of the existing frames will enable a thorough assessment and record of the condition of the frames. That will certainly destroy them. As for assessing the frames, any good heritage joiner will be able to do this without destroying the frame. Studio Partington claims to be respecting the design intent of Chamberlin Powell and Bon while destroying their work. This is a serious case of cognitive dissonance.

## 3) Letter from Grade dated 20 April 2022 and signed by Ben Rogers

This letter is web of untruths. Let's unpick them.

Mr Rogers asserts that the City has conducted consultation with residents. It is true that events have taken place, these were tick boxes exercises to be seen to satisfy a process. The residents have repeatedly told the city we did not want new windows not double/triple glazing, we wanted the original windows to be repaired and maintained as per the terms of our leases. The City and Mr Rogers are ignoring any feedback we have given. Our feedback was and is clearly opposed to the works proposed in these applications.

Grade mentions the City's Climate Action Strategy. This is a faddish strategy that will go out of fashion as quickly as it has been embraced. Restoring historical building needs to go beyond the latest buzzwords and preserve the heritage for future generations. The City owns many properties in London, Crescent House is only one of many. The City only owns 50% of the flats of Crescent House. Therefore, the contribution of Crescent House to net zero fantasy target will be irrelevant, but damage done to the fabric of the building immense.

Grade mentions that the residents of Crescent House will be as little impacted by the works as possible. They have not done any impact assessment.

Grade mentions that through the destruction of the windows they will be able to assess them. Destruction to assess if something works? This is an interesting concept.

Grade claims that the new windows match the existing profile, that is blatantly untrue when looking at the drawings provided.



Grade claims the planning application is for 5 years only and that the windows might be replaced. The application does not contain any information about how the windows will be replaced once they are destroyed.

Grade claims that the interventions will ensure minimal impact that is not true, the work is designed to have maximum impact.

Grade refers to a Climate Action Strategy but does not explain which aspect of the strategy is relevant to Crescent House and how the work will contribute to it.

Grade mentions that the Design and heritage Statement explains how the proposals will enhance the thermal performance of the building. The Statement does make assertions but does not justify them. These are empty promises.

The Letter from Grade is a web of deceitful statements.

#### 4) Carbon footprint

The proposals insist on contributing to a vaguely defined Climate Action Strategy. As mentioned above, the works at Crescent House will not contribute much to the ill-defined strategy of the City. What is certain is that the destruction of the fabric of the walls (without accounting for their replacement at this stage) will have a carbon footprint much higher than repairing it. The carbon footprint of the project (windows removal+new windows) is gigantic and has not been assessed accurately by the Major Works Team. Sapele is a very expensive wood both financially and environmentally. Sapele is a hardwood listed on the IUCN red list as threatened timber species. It is wilful environmental vandalism to destroy existing Sapele frames and replace them by new ones. Is the City ready for the reputational damage this will trigger?

#### 5) Timelines

The proposals mention development dates for 1 Phase from June 2022 to August 2022: it is impossible to carry out the work in such timeframe and raises questions on the intent of the application.

#### 6) Execution and disruption

The applications do not mention anything about how the works will be carried out, the need for scaffolding, the disruption to the commerce on the ground floor and to the residents.

A thorough analysis of the structure of the building does not require the destruction of the windows nor their removal. It is perfectly possible these days to analyse a building and its windows without removing them.

The financial cost of destruction and replacement of the windows is set at £2MM, which is astronomical for a project that has been priced previously at £35k.

In conclusion, this Pilot project is not necessary to evaluate the state of the windows of Crescent House.

This application should be withdrawn as it is disingenuous and clearly intending to obfuscate a very serious issue. It is very poorly thought through. The City should expect better from its employees and contractors.

This application should be struck down as it is supporting acts of vandalism: environmental, financial, against our heritage, historical, legal. Should the City approve the application it would be complicit in destroying the fabric of a Grade II\* building which is a criminal offence. Once these applications are voted down or withdrawn, a working party between the leaseholders and the City must be set up with external experts to schedule a maintenance (no replacement) plan that will upgrade the facades. The upgrading to triple glazing should be optional.

Philippe Rogueda

From:



Subject:

Planning Application 22/00322/FULL Listed Building Consent Application 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL

Date:

09 June 2022 19:33:04

THIS IS AN EXTERNAL EMAIL

Dear Sir/ Madam,

**Planning Application 22/00322/FULL  
Listed Building Consent Application 22/00323/LBC  
Flat 347, Crescent House, Golden Lane Estate, London  
EC1Y 0SL**

I am writing to object to these planning applications.

I feel that this application is a way for my landlord to push their preferred triple glazing scheme without listening to the residents who live in this building. Retro fitted double glazing is completely feasible and can be done in a very short space of time and without all the upheaval this project will undoubtedly entail.

A survey taken by the COL on the condition of the windows in Crescent revealed that 85% of them were sound. I do not understand why they are not using a case by case scheme to look at each of the flats and determine which windows need repair and which windows need to be replaced, surely a more cost effective option and more sustainable than cutting down trees in Africa.

It would be far better to make a mock-up of a triple glazed Crescent house window that residents could view in the community centre (as was done for Great Arthur House) rather than remove a grade II \* listed facade to achieve the same ends.

We already live in a fairly small space and the proposed plans will reduce the floor space further.

For residents like myself who live on the first floor our main loss of heat is through the floor as I live above a void. There has been no commitment to insulate the colonnade soffit below.

I have lived in Crescent house for over 20 years and am proud of its listed building status and feel this ill thought out project will undermine that status and deliver something that the majority of us residents do not want.

Yours Sincerely,

Matthew Carter

106 Crescent House  
Golden Lane estate,  
London  
EC1Y 0SJ

# Comments for Planning Application 22/00323/LBC

## Application Summary

Application Number: 22/00323/LBC

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (temporary consent for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Ms Jacqueline Swanson

Address: 324 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I am writing to OBJECT.

Whilst I very much welcome the exploratory pilot project I believe at this stage replacing the existing single glazed windows with triple glazed is unnecessarily destructive, and wasteful.

With reference to the Design Statement / Report:

4.0 Proposed Schedule of Works

e) Try to increase rebates of the frame and add double glazing

If the applicant is successful in increasing the rebates then residents would prefer the applicant to retain the double glazing in situ, replacing only those windows that are necessary. A stand alone mock-up of triple glazed window panels should be made available which could quite easily be installed in the void flat for direct comparison to the double glazed windows installed in the repaired (where necessary) window frames.

This allows for all the environmental and acoustic assessments to be made with the option that creates the least damage to the fabric of this grade 2\* listed building. Triple glazing will materially change the look of the exterior and interior and residents have consistently fed back to the City that they want this avoided unless absolutely necessary. It's nothing short of an act of environmental and aesthetic vandalism to rip out the windows of any property and replace with triple glazed windows without evidence of the absolute need to. How can assessments of the void with triple glazing give us any idea of how double glazing will work?

Unfortunately, the applicant has to date failed to give residents a cogent explanation as to why triple glazing is preferable to double glazing and so we must first determine whether double glazing is adequate. Our environmental obligations are not just about ticking boxes.

The windows programme is ay behind schedule and residents are very keen to have warm, well insulated homes particularly as we face rising fuel costs. It is a shame that the applicant is not offering an approach that residents can support. We should be working together on this.

Steve Smith  
301 Crescent House,  
Golden Lane Estate,  
London EC1Y 0SL

11th June 2022

PLNCOmments@cityoflondon.gov.uk

Dear Madam / Sir,

**Planning Application 22/00323/FULL  
Listed Building Consent Application 22/00323/LBC  
Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL**

I am writing to object to these applications for the following reasons. Please refer to the visuals and photos on the following pages.

**1) Loss of original detail and craftsmanship internally**

The original windows are of very high quality, both in terms of the materials used and the craftsmanship of the joinery. The geometry of the facade is complex, with numerous junctions and details that are carefully considered and resolved with great skill by the original architects and joiners. This fine-crafted joinery has great value and, where cared for and maintained, is a joy to look at and brings great pleasure to the occupants of the flats on a daily basis.

It would cause substantial harm to the heritage value of the flats to lose this irreplaceable craftsmanship.

The detailed drawings submitted show that the proposed facade will look very different internally. The original rebated reveals around each frame and the symmetrical shadow gaps surrounding the pivoting windows will be lost. The carefully balanced proportions of the frame thicknesses will also be lost. All original ironmongery will be lost. The minimal frame at the curved barrel vault which currently allows the visual continuation of the vault from inside to outside will be lost, both in the main living space and on the kitchen side. The addition of bulky internal insulation strips to the soffit and walls will be unsightly.

Please see photos and side by-side comparisons on the following pages for reference.

**2) Environmental responsibility**

The condition survey (Hallas & Co, March 2020) has established that repairing the facade is viable. Improving the energy efficiency of the facade is a laudable aim, but this cannot be used to justify such significant harm to the building when there are viable alternatives.

This is especially the case when it appears that there has been no calculation of Embodied Carbon (also referred to as 'up-front' carbon) carried out for this proposal. Without this calculation it is not possible to know the whole-life carbon impact of the project.

The act of replacing the facade will use a significant amount of carbon, from cutting down trees, manufacturing, transport and site activities. Carbon will be saved each year from reduced heating requirements, but without a rigorous whole-life carbon assessment it is not possible to say if these

savings will outweigh the original carbon cost of the installation.

Following the principles of 'RetroFirst', an upgrade to the glazing within the existing frames alongside repair as necessary, would achieve significant improvements in energy use, acoustics and solar control without the enormous carbon cost of a wholesale facade replacement.

(One flat in Crescent House has already taken this approach, upgrading to double-glazing within the existing frames. It has listed building consent. There is a photo for reference on the last page of this objection).

Note that Flat 347 is a west-facing top-floor flat and, in common with all flats of a similar orientation, suffers from severe overheating during the summer months. Solar coating to the glass will be required to mitigate this, which will appear quite different to the current single glazing. The visual impact of this does not appear to have been considered as part of the application.

**3) Loss of area and disruption internally**

In a number of areas, the submitted details indicate that floor area will be lost inside the flats to accommodate wider frames and insulation.

Even a modest area loss is highly undesirable; these are small flats and every bit of space is precious.

Encroaching into the flats will bring further complications in terms of interfaces with flooring materials, built-in joinery and other features, adding significant repair costs and complexity to the project.

**4) Precedent for future applications**

If approved, the obvious and significant harm caused to the original fabric of Flat 347 as part of this application will set a damaging precedent.

The bar will be lowered for any future applications wishing to change the fabric of the building, whether related to the windows project or not, and this will lead to an acceleration of the degradation of Crescent House.

**5) Working Collaboratively**

It is concerning that the applicant has chosen to pursue a full-facade replacement option via a destructive mock-up process, despite the major shortcomings outlined by residents and others since the start of the project.

I fear a fraught and ultimately unsuccessful project lies ahead unless we can work together in our common interest. All of the above objections could be avoided with a carefully designed refurbishment option and I would urge the project team to focus their efforts on this approach.

Regards,

Steve Smith





PHOTO TO SHOW QUALITY OF EXISTING JOINERY





Page 385

PHOTO TO SHOW QUALITY OF EXISTING JOINERY





PHOTO TO SHOW QUALITY OF EXISTING JOINERY



# Analysis of Key Details





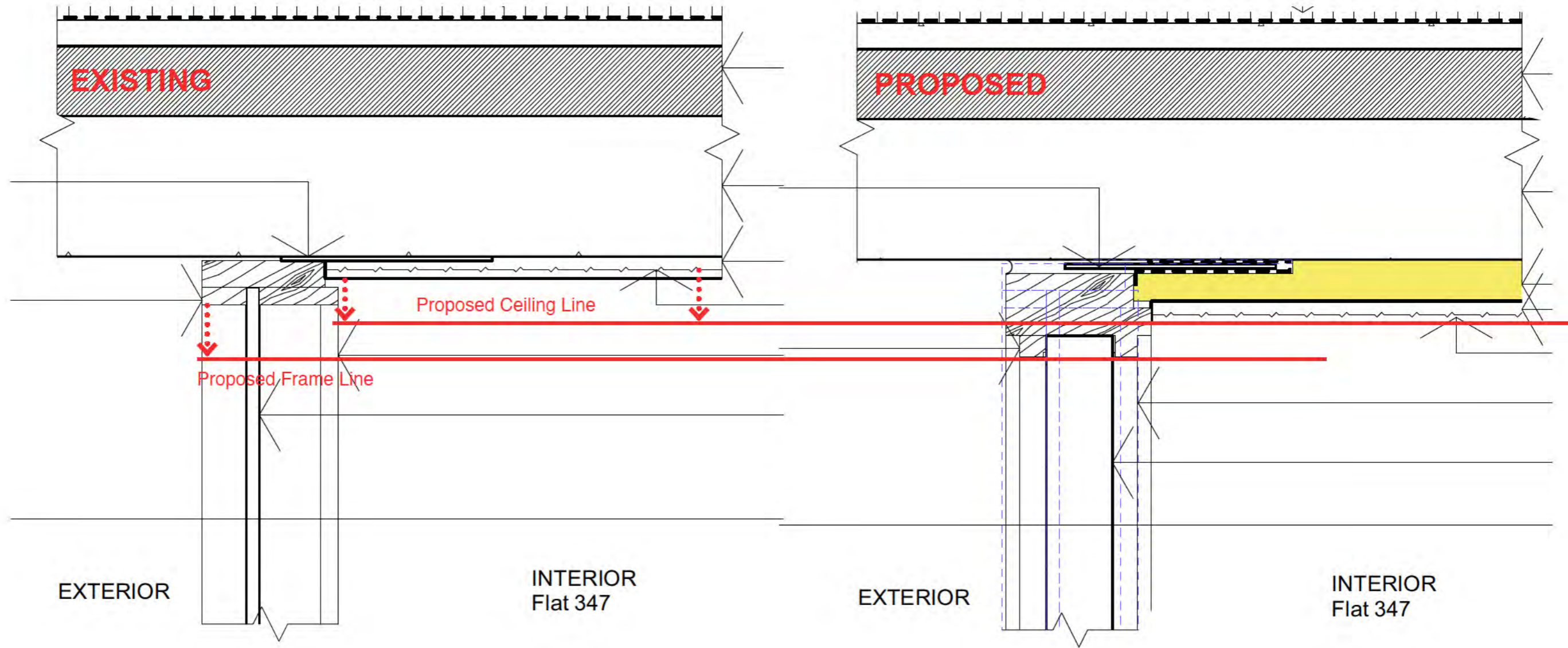


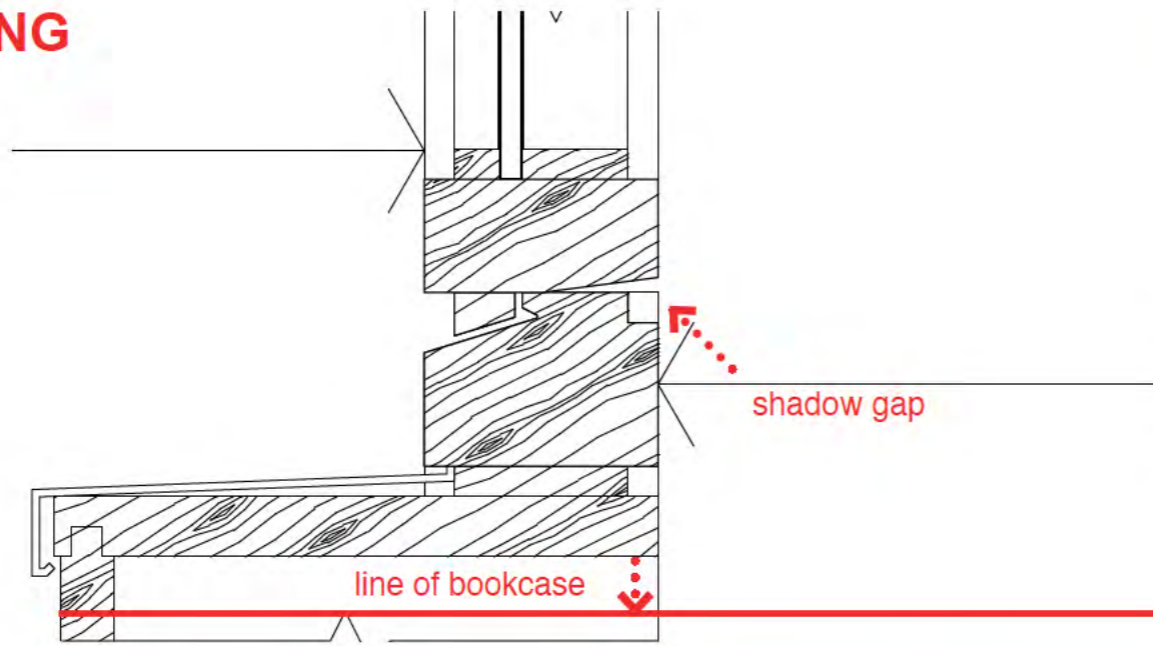
PHOTO OF EXISTING CONDITION



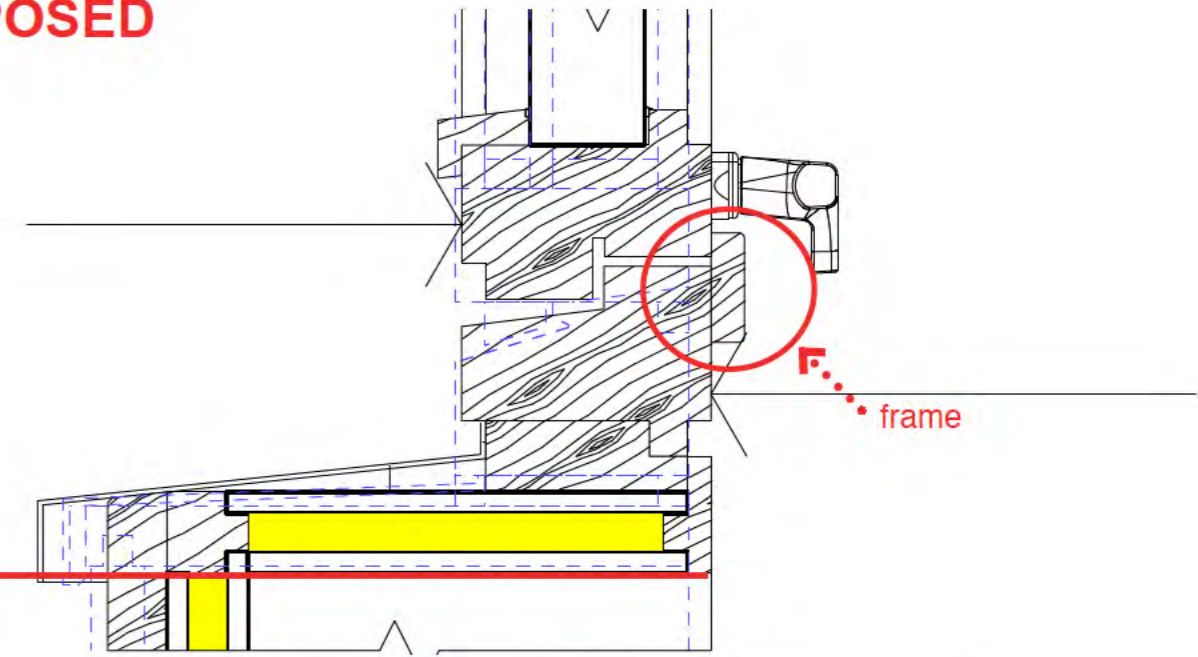
PHOTO SHOWING LOCATION



EXISTING



PROPOSED



Indicative 3D image of EXISTING junction



Indicative 3D image of PROPOSED junction

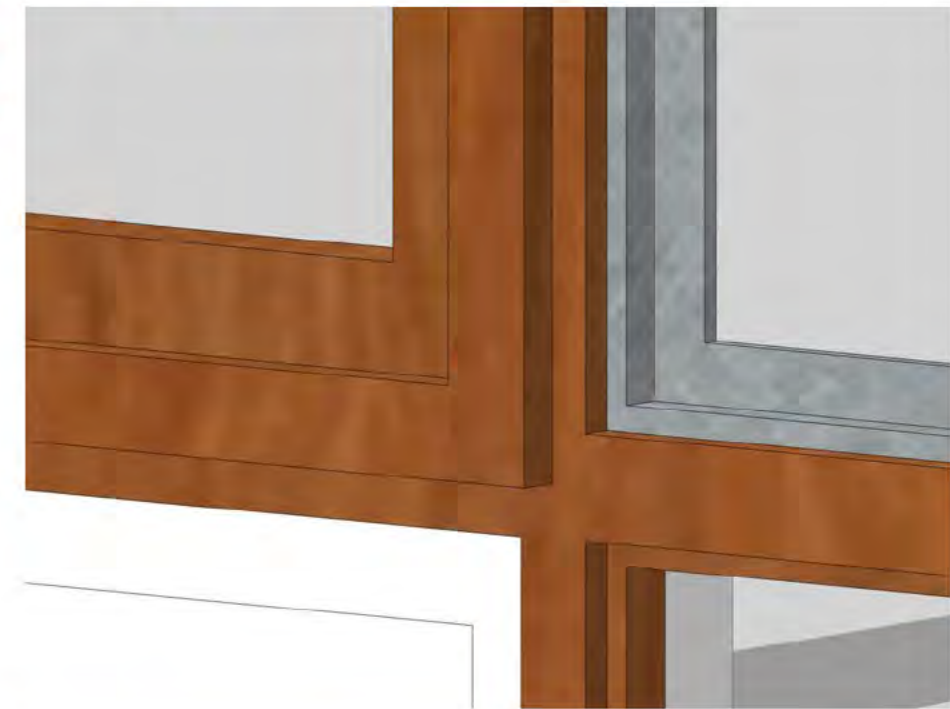


Photo showing EXISTING junction



Photo showing location (EXISTING)





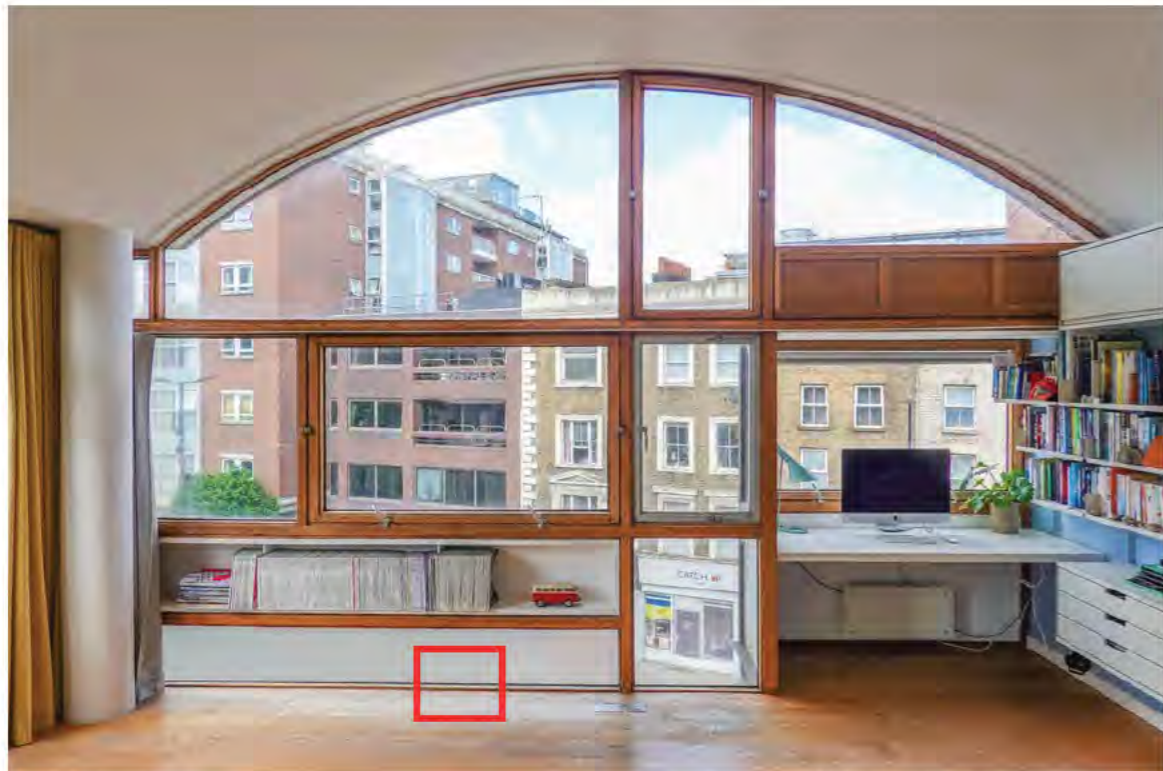
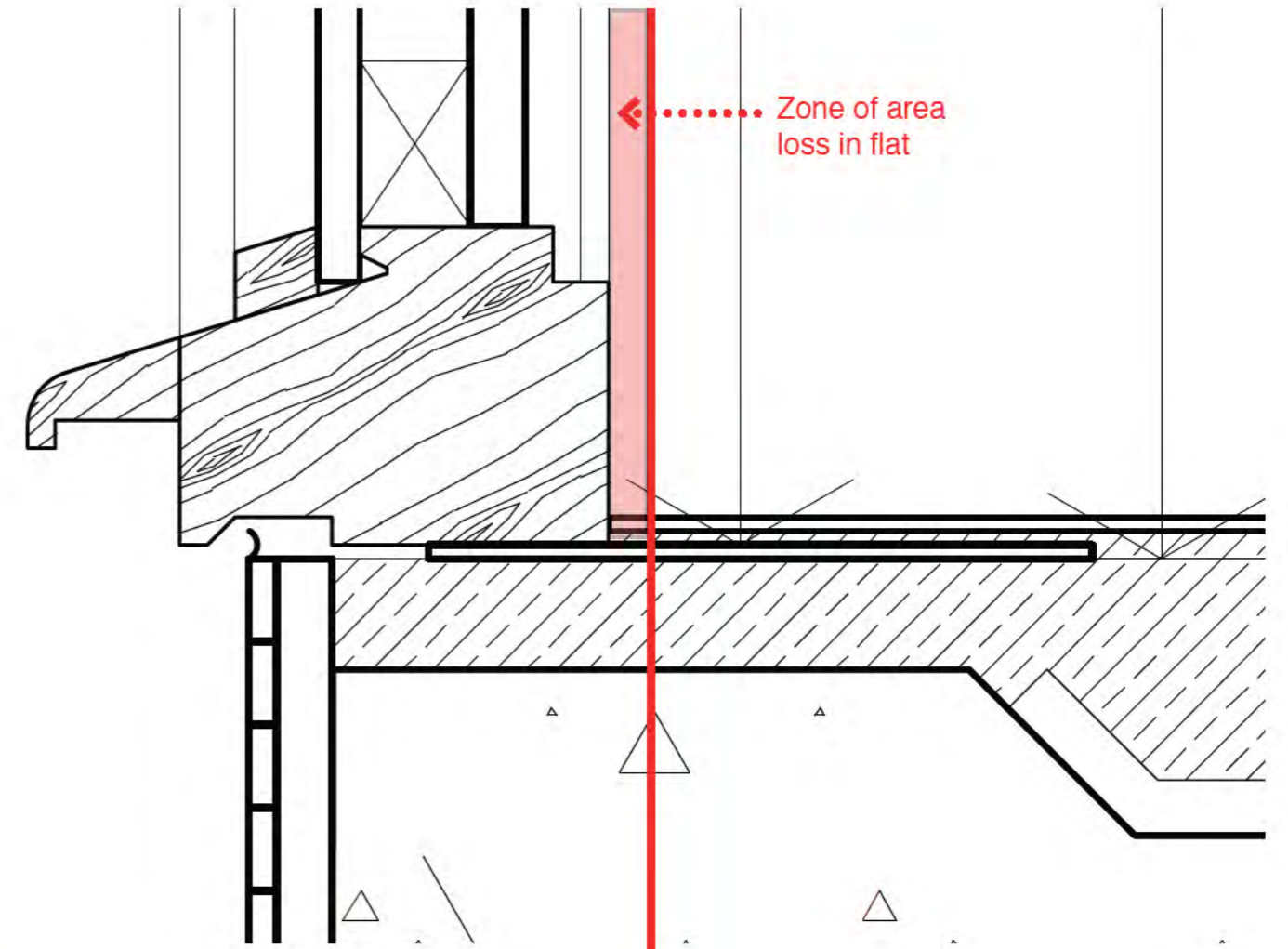


PHOTO SHOWING LOCATION

EXISTING



PROPOSED

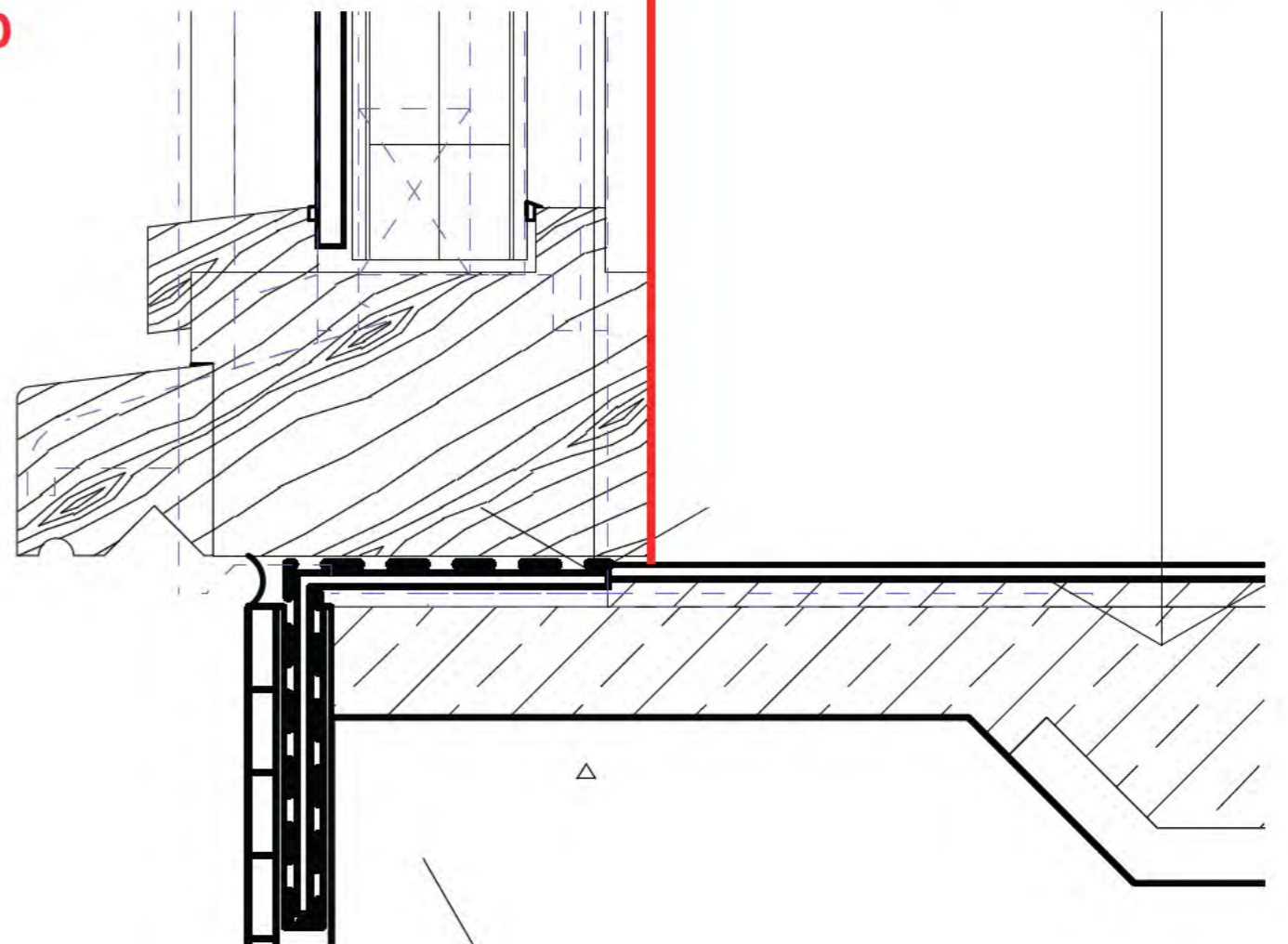




Photo showing EXISTING kitchen windows

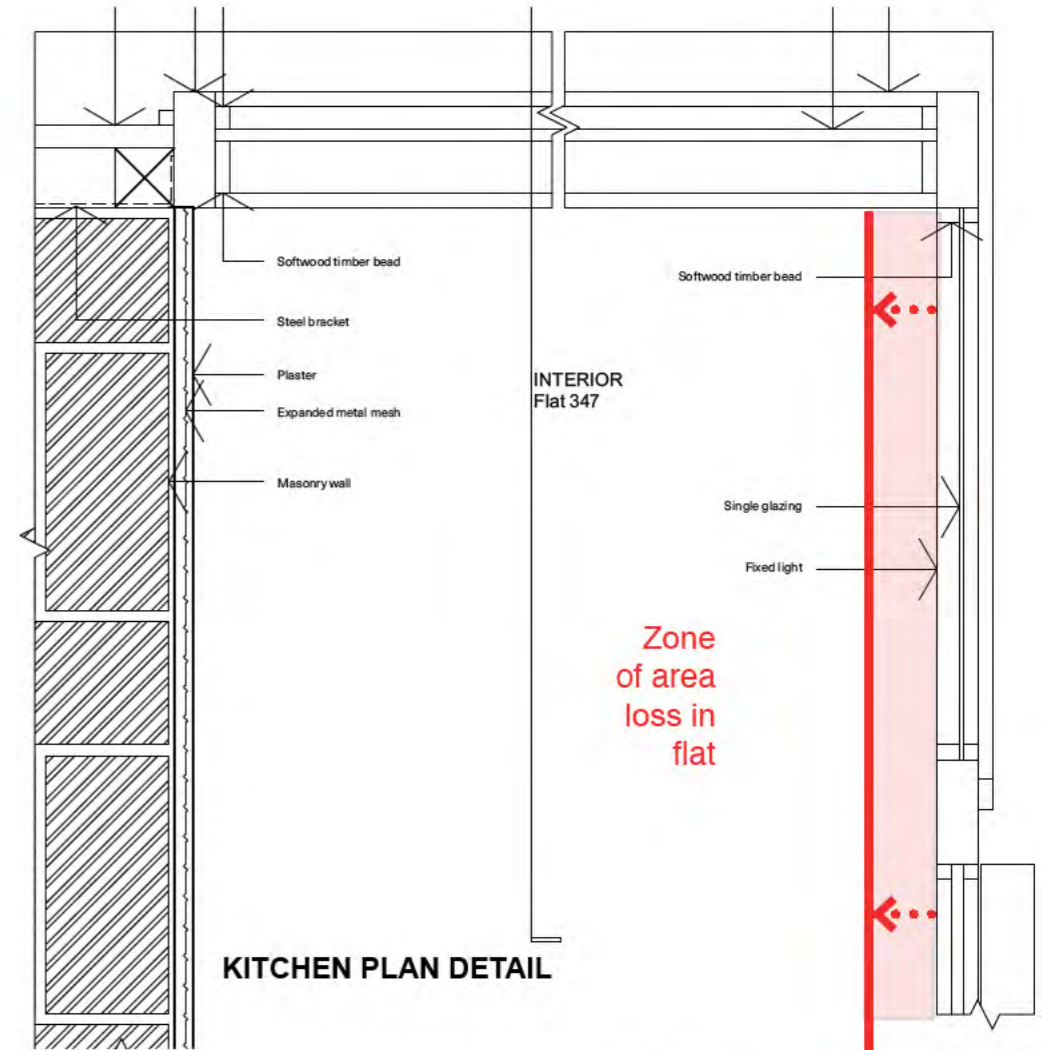


Refer to analysis of detail 01 for impact of deeper frame at curved soffit

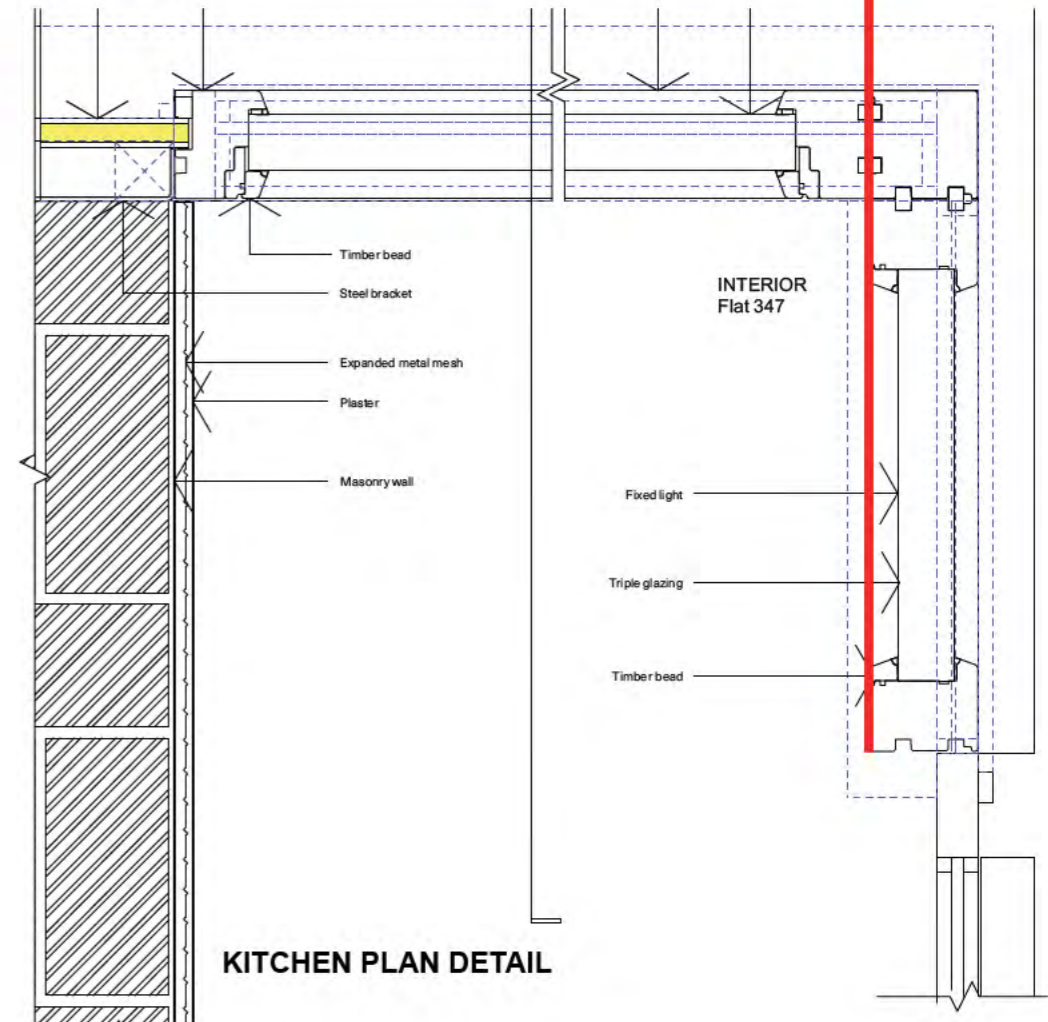
Photo showing EXISTING with indicative proposed window line



EXISTING



PROPOSED







EXAMPLE OF DOUBLE GLAZING IN EXISTING FRAME



# Comments for Planning Application 22/00323/LBC

## Application Summary

Application Number: 22/00323/LBC

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (temporary consent for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Graham Kern

Address: 213 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: Put simply, this hasty attempt to rejuvenate Crescent House is visually illiterate.

In 1997, Historic England formally documented the sophisticated design of Crescent House and awarded its very rare, Grade II\* listing.

Yet, for the past 25 years, the City has been dilatory in its obligated care and preservation of Crescent House - which is now 60 years old and blighted with fast advancing and unsanitary decay.

Historic England vigorously championed the Corbusier-inspired, design of Crescent House which, in turn, powerfully influenced the Barbican Estate, whilst also aligning Crescent House with the exalted architecture which animates the Square Mile.

Our cityscape is unique and magnificent: it spans 2,000 years from Roman settlements; via the English Baroque of Sir Christopher Wren; to the dazzling 'hi-tech' of Sir Norman Foster.

Why then is the City proposing to coarsely future-proof Crescent House with chunky-framed, triple glazing?

Against the highly considered listing, the City's proposal is unsuited for the densely glazed block, not least its stepped West façade.

Indeed, it is preposterous.

It is equal to bolting dozens of fluorescent-pink Chinese Pagodas over the dome of St. Paul's Cathedral in the deluded hope that it will look youthful.

Please, I implore the City to stop haemorrhaging funds for its dozy and spurious research, and to cease wasting further years of the Residents' precious lives.

Instead, the City must work swiftly with professional experts for, now, the situation is an emergency.

Urgently the City must liaise with, and eagerly defer to, experienced Heritage Architects who will swiftly guide, visualise and credibly scope affordable proposals to revive Crescent House.

The City's current proposal is ill-conceived and I object to it.



# Comments for Planning Application 22/00323/LBC

## Application Summary

Application Number: 22/00323/LBC

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (temporary consent for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Pablo Abellan

Address: 307 Crescent house Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I am writing to OBJECT to 22/00323/LBC

This application to remove the original 1962 hardwood windows as a explorative exercise seems to me without rational.

The heritage statement produced by studio partington explores reasons to destroy original detailing by invoking what they describe as "original design intent"

The design intent is what was built. Like describing the use of wire glass as a safety measure because otherwise the architect may have used clear glass if it had existed as safety glass at the time?

How would the corporation of London react if all the windows at Guildhall had their lead removed and replaced with single sheets of glass? Because the architect at the time may have used single panes if they where available?

Aesthetics are created from hundreds of decisions made in the design process. These cannot be replicated with intent or clear glass.

All details inform the reason why the rare grade 2\* was awarded to crescent house.

Again I invite every member of the planning committee to visit my flat to see in detail the magic created by all those design decisions that where made by the architects 60 years ago.

We painstakingly sanded and oiled every single inch of the interior of these beautiful frames and the results are exactly what the architects intended. Joy. Eliminating the detailing will destroy any emotions brought by this craftsmanship to future generations.

I urge you to stop the application to remove the frames at 347 crescent house and replaced with lesser versions of what was created with so much attention and care.

The frames at 347 can too be lovingly restored and upgraded with invisible changes like vacuum double glazing.

I OBJECT to this application

Pablo Abellan

# Comments for Planning Application 22/00323/LBC

## Application Summary

Application Number: 22/00323/LBC

Address: 347 Crescent House Golden Lane Estate London EC1Y 0SN

Proposal: Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (temporary consent for 5 years).

Case Officer: Amy Williams

## Customer Details

Name: Mr Neil Haas

Address: 106 Crescent House Golden Lane Estate London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other
- Residential Amenity

Comment: I am objecting to the application for the following reasons-

1. Flats should be considered on a case by case basis and not be subject to a blanket proposal that is developed by an application approval arising from work carried out on one property only.

Complete removal of the existing frames is unnecessary and the success of the procedure in one flat is crucially limited in its suitability to provide a building wide roadmap for the window works program as around 85% of the flats have existing original frames that are suitable to be refurbished and are able to receive new glazing without being removed and destroyed.

Any ongoing application should as thoroughly investigate refurbishment possibilities to the same level as the current removal and replacement proposal.

2. Removal of windows and surrounding building fabric will have a devastating effect visually and in terms of the residents' wellbeing.

Crescent House is a Grade 2\* listed building and is of international architectural significance. The viability of retro-fitting the existing units with triple or double glazing and refurbishing frames where possible should be thoroughly researched and an application developed for this.

Furthermore any vulnerable residents will be unable to cope with the disruption, mess, noise and destruction of the part or whole outside wall of their flats, especially since the City of London have

not provided any plan for how to house residents whilst the work is undertaken.

I know first hand of several neighbours in their 80s who will not be able to cope with or even face the thought of such disruptive works. The welfare of these residents should be considered on a personal level and the flats they live in on a case by case basis.

The current proposals do not consider these serious personal and social issues in any depth and this needs to be completely rectified in any further application.

Gavin Hutchison, 103 Crescent House, Golden Lane Estate, London, EC1Y 0SJ

[PLNCOmments@cityoflondon.gov.uk](mailto:PLNCOmments@cityoflondon.gov.uk)

15th June 2022

Dear Madam / Sir,

**Planning and Listed Building Consent Applications 22/00322/FULL and 22/00323/LBC**

**Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL**

**Planning Reference - PP-11143903**

I wish to vigorously object to these application on the following grounds :-

### **Process Objections**

The application itself is contrary to commitments made by the applicant's team during resident consultation; including at a Final Public Consultation Session 24.11.2, that a refurbishment approach would be drawn and costed before any planning application was made.

The application for a 5-year temporary consent for changes to a Grade II\* listed building is not appropriate to the importance of the heritage asset. That the very visible changes to this building are not considered worthy of a permanent consent should be taken as evidence that the applicant is either not confident of their proposal or would like the consultees to consider the application with less weight. The idea that a dismantled façade is ever likely to re-constructed on the building is misleading.

### **Heritage Impact Objections**

In terms of heritage impact, the proposals are (a) unjustified in the very "light touch" and insubstantial application documents; and (b) in any event harmful to the heritage significance of this important 20<sup>th</sup> century building. For the local planning authority to grant planning permission for these proposals would amount to a major departure from both planning legislation and planning policy. Accordingly, I object to the proposals on these grounds.

The protection of England's historic environment is delineated by a listing system which identifies 2% of our building stock with characteristics that deserve special care. Grade II\* protection is unusual and applies to around 5% of this number. Very few of these were built in the 20<sup>th</sup> Century and only a handful are 'mass housing' which were often built quickly and cheaply. This is not what happened at Golden Lane where the City Corporation commissioned and built a '*total environment*' with a '*good claim to be the most successful of England's housing developments from the early 1950s*' Listing 1021941

Paragraph 199 of the NPPF provides that when a local planning authority is considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Crescent House is the **only** building in the Barbican and Golden Lane Estate that Historic England has deemed worthy of a II\* listing. Accordingly, it is a building that deserves an extremely high level of protection and whose conservation should carry very great weight in terms of the NPPF.

Furthermore, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for alteration of a listed building, special regard must be had to the desirability of preserving the building, its setting, or any features of special architectural or historic interest which it possesses.

There is therefore a very high bar indeed for the City Corporation as applicant (and as local planning authority) to justify the granting of planning permission and listed building consent for these proposals.

However, the application documents are woefully inadequate to justify such a major intervention in a Grade II\* listed building. The heritage assessment in particular has been poorly considered and delivered :-

- The heritage case developed for the replacement of a complete Grade II\* façade has not been produced by independent and properly qualified heritage consultants. Pre-application documents show consultancy work being undertaken by The Heritage Advisory, but their appointment has not concluded in a final report. One may ponder why they were not in a position to provide their professional assessment of this scheme.
- Studio Partington hold no heritage accreditations and are in effect 'self-marking' their own proposals whilst apparently lacking relevant expertise in designated buildings. As a result, their analysis is light, of low quality and inherently partial. It does not comply with Chapter 16 of the NPPF, the research on the original fabric, design and significance of Crescent House being cursory and lacking rigour and thoroughness. The systematic classification of changes measured against heritage significance is non-existent and the conclusions drawn have been jumped to with no reasoning basis. The document does not reflect process as would be expected of a developed heritage case and has clearly been written to justify a pre-ordained design.

I refer to the separately submitted independent report produced by Purcell, one of the UK's foremost architectural heritage specialists. The author of the report is their 20<sup>th</sup> Century Heritage Consultant, Jon Wright. The research, analysis and conclusions have been carried out in accordance with best practice and the NPPF. As you will see, the Purcell report concludes that:

- (a) the application documentation is inadequate to justify the proposals; and
- (b) the proposals would be harmful to the heritage significance of Crescent House. Purcell identify that the level of harm to Crescent House would be "substantial" (within the meaning of paragraph 201 of the NPPF)

Given that the proposals entail "substantial harm", it must be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm. The application fails to do this. There are alternative solutions (ie enhanced double or vacuum glazing) which would achieve the same benefits of the proposals without causing harm to the listed fabric. Moreover, in the context of the statutory duty in section 66 of the LBA 1990, it is impossible to see how the loss of the original fabric can be acceptable.

The Purcell report was commissioned by a group of residents of Crescent House but is an independent report of a professionally qualified heritage consultant, who is expert in 20<sup>th</sup> century architecture. I adopt the findings of the report as part of my objection. Clearly the findings of the Purcell report must carry great weight in the decision of the local planning authority on this application. The more so, since this is an application that the City Corporation has made as applicant, so it will be absolutely essential that the decision of the local planning authority does not have any appearance of bias or "light touch".

The documentation fails to justify the proposals in other respects:-

- no exploratory works on site have been demonstrated to inform the drawings
- the drawings have been found to include dimensional and detail inaccuracies
- there are no dimensions on the detailed drawings
- the materials proposed are only generally specified where final specification is necessary
- drawings that overlay existing and proposed conditions are confusing to most viewers

The drawings are essentially diagrammatic and do not provide consultees with a reasonably illustrated case for the proper consideration of the application.

## Environmental Design Objections

The designs for Crescent House have had a long gestation yet they are proposed for this one unit without the holistic approach recommended by all stakeholders. No Services Consultant has been present for the project – a serious omission.

Studio Partington’s site observations and resident surveys have identified condensation as difficult to manage in flats, yet the application does not propose new ventilation or tackle the challenge of incorporating this within the Grade II\* listed fabric. The applicant’s sustainability consultant, Etude, have described this inclusion as necessary to avoid the significant condensation problems caused by improving the insulative value and airtightness of the flat. (Crescent House Planning Energy Strategy Rev E Page 13). As also committed to *‘We will definitely need some form of mechanical extract ventilation as a minimum ... as upgrading the windows alone will certainly exacerbate the risk of condensation and mould’* Studio Partington, Final Public Consultation Session 24.11.21. As proposed, this project will cause progressive damage to the property.

## Sustainability Objections

The proposals for this application and the wider project have been justified as a response to the City of London - Climate Action Strategy. The aims of this policy are highly laudable but as proposed this project will be contrary to its aims.

No calculations have been undertaken on the embodied energy of the existing and new facades to provide a basis for the carbon cost of construction and occupation of Crescent House.

The full replacement of the façade is argued as necessary to reduce heat loss to a level compatible with low-temperature heating solutions and triple glazing is provided as the only solution without factoring the carbon cost of the loss of the original material and the harvesting of new high quality tropical hardwood from West Africa. A refurbishment approach of retaining the existing frames and installing slimline vacuum glazing could deliver similar U-Values compatible with low-temperature heating and with relatively little embodied carbon outlay. The effective demolition of this facade is therefore contrary to best practice sustainable design.

## Specification Objections

This topic is critical as the supposed necessity for thick and heavy triple glazing is a key driver for the replacement of the façade, on the basis that the existing frames are not deemed strong enough to carry it.

The triple glazing proposal is an outdated specification for this type of project. Changing glazing from 6mm single plate to 40mm triple paned with the addition of a prominent spacer bar edge will significantly change the visual appearance of the building and cause harm [fig.1](#)



fig.1

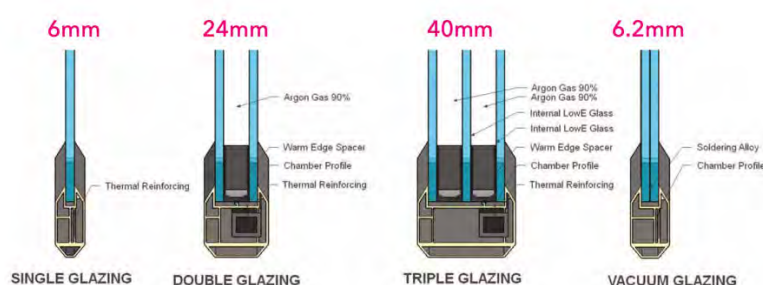


fig.2

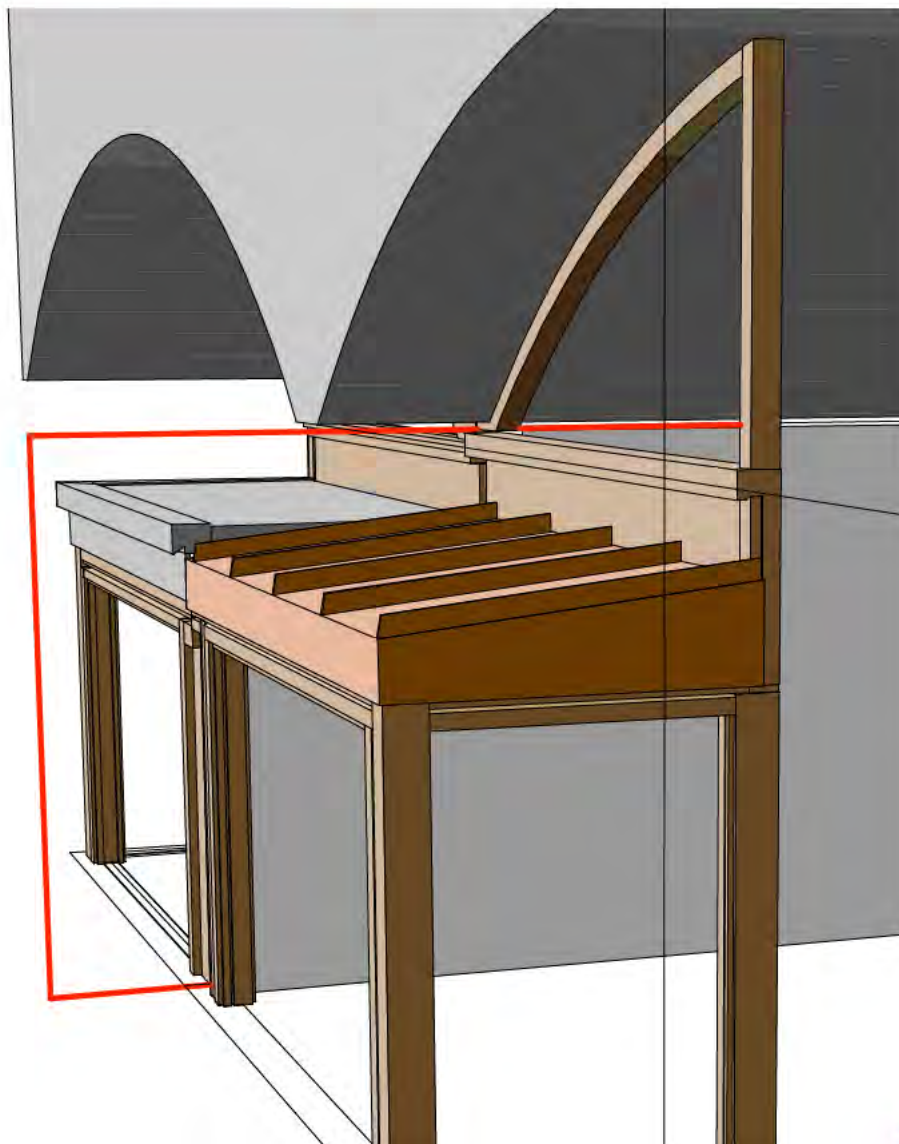
Heritage compliant, vacuum glazing panels, regularly used on historic buildings would be a 'like for like' replacement to the existing panes and match the weight, thermal and acoustic properties of triple glazing. [fig.2](#) This product has been specified extensively for all new windows on the high profile **Museum of London** refurbishment and has been reviewed and approved by the **City of London Planning Team**. The Project Team are aware of such products but have chosen not to provide a refurbishment option that utilises their benefits.

### Visual Objections

The proposed façade arrangement does not match the existing even though a precise replica is perfectly possible with new hardwood frames incorporating modern glazing and high-performance insulation.

The removal of a checks and rebates and resultant increase of section sizes will increase the visual heaviness of the frame and destroy the carefully considered elegance and proportion of the original facades.

The roof of the bay window has been swapped from a standing seam metal roof to a parapet edged un-drained flat membrane with a completely different profile. It is difficult to justify such a significant change to the basic design of a listed building and If these exist side by side, they will be visually uncoordinated in proportion, section and colouration. If carried through on a future project the change to the original designs will be detrimental as the heavy roof edge will become more dominant. All issues would be harmful to the listed building [fig.3](#) (red line denotes boundary)



[fig.3](#)



The proposal to replace the existing offset centre pivot aluminium window with a side hung thick framed ersatz copy will cause substantial harm to the 'punctuation' of the elevations. This is a highly sophisticated and elegant feature which was specially fabricated for the project. This generic replacement will change the detailed proportions and when open will protrude from the façade much further than the existing. The proposal should have included fabricating a modified replica utilising high performance glass for this pilot to be credible.

#### Weathertightness Objections

The technical problems of detailing and weathering between the new and the existing fabric when these are a different shape have not been solved. It is not acceptable to note '*To be resolved when the fabrication drawings for the joinery are produced*' in an application for LBC. The reason applications expect complete detail is that such resolutions have visual impacts. The attached 3D views have been generated directly from the application drawings to demonstrate the above issue which can only be solved by unsightly flashings and would deface and endanger the building [fig.4](#) (red line denotes interface)

Note : it is instructive that the application documents do not include any 3D visual information illustrating the new designs in isolation, as a comparison or in context on the façade.

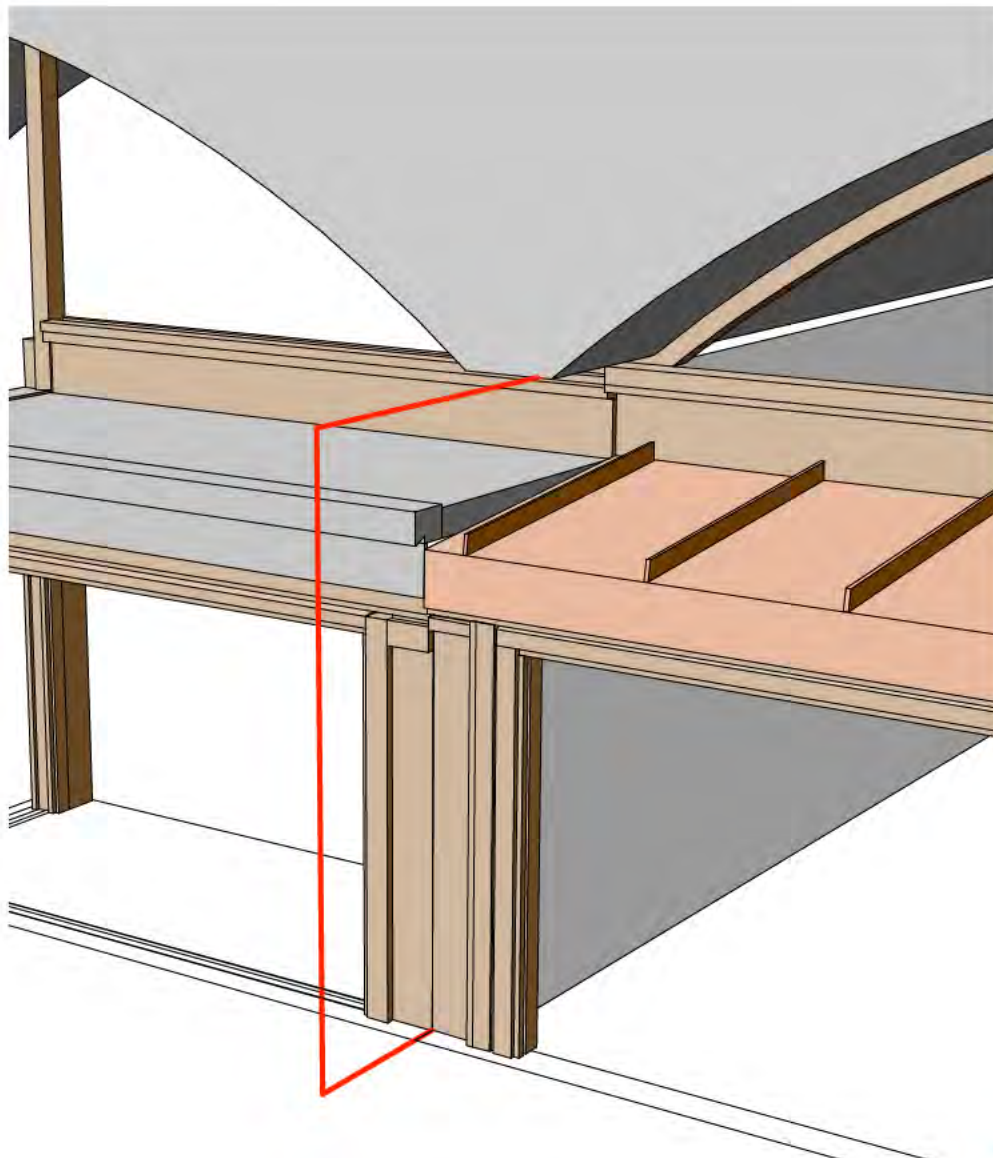


fig.4

## Conclusion

The designs proposed for this property, and as a pilot for Grade II\* Crescent House as a whole, are completely unjustified in terms of heritage impact. They have not been fully developed, are unsustainable, fail to resolve technical details, do not take advantage of new technology and ignore the visual impact on the rest of the building façade. Above all, they would cause irremediable harm to the heritage significance of the building which cannot possibly be justified in light of the fact that there are alternative means of improving the building's energy performance without wholesale replacement of its original façade.

The proposals in this 'pilot' project embody the strangest form of conservation practice, whereby the protected artefact is destroyed to understand how to preserve it. Replacing the entire façade of a Grade II\* listed building without proven justification and with no realistic expectation that it would be re-instated would result in substantial harm to Crescent House.

Accordingly, I object in the strongest terms to the proposals and urge you to reject.

**From:** [Williams, Amy](#)  
**To:** [Parker, Joanna](#); [Environment - PLN Support](#)  
**Subject:** FW: OBJECTION Planning Application 22/00323/FULL & 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate EC1Y 0SL  
**Date:** 15 June 2022 13:21:42  
**Attachments:** [image001.png](#)

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**From:** Nigel Smith [REDACTED]  
**Sent:** 15 June 2022 12:13  
**To:** Williams, Amy <Amy.Williams@cityoflondon.gov.uk>  
**Subject:** OBJECTION Planning Application 22/00323/FULL & 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate EC1Y 0SL

THIS IS AN EXTERNAL EMAIL

Dear Amy Williams

Apologies for late Representation

I trust you can accommodate it

**Planning Application 22/00323/FULL**

**Listed Building Consent Application 22/00323/LBC**

**Flat 347, Crescent House, Golden Lane estate, London EC1Y 0SL**

**I am writing to OBJECT to these applications for the following reasons**

The applications are described as a 'pilot' for the future full-scale replacement of the windows and façades to approximately 150 occupied flats at this important grade II\* listed building Crescent house at Grade II \* listed is the most highly designated building located in The Conservation Area. Further, I am not aware of any other 20th-century grade II\* listed building in the City of London

The application appears to propose the complete renewal of the windows and façades to both elevations of this particular singular flat as a 'pilot' study

I am at a loss as to what a 'temporary' planning consent for five years' actually effectively means?

In the circumstances does 'temporary' have any particular legal or statutory definition It's confusing and incomprehensible. And misleading

Although the application make reference to 2 approaches namely

1.

The upgrading of the windows within the existing hardwood frames

2.

Alternatively, the complete renewal of the frames and façades in their entirety with triple glazing inserted

The application pays much greater attention to the latter and very scant attention to former Careful inspection to the details of this application and to the absence of addressing significant associated issues (outlined below) reinforces this apparently pre-existing prejudice

The Hallas Window Survey (2020) condition survey commissioned by the City recognises that 85% of the hardwood frames were capable of reuse with only 15% requiring repair . Although the application makes reference to this report it does not include its details within the application

This omission, seemingly, to give greater weight to the entire replacement of the façade elements

There are grave dangers in giving approval to this application if it is used as a 'pilot' to be replicated to a further approximately 150 units.

The curved and varying nature of Crescent House is of great sophistication and is one of the main reasons for it being listed Grade ii\*

The number of individual and peculiar configurations which will be encountered in extrapolating the existing proposal in such a mechanistic fashion will be myriad and individually complex Each one giving an opportunity for ad hoc and ill considered constructional junctions/details which cumulatively are very likely to completely destroy the original appearance of the façades These elements being one of the main reasons for the original listing

The 20th Century Society (see their letter 9/6/22) and English Heritage's pre-application advice to the City dated 8 May 2019 (copy available if required) makes great play that a **complete holistic approach** to any works to this building is **vital**

Regrettably the current application suggests otherwise

Further complications that will arise as to exercising any repairs and upgrading this Grade II\* building will necessarily involve addressing the following additional issues - if anything like a holistic approach is to be achieved

#### Central heating flues

A very significant proportion of the 150 flats in this block have individual gas-fired boilers with flues penetrating the external envelope in a variety of fashions. The problems in accommodating such existing flue ways and any new flue-ways penetrating the external envelope both from a visual, practical and thermal insulative aspect require very careful consideration

There is no evidence in this application such matters have been considered

#### The main roof thermal capacity

The thermal capacity of the main roof is extremely poor and contributes to heat loss and condensation in the upper units.

No proposals to upgrade these areas is proposed

#### Cantilevered first floor structures

These have very limited thermal insulation and again give rise to high degrees of resident discomfort and occurrences of condensation and mould growth

No proposals to address these issues is proposed

#### The projecting bay structures

To the front elevation do require sensitive repair due to inherent design defects, defects to subsequent alterations, and many years of poor maintenance.

These elements present a most important contribution to the elegance of the western façade  
Focused consideration to addressing constructional shortcomings to these important elements is not clearly addressed

The drawings accompanying this application

Are at such a small scale and give no appreciation of the visual differentiation the proposals would create to the main elevations

I cannot see how proper meaningful consideration to this application can be given without such drawings

Namely

There are no large-scale details indicating the size of the existing timber window sections and the proposed window sections - which would give an indication of the visual ramifications of increasing the dimensions of such elements

The application discounts the use of heritage consistent vacuum glazing which would deliver comparable U values and improved RW acoustic values and be capable of being accommodated in increased rebates to the original hardwood sections - without the visual disruption inherent replacing these framing elements with timbers of increased dimension

Without such consideration I cannot see how proper evaluation of this application can be given Roland Jeffrey's letter of objection (the contents of which I wholly endorse) makes mention of several units on the block having been double glazed by having the existing hardwood sections rebated to accommodate thin vacuum double glazing.

He states how quickly this can be executed at how completely visibly unobtrusive such works are on completion

I completely concur. I have witnessed such works myself and further, have executed identical works to my own flat in the adjacent Golden Lane Estate block Basterfield House - without the necessity of scaffolding and executed in a couple of days

The applicants give no indication as having seriously considered this strategy

English Heritage in their pre-application advice to the city dated 8 May 2019 say

*Crescent House is one of the **jewels in the crown of the City of London's architectural legacy** and widely admired for its unique style and innovation.*

*It illustrates in built form, the development of CPB's ideas which is highly significant given their key role in the evolution of post-war architecture in Britain. Its status as a grade II\* listed building reflects this.*

They further state

*... Given the specialist nature of this work, I do urge that you appoint a design team with appropriate skills and knowledge of post-war housing and if possible, the work of CPB...* (The original Architects Chamberlain Powell & Bon)

Despite representations to the City on this matter The City continued to progress to appoint Studio Partington a firm which admittedly has had some experience with historic buildings but is not an Historic Building Accredited Consultancy

I respectfully suggest that the nature of this application indicates serious shortcomings arising from the rather limited experience of this firm with buildings of this rare and particular nature

C20's letter of objection dated 9 June 202 ( contents of which I wholly endorse ) recommends the refusal of this application and promotes an alternative approach suggesting retaining the existing hardwood frames to the main part of the building (85% of which are free from significant defect) but with sensitive reconstruction of the projecting bays to the west elevation (which have

suffered from their exposed locations, some aspects of the original design, from poorly detailed repair works and years of non-maintenance)

C20 stress that the existing timber design sections window furniture etc to the bays should all be respected including the reuse of existing window fittings and the window cleaning pole element (including effective and unobtrusive rainwater discharge)

Rowland's letter of objection outlines the current defects/neglect to these projecting bays - to which I again concur

### Architectural Importance

Both C20 and Mr. Jeffery's letter clearly and lucidly outline the high significance of this Grade II \*listed building and comprehensively rehearse the Statutory Obligations inherent to protect such buildings in the event of any proposed works

In these circumstances I do not propose to reiterate these arguments (to which I wholeheartedly concur)

Save for the following

*Great weight should be given to the conservation of the special interest of both designated heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In considering whether to grant planning permission for development which affects a listed building or its setting, 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." Section 72 requests that local authorities pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (NPPF, 2021) includes paragraph 199 which 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." Paragraph 200 states that any harm to, or loss of, significance should require clear and convincing justification.*

I would therefore request you revisit these texts and consider their implications and whether any (unfortunate) approval of this application would meet the City of London's Statutory responsibilities in this regard

For all the above reasons

**I urge you therefore to REJECT this application**

Nigel Smith  
Chartered Surveyor & Chartered Architect  
MSc Dip(Arch) FRICS RIBA  
Late of 338 Crescent House  
Now of 56 Basterfield House  
Golden Lane Estate  
London  
EC1Y 0TR  
Mobile: [REDACTED]  
email: [REDACTED]



**From:** [Sarah Batty-Smith](#)  
**To:** [PLN - Comments](#)  
**Cc:** [Williams, Amy](#)  
**Subject:** Planning Application 22/00322/FULL Listed Building Consent Application 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL  
**Date:** 16 June 2022 11:49:18  
**Attachments:** [rich text with attachments \(RTFD\).rtfd](#)

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THIS IS AN EXTERNAL EMAIL

I object to the planning applications and work you are planning to undertake under the above references for the reasons below.

1. A grade II\* building is being vandalised to illustrate/prove a point. This will result in substantial harm. Surely not what the listed building committee foresaw when they granted listed building consent to Crescent House. Why is a sloping roof being replaced by a flat one?

Below is the listing description

2. The intention to re-instate the work after 5 years is really beyond comprehension as it will not be possible. And why 5 years, that seems an awful long time?

3. Besides the changes to 347 being vandalism, it will look totally odd from the outside. What sort of message does that convey to passers by?

4. A new window and facade could be mocked up. There should be a mock up of a triple glazing unit and facade and another with double glazing, the latter being the preference of residents and as has been advised to the City.

5. The application does not take into account ideas put forward by residents for a refurbishment, it prefers a wholesale rip out and replace as advocated for by the City and subsequent devaluation of an asset.

6. The energy used for replacement materials for a rip out and replace exercise has embodied energy implications.

7. Flat 347 is very different to mine, I am first floor east facing. Mine is one of the smallest flats in Crescent House so any reduction in floor space I vehemently oppose, for floor space read ceiling and wall too, a reduction in space will affect the price of the flat!! Additionally, as it's east facing it is easily warmed in the summer, in fact fairly unbearable so any glass should partially reflect the heat back, so make it bearable to live in.

8. There is no mention of the other necessary works that go hand in hand with the window/facade work. As I understand it, there is presently a non functioning ventilation system in Crescent House, certainly for the flats situated in the corridor that do not benefit from windows in the kitchen and bathroom. Additionally, no installation of insulation is mentioned for the soffit on the void area for the flats on the first floor. Both need to be included and the best they can be to bring Crescent House up to a good standard that people want to and are proud to live in.

9. This is a pilot project. But what thought and planning has there been about the upheaval and displacement of residents when the work is to be done this has never mentioned?

Thanks  
Sarah Batty-Smith (Miss)

130 Crescent House  
Golden Lane Estate  
EC1Y 0SJ

Sent from my iPhone



**From:** [Polly Powell](#)  
**To:** [PLN - Comments](#)  
**Cc:** [Williams, Amy](#)  
**Subject:** Planning Application 22/00322/FULL Listed Building Consent Application 22/00323/LBC Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL  
**Date:** 16 June 2022 18:11:45

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THIS IS AN EXTERNAL EMAIL

Dear Planning Committee,

> I have become aware of the planning application by the City of London Corporation to undertake a pilot project on flat 347 Crescent House for the replacement of existing single-glazed windows with triple glazed windows, together with installation of insulation to internal walls of the flat.

>

> I am the daughter of the architect Geoffrey Powell (of Chamberlin, Powell & Bon, the architects of both the Golden Lane Estate and the Barbican Estate). I am also the publisher of Stefi Orazi's recent book on the Golden Lane Estate. Consequently, I have considerable knowledge of the Estate.

> I object to this pilot scheme. The reason I am objecting is because the proposed changes do not adhere to the original build and materials, intrinsic to the original plans. The fact Crescent House is grade II\* listed, and recognised as a national heritage asset, makes the proposals not just insensitive, but wrong. The proposals will cause substantial harm and will incur unnecessary expense and environmental harm.

>

> The original fixtures and fittings are an important feature of the Golden Lane Estate. Indeed, properties that retain their original fixtures and fittings are bought and sold at a premium. Repairing the existing windows (rather than replacement) is a more appropriate, sophisticated approach that will help retain the value that is placed on the Golden Lane Estate.

>

> I think it is very important that the voices of the residents are heard. Any decision on the current proposals should be ratified by the residents.

Yours sincerely,

Polly Powell  
46 Wilmington Square  
London WC1X0ET

**From:** [Dominique Tipper](#)  
**To:** [PLN - Comments](#)  
**Subject:** Objection to 22/00323/LBC  
**Date:** 20 June 2022 00:09:57

---

THIS IS AN EXTERNAL EMAIL

I have owned a flat in Crescent House for four years and I lived there for two of them. I have a deep affection for the Golden Lane Estate and its remarkable historical relevance and I loved living there.

I have seen plans for the pilot flat to replace the windows and I am deeply concerned about the scale of disruption this would cause to residents that live there.

I am completely on board for the insulation, noise reduction and general state of the windows to be improved and brought up to date, but it seems the way you are planning to go about it is the least effective and desirable for not only the City but the residents/leaseholders.

Having scaffolding up around the whole building all at once poses a serious security issue, especially if the plan is to put the dividing wall up in the flats as seen at Great Arthur House.

When the concrete works were being done it was an absolute nightmare living in the building through those works with men walking about outside our windows on the scaffolding, shouting and doing the work with no consideration for the residents. There was no privacy and it was severely unpleasant. I found myself deeply distressed. This plan as it currently stands would be triple the disruption the concrete works caused and this would cause a serious detriment to residents mental health on top of all the regular and obvious ways it would be disruptive.

Also from what I understand based on surveys conducted by the City and my own research is that not only are the windows able to be refurbished because most of the timber is in very good condition over being completely replaced, but that it is definitely the more desirable way to go when it comes to retaining the Grade 2\* listed features which is one of the main reasons I purchased my property, and it is the more economical, and least disruptive way to go.

I really think all of these things need to be deeply considered and I'm not entirely sure they are based on the plans for the pilot flat.

I strongly object to them in their current state. I believe we can and must find a better, least disruptive option and one that seriously considers the wellbeing and mental health of the residents.

Dominique Tipper

**Best**  
**Dominique**

# Crescent House

Planning Application 22/00323/FULL Listed Building Consent Application 22/00323/LBC  
For Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SN



## Contents

1	Instruction and Summary
2	Outline History of the Site
3	Golden Lane Estate - Its Inspiration and its Impact on post-war developments
4	Heritage Context
5	Assessment of Statement of Significance & Heritage Statement
	Policy & Policy Compliance
	Heritage Impact Assessment

## I Instruction

Purcell have been instructed to assess and report on the above application by three residents of Crescent House, namely Gavin Hutchison of Flat 103, Roland Jeffery of Flat 209 and Gaby Robertshaw of Flat 204 Crescent House as an application that impacts the material fabric and significance of the listing building. The instruction is to focus specifically on planning heritage policy and practice with respect to the treatment of Heritage assets in planning policy and guidance.

It has been completed by Jon Wright a specialist heritage consultant with Purcell Architects who has expertise in the architectural history and conservation of listed twentieth century buildings and sites.

The report addresses 2 key aspects of the application

1. The suitability of the accompanying Heritage Statement that has been submitted
2. The compliance with international, national, regional and local planning guidance

This assessment begins by setting out the basic history of the site and the building and is then focused on an assessment of the submitting documentation and its compliance with the policy and guidance that gives the listed building its heritage protection within the planning system.

References to the 'application' in this report refer to City of London Planning Application 22/00323/FULL or City of London Listed Building Consent Application 22/00323/LBC for Flat 347, Crescent House, Golden Lane Estate, London EC1Y 0SL

### I.1 Summary Finding

It is the finding of this report that the scheme proposed in the application is not proportionate to the significance of the listed building and that consequently, the justification for the changes proposed is neither sufficiently supported by the documentation provided or compliant with the policy framework that is in place to guide change at the site.



## 2 Outline History of the Site



Page 415  
Cripple Gate and neighbourhood,  
from Civitas Londinum, c. 1560



The Golden Lane Estate area, with Grub Street bottom right and Pickax Street to the left, according to John Rocque's 1746 map of London.

The area on which the Golden Lane Estate now stands was historically known as Cripple Gate, a name which the current electoral ward of the area retains. Originally the northern entrance to Londinium's Roman fort, it was one of six main gates - the others being Ludgate, Aldersgate, Newgate, Aldgate, Bishopsgate, with the fifteenth century addition of Moorgate - alongside lesser posterns and cut-throughs.

By the mid-1700s Cripple Gate itself was demolished, and the formerly wealthy neighbourhood had declined. The most renowned thoroughfare in the area was Grub Street, which ran from Fore Street east of St Giles-without-Cripple Gate (Cripple Gate ward was bisected by the city walls, and was therefore both "within" and "without") and was indicative of the area: it was an impoverished lane which existed on the margins of London's literary and journalistic scene, set amidst the neighbourhood's doss-houses, brothels and coffeehouses.

Its close geographical proximity to both Moorfields and Bedlam hospitals linked the street to

prostitution and madness, and the name of the street itself became a pejorative term for bad writing. To the west of the area lay Pickax Street (now Goswell Road), its name is thought to derive from 'Pickt Hatch' - an area of brothels said to be in this part of London during the Elizabethan era. The interim blocks comprised with alleys, stables, and courts.



An historic photograph of the area of Cripple Gate after WWII bombing, showing protruding isolated walls and rubble.



A view of the Milton Street area (facing south toward the Thames, with the Golden Lane area out of shot to the centre/bottom of the photo) from the air, showing the extensive bomb damage and clearance (photo 1953).

### Victorian period to 1950s

In 1829 Grub Street was renamed Milton Street, apparently in memory of a tradesman who owned the building lease of the street, in order to raise the profile of the area. The influx of business that followed saw a loss of residents, a process which was accelerated by the Farringdon-Moorgate underground railway extension in 1865.

The late Victorian commercial warehouses that occupied the majority of the area were devastated by extensive bombing during the Second World War, with contemporaneous

photography showing it reduced to vast swathes of rubble.

In February 1951 the City Corporation acquired the site, extending its original planned site to Goswell Road (where Crescent House now stands) in May 1954 with the compulsory purchase of a further 4.7 acres, resulting in a total area of nearly 7 acres.

### 3 Golden Lane Estate - Its Inspiration and its Impact on Post-War developments

The competition for designs to regenerate the area was announced in 1951, with the City Corporation's brief outlining proposals for 940 one, two, three or four room flats at the maximum possible density of 200 residents to the acre, with a central heating and hot water system, a basement storage area in each block, and a community centre. The partnership of Chamberlin, Powell and Bon was formed when on 26 February 1952 Geoffrey Powell was announced as competition winner and subsequently formed a partnership with two other lecturers in architecture from the Kingston School of Art - the three having entered into an agreement that if any of their separate entries won the competition, they would share the commission as a team.

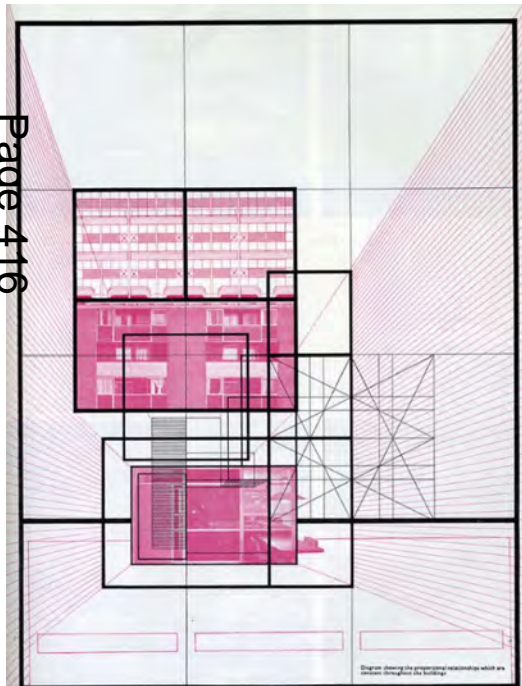


Diagram produced by Chamberlin, Powell and Bon showing the proportional relationships which are constant throughout the buildings on the Golden Lane Estate including those at Crescent House

Chamberlin, Powell and Bon stated in the Architect's Journal in 1953 that they "attempted to make Golden Lane truly urban as, for instance, Florence or Oxford City are truly urban", eschewing the Garden City Tradition, their design championed the "strong contrast between true town and true country", using the heights of buildings to house restaurants and pubs "like a lot of stork nests [with] views of the Thames, or railway termini."

Their scheme consisted of an 11-storey tower and 12 lower-level blocks and a community centre, all set around a series of pedestrian courts, designed to function as an urban microcosm.

With the requisition of additional land adjoining Goswell Road in 1954, the by-then already altered design of the estate continued to evolve, with a large number of flats being concentrated into the landmark tower-block (increasing from 11 to 16 storeys), and the utilisation of deep basements of destroyed buildings, with the further provision of shops, tennis courts and a swimming pool, a pub, and further blocks of housing.

The estate as a whole was influenced by pre-war architecture and planning schemes of Le Corbusier, with its conceptual recreation of a city in miniature, "stork nests", open plan stairs, and double height stair spaces. Crescent House, however, has an affinity with the Post-War work of Le Corbusier, perhaps principally Maison Jaoul at Neuilly-sur-Seine. The building owes much of its aesthetic identity to Maison Jaoul which placed the planar surfaces and geometric façade composition and frank materiality; but other projects such as Maison Lannemazan (1940) Maison Perissac, Algeria (1942) were possibly influential. Chamberlin Powell and Bon followed the output of Le Corbusier closely and in great detail and the partners organised office trips to visit the works.

Designed by Le Corbusier for the industrialist André Jaoul and built in 1954-6, Maisons Jaoul are a celebrated pair of houses in the Paris suburb of Neuilly-sur-Seine. The houses are considered among his most important post-war buildings, as well as his earliest brutalist works. They feature a rugged aesthetic of béton brut and rough brick, notably employing great concrete lintels as horizontal bearers, distributing the weight of the vault over the irregular openings.

Crescent House borrows heavily from Le Corbusier, including the use of a proportional measuring system in a mixed-use, modernist, and residential high-rise. Whilst at a very different scale to Maisons Jaoul, Crescent House directly references the heavy arched concrete lintels and rugged heavy timber windows and in-fill panels, instilling the structure with a sense of monumentality, and marking it out as a unique example of the move towards New Brutalism.





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Corbusier's Maisons Jaoul at Neuilly-sur-Seine



## 4 Heritage Context

### 4.1 Listed Buildings

Crescent House is part of the Golden Lane Estate and pre-dates the nearby Barbican in its aesthetic and materiality. The estate is part of a larger group of listed structures which contribute to an area with a very high proportion of heritage assets a full list is given here for context -

**Grade I** Church of St Giles

**Grade II\*** Crescent House

**Grade II** Barbican Estate, Dorothy Annan Murals on Speed Highwalk, Great Arthur House, Cuthbert Harrowing House, Cullum Welch House, Bowater House, Golden Lane Community Centre, Bayer House, Stanley Cohen House, Basterfield House, Golden Lane Leisure Centre, Hatfield House, Sir Ralph Perrin Centre

**Designated Landscapes**

Barbican Estate (Grade II\*) Golden Lane Estate (Grade II)

**Scheduled Ancient Monuments** London Wall: section of Roman and medieval wall and bastions, West and North of Monkwell Square

Crescent House is the only Grade II\* listed building on either the Golden Lane or the Barbican Estate. Designated in 1997, its listing included the ground floor parade of shops and a public house. The list description is extensive and includes detailed expression of the role the façade plays in the historic and aesthetic values of the building as well as underlining its value to the wider context of British Post-War architecture.

*"The massing of the curved and arched cornice, with the sill and pilotis below, and the stepped profile of the dark and largely glazed floors of flats in between is exceptionally impressive. Hardwood timber windows stained dark, with pivoting centrally-hung casements and some aluminium side opening lights." \*\**

\*\* The list description is inaccurate here as these side windows are actually on a central pivot.

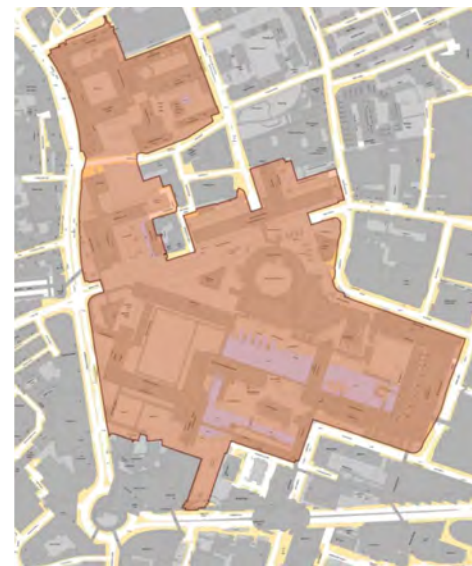
*"It is Grade II\* for its place in the evolution of post war architecture and for the sophistication with which the contrasting materials and geometry of the facade are handled."*

The nearby Barbican Estate is also Grade II listed in its entirety, making it one of the largest heritage assets in Europe. The landscaping here is listed at the higher Grade II\*, indicating its high quality of design as a formal landscape and its international value as a public space with private gardens.

### 4.2 Conservation Area

In April 2017 the Barbican Association and Golden Lane Estates Residents' Association approached the City with proposals for a new conservation area to include both estates. The City of London responded by designating the boundary in 2018 and producing an area SPD that was completed in November 2020. The boundary shown on the accompanying map covers both estates and is designed to give supplementary planning advice.

The document contains the following important clause that is concerned with potential change to the buildings on both estates, offering informed commentary on the survival of character and highlight repair and maintenance as a key aspect of the conservation effort to preserve and enhance that character.



Barbican and Golden Lane Conservation Area Boundary Map.

### Potential Enhancements

The post-war, modernist character of the Estate has survived well. Small-scale enhancements to urban greening, lighting and wayfinding could all help to enhance the Estate yet further, alongside ongoing projects of repair and maintenance of the fabric. Additionally, the reversal of later alterations could be beneficial where this would better reveal and enhance the original architectural character of the Estate.



## 5 Assessment of Statement of Significance & Heritage Statement

### Overview

It is the view of this report that neither of the supporting documents for this application are sufficient to properly assess the proposals. The high-grade of the listed building and the richness and complexity of the heritage context in which it sits require proportionate response in terms of both assessment and justification. In line with the policy and guidance for a heritage asset of this grade and in this context, the supporting documentation should give a full descriptive account of the building, a complete architectural and design history and a section of contextual or comparative analysis. The heritage statement takes information from a document that remains in draft form and in which the full significance of the building is not presented.

### 5.1 Statement of Significance

The Heritage Advisory Statement of Significance, Ref 2020/5364, was produced in April 2020 and remains in draft form. It is not clear why this work was not completed. It concentrates on the significance of the windows across the estate and draws some conclusions about their comparative value, placing Crescent House at the top of a hierarchical list of the buildings that make up the estate. The relevant paragraphs in the Heritage Statement that relate to significance are taken from this document and so it follows that the conclusions presented in it provide the only baseline information on which the justification for the changes are based.

Whilst the report sets out clearly the methodology set out in Advice Note 12, it follows it only cursorily and there are considerable gaps in the body of evidence that underpins the conclusions. We will address each of the points from Advice Note 12 as given on page 9 & 10 of the Statement of Significance, in turn. The clauses of the guidance are given below in bold, with the commentary in italics below.

**Deciding how to analyse heritage significance is likely to depend on the kind of heritage asset concerned, the nature of the proposal and the level of understanding of its history and significance at the time of application, though it is worth bearing in mind that all these approaches may be needed in especially complex cases:**

*In considering the complexity of the Golden Lane Estate, its richness in terms of designation and the high significance of both it and the Barbican, the level of assessment should be of the highest standard. Only through a robust statement of significance; one that describes in detail the heritage asset and sets out its full history, can firm comparative conclusions about heritage value be reached. Having set out this significance, that then becomes the basis for a conservation-led approach to managing change. Crescent House is a complex case in this regard and therefore all approaches outlined in the guidance are required for the establishment of a proportionate baseline. The Statement remains unfinished and yet its conclusions have been used to define the significance of the building.*

**The context for any analysis of the significance of a heritage asset will be a thorough familiarity with the asset itself, developed through site visits, and appropriate inspection of the fabric, its features, materials and ornament, and also its setting if needed.**

*There is no evidence presented in the Statement of Significance that a site visit was undertaken or that any of the built fabric of Crescent House was visually inspected. There is no description section within the document that addresses the aesthetic value of the building as it is now. This makes it extremely difficult to factor historic development, later changes, material degradation or survival into the discussion about heritage value. This constitutes a major oversight in the Statement and means that it relies solely on historic assessment of the manner in which the buildings were constructed.*

*As is stated in the guidance document, a proper and full assessment of the fabric must be undertaken for the LPA to be able to make an informed judgement on the impact of any given scheme on the significance of the heritage asset as stated in Section 5.*

**It therefore follows from the NPPF requirement that an understanding of significance must stem from the interest(s) of the heritage asset, whether archaeological, architectural, artistic or historic, or a combination of these; and that this understanding:**

**must describe significance following appropriate analysis, no matter what the level of significance or the scope of the proposal;  
should be sufficient, though no more, for an understanding of the impact of the proposal on the significance, both positive and negative; and**

**sufficient for the LPA to come to a judgment about the level of impact on that significance and therefore on the merits of the proposal.**

*Taking these in turn, it is evident that the Statement of Significance has only partially addressed the site for its relative heritage values and that these values have not been fully expressed or placed in their proper contexts. Conclusions about heritage value are presented in general terms without appreciable analysis or a proportionate evidence base.*

*This lack of evidence for the assessment is manifest throughout the document where a series of anecdotal, rather than primary or secondary sources are used as support. The lack of sources is one of the main reasons for this as the document relies almost solely on the Management Guidelines and one secondary source from 1773.*

*Crescent House and indeed the Golden Lane Estate were extensively published in architectural journals at the time of construction and have been the subject of extensive scholarly attention and discussion ever since. The competition itself for the block was a watershed moment for British Post-War architectural development and the completed buildings have long been at the centre of any debate over the challenges and issues facing Post-War heritage. Whilst it would be acknowledged that it would not be proportionate to survey all literature relating to the estate and the building, the document presents none of these sources at all.*

*For heritage assets of this importance, that have been the subject of so much critical attention for so long, it appears a rather major oversight not to have addressed some of this material to support views of the relative values inherent in the design, fabric, plan form, visual identity and cultural value of the architecture.*

*As a result, it cannot be said the LPA are therefore in the position to be able to complete a judgement on the impact of this application, without a proportionate statement to underpin the decision. For an application to legitimately say it has been conservation-led or heritage-led, it must have addressed significance as part of the application for consent. This aspect of the guidance is set out in the document in Section 6, which sets out the requirements for a staged approach.*

## **A staged approach to decision-making in applications affecting heritage assets**

**In practice developing applications for heritage-related consents will usually mean following a staged approach to decision-making. The development of proposals for change to heritage assets, and the consideration of subsequent applications based on the resultant proposals, benefits from a structured approach to the assembly and analysis of relevant information. A staged approach would usually embrace the following stages, informed by the scope of the proposal:**

**1. Understand the form, materials and history of the affected heritage asset(s), and/or the nature and extent of archaeological deposits**

**2. Understand the significance of the asset(s) These two stages fulfil the requirement in paragraph 189 of the NPPF and are undertaken by the applicant.**

*There is, in the Statement of Significance that underpins the Heritage Statement, no evidence that this approach has been followed. There is a brief assessment of the form, materials and history of the estate, but it is far from proportionate to the Grade II\* status of the building. For it to be so, a full account of the built history, a full description of the site as it now is and a detailed historic development and planning history should be evident. These would have then informed a detailed significance assessment section with relative significance judgements for the various elements, spaces and settings of the building. It is therefore not evident that this elementary, 2-staged approach that links historic research to informed judgement on value has been adhered to. Consequently, the report fails to understand the significance of the building and its context in line with the requirements of the NPPF.*

## 5.2 Heritage Statement

The Heritage Statement for the application comes in 2 parts. That which is included in the Design Statement and a Supplementary Note that was written as an addendum to what is written in the Heritage Statement.

What is written in the Heritage Statement falls substantially short of what would be expected in support of an application such as this; especially one which proposes the loss of a considerable amount of historic fabric of a Grade II\*. The assessment of the building given is presented here for ease of reference

### " 5.1 Heritage Crescent House is listed at Grade II\* "

Whilst it might be expected that any heritage information would be contained in an accompanying Heritage Statement, this is cursory at best and in no way sets out the value of the asset.

Studio Partington also prepared, to go alongside this reference, an addendum which was designed to **"supplement the heritage information in the Design Statement"**

This document is more considered and gives salient historic points copied from both the HE List Description and the Management Guidelines but as with the Statement of Significance, the level of assessment is not commensurate with the high grade of the listed building and therefore offers only that which is given elsewhere about the significance of the building and its façade.

These elements are then followed by a Heritage Impact Assessment that the windows of Crescent House are of high significance but that significance is based on **'architectural and aesthetic values, rather than archaeological or historic'**.

Since there is no thorough assessment that cites and makes value judgements about this in any of the submitted or supporting material, it is impossible to qualify this assessment or be convinced by it. It would appear that the primary heritage argument for change based on significance, rests on the notion that the concept of the façade is of higher value than its materiality. This is an assessment that is neither expressed in policy or planning guidance and it has no basis in conservation theory or practice for any listed building - regardless of date.

The heritage assessment information given to justify the changes is neither comprehensive enough in its scholarship or specific and systematic enough about its judgements and it not evidence of a thorough understanding of the architecture or the wide range of heritage values it contains in its built fabric.



At Crescent House, many flats are set round open courts.

## 5.3 Compliance with Management Guidelines

The Design Statement references a section of the Management Guidelines as a justification for the change. The section is copied here for reference

**"Whilst remaining original elements are always of interest for their authenticity and should be retained wherever possible, it may be noted that the 'special interest' of these interior fit-out arrangements inheres primarily in the ingenuity of their detailed design and quality of care as distinct from the actual materials from which they are constructed."**

This text is taken from Section 2.3.5.3 Unit interiors. This section specifically addresses the interior fittings and fixtures of the flats on the estate and is therefore not relevant to any justification for changes to the façade or its components.

It is noteworthy that no further assessment of the Guidelines is given. However, the guidelines are clear on the importance of Crescent House façade and these are replicated here for ease of reference. Section 4.16 states clearly that -

**Crescent House, the final building to be constructed, marks a departure from the earlier curtain wall blocks of the 1950's. It is a more robust, expressed structure and its shape responds to the gently curving line of the street, hence its name. The architects were particularly influenced by the work of Le Corbusier and referred to his Maisons Jaoul in developing their design. The ideas explored in the design of this building were significant in the ensuing character of the Barbican Estate, reflecting the importance of Crescent House in the development of the architects' design concepts. The list description for the building states: It is listed Grade II\* for its place in the evolution of post war architecture and for the sophistication with which the contrasting materials and geometry of the façade are handled**

**2.3.5 Crescent House was the final building to be completed - in 1962 - and is a defining element of the estate's special architectural interest.**

**Historic England in the list description, amplify the value of the façade and the contribution it makes to the high grade of the listing.**

**"It is listed grade II\* for its place in the evolution of post war architecture and for the sophistication with which the contrasting materials and geometry of the façade are handled"**

*On the matter of material change to the facades of Crescent House (and the other facades of Golden Lane's individually listed heritage assets), the management guidelines define a 'traffic-light' test, designed to guide change and give assuredness to decision makers, residents and stakeholders. There is a Black category and these works require LBC but a recommendation is given that these are unlikely to be given consent.*

**Black: Proposals for which an LBC application would be required, but where consent is unlikely to be granted**

**Any permanent changes to original existing facing material: timber, glass, concrete, mosaic, brick and blockwork**

**Given the importance of the original material, colours and textures in the architectural character of the estate and within the curtilage of Crescent House, it is highly unlikely that consent would be granted to make any permanent changes to the original material.**



## 6 Policy

The framework of policy that controls and governs change on the Golden Lane Estate and Crescent House more specifically is substantial in heritage terms. This section outlines that policy and gives commentary beneath pertaining to the compliance with the relevant clauses, of the current application. As with the previous section, the relevant clauses are presented in bold with commentary beneath in italics

### 6.1 National Planning Legislation Planning (Listed Buildings & Conservation Areas) Act 1990

The primary legislation relating to Listed Buildings and Conservation Areas is set out in the Planning (Listed Buildings & Conservation Areas) Act 1990. Section 66(1) reads: "***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 maybe, 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 possesses***".

*The application proposes demolition of two facades at flat 347 of Crescent House to demonstrate and display a scheme that could be rolled out across the façade. The application does not present options for the preservation of the impacted fabric and so the test for the 'desirability to preserve' is not met. The supporting documentation expresses the special architectural interest of the façade and yet proposes the loss of it as being justified as part of a test. This is not a convincing or sound conservation approach and does not pay proportional regard to the value of the material fabric of the heritage asset in line with its significance.*



## 6.2 National Planning Policy Framework (NPPF)

The revised *National Planning Policy Framework* (NPPF) was published in July 2021, replacing the previously published July 2018 version and 2012 Frameworks. With regard to the historic environment, the over-arching aim of the policy remains in line with the philosophy of the 2012 framework, namely that **"our historic environments..... can better be cherished if their spirit of place thrives, rather than withers."**

The relevant policy is outlined within chapter 16, 'Conserving and Enhancing the Historic Environment'.

**189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value.**

**These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.** There is no evidence base from which to properly assess the proposals and as they stand, they do not represent a correlative conservation response to the highly-graded heritage asset. Loss of all fabric with no methodology for replacement or making good is anathema to the conservation strategy that should be employed on a building of this importance.

**190. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:**

- a the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;**
- b the wider social, cultural, economic and environmental**

**benefits that conservation of the historic environment can bring;**

**c the desirability of new development making a positive contribution to local character and distinctiveness; and**  
**d opportunities to draw on the contribution made by the historic environment to the character of a place.**

*There is no evidence presented as part of the application that a strategy for the conservation of the façade has been fully explored. The facades of Crescent House make a considerable contribution to the overall significance of the building, the Golden Lane Estate and the conservation area that includes the Golden Lane Estate and the Barbican. Crescent House is deserving of a more thorough and open-handed conservation strategy that is led and supported by conservation-accredited professionals and robust supporting documentation. This application is not consistent with that approach and posits loosely that the value inherent in the facades is not the fabric, but the innovation and concept. This is a fundamental misreading of how the fabric relates to value and this has resulted in a scheme that is neither conservation-led or an enhancement of the asset.*

### Proposals affecting heritage assets

**194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.**

The significance of Crescent House has not been adequately expressed as part of this application. Selective quotations from a draft assessment that itself was not backed with any description, site visit or conclusive ratings on the comparative significance of the façade elements present as inadequate supporting material from which to assess the application. The level of detail for a Grade II\* listed asset is substantially higher.

**195. 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.**

*Although the significance has been acknowledged it has only been cursorily explored and expressed in this application and it has not been reinforced by a robust and thorough heritage assessment of the listed building. It is not therefore possible to fully address the notion of conflict between the conservation of the façade and the proposals.*

**197. 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.**

**199. 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.**

This is the primary clause in the NPPF for the consideration of the scheme as regards its impact on the listed building and the conservation area in which it stands. The proposed development seeks temporary planning consent for 5 years - but involves destruction of two of the facades of a flat in a Grade II\*. This total loss of historic fabric constitutes **substantial harm** to the heritage asset.

In proposing the extensive loss of fabric for the purposes of testing the approach that may be implemented across the rest of the building's facades, this application is not conservation-led and parallel options for retention, repair in situ and learning from previously articulated solutions elsewhere in the building have not been identified. This proposal does not in any way suggest that 'great weight' has therefore been given to the asset's conservation.

**200. 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**

Crescent House is an exceptional listed building. Any Post-War listed building has to exceed a high bar for listing at any grade and II\* buildings from the period are understandably rare. This application, for the reasons stated have not set forth convincing justification for these damaging works. The scheme to remove fabric that contributes to the high significance of the listed building constitutes substantial

harm in NPPF terms and the justifications given are a considerable distance from being wholly exceptional. To have made a case for removal, the application would in NPPF terms, require the applicant to have produced strong supporting assessment and a conservation-led strategy for the scheme. This could have been in the form of an appraisal methodology for assessing the relative success of the new façade details with full-scale mock-ups so that comparative judgements could have been made that did not require the substantial harm to the listed building that is proposed. It is good practice with works to listed buildings where demolition is proposed, that full scale mock-ups of critical elements are trialled where there is a change of design or materiality.

**201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:**

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and**
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and**
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and**
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.**

This scheme proposes the loss of the entire façade fabric of one Grade II\* listed flat and sets a dangerous and unsupported precedent for the future of the rest of the facades on both sides of the listed building. The facades on both sides are different and both require a bespoke and considered conservation response that has at its core the protection or enhancement of the significance of the building. There is no demonstrable public benefit advanced as part of these proposals and therefore on the basis that the losses represent substantial harm to the listed building, should be refused.

**204. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.**

This clause of the NPPF is of fundamental importance in the consideration of this application precisely because no reasonable steps can be taken to ensure the development will proceed and no methodology for making good after demolition has been submitted either. No LPA should accept the loss of fabric of a Grade II\* listed building without these kinds of assurances.

**205. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.**

The significance assessment submitted is not sufficient for the heritage asset. The document is incomplete and selective in its assessment of the various criteria. It provides no relative assessment of features, setting nor any contextual understanding about the building.

**206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.**

The scheme proposes the loss of important Grade II\* fabric. Fabric that has a pivotal role to the architectural and design history of both the estates covered by the conservation area designation. The setting of Golden Lane and the Barbican would be negatively impacted by these proposals.



## 6.3 Planning Practice Guidance (PPG) (2019)

This section sets out other guidance that is relevant to the consideration of the proposals which has not been addressed for the reasons given in the previous section

The Planning Practice Guidance (PPG) was originally published in March 2014 although it has been subsequently updated over time. The 'Conserving and Enhancing the Historic Environment' section of this guidance was last updated on 23 July 2019. In respect of heritage decision-making, the NPPG stresses the importance of determining applications on the basis of significance and explains how the tests of harm and impact within the NPPF are to be interpreted. In particular, the NPPG notes the following in relation to the evaluation of harm: "In determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest." This guidance therefore provides assistance in defining where levels of harm should be set, tending to emphasise substantial harm as a "high test".

Conservation Principles, Policies and Guidance (2008). This document sets out key guiding aims for the management of the historic environment and sets out a methodology for assessing heritage significance

Historic England Advice Note 2 'Making Changes to Heritage Assets' (February 2016) This document provides advice in relation to aspects of addition and alteration to heritage assets: "The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, aside from NPPF requirements such as social and economic activity and sustainability, are proportion, height, massing, bulk, use of materials, durability and adaptability, use, enclosure, relationship with adjacent assets and definition of spaces and streets, alignment, active frontages, permeability and treatment of setting" (paragraph 41).

Historic England: Historic Environment Good Practice Advice (GPA) in Planning Note 2 'Managing Significance in Decision-Taking in the Historic Environment' (March 2015)

This advice note sets out clear information to assist all relevant stake holders in implementing historic environment policy in the NPPF and the related guidance given in the Planning Practice Guidance (PPG). These include: "assessing the significance of heritage assets, using appropriate expertise, historic environment records, recording and furthering understanding, neglect and unauthorised works, marketing and design and distinctiveness" (para 1). Paragraph 52 discusses 'Opportunities to enhance assets, their settings and local distinctiveness' that encourages development: "Sustainable development can involve seeking positive improvements in the quality of the historic environment. There will not always be opportunities to enhance the significance or improve a heritage asset but the larger the asset the more likely there will be. Most conservation areas, for example, will have sites within them that could add to the character and value of the area through development, while listed buildings may often have extensions or other alterations that have a negative impact on the significance. Similarly, the setting of all heritage assets will frequently have elements that detract from the significance of the asset or hamper its appreciation".

Historic England The Setting of Heritage Assets Historic Environment Good Practice Advice (GPA) in Planning (Second Edition) Note 3 (December 2017)

This document presents guidance on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas and landscapes. It gives general advice on understanding setting, and how it may contribute to the significance of heritage assets and allow that significance to be appreciated, as well as advice on how views contribute to setting. The suggested staged approach to taking decisions on setting can also be used to assess the contribution of views to the significance of heritage assets. Page 2, states that "the extent and importance of setting is often expressed by reference to visual

considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places."

Approaches to the Conservation of 20th Century Cultural Heritage ICOMOS Madrid-New Delhi Document (2017) Authored by an international committee, this document provides useful, high-level guidance for the conservation of Twentieth Century Heritage sites and provides an international standard that addresses the sometimes particular approaches required for historic buildings and sites of the recent past. There are a number of relevant clauses in the document and the complete document is attached as an appendix. Some key clauses are given here:

I.2: Identify and assess the significance of individual buildings, groups of structures and cultural and historic urban landscapes. To understand the heritage of the twentieth century it is important to identify and assess all its elements, groups of related or connected places or associated cultural and historic urban landscapes, including the interrelationships between people, the environment and the site or place that contribute to its significance.

I.3: Identify and assess the significance of interiors, fittings, associated furniture and art works, collections, equipment and industrial machinery. To understand significance, it is also necessary to identify and assess interiors, fittings and associated furniture, art works, collections, and equipment and machinery associated with industrial sites and cultural landscapes.

I.4: Recognise and respect structural innovation, forms, construction techniques and building materials. The twentieth century was characterised by the introduction of innovative forms, structural solutions, building materials and construction techniques and these should be identified and their significance assessed.



1.5: Identify and assess the importance of setting. To understand the contribution of context to the significance of a heritage place or site, its setting should be identified and assessed. Setting includes not only the physical/tangible environment, but also the relationships and interaction (such as visual, ecological, historic, spatial) between the place or site and its setting. Heritage places may be part of a complex system where the relationships extend beyond the boundaries of individual sites or places.

2.6: Plan for maintenance and ongoing management. It is important to plan for regular preventive care and maintenance in the ongoing management of all cultural-heritage places and sites. Continual and appropriate maintenance and periodic inspection are consistently the best conservation action for any heritage place or site and reduce long-term repair costs. A maintenance plan will assist this process. Cultural and historic urban landscapes will require management plans to manage the processes of continual evolution and change to sustain significance. Emergency stabilisation work may also be required and assessment and subsequent work should be carried out by appropriately qualified and experienced professionals and implemented in a way that minimises impact on significance.

2.7: Adopt a cautious approach to change. Do only as much as much as is necessary and as little as possible. Any intervention should be cautious. The extent and depth of change should be minimised. Use only proven methods of repair and avoid treatments that may cause damage to historic fabric, and cultural significance; repairs should be undertaken using the least invasive means possible. Changes should be as reversible as possible. Discrete interventions can be introduced that improve the performance and functionality of a site or place on condition that its cultural significance is not adversely impacted. When change of use is under consideration, care must be taken to find an appropriate reuse that conserves the cultural significance.

## 6.5 Golden Lane Estate Listed Building Management Guidelines

In 2007 Listed Building Management Guidelines were prepared to help residents, those managing the estate and planning officers to assess what kind of work will need listed building consent. The Guidelines were formally adopted as Supplementary Planning Document (SPD) and therefore have statutory force. In 2013 a formal review was conducted and an updated version was adopted, reflecting changes in legislation and filling in gaps in the Guidelines that had become apparent since it had been published. Crescent House is described in the document as forming the 'defining elements of the estate's special architectural interest' and 'an important indicator of the evolution of post-war architecture, and design and construction of the late 1950s and early 1960s'.

The document was produced by Avanti Architects, a practice with expert knowledge of conservation of significant 20th century architecture. The document sets out the full history of the estate and gives 'traffic-light' recommendations for the management of change, grouping together works that can be done without Listed Building Consent and those that require it. As stated on page 16 of this document, the Guidelines have a traffic light system to manage change. Destruction of the façade of any kind not only requires Listed Building Consent but is unlikely to receive it.

## 6.6 Local Plan Policy

The following Regional and local plan policies are of relevance in assessing this application and are given for reference only.

### London Plan (2021)

Policy HCI - Heritage Conservation and Growth  
Policy HC3 - Strategic and Local Views

### City of London Local Plan (2015)

Core Strategic Policy CS12: Historic Environment  
Policy DM 12.1 Managing Change affecting all heritage assets and spaces  
Policy DM 12.2 Development in Conservation Areas  
Policy DM 12.3 Listed Buildings  
Policy DM 12.4 Ancient Monuments and Archaeology  
Policy DM 12.5 Historic Parks and Gardens

## 7 Heritage Impact Assessment

The application is for temporary planning consent for 5 years - but involves destruction of two of the facades of a flat in a Grade II\* listed building which is also the most highly designated asset in the Conservation Area - a conservation area that covers two of the most important and influential Post-War housing developments ever built in the UK. It is therefore proportionate and consistent with good conservation practice and policy, that a considered and conservation-led strategy for any works is forthcoming where any change is proposed.

Flat 347 is presented by the applicant as a test case for comparison with the existing fabric of other flats that will remain intact. As the original fabric will not be replaced on the expiry of the consent it is questionable that this represents a temporary consent. The applicant declares that the works covered by this application are part of an analysis and development of options for the repair of Crescent House and an upgrade of thermal performance. Whilst investigative works and on-site and off-site testing would be considered part of the raising of options, it is far from conservation best-practice to demolish complete historic facades with a view to testing their stability in performance terms against the surviving fabric of a listed building.

The elements of the façade impacted by the proposals include a sequence of elements that are of high significance value to the heritage asset. This is made clear in the list description, the management guidelines and the incomplete Statement of Significance that underpins the assessment given in the Supplementary Heritage Statement.

The hardwood timber windows, the pivoting centrally-hung casements, the in-fill spandrel panels, the Georgian wired glass and the built-in shelving and ironmongery, constitute collectively a high proportion of original fabric and their removal would result in substantial harm to the listed building. It is precisely because the character of the building rests so much on the appearance of the facades, that this application is so damaging. The removal of most of the fabric of two elevations of flat 347 amount in proportional terms to substantial demolition of a listed structure.

Lastly, this present application fails to make the 'clear and convincing justification' required by the NPPF because it gives undue weight to just one option without reference or recourse to other possibilities - some of which have been previously initiated in other flats. Option proposed is, in the view of this assessment the most destructive in terms of fabric and character and it does not address the obvious and important performance issues in a heritage-led manner. For these reasons and in NPPF terms, this application would cause substantial harm to the listed building.

### 7.1 Conclusion

In not following the NPPF or Historic England policy or guidance, this application does not submit that which is required to properly assess the impact of the scheme on the building and it therefore not in compliance with the policy that governs our historic environment. No proper significant statement has been completed to support the application and that which has been started has been selectively used whilst the main assessment remains as a draft. No NPPF tests have been addressed in the Heritage Statement or the Design Statement, the latter relying on an immaterial clause from the Management Guidelines to justify the intervention. At Grade II\* and as a relatively recent piece of design, Crescent House (1959-61) is in a select and important national group of buildings. Post-War buildings account for only 1% of all nationally designated heritage assets and Grade II\* assets from any date are the top 9-10% of all listed buildings. The application of the listing criteria for Post-War buildings is understandably high and these three things combine to outline the national and indeed international heritage value of this asset.

The proposals, raised for understandable and justifiable reasons, fall considerably short of conservation and on the contrary amount to substantial harm to the listed building through unjustified demolition of some of the key elements of the listed building - elements that contribute strongly to its aesthetic and architectural character and that of the surrounding conservation area.

There has been an assumption in the last decade or more, that Post-War listed buildings should not be treated with the same degree of care and attentions that has previously been bestowed on the important architecture of earlier periods and that ill-founded notion is unfortunately prevalent in the supporting documents for this application. It is therefore the finding of this assessment that the application is not proportionate to the heritage asset. Moreover, it fails to meaningfully address the extensive and carefully raised heritage policy and guidance that governs the conservation and care of Crescent House and for those reasons this application must be refused.

Purcell  
15, Bermondsey Square  
08/06/22



Ms Amy Williams

Direct Dial: 020 7973 3765

City of London Corporation

Guildhall, PO Box 270

Our ref: L01497273

London

EC2P 2EJ

26 May 2022

Dear Ms Williams

### **Arrangements for Handling Heritage Applications Direction 2021**

#### **347 CRESCENT HOUSE GOLDEN LANE ESTATE LONDON EC1Y 0SN Application No. 22/00323/LBC**

Thank you for your letter of 13 May 2022 regarding the above application for listed building consent. On the basis of the information available to date, we offer the following advice to assist your Authority in determining the application.

#### **Summary**

Crescent House is highly significant as part of the post-ward development of the City and the work of Chamberlain, Powell and Bon. It is particularly important as it marked a transition in their architectural style and experimentation with Brutalism which defined their work at the Barbican Estate. It is listed grade II\*.

Crescent House, and the Goswell Road elevation in particular, is in need of repair. There are provisions with the Golden Lane Listed Building Management Guidelines SPD for repairs and best practice. These have, in my view, been followed in developing the pilot project for Flat 347 window repairs.

I support this work in principle as part of the on-going discussions to secure a long-term solution to the performance challenges of this building.



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HistoricEngland.org.uk



Historic England would expect to be involved in the review of the pilot along with other stakeholders before a final solution is agreed.

## Historic England Advice

### Significance

The City of London has a long tradition of development and management of some of the finest historic buildings in 'the Square Mile' including the Guildhall, Mansion House and London Bridge. The Golden Lane and Barbican Estates are an important part of this legacy.

Developed just after the end of WWII, Golden Lane Estate was the City's response to the significant decline in its residential population since the turn of the century. Chamberlin, Powell and Bon (CPB) were appointed following a design competition and work began in 1952. The Estate is characterised by a series of rectilinear residential blocks and a community centre set in a carefully designed hard landscape. The structures themselves used innovative curtain wall systems and pioneered new approaches to the planning of post-war housing in Britain.

In contrast to this, Crescent House was designed as a separate phase of the Estate on additional land acquired by the City of London. Constructed in 1962, it marks a transition in architectural style of CPB and the influence of Brutalism, which defined their work for the City of London on the neighbouring Barbican Estate.

The Goswell Road elevation is particularly significant and is a marker of the City's eastern boundary with its distinctive stepped profile along the curved facade. The composition of the exposed concrete aggregate, the hardwood tilting windows and tile clad pilotis at ground level were all a departure from the earlier design of the Estate. The inner courtyard elevation takes a much simpler form with grey crittal windows. The flat interiors were carefully planned to maximise the use of space and light within compact residential units.

Crescent House is one of the jewels in the crown of the City of London's architectural legacy and widely admired for its unique style and innovation.

It illustrates in built form, the development of CPB's ideas which is highly significant given their key role in the evolution of post-war architecture in Britain. Its status as a grade II\* listed building reflects this.

### Impact

The current application seeks to replace all the existing windows in Flat 347 at Crescent House as a pilot project. The results will be used to assess the potential to replace all windows in this grade II\* building.

The works, set out in 4.0 of the Design Statement, include:

- removing the existing window frames



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- assessing their condition
- increasing the rebates of the frame to allow for double glazing
- removal of the existing frames to install triple glazing.

This work builds on the work already done at Great Arthur House to replace the failing facade and will inform the next steps in the repairs project at Crescent House.

### **Policy**

Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) set out the obligation on local planning authorities to pay special regard to safeguarding the special interest of listed buildings and their settings, and preserving or enhancing the character or appearance of conservation areas.

The National Planning Policy Framework (NPPF) 2021 sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Protecting and enhancing our historic environment is identified within the key environmental objective which delivers sustainable development.

Paragraph 199 gives great weight to conserving heritage assets in a manner appropriate to their significance, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 requires that any harm to a designated heritage asset should require 'clear and convincing justification'.

Paragraphs 202 states that in cases where proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm needs to be weighed against public benefits, and where appropriate, securing the optimum viable use.

The Golden Lane Listed Building Management Guidelines SPD sets out the significance of the estate and Crescent House in detail. Section 4.2.2 sets out the best practice guidance for the restoration of elevational elements including windows.

### **Position**

It is clear that Crescent House, and the Goswell Road elevation in particular, is in need of repair.

The Golden Lane Listed Building Management Guidelines SPD set out the procedures for repairs. It identifies the steps to deal with failing components. This pilot project sits within this guidance as a trial sample. I have no objection, in principle, to these works.

There has been extensive work done throughout the pre-application process to assess



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significance of the original windows, the nature of the failings and scoping of repair methods and/or replacement. These proposals would result in some potential loss of historic fabric in one flat. However, the method statement states that if triple-glazed windows are deemed to be unsuitable, steps will be taken to return the windows to their existing appearance as far as possible. I am satisfied that these works are a reasonable next step in the scoping of the repairs project.

I note that there is accommodation within the method statement for stakeholders, including Historic England, to inspect, review and feedback on the pilot. This is welcomed.

It is also important that performance issues such as heating and ventilation are addressed as part of an holistic approach to the repair of the building. I trust that this will form part of our on-going discussions as part of the review of this pilot project.

### **Recommendation**

Historic England has no objection to the application on heritage grounds.

We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 200 and 202.

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

### **Breda Daly**

Inspector of Historic Buildings and Areas

E-mail: [REDACTED]



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Amy Williams  
City of London Corporation  
Guildhall  
London, EC2P 2EJ  
Email: PLNComments@cityoflondon.gov.uk  
Cc'd in: [REDACTED]

09 June 2022

Dear Amy Williams

RE: 22/00323/LBC

**347 Crescent House, Golden Lane Estate, London, EC1Y 0SN**

Thank you for consulting the Twentieth Century Society on the above application for Listed Building Consent for the “Replacement of existing single-glazed windows to Flat 347 with triple glazed windows, together with installation of insulation to internal walls of flat (temporary consent for 5 years).”

**Context**

The Society has been involved in pre-application discussions with Studio Partington and the City of London Corporation about the proposed façade renewal work. The Society’s Director and Caseworker attended a site visit, its Casework Committee then reviewed the pre-application proposals on 14 June 2021 and we provided feedback in the form of a letter on 25 June 2021. In our letter, we accepted the need to upgrade the windows and looked forward to receiving more information on the proposed approach. We have since been on site again to inspect the windows in flat 347 and to discuss the pilot application and overall scheme with the project team. We now wish to provide further feedback, outlined below (under ‘Comments’).

**Heritage Assets and Policy**

The Twentieth Century Society is a company limited by guarantee, registered in England no 05330664

Registered office: 70 Cowcross Street, London EC1M 6EJ  
Registered Charity no 1110244

Crescent House was built by Chamberlin, Powell and Bon in 1958-62, completing the Golden Lane Estate, which the architects designed for the City Corporation. It is a robust and expressive reinforced concrete structure, which is 'crescent'-shaped in response to the curve of Goswell Road. Crescent House contains shops and the Shakespeare public house on the ground floor, with flats above. It has stepped elevations of single-glazed hardwood timber windows (and some aluminium lights) with mosaic and muroglass panels, beneath exposed concrete, Maisons Jaoul inspired barrel vaults. Stylistically, Crescent House anticipated the design of the Barbican Estate, which the architects went on to build.

Crescent House is Grade II\* listed "for its place in the evolution of post-war architecture and for the sophistication with which the contrasting materials and geometry of the façade are handled". It also falls within the Barbican and Golden Lane Conservation Area.

Great weight should be given to the conservation of the special interest of both designated heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In considering whether to grant planning permission for development which affects a listed building or its setting, 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." Section 72 requests that local authorities pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (NPPF, 2021) includes paragraph 199 which 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." Paragraph 200 states that any harm to, or loss of, significance should require clear and convincing justification.

## Comments

The Society understands and accepts that the original windows at Crescent House are now sixty years old and require significant refurbishment. We also appreciate that the City wishes to improve the environmental performance of the building. However the quality of the original very substantial hardwood sections was extremely high and as a result they have survived extraordinarily well, especially given the lack of recent maintenance. For both heritage and environmental reasons we would much prefer to see a solution which retained as much of the original fabric of the windows as possible.



From our site visits, it is clear that the majority of substantial areas of severe dilapidation are on the projecting bay windows, as opposed to the main plane of the glazing screen. Decay has been caused by the increased exposure of these elements, some aspects of original design details, and the detrimental impact of previous attempts at remedial work (such as the applied drips above the mosaic bands).

We understand from the Hallas Window Survey (2020) that the majority of the frames are original and are in good, repairable condition: “The survey showed that most of the timber in place is original. An estimate is 95% [...] The surveyors estimate of replacement timber required to repair the windows is no more than 10%. Therefore it is estimated that 85% of the original timber would remain if the windows are repaired rather than replaced.” (p.6 of the report). We appreciate, however, that this survey was based on visual inspection, rather than destructive investigation and that these figures may change following a more detailed inspection of the fabric. The Hallas report concurs with our assessment saying “The inspection identified most defects are wet rot located on the bay window corners.” (p.8).

Rather than using the trial project as an opportunity to construct a triple glazed solution across the whole bay, we recommend that a hybrid exploratory project is undertaken. This should retain the existing timber frames to the main plane of the glazing, and adjust it to take double glazed units (and double glazed aluminium casements, where these exist). The projecting bay should be carefully unpicked, to ensure that all available lessons as to why it has failed and what the nature and extent of previous alterations were, are learnt. This part of the window alone could then be reconstructed, taking care to replicate the appearance of joinery details, but using triple glazing. We also request that original window ironmongery and details, such as the exterior window cleaner’s pole, are retained.

Because we think that this hybrid solution to the trial should be pursued, we recommend refusal of the current application for listed building consent for removal of the full window arrangement at flat 347.

The Society’s offices are located at 70 Cowcross Street in Farringdon, a 10 minute walk from Crescent House, and we would be interested in visiting the site during the project to inspect the work and offer heritage advice.

We hope that these comments are of use to you. We would be grateful if you could please inform us of your decision on this application.

Yours sincerely,

The Twentieth Century Society, 70 Cowcross Street, London EC1M 6EJ – [REDACTED]

[REDACTED]  
[www.c20society.org.uk](http://www.c20society.org.uk)

Coco Whittaker

**Caseworker**

The Twentieth Century Society

70 Cowcross Street

London, EC1M 6EJ

Tel [REDACTED]

**Remit:** The Twentieth Century Society was founded in 1979 and is the national amenity society concerned with the protection, appreciation, and study of post-1914 architecture, townscape and design. The Society is acknowledged in national planning guidance as the key organisation concerned with the modern period and is a constituent member of the Joint Committee of the National Amenity Societies. Under the procedures set out in *ODPM Circular 09/2005*, all English local planning authorities must inform the Twentieth Century Society when an application for listed building consent involving partial or total demolition is received, and they must notify us of the decisions taken on these applications.

The Twentieth Century Society, 70 Cowcross Street, London EC1M 6EJ – [REDACTED]

[REDACTED]  
[www.c20society.org.uk](http://www.c20society.org.uk)

# Agenda Item 6

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	19 July 2022
<b>Subject:</b> Middlesex Street Estate London E1 Installation of external horizontal and vertical pipework across the site including: five vertical risers and pipework at levels two (podium level), four and six; elements of which will be boxed in and painted to match background materials.	<b>Public</b>
<b>Ward:</b> Portsoken	<b>For Decision</b>
<b>Registered No:</b> 21/00527/FULL	<b>Registered on:</b> 23 July 2021
<b>Conservation Area:</b>	<b>Listed Building:</b> No

## Summary

The site comprises the Middlesex Street Estate. The proposal relates to the installation of external pipework required in connection with the Estate's heating and hot and cold water system.

The existing heating and water system was largely installed when the Estate was constructed between 1965-70. It has come to the end of its life and is failing on a regular basis. As such a full plant room replacement and a complete heating and water pipework replacement is being carried out.

This application is seeking planning permission for the installation of external pipe and ductwork across the site associated with the upgrade.

External horizontal and vertical pipework is proposed. The pipework would be boxed in and painted to match existing building materials, details of which would be secured by condition and would be subject to residents being fully engaged in the design review process.

Works have started on implementing the proposal and the pipework has been partially installed however works are on hold, subject to the outcome of this application. Generally, the installation of boxing of pipework has not commenced aside for testing purposes.

The site is not within a Conservation Area and is not listed; it is not adjacent to any listed buildings.

Seven objections have been received from residents which are addressed in the main body of this report. Grounds of objection relate to impact on

residents, the design of the proposal and sustainability considerations. There have been ongoing discussions between the applicant and residents to overcome the concerns expressed. One objection has been received from the Twentieth Century Society which considers that the Estate should be regarded as a non-designated heritage asset.

This report assesses the design and heritage impacts of the proposal and its impact on residential amenity. Whilst the proposal relates specifically to the installation of pipework and ducting, consideration has been given to the fact that the proposal forms part of a wider heating and water upgrade and some consideration has been given to the sustainability and infrastructure implications of this.

Whilst it is regrettable that the pipework must be run externally, due to its visual impact on the appearance of the Estate, it is however considered that the Estate comprises a robust and architecturally striking series of buildings that are at a scale which can absorb the proposed interventions as necessary additions to support the continued utility requirements for residents.

Subject to conditions it is not considered that the works would have an undue impact on residential amenity.

Whilst the reliance on gas boilers is regrettable it is understood that the proposed system would be more efficient and an improvement on existing. The applicant has considered sustainable future energy supply and is exploring potential to utilise waste heat from the adjacent 115-123 Houndsditch redevelopment scheme (approved under application ref. 21/00622/FULEIA).

It is almost always the case that where development proposals come forward in the City there is at least some degree of non-compliance with planning policies. In arriving at a decision, it is necessary to have regard to all the policies in the development 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.

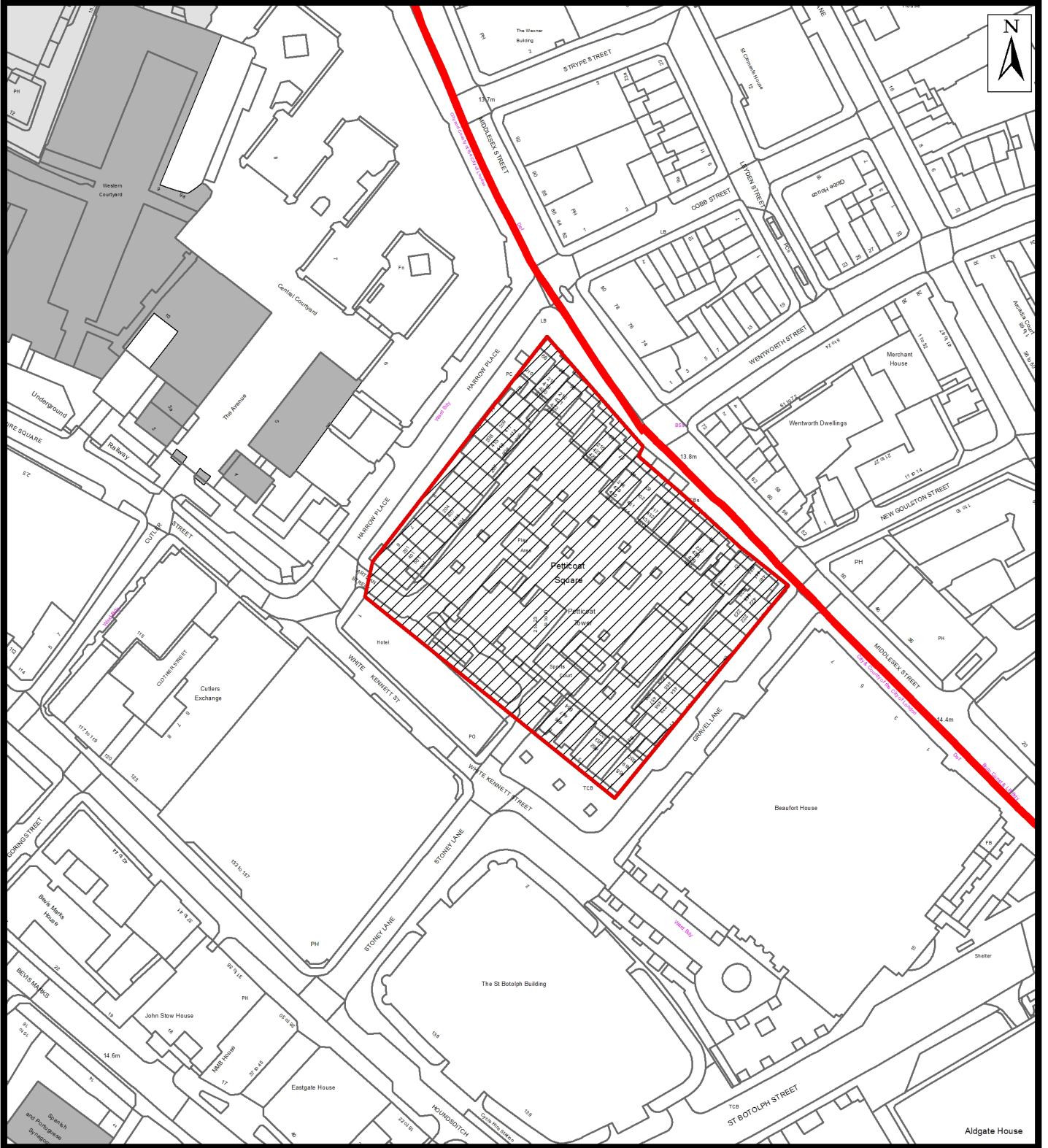
The Local Planning Authority ('LPA') must determine the application in accordance with the development plan unless other material considerations indicate otherwise. It is for the LPA to weigh the other material considerations and decide whether those that support the development outweigh the priority statute has given to the development plan, and the other material considerations which do not support the proposal.

Applying the approach in section 38(6) of the Planning and Compulsory Purchase Act 2004, it is considered that the proposed development complies with the development plan as a whole. Other material considerations also support the grant of planning permission. Officers recommend that planning permission should be granted for the proposed development subject to all 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.





# Site Location Plan



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**ADDRESS:**  
Middlesex Street Estate

**CASE No.**  
21/00527/FULL

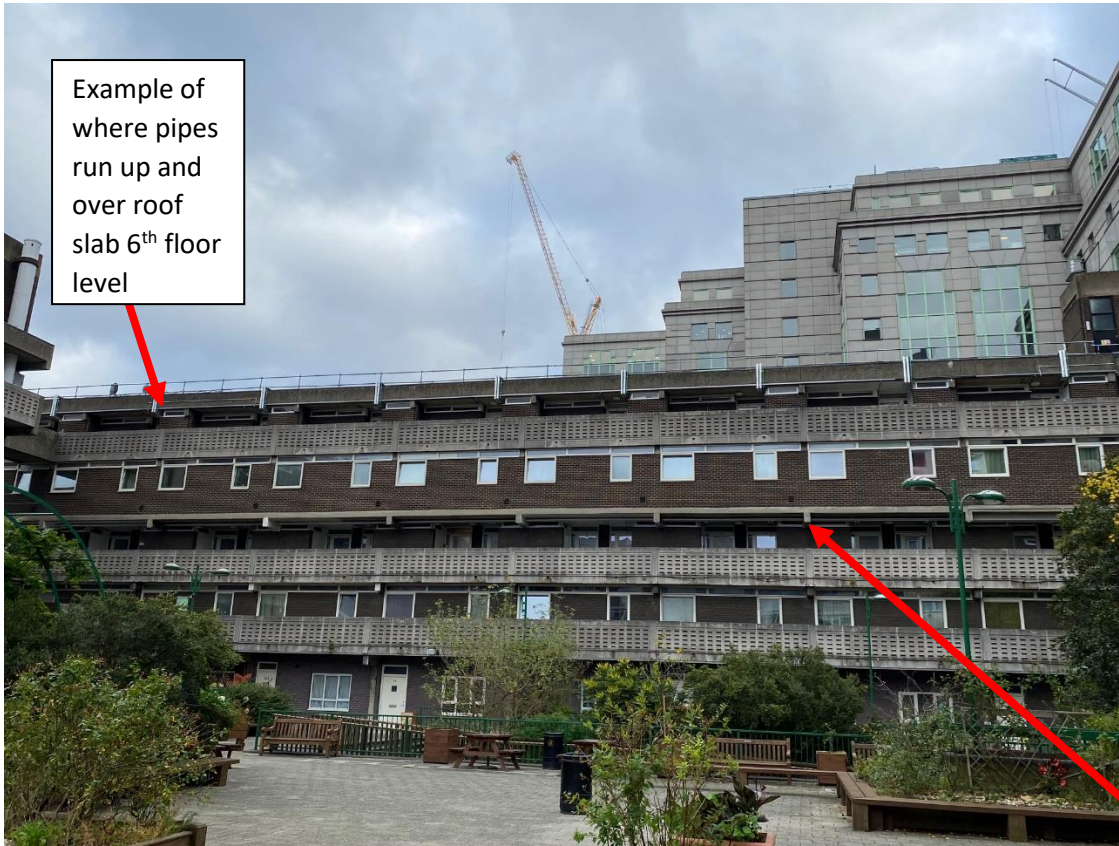
-  **SITE LOCATION**
-  **LISTED BUILDINGS**
-  **CONSERVATION AREA BOUNDARY**
-  **CITY OF LONDON BOUNDARY**





**Middlesex Street Estate**

(Please note: These images show examples of some of the pipework that has already been installed on the Estate. They do not show all of the works covered by the planning application.)



Looking south east from central communal area (Gravel Lane block)



Looking south from central communal area (Gravel Lane and White Kennett Street Blocks)





Example of boxing at 4<sup>th</sup> floor level

Looking south from central communal area (Gravel Lane block)



Example of boxing to pipework





Sample boxing in



Close up of pipework

Middlesex Street (Middlesex Street Block)



Example of vertical pipework on Middlesex Street elevation

Harrow Place (Harrow Place Block)



Example of pipework on Harrow Place elevation at 6<sup>th</sup> Floor level



White Kennett Street Block looking south east







Example of vertical pipework at podium level

Example of vertical entry of pipework at podium level encased with temporary boxing



## **Main Report**

### **Site and surrounding area**

1. The site is the Middlesex Street Estate, located in the Portsoken Ward. It is on the boundary of the City of London, next to the London Borough of Tower Hamlets ('LBTH').
2. The Estate is bounded by Middlesex Street, Gravel Lane, White Kennett Street, and Harrow Place. It comprises four residential blocks (five stories above a podium level) with a taller tower in the centre (Petticoat Tower). The City records state that the site is occupied by 234 residential units. The residential units are accessed via an elevated podium that contains shops, commercial premises, a community centre, and a library at ground floor level.
3. The site is not within a Conservation Area. The nearest Conservation Area to the site in the City, is the Bishopsgate Conservation Area to the northwest. The site is opposite the Wentworth Street Conservation Area in the London Borough of Tower Hamlets to the northeast.
4. The Site does not contain any listed buildings and is not immediately adjacent to any listed buildings. The buildings on the site are not considered to be non-designated heritage assets.

### **Planning History**

5. Various planning applications have been made in respect of the Estate but none are of relevance to the current proposal.

### **Background**

6. The Estate's heating system was installed when the Estate was first constructed between 1965-70, all be it there have been component changes including modification from an oil to a gas fired system. The system comprises a communal boiler house situated directly below Petticoat Tower at basement level. From the boiler house, pipework is networked around the residential blocks via risers before directly entering the individual residential dwellings.
7. The plant has been failing on a regular basis. As such the applicant has undertaken a Feasibility Study, with the purpose of establishing the works required to rectify the situation. The study concluded that the existing boilers and associated infrastructure including pipework are beyond their product life. The heating and hot water system should be replaced with a new more efficient system to serve the Estate into the future.
8. As part of the feasibility study, it was also established that the existing cold water pressure and pipe sizing would be insufficient to serve a new heating and hot water system and they should also be replaced.

The existing cold water system is over 50 years old and beyond its expected lifespan. The study proposed that the existing cold water system be replaced with a new boosted cold water system with tanks and pumps in the existing boiler room. This would have the advantage of removing cold water storage tanks from the individual dwellings, avoiding risk of legionella and bacteria, and providing wholesome water throughout the estate.

9. The study included an appraisal of the potential heating options which included gas boilers, biomass boilers, combined heat and power, wind power, solar PVs, heat pumps, natural gas boilers and electric heaters. The applicant considers the installation of gas boilers would be the optimum solution having regard to sustainability considerations and the need to minimise disruption and energy costs for residents.
10. The existing boilers in the basement boiler room would be replaced with new condensing boilers, a control panel and associated equipment. Pipework would be distributed externally to minimise disruption to occupiers and to prevent interruption to the heating and hot water supply. Taking the pipework internally would be highly disruptive requiring residents to decant and would include removal of asbestos and rebuilding fabric to the required fire stopping up.
11. Each property connected to the new communal system would have an individual heat meter installed on the primary circuit to enable accurate energy information to be established per property (at present each dwelling pays the same energy cost, the new system would enable residents to pay for what they use and encourage a more responsible approach to usage).
12. The Applicant has advised that it is important the new system is completed as soon as possible to avoid risk of failure of the existing system. The City's Housing Property Services department report that 70 repair incidents have been carried out on the existing system since November 2021. The project has been going through the necessary City committees and Gateway approvals since 2018 and a contractor has been appointed to undertake the works.

### **Proposal**

13. Planning permission is sought for the installation of the external pipework and ductwork to provide hot and cold water to the lower blocks of the estate in association with the system upgrade (works to Petticoat Tower and the commercial units are not for consideration as the pipework to these parts of the Estate can be installed internally). The proposal relates only to the external pipework and ductwork, permission is not being sought for the gas boilers or other associated internal infrastructure.

14. The external pipework that is the subject of this planning applications would be in the following locations:
- **Second floor level (also known as podium)** – horizontal external pipework is proposed on the undercroft of the block at White Kennet Street on the elevation facing the internal podium courtyard. Vertical pipework is proposed outside the doors to each of the residential units on the internal sides of the podium courtyard on the remaining three blocks (Harrow Place, Middlesex Street and Gravel Lane).
  - **Fourth floor level:** horizontal external pipework is proposed on all blocks and this would face internally to the podium courtyard for the White Kennett Street and Gravel Place blocks and would face on to the street on the blocks at Harrow Place and Middlesex Street.
  - **Sixth floor level:** the external pipework would exit from the units on the sixth floor level and travel vertically to roof level, visible externally from Middlesex Street and Harrow Place and internally from the podium courtyard for the White Kennet Street and Gravel Place blocks.
  - **Vertical pipework:** five main service risers are proposed from basement to sixth floor level to serve horizontal pipework at levels described above. One riser would be located on the White Kennet Street, Gravel Lane and Harrow Place blocks and two risers would be located on the Middlesex Street Estate block.
  - **Roof level:** external pipework on all blocks but not visible from ground level.
15. The sections of pipework include two hot water pipes and one cold water pipe. Boxing would be applied around the pipework in order ensure that it is secure and performance is optimal.
16. The works have been partly undertaken. This is because there was a confusion that some works require planning permission whilst others do not (the internal works do not require planning permission).
17. The Applicant is the City of London and a Handling Note has been prepared in accordance with the Handling Arrangements Procedure.

### **Consultations**

18. The Applicant has confirmed that discussions with residents regarding the project took place before the submission of the application and have been ongoing and include:

- A 'Meet the Contractor' event in November 2019 where residents could ask Officers or the contractor any questions or raise concerns over the project.
  - The circulation of regular newsletters.
  - Letters have been sent to residents outlining the intent to carry out the works.
  - A dedicated team email has been set up relating specifically to the heating project.
  - In March 2021 a presentation was given to circa 50 residents on the new heating and hot water system.
  - Meetings have taken place every two weeks between the Chair of the Residents Association and the City's Head of Major Works since April 2021.
19. Following receipt of the application by the Local Planning Authority it has been advertised on site, in the press and residents have been consulted on the application on two separate occasions (August 2021 and December 2021). The December 2021 round of consultation was in response to the receipt of additional information including a Design Review and drawings in response to comments received from the first round of consultation. From this point, collaborative discussions have been ongoing between the applicant, officers, and the residents to try and alleviate residents' concerns.
18. Views of other City of London Corporation departments have been taken into account in the preparation of this scheme and some detailed matters are addressed by the proposed conditions.
19. A summary of the consultation responses are provided in the table below. Copies of the representations are appended in full at the end of this report and are available to view on the Local Planning Authority's website.
20. Seven objections have been received from residents which includes an objection from the Middlesex Street Residents' Association. In addition, a letter opposing the proposal has been received from the Twentieth Century Society.

<b>Consultation Responses</b>	
<b>City of London Environmental Health</b>	<p>No objection subject to conditions.</p> <p><b>Officer response:</b> Recommended scheme of protective works condition included on the conditions schedule. The recommended noise and vibration condition has not been included</p>



	as noise from plant equipment is not being controlled or considered under this application.
<b>Consultation Responses (summary of planning objections)</b>	
<b>Twentieth Century Society</b>	<p><i>Opposes the proposal. The existing building has architectural merit and is a non-designated heritage asset and external additions would drastically change and therefore harm the estate's architectural character and appearance. Support the residents' request that design advice is sought on any significant planned changes to ensure that these result in minimal impact to architecture.</i></p> <p><b><u>Officer response:</u></b> Matters relating to the design of the proposal and the status of the existing buildings are set out in the design and heritage section of this report. The applicant requested a meeting with the 20<sup>th</sup> Century to discuss the proposals on 21 June 2022 but there has been no response.</p>
<b><u>Residents</u></b>	<b>Grounds of objection</b>
	<p><b>Impact on Residents</b></p> <ul style="list-style-type: none"> <li>· The proposal has disregard for impact of the works on residents.</li> </ul> <p><b>Officer response:</b> See the residential amenity section of the report.</p>
	<p><b>Design</b></p> <ul style="list-style-type: none"> <li>· Poor design, materials and workmanship which will harm the architectural character and appearance of the estate, with oversized boxing which will be visually dominant and will create clutter, attract dirt. The proposal would impact on how people care about communal areas.</li> <li>· The works are destructive to the facades of an important modernist building.</li> <li>· Options should have been shown prior to application.</li> <li>· Ducting should be omitted and the pipework left visible.</li> <li>· Vertical ducting will obstruct landing windows from opening to allow cleaning.</li> </ul>

	<p><b>Officer Response:</b> The design implications of the proposed pipework are covered in the design section of this report. The applicant does not consider that it would be feasible to omit the proposed boxing. The boxing would protect the pipework. Without it the pipes would be at risk of being tampered with which could cause supply issues. Details of the design of the boxing is required by condition and residents would be fully engaged in this design review process.</p>
	<p><b>Sustainability</b></p> <ul style="list-style-type: none"> <li>· The proposed system would secure fossil fuel use for the future.</li> </ul> <p><b>Officer Response:</b> This is addressed in the sustainability and infrastructure section of this report. The applicant has carried out a feasibility study to explore alternative options for the heating system. Renewable options were discounted as they rely heavily on heat retention. At present it is not considered that the thermal performance of the residential units is such that it could support a renewable system in a cost-effective way. The proposed boilers would be more efficient than the existing system.</p>

**Policy Context**

21. The development plan consists of the London Plan 2021 and the City of London Local Plan 2015. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.
  
22. The City of London has prepared a draft plan, the City Plan 2036, which was published for Regulation 19 consultation in early 2021. Onward progress of the Plan has been temporarily paused to enable further refinement, but it remains a material consideration in the determination of applications (although not part of the development plan) alongside the adopted 2015 City of London Local Plan and the London Plan 2021. The Draft City Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.

23. Government Guidance is contained in the National Planning Policy Framework (NPPF) July 2021 and the Planning Practice Guidance (PPG) which is amended from time to time.
24. There is relevant GLA supplementary planning guidance and other policy in respect of: Control of Dust and Emissions during Construction and Demolition SPG (GLA, September 2014), Social Infrastructure (GLA May 2015), London Environment Strategy (GLA, May 2018), Central Activities Zone (GLA March 2016), Shaping Neighbourhoods: Character and Context (GLA June 2014), The Square Mile: Future City Report, 2021.
25. Relevant City of London Guidance and SPDs comprise: Aldgate and Tower Area Strategy (CoL 2020).

### **Considerations**

#### **Relevant Statutory Duties**

26. 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, local finance considerations so far as material to the application, and to any other material considerations.
  - (Section 70 Town & Country Planning Act 1990); and
  - to determine the application in accordance with the development plan unless other material considerations indicate otherwise.
  - (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

#### **National Planning Policy Framework (NPPF 2021)**

27. The NPPF states at paragraph 2 that “Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”.
28. It states at paragraph 8 that achieving sustainable development has three overarching objectives, being economic, social and environmental.

29. Paragraph 10 states that “at the heart of the Framework is a presumption in favour of sustainable development”. That presumption is set out at paragraph 11. For decision-taking this means:
- approving development proposals that accord with an up-to-date development plan without delay; or
  - where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
30. 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).
31. Chapter 12 of the NPPF seeks to achieve well designed places. Paragraph 126 advises that “The creation of high quality, beautiful and sustainable 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.”
32. Paragraph 130 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.

33. Paragraph 134 sets out that in determining applications, 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.
34. Chapter 14 of the NPPF relates to climate change, flooding and coastal change. Paragraph 152 identifies that the planning system should support the transition to a low carbon future. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
35. Chapter 16 of the NPPF relates to conserving and enhancing the historic environment. Paragraph 195 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.
36. Paragraph 197 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."
37. Paragraph 203 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 in this case**

38. In considering this planning application, account has been taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
39. The principal over-arching issues in considering this application are:
  - The extent to which the proposals comply with the relevant policies of the Development Plan.
  - The extent to which the proposals comply with Government guidance (NPPF).
40. The principal site specific issues in considering this application (in accordance with the over-arching issues above) are:
  - Design and heritage, with particular regard to the visual impact of the pipework on the external appearance of the Middlesex Street Estate;
  - Residential amenity;
  - Sustainability and impact on infrastructure. Whilst the application relates specifically to the pipework, it is recognised that the pipework is needed to facilitate the installation of a new heating and water system across the estate which has sustainability and infrastructure implications.
41. These issues are considered in further detail below.

### **Design and Heritage considerations**

#### **Policy context:**

42. Local Plan policy CS12 and DM12.1 and draft City Plan policies S11 and HE1 seek to conserve heritage assets and the historic environment.
43. Local Plan policy CS2 and draft City Plan policy S7 requires utility infrastructure to promote “the improvement and extension of utilities infrastructure that is designed and sited to minimise adverse impact on the visual amenity, character and appearance of the City and its heritage assets”. Local Plan Policy DM10.1 and draft City Plan IN1 require infrastructure to be designed into and integrated within development.
44. Local Plan policies CS10 and DM10.1 and draft City Plan policies S8

and DE2 require a high standard of design, and that plant and building services equipment are fully screened from view and integrated into the design of the building. Installations that would adversely affect the character and appearance or amenities will be resisted.

Indirect heritage impacts:

45. There are no City Conservation Areas within proximity to the site. The closest City listed buildings are within the Cutler Street Estate including Cutler Street House to East of Entrance to Port of London Authority's Warehouses; and Cutler Street Port of London Authority Warehouses And Boundary Wall To Middlesex Street and New Street both grade II listed. Due to the intervening buildings along Harrow Place and the incidental nature of the proposals, there would be no harm to the setting and significance of these designated heritage assets.
46. Wentworth Street Conservation Area within Tower Hamlets lies immediately to the east of Middlesex Street Estate sharing a boundary with Middlesex Street. This is an area with a fine urban grain which has special architectural and historic interest due to its rich history dating from the 19th century. The area has a mediaeval street pattern of yards and alleys which is still evident. The area is characterised by markets and associations with the clothing industry and wave of immigration which make it a culturally diverse part of London.
47. The majority of the pipework would be facing away from the Conservation Area boundary but there would be visibility of some pipework including a vertical riser set back on a side return on Middlesex Street and pipework at sixth and fourth floor level. The pipework would introduce a degree of incidental additional visual clutter on the building but there is existing surface mounted servicing on the building. In addition due to the overall scale of the estate the additional services would be incidental and absorbed into the architecture, materiality and detailing. In views along the Middlesex Street the brutalist Middlesex Street Estate is within the setting of the conservation area but is entirely detached and self-contained from the fine urban grain and Victorian character. The servicing would not be visually prominent or distracting. There would be no adverse impact on the wider approaches and experiences of the Wentworth Conservation Area and the overall significance of the Conservation Area would be preserved.

Non-designated heritage assets:

48. The Twentieth Century Society has suggested the Estate should be



identified as a non-designated heritage asset. Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions because of their heritage interest but which do not meet the criteria for designated heritage assets (as defined in Annex 2 of the NPPF).

49. The Estate has not been identified by the City of London as a non-designated heritage asset as it is not considered to meet the Historic England criteria set out in 'Local Heritage Listing: Identifying and Conserving Local heritage'. These criteria comprise: rarity; architectural and artistic value; group value; archaeological interest; historic interest and landmark status.
50. **Rarity:** Built in 1965-1970 for the Corporation of London, Middlesex Street Estate comprises the 23 storey Petticoat Tower and low-rise buildings. There are numerous examples of social housing estates across London from this building period.
51. **Architectural and Artistic value:** The materials are concrete including for balconies and engineered brick. Pevsner in *The Buildings of England* describes the building as "aggressive" and "very hard and very urban even for the standards of the time". In comparison it is considered that other London estates of this period are more complete, architecturally accomplished and expressive.
52. The Estate is an exponent of modernist brutalism and represents many of the values which define the architecture of this period supporting the welfare state and representing a new optimism as well as being fortress like and inward facing. The Estate includes a mix of uses which typifies the streets in the sky concept and includes courtyard blocks and a tower with shop units on the lower floors a large garage underneath and a central elevated landscaped podium surrounded by a mix of flat types. Architecturally the building has a robust and formal language and rhythm of slotted concrete balconies which contrast with the dark engineering brick work. The muscularity of the building contrasts with the raised podium communal space which promotes social interaction, includes gardening, planting and playground space.
53. Alterations have eroded the quality, architectural coherence, expression and design intentions of the Estate. Original business units facing outward at street level and into the podium are no longer functioning and converted to residential (approved

09/004466/FULMAJ). Public access to the elevated podium connecting through to the City of London Pedway scheme has been closed. A full height glazed enclosure has been added to the Harrow Place/Artizan Street south-western corner to create a private and secure main entrance into the estate along with other security measures to access points (approved 11/00602/FUL3).

54. Group value: The Estate is in a varied and constantly evolving urban landscape comprising diverse buildings and varied architecture. There are no discernible group value connections with the surrounding townscape.
55. Archaeological interest: There are no significant archaeological connections.
56. Historic value: The development is an example of social housing and post war development in the local area but has no readily legible historic connections with the past which provide evidential values.
57. Landmark status: The development is distinctive architecturally in the local townscape and as a housing estate rather than commercial use. Petticoat Tower is a recognisable marker for orientation however it is now less impactful and is appreciated in the context of the background taller buildings on the fringe of the City Cluster. The development is not considered to have a landmark status.
58. The Estate is not considered to warrant non-designated heritage asset status as the Estate does not meet the criteria due its architectural quality compared to other similar estates and the erosion of original design intentions. It is however distinct architectural typology, the Podium level promotes urban greening, there is a strong sense of community and as a complex the Estate importantly contributes to the City's residential population.

Conclusion on heritage:

59. There would be no harm to the significance of the Wentworth Street Conservation Area and the Middlesex Street Estate does not meet the criteria to be identified as a non-designated heritage asset. The proposals are considered to accord with Local Plan Policies CS 12 and DM 12.1, emerging City Plan policies S11 and HE1, London Plan Policy HC1 and the relevant NPPF paragraphs.

### Design and visual impacts:

60. The proposed upgrading of the heating and hot water services needs to strike a balance between: residents' requirements and inconvenience; functionality; visual appearance; and aligning with the City of London Climate Action plan.
61. New pipework is required for heating, hot and cold water to be routed from the plant room within the basement to the individual units of the lower blocks where it would exit. The pipework would exit at levels two, four, and six to align with the entrances to dwellings.
62. The approach is to install the pipework externally so it would be surface mounted and visible from within the estate from the podium courtyard and externally from Middlesex Street and Harrow Place. If the pipework were to be routed internally, it would result in significant disruption to residents.
63. Five main vertical risers are proposed which comprise three pipes - two hot and one cold water pipe, which would feed from the main plant. Two of the risers would be visible externally from Middlesex Street and another from Artizan Street and three are positioned on internal elevations facing into the Estate podium courtyard and less visible from surrounding streets. Currently these are not boxed in and comprise two silver pipes and one green pipe fixed to the masonry face of the building. The vertical pipework has been sited according to the most efficient routing from the basement plant.
64. The vertical risers are relatively compact and in some locations are experienced in the context of existing large bin chutes. The five risers distributed across the Estate are not expansive in length broken into sections due to concrete balconies and over hangs. Additional insulation and cladding are required to improve thermal effectiveness and provide security protection and this would increase the bulk and further details are required. The pipework enclosures could be colour coded to match the background surface, again further details would be required by condition in consultation with local residents.
65. From the main vertical risers there are further external horizontal installations to provide direct routes to the units on levels four and six.
66. At level four the horizontal central pipework from the main vertical riser would run beneath the soffit of the external deck with pipework feeding off this directly into each flat. Final details of the entry point into each

unit is required by condition. The horizontal pipework would penetrate the cantilevered supports for the decked access and also the face of the building entering each flat. The horizontal pipework would be visible from the courtyard podium on the blocks fronting White Kennet Street and Gravel Lane and, in addition, externally from the Middlesex Street and Harrow Place. Additional insulation and cladding is required to improve thermal effectiveness and provide protection which would increase the bulk and the enclosures could be colour coded to match the background surface which would be conditioned.

67. The mock-up of the boxed in pipework demonstrates these would be utilitarian in appearance and more visually apparent most significantly by users of the walkways at level four. In longer views along Middlesex Street, Harrow Place and from the podium due to the high location the visual impact would be lessened, and the horizontal nature of the pipework would blend into the geometry of the architecture. There is a stepped profile on the external elevation for Middlesex Street and the bulk of the boxed in servicing would be increased and this requires further bespoke detailing. Alternative locations have been explored but due to legal/ownership issues the pipework cannot be recessed further. The pipework would partially pass in front of a high-level glazed window, but these are not habitable and relate to an internal store for each flat.
68. At level six the pipework would run over the defined continuous concrete parapet roof and down the face of the building. The vertical pipework would then penetrate the brickwork and enter into the bathroom of each unit. Final details of the entry point into each unit is required by condition. The pipework would slightly disrupt the horizontality of the parapet but the high level reduces any visual impacts in long views from Harrow Place and Middlesex Street as well as from the podium courtyard for those blocks facing White Kennet Street and Gravel Lane. Alternative options have been considered to reduce visibility however these create legal/ownerships issues entering via the utility room of each flat or entering via the recently refurbished roof which would reduce the water tightness which could lead to water ingress to the units.
69. Additional pipework would run from the basement car park to the internal podium at Level two breaking through the level two concrete slab. Level two is the landscaped courtyard podium, and these manifestations would all be experienced from the internal courtyard. The emerging pipework would be fixed to the external walls adjacent to each front entrance door. These would be required for each flat on

three internal elevations (Harrow Place, Middlesex Street and Gravel place) and would be recessed below the concrete overhang of the balcony. In addition, horizontal external pipework on the undercroft of the block at White Kennett Street is proposed only on the elevation facing into the internal courtyard. Additional insulation and cladding are required to improve thermal effectiveness and provide security protection and the enclosures could be colour coded to match the background surface further details of which would be required by condition. Details of the final entry point into each unit would also be required by condition.

70. Objections have been raised that the pipework would interfere with opening of existing windows and bin chutes The Applicant has confirmed that vertical and horizontal ducting will not obstruct windows or use of the bin chute from opening and a condition is recommended to ensure that this would not occur.
71. In all cases the nature of the surface mounted pipework on the building would result in a degree of additional visual clutter however this would be seen in the context of a building complex which is not pristine and has been altered. The estate has existing extensive surface paraphernalia to support its residential functions including numerous mounted services such as gas pipes and conduits and original striking vertical bin chutes as well as signage and shopfronts.
72. The impacts of the proposal would largely be experienced from within the courtyard podium, deck accesses but would also be evident from surrounding streets. Considering the scale as well as diverse character and appearance of the architecture with recesses, balconies, staircases, banding, horizontal and vertical components these additional service interventions would be subordinate and incidental. The muscular character of the building patterned architectural details and complex elevations with a strong materiality would absorb and integrate the additional services and mitigate any negative visual impact. The interventions would not cause adverse visual harm to the building and its appearance in the townscape.
73. There are objections relating to the design detail of the proposals including the routing, cladding and colouration of cladding. There is a need to refine design detail at this micro level and to take this through to the implementation of the work on site seeking the best solution for each situation. These further details will be secured through conditions to include engagement and consultation with Middlesex Street Estate residents.

## **Conclusion on design and visual impact**

74. The surface mounted pipework is utilitarian in appearance. The design preference would be to internalise the pipework to the buildings. However, this would cause considerable impact on residents requiring them to decant to internal decoration. There would be a degree of visual impact by introducing additional externally mounted pipework to the building. However, this is not considered to be adverse in its impact as the Estate already has extensive servicing and is robust, architecturally striking and of a scale, materiality and detailed design which can absorb these subordinate interventions. The detailed design conditions would further seek to mitigate any visual impacts and refine the delivery of the proposals. The proposals are considered to apply with Local Plan policies CS10, DM10.1, and draft City Plan policies S7, IN1, DE2.

## **Residential Amenity**

75. London Plan policy D13 ('Agent of Change') and Policy D14 ('Noise') requires development to limit and mitigate noise impacts from proposals.
76. Local Plan Policies CS21 (Housing) and DM21.3 ('Residential Environment') and draft City Plan policies S3 and HS3, requires amenity of existing residents in identified residential areas to be protected. Middlesex Street Estate is an identified residential area in the adopted and emerging plan.
77. Local Plan policy DM15.7 and Draft City Plan policy HL3 require noise pollution to be considered.
78. Local Plan policy DM10.7, draft City Plan policy DE8, and London Plan policy D6 to consider the impact of development on existing daylight and sunlight of residential properties.

## **Noise**

79. A noise assessment was not submitted with the application as this was not considered necessary given the scope of the application relates to the external pipework only and does not relate to the direct functioning of the associated plant equipment.
80. The Environmental Health team were consulted on the application and have recommended that the proposed works be carried out in

accordance with a scheme of protection for residents and surrounding commercial occupiers. The scheme would need to set out how residents would be protected from the noise and disturbance of construction work.

#### Daylight and Sunlight

81. Officers have considered whether daylight and sunlight considerations are relevant in this case. The Applicant has demonstrated through floorplans that the external pipework and boxing will pass near to fanlight windows however these are ancillary non habitable areas and are therefore not considered to be relevant for assessment. The area where the pipework crosses in front of a main room (studio flats at podium level), the boxing would be located within the soffit of the overhang, a significant distance from the windows, therefore would not result in any undue impact.

#### Conclusion on amenity impacts

82. It is not considered that the proposal would have an undue impact on residential amenity in accordance with relevant policies, subject to recommended conditions.

#### **Sustainability and Utilities Infrastructure**

83. As is set out above the application is solely for the installation of external pipework and permission is not sought for the replacement heating and water system to the estate. Notwithstanding, it is recognised that the proposed pipework forms part of a new heating and water system for the Middlesex Street Estate. In assessing the proposal some consideration has been given to the sustainability implications of the proposal and the impact of the proposal on utilities infrastructure.

#### Utilities Infrastructure

84. London Plan Policy SI5 ('Water Infrastructure') seeks to minimise the use of mains water. In development proposals the use of mains water should be minimised and measures such as smart metering, water saving and recycling should be incorporated.
85. Local Plan policy CS2 ('Utilities Infrastructure') and Draft City Plan policy S7 ('Smart Infrastructure and Utilities') require development proposals to minimise the demand for water and utility services, incorporate sustainable building design and incorporate demand management measures.
86. Local Plan policy DM2.1 ('Infrastructure provision and connection')



and draft City Plan policy IN1('Infrastructure provision and connection') states that developers must ensure capacity projections take account of climate change impacts which may influence future demand and should plan for heating and cooling demand and viability of provision via decentralised energy (DE) networks and must incorporate access to DE where feasible and viable. Draft City Plan Policy IN2 ('Infrastructure Capacity') states development must not lead to capacity or reliability issues in the surrounding area.

### Sustainability

87. London Plan policy GG6 states that development should seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero carbon city by 2050 and to ensure buildings and infrastructure are designed to adapt to a changing climate including through making efficient use of water, and take an integrated and smart approach to the delivery of local infrastructure.
88. Local Plan Policy CS15 and Draft City Plan policy DE1 seeks to ensure development achieves highest feasible sustainability standards. Local Plan policies DM15.3 and DM15.5 require low and zero carbon technologies and commitment to climate change resilience measures and adaption.

### Utilities Infrastructure and Sustainability Considerations

89. As part of the selection of the proposed heating system a feasibility study was carried out which looked at potential alternative heating systems including using biomass, solar panels, combined heat and power, wind, heat pumps, natural gas, and electric heaters. The applicant had to consider suitability and cost of the equipment, sustainability of the system and cost of energy to the end users.
90. Renewable options were discounted as they rely heavily on heat retention. At present it is not considered that the thermal performance of the residential units is such that it could support a renewable system in a cost effective way.
91. The proposed boilers would be condensing and modulating meaning they are the most efficient form of gas boiler, only using the correct amount of gas according to demand. This contrasts with the existing boilers which work at 100% regardless of demand. The associated pumps are being updated to ensure energy efficiency and to save energy distributing the water around the site. The proposals would

further improve the insulation of the pipework, reducing heat loss.

92. New metering equipment would be installed as part of the system allowing residents to have more accurate billing and control over their energy usage. This is an improvement on the existing scenario whereby a single bill is split across all flats.
93. The applicant has given consideration to futureproofing the energy supply. The redevelopment scheme at Houndsditch approved on 1 February 2022 (ref. 21/00622/FULEIA) has made a commitment (secured through the S.106 agreement) to explore the feasibility of supplying waste heat from the development to the Middlesex Street Estate. The applicant has advised that supply could be connected to the Estate's plant around 2027 and that in this event, the existing boiler would then either become supplementary or boosting depending upon the amount of waste energy supplied by the Houndsditch development.
94. In addition, the Applicant has confirmed that the heating system is expected to enable renewable resources to power it in the future and connections have been physically allowed during the current installation to future proof the system. Options would also be explored to improve the thermal performance of the residential units, subject to funding.
95. To conclude, whilst under current sustainability considerations it is disappointing that gas boilers would be the primary method of energy supply to the Estate, the applicant has confirmed that the proposed gas boilers would be more efficient than the previous system and would include demand management measures. Consideration has been given to future supply and options are being explored around the feasibility of utilising waste energy from the Houndsditch development. It is therefore considered that the proposal would comply with development plan policies.

#### **Public Sector Equalities Duty**

96. When considering the proposed development, the Public Sector Equality Duty (PSED) requires City of London to consider how the determination of the application will affect people who are protected under the Equality Act 2010, including having due regard to the effects of the proposed development and any potential disadvantages suffered by people because of their protected characteristics.
97. Under the Act, a public authority must, in the exercise of its functions,

have due regard to the need to:-

- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it
98. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
99. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.
100. This application has been assessed against the Equality Act 2010 and any equality impacts identified. The Applicants have held a range of meetings with stakeholders.
101. Potential impacts of the proposed development on the nearby occupiers have been assessed, including the impacts on the use and functionality of the spaces. Officers do not consider that nearby occupiers would be detrimentally impacted in so far as these spaces become unusable nor would it be considered that there would be disadvantages or material impact on any persons who share a relevant protected characteristic as identified in the Equalities Act 2010.

### **Human Rights Act 1998**

102. 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”).
103. Insofar as 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.

104. As set out above, it is the view of officers that there would be no infringement of Article 8 of the ECHR.

### **Conclusion**

105. The heating and water system to the Middlesex Street Estate needs upgrading. The applicant has demonstrated that options have been explored as to the most appropriate system having regard to impact on residents, sustainability considerations, design and cost.

106. There would be a degree of visual impact by introducing additional externally mounted services to the Middlesex Street Estate but the proposals would not be overly intrusive. The Estate is robust and architecturally striking and of a scale, detailed design, materiality and complexity, which can absorb these further incidental interventions. The proposals would not harm the significance of the adjoining Wentworth Street Conservation Area or adversely distract from the overall brutalist character and appearance Middlesex Street Estate in the townscape. The proposals are necessary additions to support the continued utility requirements for residents

107. Subject to conditions it is not considered that the works would have an undue impact on residential amenity.

108. Although the application relates specifically to the pipework, consideration has been given to the fact that the pipework would be part of the heating and water upgrade for the Estate and consideration has been given to the implications of this in sustainability and infrastructure terms. Whilst the reliance on gas boilers is regrettable it is understood that the proposed system would be more efficient and an improvement on existing. The applicant has considered future energy supply and is exploring potential to utilise waste heat from the adjacent Houndsditch development.

109. Overall, the proposals are considered to accord with the development plan. When taking all matters into consideration, subject to the recommendations of this report it is recommended that planning permission be granted.

## **Appendix A**

### **Background Papers:**

City of London Middlesex Street Communal Heating and Hot Water presentation dated 31 March 2021

Covering letter prepared by David Miles & Partners received June 2021.

Heating Replacement Design Review, prepared by reform Architects dated 19 October 2021.

Letter received from David Miles & Partners received December 2021.

Email and Attachment from Roger Way dated January 2022

Handling Note.

Photographs of installed pipework and boxing and photograph indicating proposed pipework entry points dated 14 June 2022.

Climate Action Strategy 2020-2027, City of London Corporation.

Representation from Twentieth Century Society received 09.06.2021.

Representation from Jeffrey Boloten received 27.08.2021.

Representation from Mark Lemanski received 08.09.2021.

Representation from Linda Fallon received 08.09.2021.

Representation from Isabella Rombi received 08.09.2021.

Representation from Ian Hartog received 28.12.2021.

Representation from Roger Way received 06.09.2021.

Representation from Vicky Stewart received 26.09.2021.

## **Appendix B**

### **Relevant London Plan Policies**

HC1: Heritage conservation and growth

D6: Housing Quality and Standards

D13: Agent of Change

D14: Noise

SI5: Water Infrastructure

GG6: Increasing efficiency and resilience

### **Relevant Draft City Plan 2036 Policies**

S11: Historic Environment

HE1: Managing Change to Heritage Assets

S7: Smart Infrastructure and Utilities

S8: Design

IN1: Infrastructure provision and connection

DE1: Sustainability Standards

DE2: New Development

DE8: Daylight and sunlight

S3: Housing

HS3: Residential Environment

HL3: Noise and light pollution

### **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.

### ***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.

### ***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.

### ***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.

### ***CS21 Protect and provide housing***

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

### ***DM21.3 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.

#### ***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.

#### ***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.

#### ***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.

### ***CS15 Creation of sustainable development***

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

### ***DM15.3 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.

### ***DM15.5 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.

## SCHEDULE

APPLICATION: **21/00527/FULL**

**Middlesex Street Estate London E1**

**Installation of external horizontal and vertical pipework across the site including: five vertical risers and pipework at levels two (podium level), four and six; elements of which will be boxed in and painted to match background materials.**

## 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 All new work and work in making good 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 permission.  
REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.
- 3 Ductwork shall not result in the inability for any windows or doors or other services to be removed and shall not prohibit the opening or functioning of windows or bin chutes.  
REASON: to protect residential amenity in accordance with the following policy of the Local Plan: DM21.3.
- 4 Before any works thereby affected are begun, and having consulted with the residents of Middlesex Street Estate prior to submission of the relevant details, 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) Details of the design appraisal process for the proposed options for the external pipework treatment;
  - (b) Samples and particulars of any proposed external pipework treatment, cladding or boxing including RAL colour;
  - (c) Typical section drawings of external pipework treatment at scale of 1:10 which show the relationship with the existing building and entry into buildings; and

(d) Identifying areas where no treatment of external pipework is proposed.

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: CS10, DM10.1.

- 5 Works shall not begin until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison 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 development process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme (including payment of any agreed monitoring contribution).

REASON: To protect the amenities of nearby residents and commercial occupiers in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.

These details are required prior to any work commencing in order that the impact is minimised from the time that development starts

- 6 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: 7241-SW-PL-100 rev. P4; 7241-SW-PL-101 P4; 7241-SW-PL-102 P4; 7241-SW-PL-103 P4; 7241-SW-PL-104 P4; 7241-SW-PL-105 P4; 7241-SW-PL-106 P1; 7241-SW-PL-107 P2.

REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

## INFORMATIVES

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

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

a full pre application advice service has been offered;

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

- 2 This approval relates only to the details listed above and must not be construed as approval of any other details shown on the approved drawings.
- 3 This permission is granted having regard to planning considerations only and is without prejudice to the position of the City of London Corporation as ground landlords; and the work must not be instituted until the consent of the City of London Corporation as freeholders has been obtained.

**From:** [REDACTED]  
**To:** [PLN - Comments](#)  
**Subject:** RE: Objection to Planning Application: Middlesex Street Estate: 21/00527/FULL / Pipe installation  
**Date:** 25 August 2021 19:53:19  
**Attachments:** [210609 Middlesex Street Estate Letter.pdf](#)

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THIS IS AN EXTERNAL EMAIL

**21/00527/FULL | Instillation of pipe and ductwork within the under croft of existing balconies on fourth floor level, boxed in and painted to match existing materials. Distribution pipe work for White Kennett Street to run within the basement and rise up the library end of the building before distributing around the back of the building**

Dear Sir/Madame, / Attn: Jessica Robinson

I wish to officially and strongly object to the Planning Application as described above. There is a more extensive Middlesex Street Estate **Residents' Association** group objection that is now being drafted and circulated, but would like very much to register my personal strong objections to this Application, for the following reasons:

- It is my belief that this Application is not legally valid, as the original s.20 notice regarding the entire Heating replacement project was not properly proceeded with, with no consultation whatsoever afforded to residents, nor any opportunity to object, or raise our serious concerns and opposition to the project, and to the destructive works proposed.
- There are a number of pending objections to the entire project presently in progress
- The instillation that is described here is incredibly destructive to the facade of an important, and architecturally admired modernist building, and the works as proposed would well be considered an act of architectural vandalism.
- In support of this architectural perspective, please find attached the professional advice that was received by the much respected **20th Century Society**, who very much support our strong objection to this building work.

An emailed confirmation of your receipt of this Objection would be much appreciated.

Yours sincerely,

Jeffrey Boloten

425 Petticoat Square  
London E1 7EB



# Comments for Planning Application 21/00527/FULL

## Application Summary

Application Number: 21/00527/FULL

Address: Middlesex Street Estate London E1

Proposal: Instillation of pipe and ductwork within the undercroft of existing balconies on fourth floor level, boxed in and painted to match existing materials. Distribution pipe work for White Kennett Street to run within the basement and rise up the library end of the building before distributing around the back of the building.

Case Officer: Jessica Robinson

## Customer Details

Name: Ms Vicky Stewart

Address: 10C Petticoat Tower Petticoat Square London

## Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having looked at the sample ducting installed on the 4th Floor, Petticoat Square, I object to this installation continuing because, visually, it is:

OVERSIZED - The ducting measures W60 x D45cm but the two pipes together are only W35 x 20cm

PETTICOAT TOWER - When the ducting is applied to the Tower the same objections apply. In addition, the vertical ducting will obstruct the landing windows from opening to allow cleaning. This has already happened with the pipework in its unclad state.

OBTRUSIVE - shiny white material used against 1970s dark brickwork.

FLIMSY and CHEAP LOOKING - Poor materials used

POOR WORKMANSHIP - poor finish - and if the ducting is to be painted by the installer we can expect similar poor workmanship

PETTICOAT TOWER - Should this size and type of ducting be used in the Tower the objection above apply and the dimensions will prevent the landing windows from opening wide enough to allow cleaning which have already been limited by the lagged pipes.

**From:** [REDACTED]  
**To:** [PLN - Comments](#)  
**Subject:** 21/00527/FULL  
**Date:** 06 September 2021 16:25:30  
**Attachments:** [REDACTED]

---

THIS IS AN EXTERNAL EMAIL

Dear Jessica Robinson,

I am writing to object to the proposals with the above ref number, for an external installation of pipes and associated boxing in. The documents suggest that the scope of the planning application is in fact much wider and covers the wider installation, so it might be good to clarify with residents what they are being asked to comment on.

These works will constitute a major transformation of the estate with enormous detrimental effects on its appearance, a view supported by the 20th Century Society, who letter in support of my argument I am attaching. The architecture of Middlesex Street Estate is an elegant composition comprising a tight material palette of self coloured materials. The rhythm of the facade would be severely disrupted by external services installation—for example, the continuous horizontality of the unadorned concrete frieze concluding the facade of Petticoat Square against the city and sky beyond, when chopped up vertically by installation ducts will lose all its aesthetic function.

The communal areas incl. the Petticoat Square deck access are designed and make space for social interaction and inhabitation; the architects sacrificed a few square meters of potential living space to create the little entrance alcoves, which invite placement of a flower pot here, some seating there (a concept at the time known as 'Streets in the Sky' as you will know). The planned external installation will divert attention from loving signs of care and pride, to the visually dominant careless utilitarian infrastructure along the soffit, and lay waste to the elegance of the design. We are further concerned that additional installations such as the planned cold water installation will follow.

A sample panel has been installed a few weeks back, and whilst I had anticipated that the boxing in would in fact exacerbate the detrimental visual impact of the pipe work installation, I have to admit that I had not anticipated it to turn out this bad—clearly no attempt has been made to minimise the size of the ducting, which appears an involuntary caricature of the adjacent carefully designed waste chute. In addition, detailing of the boxing is careless and utilitarian, and the material quite flimsy.

The ducting would at least need to be replaced with better designed ducting; which should be much smaller, with rounded edges, of higher quality, in a different finish, and more carefully detailed. Even better would be to omit the ducting and leave the insulation visible, which would be far less visually pejorative.

The unconsidered addition of utilitarian clutter is rightfully associated with poor housing —because these things simply tend not to happen when people care— and it has knock-on effects on how residents behave; how can anyone be persuaded to care about communal areas and homes if the estate management does not seem to. The perception of City of London's decision makers as lacking enthusiasm for its housing asset and residents is reinforced by a seeming disregard for the impact of these works on us and the lack of meaningful consultation to date regarding one of the biggest aesthetic transformations of the estate, which in its current planned form can only be described as aesthetic vandalism.

With best wishes,

Mark Lemanski  
424 Petticoat Square

**From:** [REDACTED]  
**To:** [PLN - Comments](#)  
**Subject:** PLNCOMMENTS@CITYOFLONDON.GOV.UK  
**Date:** 06 September 2021 15:21:42

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THIS IS AN EXTERNAL EMAIL

Dear Jessica Robinson, I wish to officially object to the planning application 21/00527/FULL for the following reasons: there are a number of pending objections to the entire project presently in progress, as there was insufficient notice and consultation with residents on the entire heating replacement plan. The installation that is described here is incredibly destructive to the facade of an important architecturally admired modernist building, and the works as proposed would have been deemed to be architecturally destructive, according to the respected 20th century society, who very much support our objection to this building work, the system will lock in fossil fuel use across our estate for years to come. Regards Linda Fallon. 401 Petticoat Square. E1 7EB.

**From:** [REDACTED]  
**To:** [PLN - Comments](#)  
**Subject:** Objection to the Planning Application 21/00527/FULL  
**Date:** 06 September 2021 15:27:20

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THIS IS AN EXTERNAL EMAIL

Dear Jessica Robinson

I wish to officially object to the Planning Application 21/00527/FULL for the following reasons:

There are a number pending objections to the entire project presently in progress, as there was insufficient notice and consultation with residents on the entire heating replacement plan.

The installation that is described here is incredibly destructive to the facade of an important, architecturally admired modernist building, and the works as proposed would have been deemed to be architecturally destructive, according to the respected 20th Century Society, who ever much support our objection to this building work.

The system will lock in fossil fuel use across our estate for years to come.

Kind regards

Isabella Rombi  
407 Petticoat Square

Sent from my iPhone

# Comments for Planning Application 21/00527/FULL

## Application Summary

Application Number: 21/00527/FULL

Address: Middlesex Street Estate London E1

Proposal: Instillation of pipe and ductwork within the undercroft of existing balconies on fourth floor level, boxed in and painted to match existing materials. Distribution pipe work for White Kennett Street to run within the basement and rise up the library end of the building before distributing around the back of the building.

Case Officer: Jessica Robinson

## Customer Details

Name: Mr Roger Way

Address: Middlesex Street Estate Residents' Association Petticoat Square

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: I object to the planning application as it stands because the accompanying documents do not make it clear exactly what is the scope of this application.

The application form says:

"The replacement of the existing communal heating system, including boiler room, heating and water distribution pipe work and dwelling internals."

which is much wider in scope than the description in the letter sent to residents:

"Instillation of pipe and ductwork within the undercroft of existing balconies on fourth floor level, boxed in and painted to match existing materials. Distribution pipe work for White Kennett Street to run within the basement and rise up the library end of the building before distributing around the back of the building."

Additionally.

1. The word "Instillation" has no meaning in this context; it means "pouring or injecting a substance drop by drop"!

2. 4th Floor flats on White Kennett Street do not have balconies in the accepted sense of the word.

I request that this planning application be resubmitted with the scope made clear and the accompanying documents directly supporting that scope.

Roger Way

Chair

Middlesex Street Residents' Association

# Comments for Planning Application 21/00527/FULL

## Application Summary

Application Number: 21/00527/FULL

Address: Middlesex Street Estate London E1

Proposal: Installation of external horizontal and vertical pipework across the site including: five vertical risers and pipework at levels two (podium level), four and six; elements of which will be boxed in and painted to match background materials. (Please note the revised description of development, and the additional information submitted for this application including revised drawings).

Case Officer: Pearl Figueira

## Customer Details

Name: Mr Ian Hartog

Address: 459 Petticoat Square London

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: Two sides of the estate has already had external piping installed. Why was this installed before planning permission has been granted ?

The design of the pipework and boxing has not been designed to blend in with the appearance of the estate.

The sample boxing is too bulky. Options should have been shown before application was applied for. The sample boxing has also started to attract dirt.

I therefore object to the application and suggest that other options should be presented to residents before continuing.



Sent by email: [REDACTED]

09 June 2021

Our ref: 21 06 03

Dear Paul Murtagh

**MIDDLESEX STREET ESTATE, CITY OF LONDON**

The Twentieth Century Society has been alerted to a proposal to install a face-mounted heating system at the Middlesex Street Estate. The Society supports the residents represented by Mark Lemanski in opposing this proposal.

**Background**

Middlesex Street Estate is located at the eastern edge of the City of London, bordering Middlesex Street Estate and Petticoat Lane Market. It was designed by the Corporation of London Architect's Department, constructed between 1965 and 1970, and is composed of a courtyard block and a tower, with shop units on the lower floors, a large garage underneath an elevated landscaped podium, and a mix of flat types including maisonette types on the upper floors.

The design aimed to connect the adjacent Petticoat Lane Market with the City via an elevated market square feeding into the elevated City of London Pedway Scheme. To this end, the business units forming the plinth of the block were designed as three storey dual aspect units, with each unit facing outwards at street level, and onto the podium on the top level, with the intermediate level acting as storage space. A community space, the estate office and residential entrance lobbies are also accessed from the podium.

Architecturally, the estate adopts a robust formal language informed by structuralism and brutalism. It is constructed of in situ and precast concrete, and black engineering brick. The communal areas including the Petticoat Square deck access are designed to make space for social interaction and inhabitation; for example, through small entrance alcoves along its elevated walkways, a notable application of the post-war trend for 'streets in the sky'.

**Comments**

As outlined in this letter Middlesex Street Estate has architectural merit and we therefore consider it to be a non-designated heritage asset. As such, the Twentieth Century Society supports the residents in opposing the proposed external additions which will drastically change and therefore harm the estate's architectural character and appearance. We further support the residents' request that design advice is sought on any significant planned changes in order to ensure that these have as minimal an impact as possible on the architecture.

I hope these comments are of use to you. Please don't hesitate to get in touch if you have any questions.





Yours sincerely,

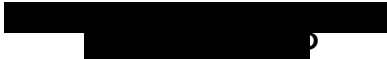
**Coco Whittaker**

Caseworker

Twentieth Century Society

**Remit:** The Twentieth Century Society was founded in 1979 and is the national amenity society concerned with the protection, appreciation, and study of post-1914 architecture, townscape and design. The Society is acknowledged in national planning guidance as the key organisation concerned with the modern period and is a constituent member of the Joint Committee of the National Amenity Societies. Under the procedures set out in *ODPM Circular 09/2005*, all English local planning authorities must inform the Twentieth Century Society when an application for listed building consent involving partial or total demolition is received, and they must notify us of the decisions taken on these applications.

**The Twentieth Century Society**  
70 Cowcross Street, London EC1M 6EJ



# Memo

**To** Assistant Director (Development Management)  
Environment  
Email: [plncomments@cityoflondon.gov.uk](mailto:plncomments@cityoflondon.gov.uk)  
Case Officer - Pearl Figueira



**From** Kate Alexander-Newton  
Environmental Health Officer

**Telephone** [REDACTED]

**Email** [REDACTED]

**Date** 17/11/2021

**Our Ref** WK202115782

**Your Ref** PT\_ PF/21/00527/FULL

Subject Installation of pipe and ductwork within the undercroft of existing balconies on fourth floor level, boxed in and painted to match existing materials. Distribution pipe work for White Kennett Street to run within the basement and rise up the library end of the building before distributing around the back of the building.

This department acknowledges receipt for the above application and has the following comments and observations to make:

## **1. Written scheme for protecting residents and commercial occupiers**

Works shall not begin until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison 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 development process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme (including payment of any agreed monitoring contribution).

REASON: To protect the amenities of nearby residents and commercial occupiers in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.

**These details are required prior to any work commencing in order that the impact is minimised from the time that development starts**

## **2. Noise Vibration from mechanical systems or other plant**

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.

**Kate Alexander-Newton**  
**Environmental Health Officer**  
Pollution Team – Environment

Mob: [REDACTED]

# Agenda Item 7

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation Committee Policy and Resources Committee Court of Common Council	<b>19 July Delegated 8 September 2022</b>
<b>Subject:</b> Planning and Transportation Committee Meeting Arrangements	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	4, 10
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> Town Clerk, Executive Director of Environment and Comptroller and City Solicitor	<b>For Decision</b>

## Summary

This report considers how the functions of the Planning and Transportation Committee can be most effectively discharged. It recommends the establishment of a Planning Applications Sub-Committee to address the issues of (i) allowing Planning and Transportation Committee to major on strategic and policy issues; and (ii) planning application decisions on land or buildings for which Planning and Transportation Committee has responsibility.

## Recommendation

That **Planning and Transportation Committee and Policy and Resources Committee** resolve to recommend to Court of Common Council

1. The establishment of a Planning Applications Sub-Committee to determine all planning and listed building consent applications not delegated to officers under the Scheme of Delegation (with all other functions within the Terms of Reference of the Planning and Transportation Committee not delegated to officers continuing to be exercised by that Committee or any other Sub-committees to which it delegates functions)
2. That the membership, Chairmanship and Deputy Chairmanship of and arrangements for the Planning Applications Sub-Committee and the Planning and Transportation Committee be as set out in the "Proposals" section of this report
3. That the Town Clerk, Executive Director Environment and Comptroller and City Solicitor be delegated to prepare such amendments to the Planning Protocol as may be necessary to give effect of Recommendations 1 & 2 and to report them to Planning and Transportation Committee (which shall be delegated the

function of approving the Planning Protocol prior to implementation of the arrangements)

4. That any further updating of the Planning Protocol be delegated to Planning and Transportation Committee

## **Main Report**

### **Background**

1. Lord Lisvane's Governance Review published in late 2020 ("the Review") made recommendations in respect of the Planning and Transportation Committee. These included reduced membership, consideration of planning applications by small panels, ensuring the Committee's focus on strategic and policy issues, and restricting participation in planning decisions by ward members and members of the committee responsible for managing the City's properties "to distance the planning function from the proprietorial" .
2. Since this Review, refinements to "distance the planning function from the proprietorial" have been introduced<sup>1</sup> (as a result of case law<sup>2</sup> which provided guidance on how the planning function should be separated from the landowner/developer role, where both are undertaken by the City). The "Separation of Functions" arrangements now incorporated in the Planning Protocol are considered to address the issue of "distancing the planning function from the proprietorial". In addition, as noted in the Review, Regulation 10 of the Town and Country Planning General Regulations 1992 ("Regulation 10") prohibits decisions being taken by a committee, sub-committee (or officer) with responsibility for management of the land or buildings to which the application relates. The governance implications of this are addressed below.
3. In respect of Panels, detailed consideration was given to Panel arrangements with Policy and Resources Committee<sup>3</sup> authorising Planning and Transportation Committee to consider and report back on options. Dialogue, debate and stakeholder consultation ensued, which demonstrated significant concerns of members and service users to decisions being taken by Panels and by a small membership. A widespread preference was perceived for decisions on planning applications to continue to be made by a broader membership, given the unique characteristics of the City. No further action was taken in respect of membership numbers and Panels and none is recommended in this report
4. Ongoing consideration has also continued by way of informal consultation of committee members by the Chair of Planning and Transportation Committee, largely into timing of meetings, conduct of debate and management of external speakers making representations at Planning and Transportation Committee. It is envisaged that the feedback to that informal consultation will inform the Chair in carrying out his chairing responsibilities (including in ruling on the conduct of debate under Standing Order 37) and, if necessary, in updating the Planning Protocol. It is not envisaged that any other governance issues within the remit

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<sup>1</sup> Planning Protocol Part 4 Paragraph 8e

<sup>2</sup> R(London Parks and Gardens Trust) v Secretary of State for Housing, Communities and Local Government [2020] EWHC 2580 (Admin)

<sup>3</sup> 8 July 2021

of Policy and Resources Committee and/or Court of Common Council will arise from that informal consultation, (subject to Recommendation 4 being agreed).

5. Consideration has also been given to how greater focus can be given by Planning and Transportation Committee to strategic and policy issues, and to the governance issues raised by Regulation 10 (which has recently required Sub-committees to be established on an ad hoc basis). These issues and potential ways forward are explored below.
6. Standing Order 27 allows any Committee to constitute Sub-committees subject to approval of Policy and Resources Committee. However, noting the scope of this report and the high profile remit of the proposed Sub-committee, it is considered appropriate to seek the endorsement of Court of Common Council to all the recommended proposals. (At its meeting of 7 July 2022 Policy and Resources Committee agreed that its approval of the proposals in this report be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman of Policy and Resources Committee, subject to the report being first circulated to members of Policy and Resources Committee for comment)

## **Regulation 10**

7. The Planning and Transportation Committee has responsibility for managing certain land and buildings including City Walkway, Car Parks and highways. As such, planning applications involving development of those areas cannot be determined by Planning and Transportation Committee due to Regulation 10 (Applications which involve minor adjustments of highway boundary and/or Stopping Up Orders to accommodate a new building footprint are not generally regarded as being subject to Regulation 10).
8. The options as to how this can be addressed are below:

Option	Comments	Recommended/Not Recommended
<p>1. Continue establishing ad hoc committees as required</p>	<p>Cumbersome and requires additional committee reports and decisions on each occasion to establish a Subcommittee</p> <p>Three applications requiring a Subcommittee have arisen recently (Fleet House, London Wall Car Park and John Wesley Highwalk) and several others are likely in the near future</p> <p>Ineffective use of officer and member resource</p>	<p>Not Recommended</p>
<p>2. Establish a Planning Applications Committee</p>	<p>This addresses the ineffective use of resources resulting from Option 1</p> <p>The Lisvane Governance Review advocated fewer Committees and Subcommittees, however, the practical implications of addressing Regulation 10 were outside the scope of the Review, and this requirement was therefore not addressed. It is considered to justify a new Committee.</p> <p>This option also addresses the Review's aspiration that P&amp;T Committee give greater focus to strategic and policy decisions</p> <p>However, SO 26 states that a new committee would need its terms of reference approved by the court, and SO 21 provides that the annual appointment of committees takes place at the first regular meeting of the Court in April of each year. A Planning Applications Committee could not therefore be established until April 2023</p>	<p>Not Recommended</p>
<p>3. Establish a Planning Applications Sub-Committee</p>	<p>This addresses the ineffective use of resources resulting from Option 1</p> <p>The Lisvane Governance Review advocated fewer Committees and Subcommittees, however, the practical implications of addressing Regulation 10 were outside the scope of the Review, however, the practical implications of addressing Regulation 10 were outside the scope of the Review, and this</p>	<p>Recommended</p>

	<p>requirement was therefore not addressed. It is considered to justify a new Committee.</p> <p>This option also addresses the Review's aspiration that P&amp;T Committee give greater focus to strategic and policy decisions</p> <p>Planning application decisions must be guided by the strategy and policy work of the P&amp;T Committee. It is therefore considered appropriate for the applications to be considered by a Sub-committee rather than a separate committee</p> <p>A Sub-committee could be established without having to wait for the April 2023 Court of Common Council meeting</p>	

**Focus on Strategic and Policy Matters**

- 9. The vast majority of Planning and Transportation Committee's time is currently taken up with considering planning applications. Other agenda items appear lower down the Agenda (because of the large number of external attendees interested in the planning application items). It is not uncommon for the other agenda items to be considered after a long period of deliberation on the planning application items. The meetings often have to be extended to enable business to be concluded. This risks leaving limited time for other matters, including important matters of strategy and policy that merit great focus and attention because they set the framework for the exercise of the City's planning, highways and traffic functions.
- 10. It is considered that establishing a separate Planning Applications Sub-Committee would enable the Planning and Transportation Committee to give greater focus and attention to strategy and policy issues

**Proposals**

- 11. It is proposed that the membership, Chairmanship and Deputy Chairmanship of the Planning Applications Sub-Committee should be the same as the Planning and Transportation Committee. This will ensure that the Planning Applications [Sub-]committee fully benefits from the training and knowledge of the Planning and Transportation Committee particularly regarding the strategic and policy framework to be applied in deciding planning applications.
- 12. It is proposed that the Planning Applications Sub-Committee meets on a three weekly cycle to enable planning applications to be decided within the statutory timeframes (or extended periods agreed with applicants) to avoid delay in processing applications



13. It is proposed that the Planning and Transportation Committee meet quarterly, supported by a robust and transparent Agenda planning process, to deal with all business other than planning applications.
14. It is proposed that the arrangements for public speaking by applicants and objectors remain as currently set out in the Planning Protocol. The Planning Protocol would, however, require updating to reflect the new arrangements. Planning Protocol updates have previously been reviewed and agreed by Policy and Resources Committee as a precautionary approach noting that Committee's remit for policy and governance matters. However, noting that the Planning Protocol largely deals with housekeeping and advice specific to planning applications (and within the framework of the Member Code of Conduct) it is proposed that it be confirmed that this is within the remit of Planning and Transportation Committee and that future updates to the Planning Protocol be approved by Planning and Transportation Committee.
15. (It should be noted that the Separation of Functions arrangements will continue to operate in parallel with the Regulation 10 requirements, whether or not the proposals are adopted. As set out in the Planning Protocol<sup>7</sup>, this prevents Members of Planning and Transportation Committee who are also involved as Members of a Committee promoting a proposal from participating in the decision on a planning application for the proposal.)

### **Financial Implications**

See "Resource Implications"

### **Resource Implications**

The establishment of a new Sub-Committee is likely to involve modest additional officer resource. Officers would aim to dovetail meetings of the Planning Applications Sub-Committee with those of the Grand Committee as far as possible, to streamline attendance and minimise any additional resource requirements. There would be no addition to the overall level of business. It is considered that the implications can therefore be accommodated within existing resources.

### **Legal Implications**

These are included in the body of the report and non-public report addendum

**Risk Implications** - none

**Equalities Implications** - none

**Climate Implications** - none

**Security Implications** - none

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<sup>7</sup> Part 4 Paragraph 8e

## **Conclusion**

16. The arrangements proposed in this report for considering planning applications (other than those delegated to officers) and for exercising the functions of Planning and Transportation Committee are aimed at enabling those functions to be more effectively discharged and are recommended.

Deborah Cluett

Assistant City Solicitor

E: [Deborah.cluett@cityoflondon.gov.uk](mailto:Deborah.cluett@cityoflondon.gov.uk)

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# Agenda Item 8

<b>Committee(s):</b> Streets & Walkways Planning & Transportation Port Health and Environmental Services	<b>Dated:</b> 05/07/2022 19/07/2022 22/07/2022
<b>Subject:</b> Transport for London consultations: <ul style="list-style-type: none"> <li>• Bus Route Changes Central London</li> <li>• ULEZ expansion and road user charging</li> </ul>	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1,2,3,4; 9;11.
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	£N/A
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>NA</b>
<b>Report of:</b> Executive Director Environment	<b>For Decision</b>
<b>Report author:</b> Samantha Tharme Environment Department	

## Summary

Transport for London (TfL) are currently conducting two consultation exercises. The first relates to proposed changes to bus routes into central London. The proposed changes to the bus network in London are in response to the Government's conditions on providing emergency funding to enable TfL to keep operating. Passenger numbers and revenue has reduced dramatically during the Covid-19 period and not recovered significantly. This is understood to be an acceleration of a general downward trend in bus passenger numbers.

This report sets out the changes to routes in the City, and potential issues. While there are significant changes overall, the changes within the City do not result in a significant reduction in connections, for journeys starting or ending in the City. The City will still be served by a high number of bus services. The detail of the changes, including TfL's justification for them and where they see new or altered routes offering alternative links and routes for passengers, is set out in Appendix 1 and 2.

The second consultation covers the proposed expansion of the Ultra Low Emission Zone (ULEZ) and the future of road user charging. TfL's proposals to help improve air quality, tackle climate change and reduce congestion, include:

- expanding the Ultra Low Emission Zone (ULEZ) scheme London-wide;
- making changes to Auto Pay for the Congestion Charge, ULEZ and Low Emission Zone (LEZ); and
- making changes to the Penalty Charge Notice level for the Congestion Charge and ULEZ.

These changes would come into effect in August 2023 if approved.

Additionally, the Mayor is also proposing to revise his Transport Strategy (MTS) to consider the role of road user charging to address the challenges of air pollution, the need for significant carbon reduction (climate action strategy) and congestion that London is facing. No target date for introducing a new approach to road user charging has been set at this stage.

This report sets out the implications for the proposals in the context of the City's own Corporate priorities, Climate Action Strategy and Transport Strategy. The immediate changes proposed with the expansion of the ULEZ do not have direct impact on the City. Future road user charging designed to reduce motor vehicle traffic in the City and central London is in line with our own corporate priorities. Reducing motor traffic in the Square Mile enables more effective and efficient use of limited street space, reduces transport related carbon emissions, improves air quality and reduces road danger.

### **Recommendation(s)**

Members of the Streets & Walkways Sub Committee and the Planning & Transportation Committee are asked to:

- Approve the proposed response to the consultation on proposed changes to bus routes, set out in paragraph 17.
- Delegate the final wording of the response to the Director of City Operations in consultation with the Chairmen and Deputy Chairmen of the Streets & Walkways Sub Committee and the Planning & Transportation Committee.

Members of the Streets & Walkways Sub Committee, the Planning & Transportation Committee and the Port Health & Environmental Services Committee are asked to:

- Approve the proposed response to the consultation on proposed expansion of the ULEZ and future road user charging, set out in paragraphs 25 and 26.
- Delegate the final wording of the response to the Director of City Operations in consultation with the Chairmen and Deputy Chairmen of the Streets & Walkways Sub Committee and the Planning & Transportation Committee and the Port Health and Environmental Services Committee.

## **Main Report**

### **Background**

1. Transport for London (TfL) are currently conducting two consultation exercises. The first relates to proposed changes to bus routes into central London. The second to the proposed expansion of the Ultra Low Emission Zone (ULEZ) and to the future of road user charging.
2. This report sets out the potential impacts for the City of London and recommended response to the two consultations.

### **Proposed changes to bus routes**

3. The proposed changes to bus routes have been developed in response to conditions set by Government before it would provide emergency funding to enable TfL to keep operating. These included requiring a plan to set out how TfL would achieve significant financial savings. TfL's response to achieve the savings required by the Government includes a 4% reduction in bus kilometres. Note that at present TfL are not consulting or suggestion any changes to the London Underground network.
4. TfL note the importance of the bus network for London, and that at times it has been changed to reflect changing demand and pressure. TfL acknowledge that this review is further reaching than any changes in the recent pre-pandemic period. Passenger numbers and therefore revenue has reduced dramatically during the Covid-19 period and not recovered significantly. This is understood to be an acceleration of a general downward trend in bus passenger numbers which was evident before the pandemic impact.
5. The importance of a comprehensive bus network for London is clear. Buses provide a flexible, affordable and accessible travel option. Buses are a space efficient means of moving people, particularly at higher levels of occupancy. TfL are committed to investing in zero emission buses and all buses operating within the current ULEZ zone are ULEZ compliant.
6. The headline proposals are that across London 70 routes are affected by changes. 21 routes are proposed to be with-drawn completely and the remainder are affected by route alteration. TfL have stated that the changes still ensure that no large areas of London will be left without a bus service.
7. The impact on routes which run through the City are set out in the maps and table provided in Appendix 1 and 2. Five routes and two night routes that currently run through the City are proposed to be withdrawn (Map 1, Appendix 1). The routes affected are:
  - 4 Archway to Blackfriars Station
  - 11 Fulham to Liverpool Street
  - 78 Shoreditch High Street Station to St Mary's Road
  - 242 Homerton Hospital to Aldgate Station

- 521 Waterloo Station to London Bridge Station
  - N11 Ealing Broadway to Liverpool Street
  - N242 Homerton Hospital to Tottenham Court Road
8. Route changes within the City are proposed for a further 9 services (Map 2, Appendix 1) and 4 night services (Map 3, Appendix 1). The routes affected are:
- 15 Trafalgar Square to Blackwall
  - 26 Waterloo to Hackney Wick
  - 43 London Bridge to Friern Barnet
  - 47 Shoreditch High Street to Bellingham
  - 56 St Bartholomew's Hospital to Whipps Cross
  - 59 Euston to Clapham Park
  - 133 Liverpool Street to Streatham
  - 135 Crossharbour Asda to Moorfields Eye Hospital
  - 343 Aldgate to New Cross Gate
  - N133 Liverpool Street to Morden
9. Map 2 and Map 3 for night services, include some changes outside the City as they serve major interchange/connection points for journeys starting in the City, the details on these are noted below in paragraph 15.
10. On some streets there could be a benefit for other streets users from reducing bus numbers, particularly people walking and cycling. For example, on Fleet Street, St Paul's gyratory, Cannon Street, Bank and Bishopsgate there will be reductions of between 10 and 24 buses per hour. However, none of these streets will see the complete removal of bus services and given the high numbers of remaining services the impacts on bus passengers and other street users may be limited. A reduction in the number of buses may also improve efficiency if remaining services carry more people on each bus.
11. Details of the proposed changes and TfL's reasons for the changes are provided in Appendix 2. Note that this does not include any changes which may be agreed as a result of specific schemes which are part of detailed discussions between City and TfL officers (such as Bank junction and St Paul's gyratory). The implications of the changes to the routing are less easy for City officers to understand at this stage as we don't have access to detailed data on travel patterns. This also applies to areas and communities outside the City.
12. We have some general issues of concern:
- Access issues for public transport – not all tube/rail stations are accessible / step-free to provide an alternative where bus services are removed.
  - Some bus services and night bus services offer public transport 24 hours a day, where Tube/rail does not.
  - Some impacts may be greater on lower income groups and some ethnic groups who have a greater reliance on bus.
13. We trust that TfL are using data appropriately to make decisions based on minimising negative impacts on passengers and communities. TfL have

undertaken a full Equalities Impact assessment which should address these points (see Background Papers for link).

14. Although there are significant changes beyond the Square Mile, the City will continue to have a good level of bus services, including services to all main line rail stations and central London hospitals, with relatively good frequency. The maps in Appendix 1 show the City's bus network after the proposed changes are made (see map 4 and map 5 for night services). Just beyond the City boundary, the amended route for service 26 would no longer serve Waterloo Rail Station, however an alternative connection to the City is provided by the 59 which will run via Waterloo to St. Paul's.
15. Map 2 includes some changes that are just outside the City but serve major connection points, including Waterloo Rail Station (where route 59 replaces route 26 to connect the City to Waterloo). Map 3 (night services) also illustrates changes just outside the City boundary to major connection/interchange points, including Victoria Station (where route N26 is extended to the bus/rail interchange at Victoria); Euston and Kings Cross (where the N205 still serves Kings Cross but no longer extends to Paddington).
16. It is noted that that more interchange between services might be needed due to some of the proposed changes. The table in Appendix 2 includes proposed alternative options for passengers.

## **Response to Consultation**

17. It is proposed to respond to TfL along the following lines:
  - a. We recognise that the bus network should continue to be a vital part of the transport network and that good access to bus services to the City supports the return to office and the Square Mile's recovery.
  - b. We are concerned that the general reduction in bus services could have a negative impact on the availability of accessible public transport as not all tube and rail stations are step free. We urge TfL to ensure that bus services remain where accessible alternatives are lacking.
  - c. We are concerned that the general reduction may impact low-income workers who are more dependent on night services for early morning and late-night shifts. We urge TfL to ensure that no areas of London are without early/late services.
  - d. Passengers often rely on publicity and information to make journeys on the bus network. Many will be more reliant on high quality and timely information to plan journeys if the bus network is restructured. We recommend TfL ensure that access to up-to-date high quality information is available and accessible to all users
  - e. We would welcome the opportunity to explore how reductions in the number of buses on City streets can help achieve our Transport Strategy objectives to provide more space for people walking and improve the experience of cycling, for example at Bank junction and on Fleet Street. We are already in contact on St Paul's Gyrotory stops and welcome continued discussion before final details are agreed.



- f. We ask that TfL monitor bus patronage and demand and ensure frequency and capacity is increased as required when bus patronage increases and in anticipation of future demand.

## **ULEZ expansion and road user charging**

18. The consultation on the proposed expansion of the ULEZ and future road user charging covers:

- An extension of the ULEZ London-wide from 29 August 2023 with charge levels for vehicles not meeting minimum emission standards (ULEZ Charges), hours, days and emission standards set at the same level as the current scheme. Certain vehicles in the 'disabled' and 'disabled' passenger tax class, wheelchair accessible private hire vehicles and minibuses used for community transport will benefit from an extended 'grace period'.
- Removal of annual £10 per vehicle Auto Pay registration fee for the ULEZ, Congestion Charge and LEZ in January 2023 (Auto Pay allows owners to set up an account so they automatically pay the relevant charge and so will not incur a penalty for non-payment).
  - Increase the Penalty Charge Notice (PCN) level from £160 to £180 for non-payment of the ULEZ and Congestion Charge from January 2023. This charge is reduced by 50 per cent if paid in 14 days.
- A revision to the current 2018 Mayor's Transport Strategy (MTS), which would support the proposed London-wide extension of the ULEZ. This could include further options for how road user charging is applied, beyond the current Congestion Charge and ULEZ charge.

19. Links to information about why the proposals have been developed, the expected impacts on traffic and emissions as well as a summary of the potential wider impacts, including impacts on public health as identified in the Integrated Impact Assessment (IIA) are provided under Background Papers.

20. The changes aim to address:

- Health, through air quality improvements, noise reduction and increasing walking and cycling;
- Climate, through reducing carbon, working to a net zero transport network;
- Congestion, through traffic reduction and management.

## **Impact on the City - ULEZ**

21. The ULEZ expansion has no direct impact on the City of London, as noted in the detailed figures in the TfL consultation documents and supporting Integrated Impact Assessment. The City benefits from existing ULEZ restrictions which have helped deliver improved air quality.

## **Impact on the City - The future of road user charging**

22. The City of London Transport Strategy aims to achieve at least a 25% reduction in motor traffic by 2030, and a 50% reduction by 2044. Reductions in all types of motor traffic will be required to achieve this, with the most significant reductions being in the number of private cars and private hire vehicles using the City's streets.
23. The main proposal to achieve this aim is championing and supporting the development of the next generation of road user charging for London; and encouraging the Mayor of London and TfL to accelerate the development of new charging mechanisms. This smarter approach to charging could, for example, be varied according to patterns of demand, vehicle type or by distance travelled.
24. Traffic reduction will help the City Corporation deliver:
  - Climate Action targets
  - local air quality improvements, which are a corporate risk and breaching some national health-based targets and guidelines
  - more space and priority for people walking, improved cycling experience and better quality public realm
  - road danger reduction and Vision Zero
  - improved network efficiency for remaining essential vehicles including buses, freight and servicing and vehicles being used by people with access need.

## **Proposed response to consultation**

25. It is proposed to respond to the ULEZ expansion consultation along the following lines:
  - g. We are committed to supporting the Mayor of London efforts to improve air quality across the Capital
  - h. We welcome exemptions ('sunset periods' and permanent reductions/exemptions), as appropriate for those people with a greater need for a special/adapted vehicle (disabled drivers/passengers), to allow reasonable time to replace without an unreasonable cost burden.
  - i. We welcome a scrappage scheme as this can assist small business and residents who have financial constraints.
  - j. We welcome the proposal to make autopay free as this simplifies the system for users.
  - k. We would like to understand the status of the MTS proposals for a central London Zero Emission Zone.
26. It is proposed to respond to the consultation on the future of road user charging along the following lines:
  - a. The City Corporation continues to support efforts to avoid a car led recovery and to reduce motor traffic in central London, in line with our Transport Strategy (TS) and Climate Action Strategy (CAS).
  - b. We welcome the potential of a broader approach to road user charges which can be more flexible and specific to achieve the ambitions of the MTS and our own TS and CAS. All these strategies require changes which go beyond reducing vehicle emissions. A net reduction in traffic is also necessary to achieve objectives around health, road danger reduction and quality of life.

- Traffic reduction and congestion management should also enable remaining essential traffic to travel more efficiently to support the economy of London.
- c. The current congestion charge has limitations and the success of traffic reduction in the early years has been eroded, with vehicle numbers no longer reducing as a result.
  - d. We welcome the potential for a mileage / use-based charge as this more accurately reflects the impact of vehicle usage on people and the environment. This must be designed to reduce the disproportionate negative impact on low-income/SME drivers of a flat rate charge, as at present. We assume that a full Equalities Impact Assessment would be undertaken on detailed changes when developed in the future.
  - e. We welcome the opportunity for charges to vary by time of day to apply a more sensitive approach to managing traffic at peak times, including peak times for people walking. This also allows opportunity to support specific sectors of the economy in central London, such as weekend and evening leisure and culture if appropriate in the future.
  - f. We welcome the opportunity for charges to vary by location or route. This will allow more sensitive traffic management at congested locations and areas we wish to have a greater impact on traffic.
  - g. We would caution that it is important to ensure the information about charges especially where they vary by time or location is sufficient to influence choice, when the aim is to reduce the amount of traffic. If charges are incrementally small by auto charging it may be perceived as a 'general' tax on driving and have limited influence on travel choices. For example, commercial drivers might pass on costs to customers or absorb an additional cost if it is marginal. A system of charging which includes a rate/price increase at a threshold of miles, or number of trips could be useful to influence choice. We recognise there is a balance to facilitating the economy and managing traffic levels and congestion, and this broader more tailored approach, varying around time of day, type of vehicle, and location, offers the opportunity to do this better than the current flat rate congestion charge. The opportunity to look at the detail and impact of how the system might work should be considered in drafting the detailed proposals.
  - h. The direction of income from road user charging for improvements to the transport network in future is welcome. Support for better quality infrastructure for walking, cycling and public transport is recommended as key to support joint policy aims of the City Corporation and the Mayor.
  - i. We note that in any future scheme there may still be appropriate reductions or exemptions for some categories of driver or vehicles, particularly for disabled drivers and passengers.

## **Corporate & Strategic Implications**

27. Strategic implications – Reducing motor traffic in the Square Mile enables more effective and efficient use of limited street space, reduces transport related carbon emissions, improves air quality and reduces road danger. Traffic reduction supports delivery of Corporate Plan Outcome 9: We are digitally and physically well-connected and responsive; the Transport Strategy; Climate Action Strategy and the Air Quality Strategy.

28. Financial implications – None
29. Resource implications – None
30. Legal implications – None
31. Risk implications – Reducing motor traffic in the Square Mile helps mitigate Corporate Risks CR21 – Air Quality, CR30 – Climate Action, and Departmental risk ENV-CO-TR 001 – Road Safety.
32. Equalities implications – TfL have undertaken an Integrated Impact Assessment (IIA) on the proposed changes Bus Network Review and the ULEZ expansion. This incorporates an Equalities Impact Assessment. The two IIA documents are available online and links are provided under Background Papers.
33. Climate implications – Reducing motor traffic supports delivery of the Climate Action Strategy by reducing carbon emissions and potentially enabling street space to be reallocated to walking, cycling and climate resilience measures.
34. Security implications - None

## Conclusion

35. We welcome the opportunity to comment on the changes to the bus route network and note the financial constraints that require TfL to undertake these changes. The City of London will still benefit from good bus service if the proposed changes are made. We will urge TfL to monitor patronage and increase capacity in the future to ensure movement and growth is not limited by bus network capacity.
36. We welcome the potential of a broader approach to road user charges which can be more flexible and specific to achieve the ambitions of the MTS and our own TS and CAS. Meaningful traffic reduction will help the City deliver climate action targets, local air quality improvements, provide more space to walk and cycle, and reduce road danger.

## Appendices

- Appendix 1: Bus network alterations – maps of route changes
- Appendix 2: Tables of bus network alterations.

## Background Papers

- TfL Central London Bus Review (<https://haveyoursay.tfl.gov.uk/busreview>)
- Central London Bus Review 2022 Equality Impact Assessment Programme-wide assessment ([EqIA PDF](#))
- TfL ULEZ expansion and Possible new Road User Charges (<https://haveyoursay.tfl.gov.uk/cleanair>)

## Samantha Tharme

Strategic Transport, Environment Department

T: 07542 228918

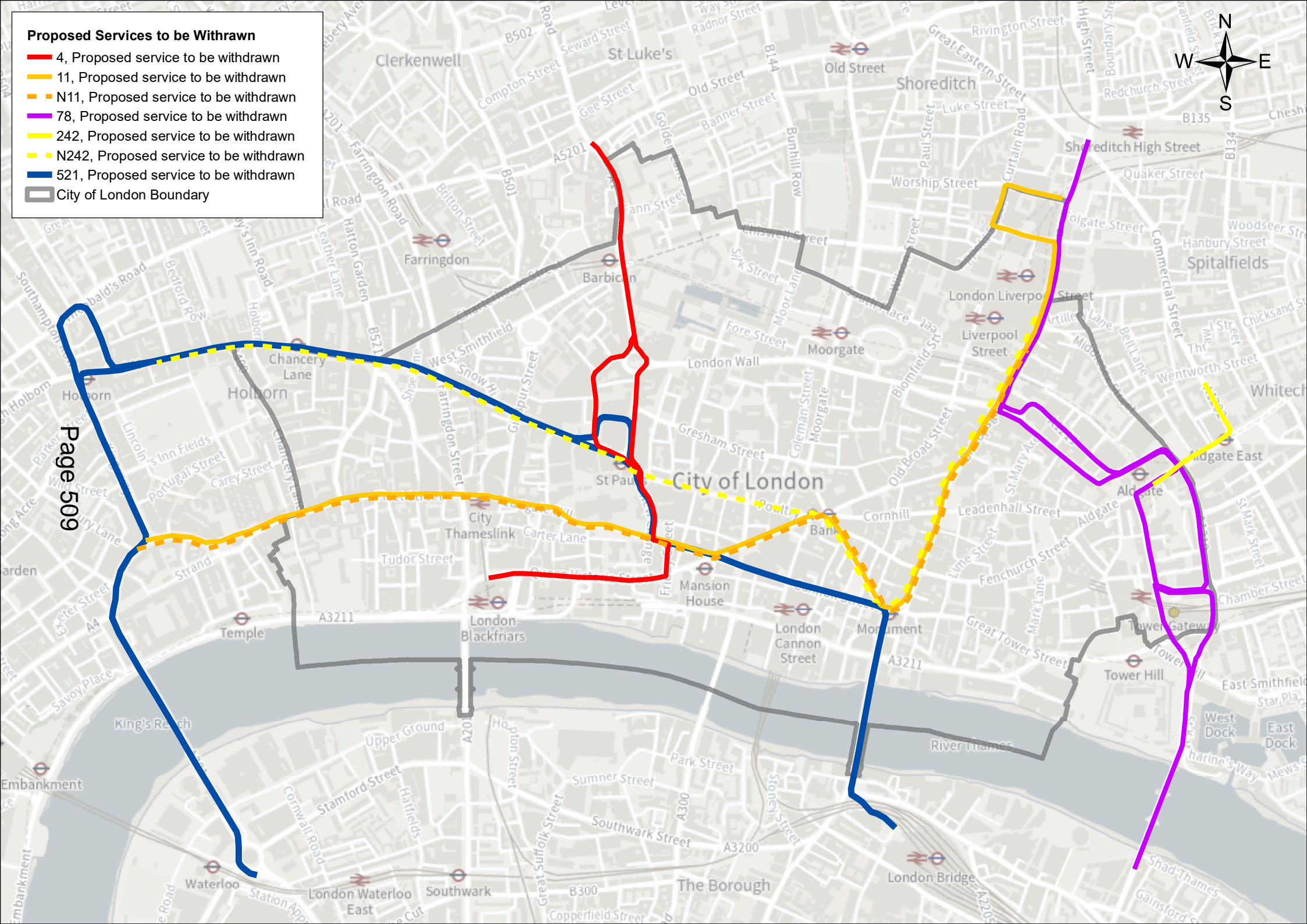
E: [Samantha.Tharme@CityofLondon.gov.uk](mailto:Samantha.Tharme@CityofLondon.gov.uk)

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**Proposed Services to be Withdrawn**

- 4, Proposed service to be withdrawn
- 11, Proposed service to be withdrawn
- - - N11, Proposed service to be withdrawn
- 78, Proposed service to be withdrawn
- 242, Proposed service to be withdrawn
- - - N242, Proposed service to be withdrawn
- 521, Proposed service to be withdrawn
- City of London Boundary

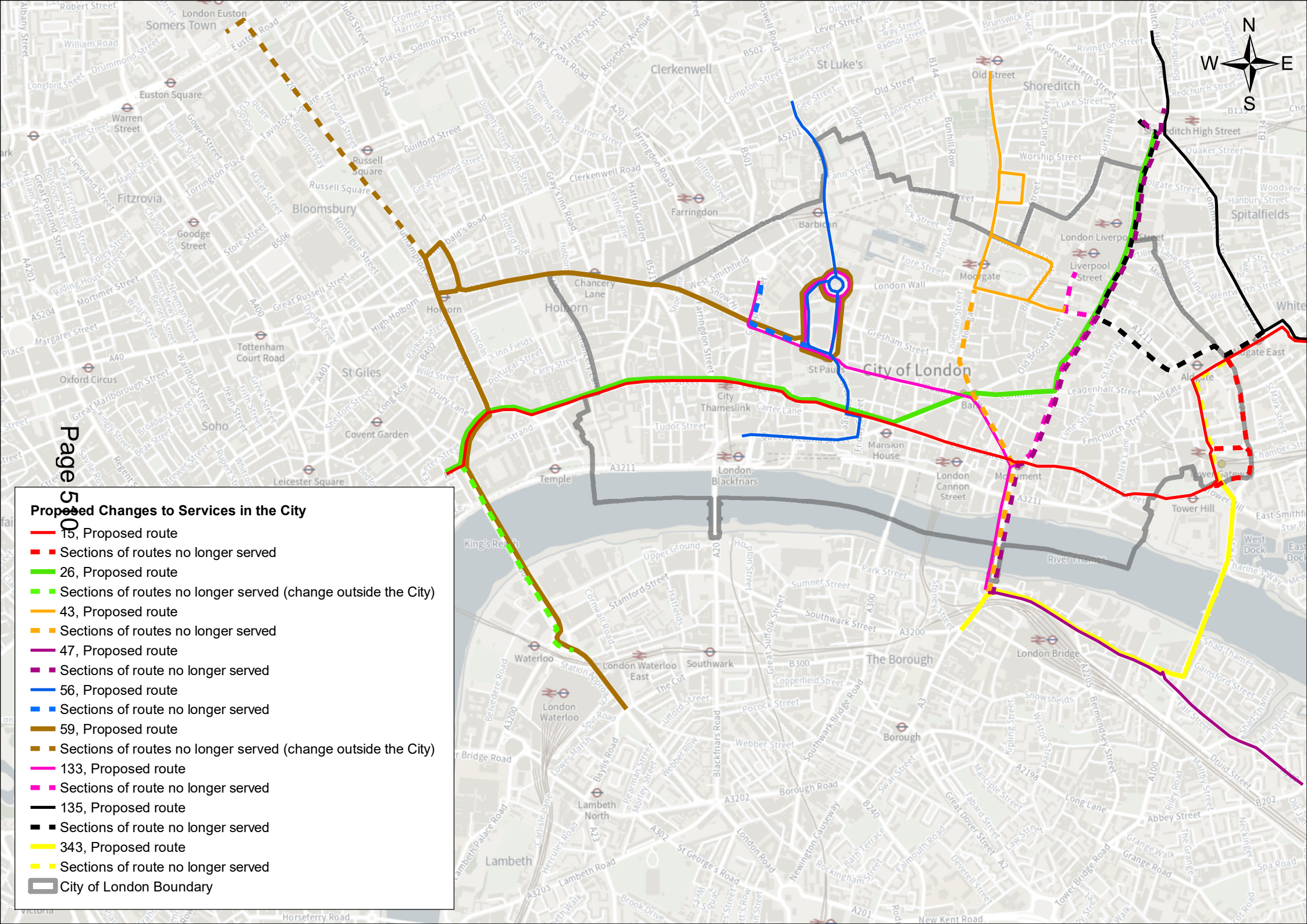













**Proposed Changes to Services in the City**

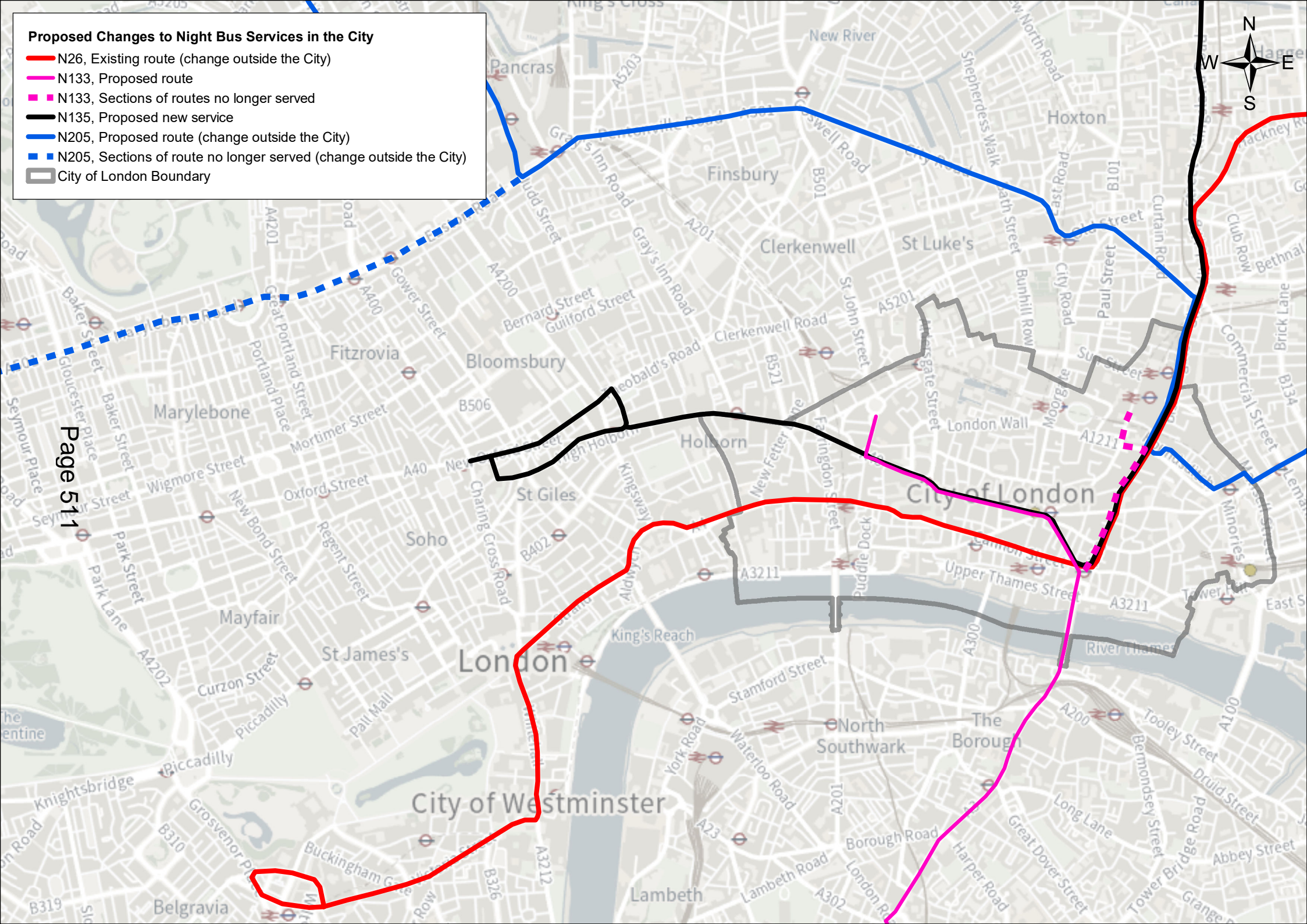
- 15, Proposed route
- Sections of routes no longer served
- 26, Proposed route
- Sections of routes no longer served (change outside the City)
- 43, Proposed route
- Sections of routes no longer served
- 47, Proposed route
- Sections of route no longer served
- 56, Proposed route
- Sections of route no longer served
- 59, Proposed route
- Sections of routes no longer served (change outside the City)
- 133, Proposed route
- Sections of route no longer served
- 135, Proposed route
- Sections of route no longer served
- 343, Proposed route
- Sections of route no longer served
- City of London Boundary







**Proposed Changes to Night Bus Services in the City**

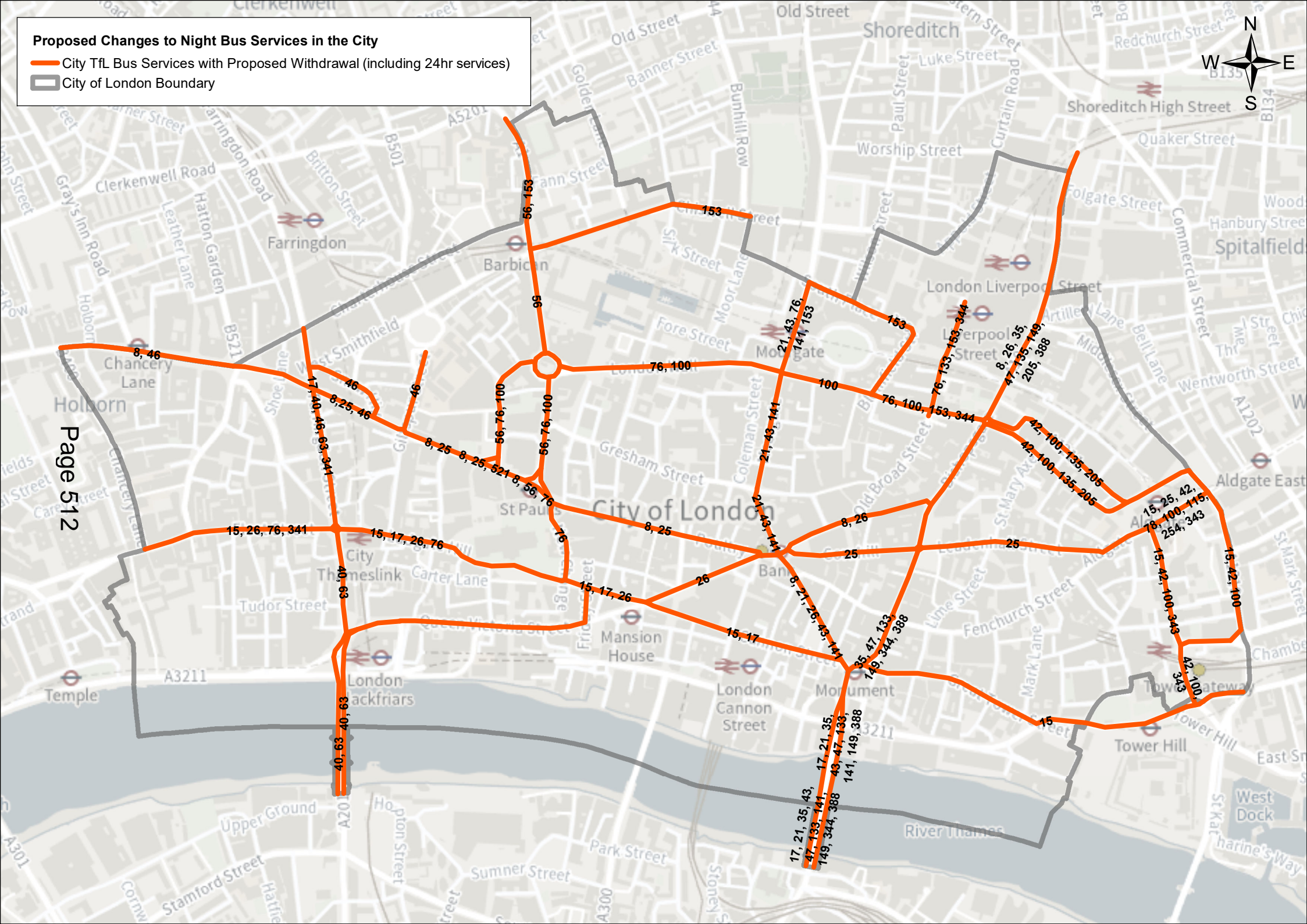
-  N26, Existing route (change outside the City)
-  N133, Proposed route
-  N133, Sections of routes no longer served
-  N135, Proposed new service
-  N205, Proposed route (change outside the City)
-  N205, Sections of route no longer served (change outside the City)
-  City of London Boundary





**Proposed Changes to Night Bus Services in the City**


-  City TfL Bus Services with Proposed Withdrawal (including 24hr services)
-  City of London Boundary





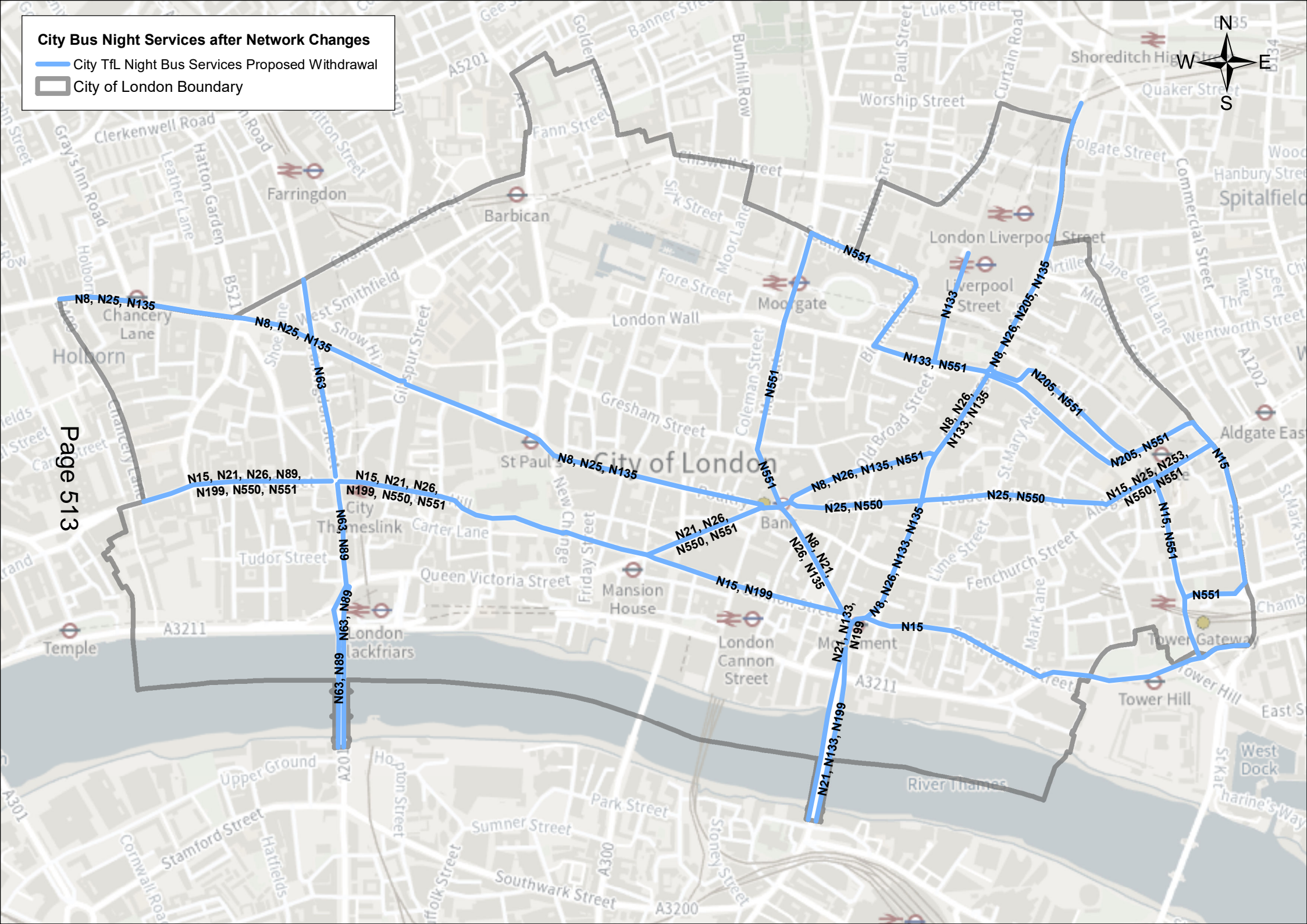
**City Bus Night Services after Network Changes**

 City TfL Night Bus Services Proposed Withdrawal

 City of London Boundary



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**Appendix 2 Tables – TfL Bus network review changes to buses running through the city.**

This appendix covers all routes running through the City that are affected by the TfL network review. Some of the changes are within City boundary and some are at other locations on the route, the table states where the impact occurs. TfL comments column states the reasons for change.

<b>Table 1 Proposed Withdrawal to Bus Services</b>				
<b>Route</b>	<b>Current Route</b>	<b>TfL Proposed Route</b>	<b>City route impact</b>	<b>TfL Comments</b>
4	Between Archway and Blackfriars Station	To maintain key connections, we propose to make changes to bus routes 56, 236 and 476	The route is proposed to be removed through the City.	Buses in this area have excess space on board and these proposals would help reduce this while still ensuring customers can get to the destinations they need This would also simplify the network and ensure our bus services run as efficiently as possible
11	Between Fulham and Liverpool Street	To maintain key connections, if route 11 no longer ran, we propose to make changes to bus routes 26, 211 and 507	The route is proposed to be removed through the City.	Buses in this area have excess space on board These proposals would help reduce excess while ensuring customers would still get to the destinations they need to This would also simplify the network and ensure our bus services run as efficiently as possible
N11	Between Ealing Broadway and Liverpool Street	Route N11 would no longer run. To maintain key journey connections, we propose to: • extend route N26 from Trafalgar Square to Victoria • Introduce a new night service N507 between Ealing	The route is proposed to be removed through the City.	Fewer people are using night buses in this area Withdrawing route N11 would allow us to reinvest resources where they are needed more

		Broadway and Trafalgar Square		
78	Between Shoreditch High Street Station and St Mary's Road	Route 78 would no longer run. To maintain key connections, we propose to: • Extend route 388 from London Bridge to Peckham Bus station	The route is proposed to be removed through the City.	Withdrawing route 78 and extending route 388 from London Bridge to Peckham Bus station would help to better match bus capacity with customer demand between Shoreditch and Tower Bridge Road, in the 42 and 78 bus route areas It would also rationalise and simplify the network by reducing the number of parallel routes, while retaining key journey links between Peckham and Shoreditch.
242	Between Homerton Hospital and Aldgate Station	Route 242 would no longer run. To maintain key connections, we propose to: • Extend route 135 between Aldgate East Station and Homerton Hospital	The route is proposed to be removed through the City.	Customer travel patterns are changing and buses between Aldgate East and Old Street are underused Making changes to route 135 enables the withdrawal of route 242, and creates new journey links without the need to change bus between Homerton Hospital and the Isle of Dogs
N242	Between Homerton Hospital and Tottenham Court Road	Route N242 would no longer run. Route N135 would be a direct replacement, following the same line of route as the N242	The route is proposed to be removed through the City.	Renumbering route N242 to N135 would help simplify the night service network, making it easier for customers to understand

521	Between Waterloo Station and London Bridge Station	Route 521 would no longer run	The route is proposed to be removed through the City.	There is less demand for buses between Waterloo, Holborn, and Euston. There is also less demand for buses between London Bridge, Liverpool Street / St Pauls.
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<b>Table 2 Proposed Changes to Bus Services - All services running through the city, which are changing, and note on whether the City part of the route is altered.</b>				
<b>Route</b>	<b>Current Route</b>	<b>Proposed Route</b>	<b>City route impact</b>	<b>TfL Comments</b>
15	Between Trafalgar Square and Blackwall	Between Trafalgar Square and Blackwall	The route is affected through the City with no service on Mansell Street which is a minor change	We want to re-route the 15 in this way to make it easier for customers to change to other bus routes, such as the 115 at Aldgate bus station
26	Between Waterloo and Hackney Wick	Between Victoria and Hackney Wick	The route is not affected through the City, but will no longer run from Waterloo. The 59 will run through Waterloo to St. Paul's.	There are more bus services running in the Aldwych/Waterloo area than are needed by customers. By withdrawing route 11 and restructuring other routes, we would more closely match capacity with demand and would be able to use our bus service resources in the places they are needed more
43	Between London Bridge and Friern Barnet	Between Liverpool Street and Friern Barnet	The route is affected through the City with no service from London Bridge to Moorgate	Bringing route 43 back to Moorgate from London Bridge and extending it to Liverpool Street Station would enable us to better match bus capacity with customer demand between London Bridge and Moorgate
47	Between Shoreditch High Street and Bellingham	Between London Bridge and Bellingham	The route is affected through the City with no service from Shoreditch High Street to London Bridge	Buses running between London Bridge and Shoreditch have excess space on board. These proposals would help reduce excess while ensuring customers would still get to the destinations they need to. A proposed extension of route 388 would help provide same stop interchange on Tooley Street for trips to Shoreditch

56	Between St Bartholomew's Hospital and Whipps Cross	Between Blackfriars and Whipps Cross	The route is affected through the City with no service to Giltspur Street but would service St Bart's from King Edward Street.	Buses in the area between St Pauls and St Bartholomew's run with excess space on board These proposals would help reduce excess while ensuring customers would still get to the destinations they need to This would also simplify the network and ensure our bus services run as efficiently as possible
59	Between Euston and Clapham Park	Between St Paul's and Clapham Park	This route is proposed to service the City from Clapham Parking servicing through Waterloo	Re-routeing the 59 to terminate at Clapham Park would provide new direct links between Clapham Park and Kennington, Waterloo, and Holborn. Passengers travelling between these locations would experience quicker journey times and would no longer need to change between bus routes in future
100	Between St Paul's/King Edward Street and Shadwell	Between St Paul's/King Edward Street and Bethnal Green	The proposed route changes do not impact the City	This proposal intends to keep journey links between Wapping and Bethnal Green provided by route D3, if route were to be rerouted
133	Between Liverpool Street and Streatham	Between St Bartholomew's Hospital and Streatham	The route is affected through the City from Liverpool Street to London Bridge, the route is proposed to service London Bridge to Giltspur Street (St. Barts)	There is less demand for buses between London Bridge and Liverpool Street Rerouting the 133 at Monument removes excess capacity while keeping direct journey opportunities between London Bridge and Cheapside – St Bartholomew's. The reroute would also restores the link between areas south of Borough and Bank
135	Between Crossharbour Asda and Moorfields Eye Hospital	Between Crossharbour Asda and Homerton Hospital	The route does affect the City, the service is proposed to be routed to Homerton Hospital. The service will no longer run along Bishopsgate.	Customer travel patterns are changing and buses between Aldgate East and Old Street are underused Rerouting the 135 makes better use of our resources as this would create new journey links without the need to change bus between Homerton and the Isle of Dogs. Changes to route 135 would also mitigate against the removal of route 242 if it were to no longer run

205	Between Paddington and Mile End	Between Parliament Hill Fields and Mile End	The route is not affected through the City	Re-routeing the 205 would help to better match capacity to demand It would also rationalise and simplify the network on the Euston Road corridor while retaining key journey links It would replace links currently provided by route 214 between Parliament Hill Fields and Old Street if this route were to change It would also create new journey links between the Mile End/Whitechapel/Liverpool Street areas and the Camden Town/Kentish Town/Highgate Road areas
214	Between Highgate Village and Finsbury Square	Between Highgate Village and Pimlico	The route is not affected through the City	Re-routeing the 214 would replace links currently provided by route 24 between Camden Town and Trafalgar Square to Pimlico if it were to no longer run It would also replace links currently provided by route 88 between Parliament Hill Fields and Parliament Square, if this were re-routed New links would be provided between the Kentish Town/Great Portland Street/Oxford Street/Piccadilly Circus areas and the Victoria Street/Pimlico areas
343	Between Aldgate and New Cross Gate	Between Tower Gateway Station, Minories and New Cross Gate	Minor alterations to the route it will now service from Tower Gateway Station instead of Aldgate	Plans to cut route 343 back to Tower Gateway from Aldgate better match capacity to demand
388	Between London Bridge and Stratford City	Between Peckham Bus Station and Stratford City	The route is not affected through the City	Plans to extend route 388 to Peckham would help to mitigate the proposed withdrawal of route 78 As such, the number of times customers would need to change between buses in the future would be limited Extending route 388 from London Bridge to Tower Bridge Road, City Hall would retain a same stop interchange between Tooley Street and Shoreditch for journey links lost on route 47 if it were to no longer run to Shoreditch



<b>Table 3 Proposed Changes to Night Bus Services</b> All services running through the city, which are changing, and note on whether the City part of the route is altered.				
<b>Route</b>	<b>Current Route</b>	<b>Proposed Route</b>	<b>City route impact</b>	<b>TfL Comments</b>
N15	Between Oxford Circus and Romford	Between Oxford Circus and Romford	The route is not affected through the City. No change to the service, the service will be part of passenger transfers onto the N15 and N26 from the N507 as the N11 is proposed to be removed.	We propose to re-route the N15 (as well as the day service on route 15) in this way to make interchanging with other services at Aldgate bus station simpler This is a minor proposal designed to assist customers when changing bus
N26	Between Charing Cross and Chingford	Between Victoria and Chingford	The route is not affected through the City. Proposed route extension west from Charing Cross to Victoria.	This proposal would provide new journey opportunities and enable us to use our resources more efficiently
N133	Between Liverpool Street and Morden	Between St Bartholomew's Hospital and Morden	The route does change through the City. Mirrors the day service	This would simplify the night bus network by ensuring that the night bus route mirrors it's day route equivalent in central London
N135	N242 (New Oxford Street towards Homerton Hospital)	Between New Oxford Street and Homerton Hospital	The route is not affected through the City. Replaces and renamed the N242 night service	It is proposed to withdraw the day service on route 242 and partially replace it with route 135. Renumbering the night service would keep the network as easy as possible for customers to understand
N205	Between Paddington and Stratford	Between Parliament Hill and Stratford	The route is not affected through the City. Destination change	This proposal is intended to simplify the night bus network and better match bus capacity with customer demand

<b>Committees:</b> Planning & Transportation [ <i>for decision</i> ] Operational Property and Projects Sub [ <i>for decision</i> ]	<b>Dates:</b> 19 July 2022 20 July 2022
<b>Subject:</b> London Wall Car Park Joints and Waterproofing  <b>Unique Project Identifier:</b> 12002	<b>Gateway 3/4:</b> <b>Options Appraisal (Regular)</b>
<b>Report of:</b> Executive Director, Environment  <b>Report Author:</b> Mark Bailey	<b>For Decision</b>
<h1 style="margin: 0;">PUBLIC</h1>	

<b>1. Status update</b>	<p><b>Project Description:</b></p> <p>To carry out essential waterproofing and repair works to the highway structure, in order to maintain structural integrity, utility and asset value. These comprise:-</p> <ol style="list-style-type: none"> <li>1) Re-waterproofing the remaining areas of structure that were beyond the scope of the London Wall Place development highway improvement works (s278) in 2017.</li> <li>2) Replacing structural expansion joints to the structure.</li> <li>3) Concrete repairs to internal surfaces where existing concrete has spalled and exposed corroding reinforcement.</li> </ol> <p><b>RAG Status:</b> Green (Green at last report to Committee)</p> <p><b>Risk Status:</b> Low (Low at last report to committee)</p> <p><b>Total Estimated Cost of Project (excluding risk):</b>                  £ 1,784,000 (including risk £1,984,000)</p> <p><b>Change in Total Estimated Cost of Project (excluding risk):</b>                  Decrease of £ 216,000 on the £2 Million last reported to Committee, although now incorporating a proposed Costed Risk Provision of £200,000 at Gateway 5. Hence, overall total cost (including for risk) is broadly unchanged.</p> <p><b>Spend to Date:</b> £12,000 (staff costs and fees)</p> <p><b>Costed Risk Provision Utilised:</b> n/a</p>
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	<p><b>Slippage:</b> The original expectation was that the project would be completed in 2019, although the project funding was subsequently placed on hold as part of the Corporate Fundamental Review. Following subsequent approval of funding from this review, the project was deferred whilst Section 278 highway improvement works were completed to London Wall Place. Following the completion of these works, the progression of a G3/4 report was further delayed whilst investigations into failures of the newly replaced expansion joints were carried out (see section 4 of report). These investigations are now complete and the revised project programme is based on completion by the end of 2023.</p> <p><b>Funding:</b> Central funding from the On-Street Parking Reserve was agreed in principle via the 2020/21 capital bids. Release of this funding will be subject to the further approval of the Resource Allocation Sub-Committee.</p>
<p><b>2. Next steps and requested decisions</b></p>	<p><b>Next Gateway:</b> Gateway 5: Authority to Start Work</p> <p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>• Completion of detailed design by term consultant (Arcadis)</li> <li>• Further investigations for expansion joints and concrete repairs</li> <li>• Procurement of works, either under new highways term contract or by competitive tender.</li> <li>• Coordination with highway authority and TFL to obtain road closures and bus diversions.</li> </ul> <p><b>Requested Decisions:</b></p> <ol style="list-style-type: none"> <li>1. That additional budget of <b>£ 129,000</b> is approved for staff costs, fees and investigations, as Table 1 below, in order to reach the next Gateway;</li> <li>2. Note the revised project budget of <b>£ 141,000</b> (excluding risk) up to Gateway 5, including for costs expended prior to Gateway 3/4;</li> <li>3. Note the total estimated cost of the project at <b>£1,784,000</b> (excluding risk);</li> <li>4. That delegated authority is given to Chief Officer to appoint the successful contractor at Gateway 5 and to instruct the Comptroller and City Solicitor to enter into contract, subject to tendered works costs remaining within the £1,600,000 estimate provided by this report (or to instruct under the new highways term contract subject to satisfactory agreement of costs and the same proviso).</li> <li>5. That a Costed Risk Provision of £25,000 is approved at this stage to cover unforeseen conditions during further</li> </ol>

	<p>investigations, to be drawn down via delegation to the Assistant Director Engineering.</p> <p>6. That a total Costed Risk Provision of £200,000 is approved for use following Gateway 5, subject to tender costs remaining within budget, for expenditure against identified sums from the project risk registers against specified risks at the construction stage and to be drawn down to the Assistant Director Engineering.</p> <p>7. That Option 3 is approved (implementation of waterproofing, expansion joint replacement and internal structural concrete repairs)</p>																				
<p><b>3. Resource requirements to reach next Gateway</b></p>	<p><u>Table 1: Further funding required to reach Gateway 5, for recommended option 3</u> (i.e. additional to funding approved at Gateway 1/2)</p> <table border="1" data-bbox="528 786 1390 1648"> <thead> <tr> <th>Item</th> <th>Reason</th> <th>Funds/ Source of Funding</th> <th>Cost (£)</th> </tr> </thead> <tbody> <tr> <td>Staff costs</td> <td>Project Management</td> <td rowspan="5">City Fund On-Street Parking Reserve</td> <td>14,000</td> </tr> <tr> <td>Consultant fees</td> <td>Detailed design and contract preparation</td> <td>30,000</td> </tr> <tr> <td>Investigations</td> <td>Expansion joints and concrete repairs</td> <td>75,000</td> </tr> <tr> <td>Statutory approvals / consultation</td> <td>Approvals required for road and working space</td> <td>10,000</td> </tr> <tr> <td><b>Total</b></td> <td></td> <td><b>129,000</b></td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>All cost estimates are based on recent similar projects and Gateway 6 Outcome Reports.</li> <li>Please refer to Appendix 4 for breakdown of Total Estimated Project Costs</li> </ul> <p><b>Costed Risk Provision requested for this Gateway:</b> £25,000 is required at G3/4, related to unforeseen risks during further investigations. We currently envisage a further £175,000 to be required at G5, related to construction stage risks, making</p>	Item	Reason	Funds/ Source of Funding	Cost (£)	Staff costs	Project Management	City Fund On-Street Parking Reserve	14,000	Consultant fees	Detailed design and contract preparation	30,000	Investigations	Expansion joints and concrete repairs	75,000	Statutory approvals / consultation	Approvals required for road and working space	10,000	<b>Total</b>		<b>129,000</b>
Item	Reason	Funds/ Source of Funding	Cost (£)																		
Staff costs	Project Management	City Fund On-Street Parking Reserve	14,000																		
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Statutory approvals / consultation	Approvals required for road and working space		10,000																		
<b>Total</b>			<b>129,000</b>																		

	<p>£200,00 in total (as section 2 <i>Requested Decisions</i>). However, this will be reviewed at G5 when investigations, design and tender costs are confirmed. All CRP is to be sourced from the same fund as shown in Table 1 above.</p>
<p><b>4. Overview of project options</b></p>	<p>Three options were introduced at Gateway 1/2 in 2018, namely:-</p> <ol style="list-style-type: none"> <li>1) “Do nothing” option, other than monitoring the condition and deterioration of the structure in the two-yearly highway structures inspection programme, carrying out reactive maintenance when necessary.</li> <li>2) Design and implement re-waterproofing and expansion joint replacement works (but limited to those areas which were not already subject to s278 replacement works in 2017). This would be achieved by full exposure to the deck level in these areas but would exclude any internal structural concrete repairs.</li> <li>3) As option 2) but including all internal structural concrete repairs within the car park.</li> </ol> <p>Subsequent to Gateway 1/2, a significant number of defects and failures have been observed to the expansion joints that were replaced in 2017. Further investigations have determined that sections of rubber “water bars” which formed part of the original 1950’s construction were not subsequently removed when strengthening works to the structure (near the joints) were carried out in the late 1980’s.</p> <p>A combination of percussive works to remove the old joints in 2017 and the presence of the water bars remnants immediately underneath have weakened the structural concrete nosings immediately below the joints. This has led to premature failure of the expansion joints, as they are not securely bonded to a sound substrate.</p> <p>To prevent this from re-occurring, it is now considered necessary to replace all the expansion joints– including those replaced as recently as 2017 – but including additional concrete removal and repair works to remove the old water bar remnants and thus give a sound substrate for the new joints.</p> <p>Inspections and investigations carried out by the term consultant following the last report to committee have confirmed the scope of internal concrete repairs. In combination with a favourable review of project fees and waterproofing estimates based on similar recent projects, the Total Estimated Cost of the Project is now reduced from the £2M estimate at Gateway 1/2 (excluding Costed Risk Provision) at £1,784,000</p> <p>The revised options considered at Gateway 3/4 are therefore presented as:-</p>

	<p>1) “Do nothing” option, other than monitoring the condition and deterioration of the structure in the two-yearly highway structures inspection programme, carrying out reactive maintenance when necessary.</p> <p>2) Design and implement re-waterproofing works to part of the structure (i.e. those areas which were not already subject to s278 replacement works in 2017), in addition to replacement of all expansion joints for the entire extent of the structure (including the defective ones replaced in 2017). This would be achieved by full exposure to the deck level in these areas but would exclude any internal structural concrete repairs.</p> <p>3) As option 2) but including all internal structural concrete repairs within the car park.</p> <p>“Do nothing” (Option 1) is considered to be the least favoured option, as it would not arrest ongoing deterioration of the structure and water ingress of the car park, nor would it best protect against potential 3<sup>rd</sup> party claims thereof with respect to parked vehicles. It is understood that insurance of the car park is no longer available to cover damage/risks from water leakage. At some point, intervention in all areas will be required and it is likely to be far more expensive to tackle this in a reactive and piecemeal fashion, especially if the condition of the car park is allowed to deteriorate in the interim.</p> <p>Option 2 satisfactorily deals with the immediate problem of water ingress and waterproofing to the car park through the roof deck but fails to tackle internal structural defects in the car park which have already manifested themselves due to past water ingress. These defects will continue to deteriorate following works (albeit it at a slower rate), due to carbonation and chloride contamination of the concrete, especially where spalling and exposed reinforcement are already apparent. Option 2 also fails to tackle water ingress through the perimeter walls where cracking and “honeycombed” concrete have allowed this to occur.</p>
<p><b>5. Recommended option</b></p>	<p>It is recommended that Option 3 is implemented, with waterproofing/jointing works running concurrently with concrete repair works to the interior, in order to make best use of contractor resources and increase cost-efficiency of the works required.</p>
<p><b>6. Risk</b></p>	<p>A Costed Risk Provision (CRP) of £25,000 is requested at this stage, to cover “unforeseen conditions” during further investigations to buried/hidden structure, to be drawn down via delegated authority to the Assistant Director Engineering</p> <p>A total CRP of £200,000 is requested beyond Gateway 5 related to construction stage risks, to be drawn down via delegated authority to the Assistant Director Engineering (subject to tendered works costs remaining within budget at G5).</p>

	<p>These also relate primarily to unforeseen conditions during construction, due to the buried or otherwise hidden nature of the structure and potential defects. Whilst investigations are proposed prior to Gateway 5 to mitigate these risks, these can only be limited in their scope for reasons of economy, compared with the very large extent of the structure on London Wall.</p> <p>Further information available in the Risk Register (Appendix 2) and Options Appraisal.</p>
<b>7. Procurement approach</b>	<p>The detailed design of the works is to be carried out by consultant Arcadis under their current term contract for Management &amp; Inspection of Highway Structures, using tendered rates for professional services.</p> <p>It is proposed that flexibility is retained to procure the works from either of the two options:-</p> <ul style="list-style-type: none"> <li>a) Using the new term contract for highway works, which comes into force in 2022/23, based on agreed rates and/or agreed costs derived by open book tendering of subcontractor packages, or</li> <li>b) By competitive tender (by open invite) via the Capital e-sourcing portal based on quality and cost submissions.</li> </ul> <p>Please also additionally refer to the appended Procurement Form PT4 in Appendix 3</p>

### Appendices

<b>Appendix 1</b>	Project Coversheet
<b>Appendix 2</b>	Risk Register (for recommended option)
<b>Appendix 3</b>	PT4 Procurement Form
<b>Appendix 4</b>	Financial Summary (for recommended option)

### Contact

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<b>Telephone Number</b>	020 7332 1972

## Options Appraisal Matrix

<i>Option Summary</i>	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>
<b>1. Brief description of option</b>	“Do nothing” option, other than monitoring the condition and deterioration of the structure in the two-yearly highway structures inspection programme, carrying out reactive maintenance when necessary.	Design and implement re-waterproofing works (those areas which were not already subject to s278 replacement works in 2017)  Replacement of all expansion joints for the entire extent of the structure (including the defective ones replaced in 2017)  This would be achieved by full exposure to the deck level in these areas, but would exclude any internal structural concrete repairs.	As option 2) but including all internal structural concrete repairs.
<b>2. Scope and exclusions</b>	As described i.e. biennial monitoring and reactive maintenance only.	<ul style="list-style-type: none"> <li>• As described.</li> <li>• Includes the defective expansion joints that were replaced in 2017</li> <li>• Excludes concrete repairs to interior</li> </ul>	<ul style="list-style-type: none"> <li>• As described.</li> <li>• Includes the defective expansion joints that were replaced in 2017</li> <li>• Includes concrete repairs to interior</li> </ul>
<b><i>Project Planning</i></b>			
<b>3. Programme and key dates</b>	Ongoing biennial programme of planned inspections, followed by reactive	Expected duration of works 12 to 16 weeks with an expected	As for option 2, as concrete repair works to interior of car park do not conflict with exterior waterproofing



<b>Option Summary</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>
	maintenance works when necessary	completion date in late-summer 2023	works and utilise different trades. Therefore, expected to run concurrently.
<b>4. Risk implications</b>	<p>Overall project option risk: Medium</p> <ul style="list-style-type: none"> <li>• Risk of structural depreciation in between reactive maintenance cycles, leading to increased long terms maintenance costs</li> <li>• Increased risk of 3<sup>rd</sup> party claims from damage to parked vehicles from spalling concrete or water ingress with calcareous deposits. It is understood that insurance of the car park is no longer available to cover damage/risks from water leakage</li> <li>• Damage to Roman remains (London Wall)</li> <li>• Associated reputational risks to City</li> </ul>	<p>Overall project option risk: Low</p> <ul style="list-style-type: none"> <li>• Whilst dealing with the primary water ingress issues, this option does not mitigate against ongoing structural deterioration to existing interior defects, especially where reinforcement is exposed and corroding</li> </ul>	<p>Overall project option risk: Low</p> <ul style="list-style-type: none"> <li>• This option, whilst the most expensive, mitigates risks of further structural depreciation, insurance losses and asset value/utility in the most appropriate and cost-efficient manner.</li> </ul> <p>Further information available within the Risk Register (Appendix 2).</p>

<i>Option Summary</i>	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>
<b>5. Stakeholders and consultees</b>	<ul style="list-style-type: none"> <li>As options 2 and 3, but on a reactive basis rather than planned works under a capital project</li> </ul>	<ul style="list-style-type: none"> <li>City Surveyors Department</li> <li>Parking Operator</li> <li>Highway Authority</li> <li>Transport for London (inc. buses)</li> <li>Adjacent businesses, especially those affronting London Wall</li> </ul>	
<b>6. Benefits of option</b>	<ul style="list-style-type: none"> <li>Zero initial cost</li> </ul>	<ul style="list-style-type: none"> <li>Tackles all issues arising from external waterproofing and joint defects</li> <li>Minimal disruption to car park interior</li> </ul>	<ul style="list-style-type: none"> <li>Tackles all issues arising from both external and internal defects</li> <li>Maximum cost efficiency by using shared project resources (overheads, closures etc) for interior and exterior works concurrently</li> </ul>
<b>7. Disbenefits of option</b>	<ul style="list-style-type: none"> <li>Tackles the important issues in only a reactive manner</li> <li>Leading to increase long-term costs</li> </ul>	<ul style="list-style-type: none"> <li>Doesn't tackle further deterioration of internal defects (or risks associated)</li> <li>Doesn't make best use of large project resources to combine works and increase cost-efficiency</li> </ul>	<ul style="list-style-type: none"> <li>Maximum project cost</li> <li>Increased temporary disruption to car park operation during interior concrete repair works, with potential loss of short term revenue</li> </ul>
<b>Resource Implications</b>			
<b>8. Total estimated cost</b>	Total estimated cost (excluding risk): <i>No capital project funding costs</i>	Total estimated cost (excluding risk): <b>£1.684 Million</b>	Total estimated cost (excluding risk): <b>£ 1.784 Million</b>

<b>Option Summary</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>
	Total estimated cost: (including risk): <i>No capital project funding costs.</i>	Total estimated cost: (including risk): <b>£1.884 Million</b>	Total estimated cost: (including risk): <b>£1.984 Million</b>
<b>9. Funding strategy</b>	Biennial inspections and reactive maintenance are funded from City Fund Local Risk	City Fund On-Street Parking Reserve Central funding from the On-Street Parking Reserve was agreed in principle via the 2020/21 capital bids. Release of this funding will be subject to the further approval of the Resource Allocation Sub-Committee.	
<b>10. Investment appraisal</b>	Not applicable		
<b>11. Estimated capital value/return</b>	Not applicable		
<b>12. Ongoing revenue implications</b>	Increased revenue costs are associated with this option, due to addressing defects in a reactive and ad-hoc manner, whilst not addressing the causes of structural degradation in a planned manner. Additionally, increased risk of 3rd party claims from damage to parked vehicles from spalling concrete or water ingress with calcareous deposits. It is understood that insurance of the car park is no	This option reduces revenue costs associated with reactive maintenance to waterproofing and expansion joints but not those associated from internal structural degradation from carbonation and chloride contamination to reinforced concrete	This option reduces revenue costs associated with reactive maintenance to both exterior and interior.  Temporary short term revenue implications (unquantified) are expected during concrete repair works, to be mitigated by works phasing in liaison with stakeholders.

<b>Option Summary</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>
	longer available to cover damage/risks from water leakage		
<b>13. Affordability</b>	Not applicable to capital project (no capital funding required)	Adequate Central funding from the On-Street Parking Reserve was agreed in principle via the 2020/21 capital bids. Release of this funding will be subject to the further approval of the Resource Allocation Sub-Committee.	
<b>14. Legal implications</b>	Limited mitigation of potential 3 <sup>rd</sup> party claims arising from internal concrete defects	Limited mitigation of potential 3 <sup>rd</sup> party claims arising from internal concrete defects	Most effective option in mitigating 3 <sup>rd</sup> party claims due to internal concrete defects
<b>15. Corporate property implications</b>	None (no comments received)	None (no comments received)	None (no comments received)
<b>16. Traffic implications</b>	None	<ul style="list-style-type: none"> <li>• Temporary road closures and diversions (including buses) will be required to facilitate waterproofing and expansion joint works on London Wall</li> <li>• Maintaining access to the car park during these closures will also need to be agreed/phased.</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary road closures and diversions (including buses) will be required to facilitate waterproofing and expansion joint works on London Wall</li> <li>• Maintaining partial access to the car park during these closures and during concrete repair works to the car park interior will also need to be agreed/phased.</li> </ul>
<b>17. Sustainability and energy implications</b>	None		

<i>Option Summary</i>	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>
<b>18. IS implications</b>	None		
<b>19. Equality Impact Assessment</b>	Not Applicable		
<b>20. Data Protection Impact Assessment</b>	Not Applicable		
<b>21. Recommendation</b>	Not recommended	Not recommended	Recommended

# Project Coversheet

## [1] Ownership & Status

**UPI:** 12002

**Core Project Name:** London Wall Car Park Joints and Waterproofing

**Programme Affiliation** (if applicable): n/a

**Project Manager:** Mark Bailey

### **Definition of need:**

To carry out essential waterproofing and repair works to the highway structure, in order to maintain structural integrity, utility and asset value. These comprise:-

- 1) Re-waterproofing the remaining areas of structure that were not completed by adjacent London Wall Place development s278 highway improvement works in 2017.
- 2) Replacing structural expansion joints to the structure.
- 3) Concrete repairs to internal surfaces where existing concrete has spalled and exposed corroding reinforcement, as identified from the two-year inspection regime.

### **Key measures of success:**

1. To substantially reduce water ingress into the car park structure and resulting concrete degradation
2. To complete the works within a defined programme with minimum possible disruption to traffic, local residents and businesses, consistent with the nature and extent of the works.

**Expected timeframe for the project delivery:** The original expectation was that the project would be completed in 2019. However, the project was subsequently placed on hold as part of the Corporate Fundamental Review. Completion by the end of 2023 is now anticipated.

### **Key Milestones:**

- Complete detailed design and procurement
- Gateway 5 approval
- Completion of works

**Are we on track for completing the project against the expected timeframe for project delivery?** Not as originally proposed, for the reasons stated above.

**Has this project generated public or media impact and response which the City of London has needed to manage or is managing?** No

## [2] Finance and Costed Risk

### **Headline Financial, Scope and Design Changes**

#### **'Project Proposal' G1 & G2 report (as approved by Corporate Projects Board 23/03/2018 and Projects Sub Committee 16/05/2018):**

- Total Estimated Cost (excluding risk): £2 Million
- Resources to reach next Gateway (excluding risk): £12,000
- Costed Risk Against the Project: Not identified at G1/2
- CRP Requested: n/a
- CRP Drawn Down: n/a
- Estimated Programme Dates: Completion in 2019, subject to funding

*Scope/Design Change and Impact:*

**Total anticipated on-going commitment post-delivery [£]:** The highway structure will continue to be inspected biennially, as part of the highway structures inspection term contract (funded from Local Risk) with ongoing cyclical maintenance works identified within the 20-year asset plans from the Cyclical Works Programme.

**Programme Affiliation [£]:** n/a

**City of London: Projects Procedure Corporate Risks Register**

Project Name: London Wall Car Park Joints and Waterproofing

Unique project identifier: 12002

Total budget estimate: £1784000

PM's Overall risk rating	Low
Avg unmitigated risk score	5.0
Avg mitigated risk score	3.0
Red risks (open)	0
Amber risks (open)	5
Green risks (open)	4

*Corporate Risk Matrix score table*

	Minor impact	Serious impact	Major impact	Extreme impact
Likely	4	8	16	32
Possible	3	6	12	24
Unlikely	2	4	8	16
Rare	1	2	4	8

Costed risks identified (All)	£750,000.00	42%	<i>% risk total against budget estimate</i>
Costed risk carried (Live)	£750,000.00	42%	
Costed mitigated risk carried (Live)	£200,000.00	11%	
Costed Risk Provision requested	£25,000.00	1%	

*Value of the costed risk provision requested*

- (1) Service Delivery/ Performance
- (2) Financial
- (3) Reputation
- (4) Legal/ Statutory
- (5) Safety/ Health
- (6) Objectives

Number of Open Risks	Avg Score	Costed impact	Red	Amber	Green
0	0.0	£0.00	0	0	0
5	6.4	£750,000.00	0	5	0
1	4.0	£0.00	0	0	1
3	3.0	£0.00	0	0	3
0	0.0	£0.00	0	0	0
0	0.0	£0.00	0	0	0

Issues (open)	0
All Issues	0

	Extreme	Major	Serious	Minor
Open Issues	0	0	0	0
All Issues	0	0	0	0

Cost to resolve all issues (on completion) £0.00



City of London: Projects Procedure Corporate Risks Register

Project Name: **London Wall Car Park Joints and Waterproofing**  
 Unique project identifier: **12002**

PM's Overall risk rating: **Low**  
 Lifetime total budget estimate: **£ 1,784,000**

Costed risk provision requested: **£ 25,000**

Average unmitigated risk: **5.0**  
 Average mitigated risk score: **3.0**

Open Risks: **9**  
 Closed Risks: **0**

General risk classification										Mitigation actions						Ownership & Action				Comment(s)
Risk ID	Category	Description of the Risk	Risk Impact Description	Likelihood Classification	Impact Classification	Risk score	Costed impact (£)	Costed Risk Provision requested Y/N	Confidence in the estimation	Mitigating actions	Mitigation cost (£)	Likelihood Classification after mitigation	Impact Classification after mitigation	Costed impact after mitigation (£)	Mitigated Risk score	Date raised	Named Departmental Risk Manager/ Coordinator	Risk owner (Named Officer or External Party)	Date Closed OR/ Realised & moved to Issues	
R1	(2) Financial	Failure to secure funding	Delay or cancellation	Possible	Serious	6	£0.00	N	B – Fairly Confident	Funds identified from City Fund On-Street Parking Reserve during Fundamental Review	£0.00	Unlikely	Serious	£0.00	4	26/04/22	DBE	M. Bailey		
R2	(4) Legal/ Statutory	Failure to secure timely access for works	Delay to project start	Possible	Minor	3	£0.00	N	B – Fairly Confident	Advance coordination with statutory authorities	£0.00	Unlikely	Minor	£0.00	2	26/04/22	DBE	M. Bailey		
R3	(2) Financial	Tenders for works above budget	Increased project costs	Possible	Serious	6	£200,000.00	N	B – Fairly Confident	Estimates based on recent similar projects, where possible	£0.00	Unlikely	Serious	£0.00	4	26/04/22	DBE	M. Bailey	Concrete repair elements constitute biggest risk elements	
R4	(4) Legal/ Statutory	Highway /TFL approval risks	Delay to project start	Possible	Minor	3	£0.00	N	B – Fairly Confident	Advance coordination with statutory authorities	£0.00	Unlikely	Minor	£0.00	2	26/04/22	DBE	M. Bailey		
R5	(2) Financial	Adverse weather during construction	Delays and additional costs	Possible	Serious	6	£50,000.00	N	B – Fairly Confident	Careful programming of works and selection of materials	£0.00	Possible	Minor	£0.00	3	26/04/22	DBE	M. Bailey	Costs included with Adverse Conditions risks	
R6	(2) Financial	Adverse unforeseen conditions during construction & pre-construction investigations	Delays and additional costs	Possible	Serious	6	£400,000.00	Y	B – Fairly Confident	Tril investigations to mitigate risks to some degree	£75,000.00	Possible	Minor	£200,000.00	3	26/04/22	DBE	M. Bailey	£25,000 of R6 is requested at G3/4 and we currently envisage a further £175,000 at G5, making £200,00 in total. This will be reviewed at G5 when investigations, design and tender costs are confirmed. Concrete repair elements constitute biggest risk elements	
R7	(4) Legal/ Statutory	Conflict with other works on network	Delays to project start	Possible	Minor	3	£0.00	N	A – Very Confident	Advance coordination	£0.00	Unlikely	Minor	£0.00	2	26/04/22	DBE	M. Bailey		
R8	Reputation	Public dissatisfaction with works, including car park users	Bad PR and reputation	Likely	Minor	4	£0.00	N	A – Very Confident	Design of phased working to minimise disruption	£0.00	Possible	Minor	£0.00	3	26/04/22	DBE	M. Bailey		
R9	(2) Financial	Conflict with utilities during construction	Delays and additional costs	Likely	Serious	8	£100,000.00	N	C – Uncomfortable	Past investigations indicate very few due to shallow nature of structures	£0.00	Unlikely	Serious	£0.00	4	26/04/22	DBE	M. Bailey		
R10																				
R11							£0.00				£0.00			£0.00						
R12							£0.00				£0.00			£0.00						
R13							£0.00				£0.00			£0.00						
R14							£0.00				£0.00			£0.00						
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## PT4 - Committee Procurement Report

This document is to be used to identify the Procurement Strategy and Purchasing Routes associated with a project and only considers the option recommended on the associated Gateway report.



### Introduction

<b>City Procurement Project Reference:</b>	21/003/PS						
<b>Project / Contract Title:</b>	London Wall Car Park Joints and Waterproofing						
<b>Project Lead &amp; Contract Manager:</b>	Mark Bailey	<b>Lead Department:</b>	Environment				
<b>Category Manager:</b>	Jemma Borland	<b>Other Contact:</b>					
<b>Total Contract Value (excluding VAT and inc. extension options):</b>	£1.6 Million	<b>Contract Duration (inc. extension options):</b>	12 weeks (estimated)				
<b>Budget approved Capital/Revenue:</b>	Yes/No Capital/Revenue	<b>Capital Project reference (if applicable):</b>	16800398				
<b>Gateway Approval Process</b>							
- 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?							
<table border="0"> <tr> <td>Last G1&amp;2</td> <td>March 2018</td> </tr> <tr> <td>Next G3&amp;4</td> <td>June 2022</td> </tr> </table>				Last G1&2	March 2018	Next G3&4	June 2022
Last G1&2	March 2018						
Next G3&4	June 2022						
<b>Opportunity for Inter-City Collaboration (is there another site/department that could benefit from this project)?</b>							
n/a							

### Procurement Strategy Recommendation

<b>City Procurement team recommended option</b>
<b>Option 1: Traditional – Client Led (Single Stage)</b>

### Route to Market Recommendation

<b>City Procurement team recommended option</b>
Sub-FTS Open Tender

### Specification and Evaluation Overview

<b>Summary of the main requirements:</b>	
Traditional construction contract for following works	
<ul style="list-style-type: none"> <li>Waterproofing</li> <li>Expansion Joints</li> <li>Concrete Repairs</li> </ul>	
<b>Technical and Pricing evaluation ratio</b>	
30% (Technical) / 70% (Price)	
<b>Overview of the key Evaluation areas (if known at this stage):</b>	
Past experience, traffic management, technical expertise, H&S	
<b>Does contract delivery involve a higher than usual level of Health &amp; Safety, Insurance, or Business risk to be allowed in the procurement strategy?</b>	
<ul style="list-style-type: none"> <li>Enhanced level of health and safety because of works</li> </ul>	
<b>Are there any accompanying documents with this report? e.g. PTO/outlined project plan identifying roles and responsibilities as appropriate</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, please include information in the appendices section below.	
<b>Will this project require the winning supplier(s) to process personal data on our behalf?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Is there a requirement for a Performance Bond on this Project and if so, on what grounds?</b>	
No	
<b>Will the procurement process require a financial assessment? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></b>	
If yes, please indicate recommended assessment: Financial Check <input type="checkbox"/> Financial Appraisal <input type="checkbox"/>	

Please indicate reasons for this recommendation (please include in this section information on project being rated low/not low):

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 [Data Protection 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)

**Procurement Strategy Options** This could include inter-departmental usage, external collaborative opportunities, existing contracts integrated once expired or adding it to an existing contract. Options for Make (In-house delivery) versus Buy (Outsource) decision to be considered; also indicate any discarded or radical options.

**Option 1: Traditional – Client Led (Single Stage or Two Stage)**

**Advantages to this Option:**

- Completed design to share with the Tenderers.
- No additional design fees required.
- The Supplier is aware of their requirement from the outset.

**Disadvantages to this Option:**

Supplier may not have the capability to include design elements within their structure, if additional works require it.

**Please highlight any possible risks associated with this option:** Providing a design that can be delivered may require additional works or surveys which may not be available within the programme or the budget.

**Route to Market Options:** Route to market is the way in which the City will invite suppliers to bid for the procurement.

**Option 1: Sub-FTS Open Tender**

**Advantages to this Option:**

- Allows us to engage with the market as a whole.
- Allows the City to build the specification it requires and work to the timescales it requires.
- Allows us to engage with SME's as opposed to using a framework, which stereotypically have larger suppliers appointed to them.

**Disadvantages to this Option:**

- Will take longer to engage with the market.
- Tender may be seen as too much of a strain on resources for parties to participate.

**Please highlight any possible risks associated with this option:**

- No guarantee of the quality of responses returned.
- Responses could possibly be over OJEU threshold.

**Option 2: Appoint via a framework supplier**

**Advantages to this Option:**

- Quicker engagement with the market.
- Pre-vetted suppliers on the framework.

**Disadvantages to this Option:**

- Less engagement with SME's
- Larger Suppliers will subcontract the work as opposed to having employees working directly on the project.

**Please highlight any possible risks associated with this option:**

- The quality of the service and works carried out could be lower than expected.

**Price Mechanism**

**Option 1: Lump sum fixed price**

**Advantages to this Option:**

- 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:**

- The Supplier will be looking to make efficiencies in their supply chain where they can to maximise their profit.
- Contract variations can be costly.
- 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.

<b>Option 2: Fixed price - schedule of rates/bill of quantities</b>
<b>Advantages to this Option:</b>
<ul style="list-style-type: none"> <li>• This give a more granular overview on each element, identifying how much each install is for a sized property.</li> <li>• It allows easier calculations for variation if additional properties require work or unforeseen requests.</li> <li>• Variations require less administration to action.</li> </ul>
<b>Disadvantages to this Option:</b>
<ul style="list-style-type: none"> <li>• Easier for the project team to become relied on the variations and add additional work to the contact.</li> <li>• Does not allow for works outside of the specification to be completed even in emergency situations.</li> </ul>
<b>Please highlight benefits and possible risks associated with this option relative to the specifics of the project:</b>
<ul style="list-style-type: none"> <li>• Compliancy can set in for variation and the ease in which the contract can be amended.</li> </ul>

**Form of Contract**

<b>Option 1: CoL Standard amendments to JCT</b>
<b>Advantages to this Option:</b>
<ul style="list-style-type: none"> <li>• Commonly used form of contract with suppliers</li> <li>• Claims are dealt with retrospectively.</li> </ul>
<b>Disadvantages to this Option:</b>
<ul style="list-style-type: none"> <li>• SME's may not have experience dealing with these terms.</li> <li>• Does not support collaborative working.</li> </ul>
<b>Please highlight benefits and possible risks associated with this option relative to the specifics of the project :</b>
<b>Option 2: CoL Standard amendments to NEC3</b>
<b>Advantages to this Option:</b>
<ul style="list-style-type: none"> <li>• Pro-Active approach to delivery.</li> <li>• Using the spirit of mutual trust</li> </ul>
<b>Disadvantages to this Option:</b>
<ul style="list-style-type: none"> <li>• SME's may not have experience dealing with these terms.</li> <li>• Terms favour the Supplier.</li> </ul>
<b>Please highlight benefits and possible risks associated with this option relative to the specifics of the project:</b>
<ul style="list-style-type: none"> <li>• There is a lack of understanding of the terms that will cause delay and increased resources to solve issues.</li> </ul>
<b>Option 4: Other CC&amp;S standard form</b>
<b>Advantages to this Option:</b>
<ul style="list-style-type: none"> <li>• These are well known to the Contractors and we receive minimal objections to their usage.</li> <li>• The terms are designed for low value work, this is suited to the project and the delivery.</li> </ul>
<b>Disadvantages to this Option:</b>
<ul style="list-style-type: none"> <li>• None seen at this time.</li> </ul>
<b>Please highlight benefits and possible risks associated with this option relative to the specifics of the project:</b>
<ul style="list-style-type: none"> <li>• The Supplier may propose their own terms and conditions.</li> </ul>

**Outline of appendices**

o n/a
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**Report Sign-offs**

<b>Senior Category Manager Chamberlain's Department</b>	James Carter	<b>Date</b>	10/05/2022
<b>Departmental Stakeholder Department</b>		<b>Date</b>	Click here to enter a date.

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**Appendix 4 - Financial Summary (based on recommended option 3)**

	Up to Gateway 3/4		Gateway 4 to 5	Gateway 5 to 6	Project Total
	Approved	Actual Spend	Estimated	Estimated	Estimated
<b>Staff Costs</b>	6,000	6,000	14,000	21,000	<b>41,000</b>
<b>Professional Fees</b>	6,000	6,000	30,000	22,000	<b>58,000</b>
<b>Investigations/Trials</b>			75,000		<b>75,000</b>
<b>Consultation/Statutory Fees</b>			10,000		<b>10,000</b>
<b>Works</b>				1,600,000	<b>1,600,000</b>
<b>Stage totals</b>	12,000	12,000	129,000	1,643,000	<b>1,784,000</b>

Notes

All cost estimates are based on recent similar projects and Gateway 6 Outcome Reports



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# Agenda Item 10

<b>Committee(s)</b> Planning & Transportation Committee Licensing Committee	<b>Dated:</b> 19 July 2022 13 July 2022
<b>Subject:</b>  Continued Support of the City Hospitality Sector:  Al Fresco Eating and Drinking – Business and Planning Act Extension 2022	Public
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	1, 2, 4, 5
<b>Does this proposal require extra revenue and/or capital spending?</b>	No
<b>If so, how much?</b>	N/A
<b>What is the source of Funding?</b>	N/A
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	N/A
<b>Report of:</b> Juliemma McLoughlin, Director of Markets and Consumer Protection	<b>Planning &amp; Transportation:</b> For Decision  <b>Licensing:</b> For Information
<b>Report authors:</b> Rachel Pye, Assistant Director Public Protection	

## Summary

To support the hospitality sector’s recovery and to allow its businesses to operate whilst managing the risks arising from the COVID-19 pandemic the Business and Planning Act 2020 (the Act) was given Royal Assent on 22 July 2020. The Act initially relaxed licensing and planning laws until 30 September 2021 by (a) making it easier for the hospitality sector to obtain permissions to seat and serve customers outdoors, creating a fast-track pavement licence application process, and (b) enabling automatic extension of alcohol off-sales to premises that already had permission for on-sales. Through the Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2021 (the B&P amendment regulations) the government extended these temporary provisions until 30 September 2022.

A further Statutory Instrument was laid on 16 June 2022 extending the Regulations to 30 September 2023, as they relate to pavement licences.

However, There is no further extension of the temporary alcohol off-sales provision beyond 30 September 2022.

The draft Levelling Up and Regeneration Bill (the Bill) is currently being debated and scrutinised by Parliament and intends to make the pavement licence regime permanent.

The City of London Alfresco Eating and Drinking Policy (the Policy) sets out the City Corporation's strategy aimed at facilitating the pavement licence application process whilst maintaining public safety during the COVID-19 pandemic and beyond. The policy has been refreshed to reflect changes but remains primarily as agreed in 2021 including retaining the provision not to charge a fee to provide continued support to the City hospitality sector.

This report provides a summary of pavement licences currently granted and outlines proposals for the continuation of the pavement licence application process until 30 September 2023.

### **Recommendation(s)**

Members are asked to:

1. Agree the continuation of the streamlined reapplication process as outlined in paragraph 11 of this report.
2. Agree the pavement licence duration period as outlined in paragraph 13 (a) of this report.
3. Agree the continued zero fee for all pavement licence applications as outlined in paragraph 13 (b) of this report.

### **Main Report**

#### **Background:**

##### **Business and Planning Act 2020**

1. The Business and Planning Act 2020 (the Act) was given Royal Assent on 22 July 2020. The Act introduced a new temporary pavement licence application process making it easier for premises serving food and drink to apply for permission to place furniture on the highway for the purposes of seating and serving customers outdoors.
2. The temporary provisions in the Act for pavement licensing were set to expire on 30 September 2021. However, through the B&P amendment regulations, these provisions were extended until 30 September 2022 and are proposed to be further extended until September 2023.
3. The new provisions only apply to applications made on or after the B&P amendment regulations come into force (date to be confirmed by government). This means that any applications submitted before the effective date will only be valid until 30 September 2022 and those premises will need to reapply to maintain their pavement licence beyond that date. There is no automatic extension.
4. The refreshed Alfresco Eating and Drinking Policy (the Policy) is shown at Appendix 1 (tracked changes copy available), defines the application and determination process, the licence fee, duration, conditions, and enforcement options where necessary.

5. The Policy was previously agreed by Planning and Transportation Committee on 20 July 2021 currently states that a licence issued by the City Corporation will last for a period of 1 year on the proviso that the City Corporation will monitor pedestrian/footfall numbers, temporary highway changes and the aggregate number of pavement licences in any given area, and that any licence may be reviewed or revoked dependent on changes.
6. The Act allows the local authority to set a fee up to a maximum of £100. In doing everything possible to assist businesses bounce back from the pandemic, the City Corporation set the fee at zero.

### **Levelling-up and Regeneration Bill**

7. The draft Levelling Up and Regeneration Bill is currently being debated and scrutinised by Parliament and intends to make the pavement licence regime permanent. A further report will be brought to this Committee once the Bill has progressed.
8. The Bill proposes to make some slight amendments to the current provisions, which are summarised as follows:
  - Amend the fee councils can charge applicants, increasing it from £100 to £350 for premises which already hold a pavement licence, and £500 for new applicants.
  - Extend the public consultation period and council determination period from 7 days to 14 days.
  - Extend the maximum duration of pavement licences from 1 year to 2 years. The length of a licence is however at the discretion of the local authority.
  - Provide that pavement licences can also be amended by the local authority with the consent of the licence holder if it is considered that the conditions on the licence are not being met.
  - Prohibit a local authority from granting a tables and chairs licence under the old regime (Highways Act 1980) if a pavement permit is capable of being granted under this Bill.
  - Insert a new enforcement schedule providing powers to the local authority to remove furniture if a premises is not abiding by its pavement licence conditions and hours.

### **Recovery of the City Hospitality Sector**

9. The City hospitality sector has faced significant challenges as result of varying levels of government restrictions, changes to working patterns and reduced visitor numbers. There has been a strong bounce back in areas of high footfall but in lower footfall areas the trading conditions remain challenging. The trade has made it clear that the pavement licence regime has been a key part of their recovery and wishes for it to continue in its current form to assist their ongoing trade.

### **Current Position**

10. Since September 2021, the City Corporation has received 151 pavement licence applications of which 78 have been first grants and 73 have been

renewals. Seven applications have been refused due to police, counter terrorist or public objections and two have been invalidated. There are currently 142 live licences all of which are expected to reapply using the extended provisions.

## **Proposals**

### **The B&P Amendment Regulations**

11. Processing the applications is time consuming and in order to continue with the streamlined reapplication process, the City Corporation will invite those businesses that currently benefit from a pavement licence to confirm by way of email that they propose to reapply on the same terms as before, capturing the mandatory requirements of the Act. Statutory consultation with stakeholders will remain the same and all comments will be considered as part of the decision-making process. This proposal is reflected in paragraph 3.2.1 of the policy.
12. Any new applications will continue to be submitted via the existing on-line portal.
13. In order to continue to facilitate the hospitality sector business recovery in the square mile and to ensure public safety, it is proposed that the City Corporation:
  - a. issues any new licences until 30 September 2023 when the extended temporary provisions expire. This is with the proviso that a licence may be revised or revoked dependant on pedestrian footfall changes in the City and the aggregate number of pavement licences in any given area. In order to ensure the safety of residents, workers and visitors as people return to the Square Mile, all licences will be subject to regular monitoring by the City Corporation's enforcement officers. This proposal is reflected in paragraph 1.11 of the policy.
  - b. extends the zero fee to all applications received for the duration of the temporary provisions for pavement licensing.

### **Licensing Act 2003**

14. The Alcohol Licensing (Coronavirus) (Regulatory Easements) (Amendment) Regulations 2021 (the Licensing amendment regulations) extended the temporary modifications to the Licensing Act 2003 until 30 September 2022. The modifications relate to the automatic extension of off-sales to premises that currently only permit on-sales, and for those that have existing off-sales permission with conditions, to have those conditions temporarily disapplied.
15. This easement will not be extended beyond September 2022; however, the Home Office have indicated their intention to consult on the potential streamlined approach to alcohol licences, which would be a permanent alternative to the current alcohol licensing easements. Any premises licence holder who wishes to continue to benefit from the changes that the easements allowed will need to apply for an off sales licence, statutory fees apply and are dependent on the rateable value of the premises and vary from £190 to £635.
16. The Licensing amendment regulations further amended the Licensing Act 2003 by increasing the number of Temporary Event Notices (TENs) that may be given

by a premises from 15 to 20 in any calendar year for the years 2022 and 2023 and the total number of days permitted by those TENs from 21 to 26 in any calendar year.

### **Corporate & Strategic Implications**

17. The proposals within this report will help to meet four of the overriding aims contained within the Corporate Plan 2018-23 namely to:
- make people safe and feel safe,
  - people enjoy good health and wellbeing,
  - communities are cohesive and have the facilities they need,
  - businesses are trusted and socially and environmentally responsible.

### **Financial Implications**

18. Based on 151 pavement licence applications received since September 2021, 2 of which were invalidated, the remaining 149 applications would have generated an income of £14,900 if the maximum fee of £100 had been charged. The City Corporation has estimated a cost of £180 to process first applications and £140 to process second applications, meaning a net cost of £23,900 to the authority so far.

19. It is anticipated that all 142 live licences will be applied for again upon expiry. The estimated cost of processing a second application is £140 per application so the net cost to the authority for those will be £19,880.

20. Many of the City Corporation's tables and chairs licences have been replaced by pavement licences and this will mean a loss of income on the tables and chairs budget. At present, only 27 of the original 138 tables and chairs licences have been reinstated. The loss of income is estimated at £99,000 compared to pre-pandemic levels. This was largely taken into account when setting the 2022/23 income budget, so the shortfall against budget is estimated at only £15,000. With the temporary provisions for pavement licences extended until 30 September 2023, businesses are more likely to opt for the free pavement licence as opposed to applying for a tables and chairs licence.

### **Conclusion**

21. The City's Al Fresco Eating and Drinking Policy has been reviewed and remains relevant to further support the recovery of the hospitality sector and facilitate City businesses to operate safely whilst encouraging workers and visitors to enjoy the City's vibrant offer.

## **Appendices**

### **Appendix 1**

Al Fresco Eating and Drinking (Business and Planning Act 2020) Policy – July 2022

### **Appendix 2**

[The Business and Planning Act 2020 \(Pavement Licences\) \(Coronavirus\) \(Amendment\) Regulations 2022 \(legislation.gov.uk\)](#)

### **Background Papers**

[Planning and Transportation Report 14 July 2020](#)

[Planning and Transportation Report 18 July 2021](#)

Business and Planning Act 2020.

The Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2021

The Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2022

The Alcohol Licensing (Coronavirus) (Regulatory Easements) (Amendment) Regulations 2021

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# City of London

Reopening the hospitality sector:

Alfresco eating and drinking under the  
Business and Planning Act 2020

July 2022





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## Introduction

The COVID-19 pandemic affected businesses across the economy, particularly the hospitality sector, causing many of them to cease trading for several months while others had to significantly modify their operations.

On 25 June 2020, the Government announced urgent relaxations to licensing and planning laws to support the hospitality sector. The Business and Planning Act 2020 (the Act) introduced significant changes designed to help food and alcohol licensed premises survive and then bounce-back from the pandemic by removing short term obstacles that could get in their way.

As the hospitality sector resumed business, the Act made it easier for premises serving food and drink such as bars, restaurants, cafes, and pubs, to seat and serve customers outdoors through temporary changes to licensing and planning procedures. Initially, the temporary measures to boost the economy were set to expire at the end of September 2021. The government has now extended these provisions until 30 September 2023.

The measures in the Act include a temporary fast-track process for these businesses to obtain permission, in the form of a 'pavement licence', from the City of London Corporation (the City Corporation) for the placement of furniture such as tables and chairs on the pavement adjacent to their premises. This enables them to maximise their trading capacity and bounce back financially.

The City Corporation welcomes the Act and acknowledges the importance of helping businesses adjust to new ways of working and to succeed in new and challenging conditions. Public safety remains at the heart of the City Corporation's consideration, and it has adopted measures to provide safe and comfortable spaces for pedestrians, whilst balancing that with the need to support businesses in their return to work.

The City Corporation has adopted five principles which it will apply in considering applications under the new Act:

- To put safety first
- To recognise the need to nurture a thriving economy in the City
- No privatisation of public space
- Having regard to space required to queue outside premises
- Having regard to new or existing public seating nearby

*"The vibrancy of outdoor dining on City streets is welcome, but it is vital that social spaces continue to be safe for all workers, residents and visitors to the City. We offer continued support for the safe and sustainable return of people to the City, as it again becomes the thriving world-class centre for business"* Shravan Joshi, Chairman of Planning and Transportation Committee

*"A world-class hospitality offering is a fundamental and increasingly important element of the Square Mile. We know that the outdoors is playing a leading role in the City's vibrant offer, so it is vital that The City Corporation has shown generosity by adopting these changes early as we to continue to support the hospitality sector"*  
James Tumbridge, Chairman of Licensing Committee

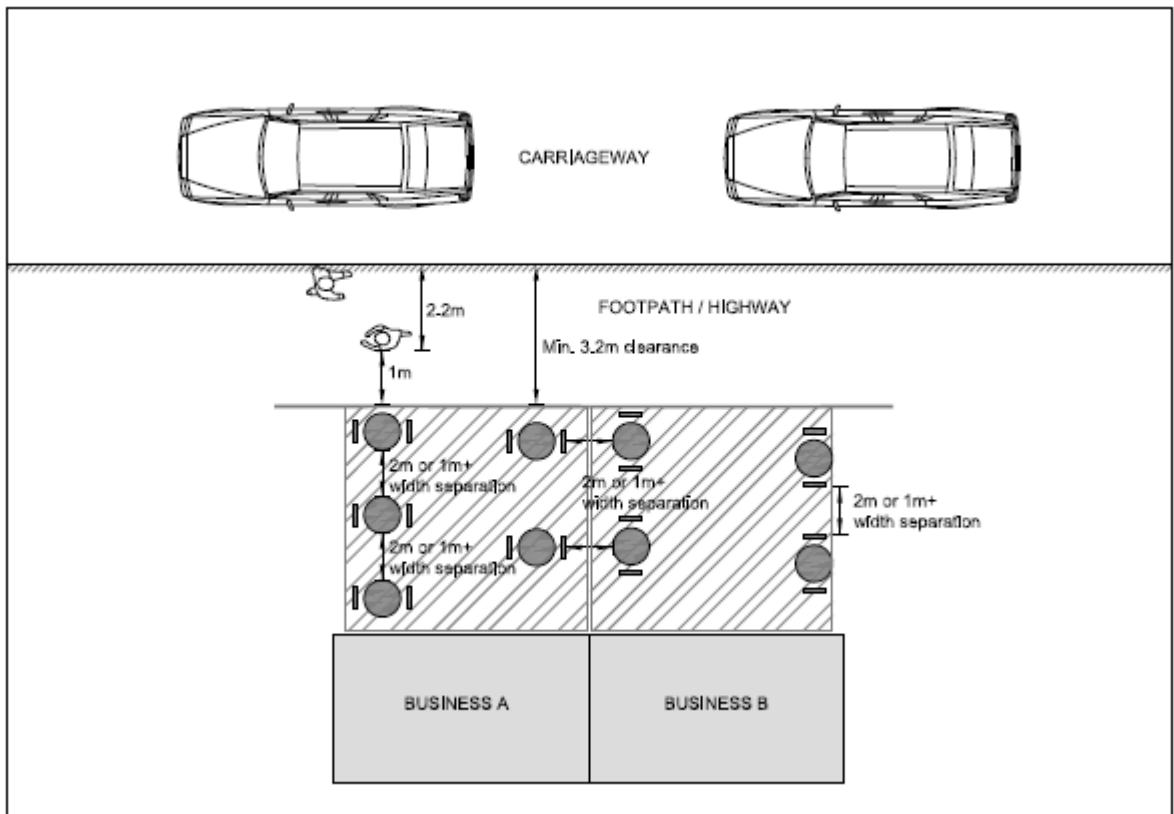
## Part A: Pavement Licensing

### Section 1

#### 1. Scope for pavement licensing in the City of London

- 1.1. As the hospitality sector recovers from the impacts of the COVID-19 pandemic, the City of London has seen an increased demand for outside space by businesses wanting to place tables, chairs and other furniture on the highway to facilitate that recovery.
- 1.2. The City Corporation continues to support hospitality businesses in their COVID-19 recovery as much as it can, to ensure their trade bounces back and stabilises as soon as possible.
- 1.3. Balanced with that, the City Corporation must provide residents, workers and visitors to the City with a safe and comfortable environment when using the public highway within the Square Mile, particularly as footfall gradually returns to pre-pandemic levels.
- 1.4. With a unique street layout, often comprising of narrow lanes following their original medieval design, surrounded by large high-rise buildings and with high volumes of pedestrians, the Square Mile faces many challenges which are not present in other areas of London.
- 1.5. In considering whether to issue a pavement licence, the City Corporation will have in mind environmental and public safety considerations, together with other relevant policies including the five key principles agreed at Planning and Transportation Committee on 23 June 2020:
  - i) To put safety first
  - ii) To recognise the need to nurture a thriving economy in our City
  - iii) No privatisation of public space
  - iv) Having regard for space required to queue outside premises
  - v) Having regard to new or existing public seating nearby
- 1.6. When considering whether to grant a pavement licence, the City Corporation will, having regard to those five principles, assess a variety of factors including
  - a) Public health and safety including compliance with current government guidelines, crowd management, queue management, proximity to existing public seating or new public seating areas provided as part of the COVID-19 recovery programme, queues likely to be forming from nearby businesses
  - b) Public amenity including the potential to create nuisance to neighbouring occupiers by generating anti-social behaviour and litter
  - c) Accessibility including the width of the highway, the needs of disabled people, pedestrian footfall, especially at peak times, suitable access to all members of the public using the highway, the presence of existing street furniture, the number of other permissions issued for areas in or near the proposed permitted area
  - d) Policy changes brought in during the pandemic that particularly affect pedestrian and traffic movement

- e) The potential to safely reallocate carriageway to provide space for tables and chairs that are privately managed but clearly signed as available for public use
- 1.7. Hours of Operation: Under this fast-track process, the City Corporation will only consider applications for pavement licences between the hours of 07:00 and 23:00 except in exceptional circumstances. This is to minimise the potential for crime and disorder and public nuisance.
- 1.8. Footfall and unobstructed footway width:
- 1.8.1. The City of London has a high footfall level of circa 500,000 workers daily. Since the relaxation of COVID-19 restrictions, the City has seen a gradual return of office staff, with current footfall at approximately 70% of pre-pandemic levels and rising.
  - 1.8.2. Due to high footfall in The City, it is important to provide enough space on the highway for people to feel comfortable when walking at a typical pace, and to prevent localised pinch-points or overcrowding that can lead to people stepping into the carriageway.
  - 1.8.3. To maintain a reasonable and safe pedestrian comfort level, The City Corporation has determined through its Tables and Chairs Policy that a minimum width of 2.2 metres must be maintained on all footways for pedestrian use. This means that where a business occupies pavement space with furniture, there must be a minimum of 2.2 metres of unobstructed space between the edge of the furniture and the edge of the pavement or to the edge of another obstruction (e.g. bike rack). It is therefore unlikely that a pavement licence will be granted where there is less than 2.2 metres of unobstructed highway unless the applicant can prove a low footfall in that area. Each application will be determined on its own merits.
  - 1.8.4. In some areas where footfall is generally higher, for example around London Underground and National Railway station entry/exit points, an unobstructed footway of more than 2.2 metres may be required, or licences might be time-limited to avoid busy times. This is to prevent footways from becoming congested. Each application will be considered on its own merits.
  - 1.8.5. Where a pavement licence has been granted with a minimum 2.2 metre of unobstructed footway and there is evidence of congestion on that footway to the detriment of pedestrian health and safety, the City Corporation may require that some or all the furniture is removed from the pavement to facilitate the safe flow of pedestrians.
- 1.9. **City Streets:** Many City streets are too narrow to accommodate pavement licences whilst meeting the minimum restrictions set out in paragraph 1.8 above. Applications should therefore only be made in respect of City streets which are wide enough to accommodate furniture and maintain a minimum of 2.2 metre width for pedestrians passing in either direction. This illustration sets out the City Corporation's requirements:



### 1.10. Duration of licence

- a) The statutory provisions for pavement licensing were originally set to expire on 30 September 2021 but the government extended this provision until 30 September 2022 and has agreed a further extension until 30 September 2023. Licences are not automatically extended. This means that premises currently benefitting with a pavement licence expiring on 30 September 2022 must reapply for a new licence.
- b) New pavement licences will be issued for the full term until 30 September 2023 unless (i) a shorter period is specified on the application or (ii) there are unique grounds on the merits of an individual application to issue it for a shorter period.
- c) Notwithstanding the statutory requirement to issue a licence for a minimum of 3 months, any application received after 16 June 2023 will only have a licence granted until 30 September 2023.
- d) There will be no charge for a reapplication.
- e) The City's streets are undertaking a period of change in terms of both pedestrian numbers and temporary changes to the highway to deliver the City Corporation's COVID-19 transport recovery plan. To ensure the safety of residents, workers and visitors as people return to the Square Mile, all licences will be subject to regular monitoring by the City Corporation's enforcement officers. A licence may be revised or revoked dependant on pedestrian footfall changes in the City and the aggregate number of

pavement licences in any given area. Powers to amend/revoke a licence are set out in Section 6 below.

## Section 2

### 2. Pavement Licence: Definitions

- 2.1. **Pavement licence:** A pavement licence is a licence granted by the City Corporation, or deemed to have been granted, which allows the licence-holder to place removable furniture on part of a relevant highway adjacent to the premises in relation to which the application was made. A licence permits the holder to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by persons for consumption of food or drink supplied from, or in connection with the use of the premises.
- 2.2. **Eligible persons / businesses:** A person (includes a body corporate) who uses or proposes to use any premises (a) as a public house, wine bar or other drinking establishment, or (b) for the sale of food or drink for consumption on or off the premises can apply for a licence. Eligible businesses include public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours.
- 2.3. **Eligible locations:** Licences can only be granted in respect of highways listed in Part 7A of the Highways Act 1980. Generally, these are footpaths restricted to pedestrians or are roads and places to which vehicle access is restricted or prohibited. In the City of London this includes the footpaths, certain carriageways and city walkways. Highways maintained by Network Rail or over Crown land are exempt so a licence cannot be granted.
- 2.4. **Furniture:** Furniture that may be used includes:
- a) counters or stalls for selling or serving food or drink;
  - b) tables, counters or shelves on which food or drink can be placed;
  - c) chairs, benches\* or other forms of seating that meet accessibility standards; \* **benches generally do not meet accessibility standards and permission for these will likely not be granted by the City Corporation.**
  - d) umbrellas, barriers\*, heaters\*\* and other articles used in connection with the outdoor consumption of food or drink;

\* **Barriers** - it is the City Corporation's policy not to permit barriers as they provide additional obstructions in our narrow streets. However, barriers may be considered where they provide mitigation from vehicle attack.

\*\* **Heaters** - in order to support the hospitality sector during the winter months, the City Corporation will allow patio heaters from October 2020 through to September 2023. For environmental reasons, it is preferable to use zero / low carbon emitting electric heaters although gas heaters will be permitted if there is no easy electric supply to the pavement licensed area.

Where it is proposed to use patio heaters, a risk assessment must be submitted with the application.

The furniture must be removable, which in principle means it is not a permanent fixed structure, is able to be moved easily and stored away every evening.

## **2.5. Other consents (food and alcohol) / Planning Permission / Street Trading**

**2.5.1. Other consents:** The grant of a pavement licence only permits the placing of furniture on the highway. Other regulatory frameworks still apply; food businesses must be registered with the City Corporation and alcohol sales must only be made in accordance with a premises licence granted under the Licensing Act 2003. A sale of alcohol may only be made within the area defined in the plan attached to an alcohol premises licence and does not extend to the area covered by a pavement licence.

**2.5.2. Planning Permission:** A pavement licence when granted, or deemed to be granted, benefits the licence holder with deemed planning permission to use the land for anything done pursuant to the licence whilst the licence is valid.

**2.5.3. Street Trading:** Anything done by the licence holder under the terms of a pavement licence will not be street trading for the purpose of the City of London (Various Powers) Act 1987 as amended by the City of London (Various Powers) Act 2013.

## **Section 3**

### **3. Pavement Licence: Application Process**

#### **3.1. Existing Tables and Chairs licence or pending application**

**3.1.1. Existing licence:** During the lockdown period, the City Corporation suspended all existing tables and chairs licences granted under Part 7A of the Highways Act 1980. These licences will only be reinstated where it is safe to do so taking into account environmental and public safety considerations together with other relevant policies including the City Corporation's 5 key principles. If an application for a pavement licence is made and subsequently granted, the tables and chairs licence will have no effect whilst the pavement licence is in force.

**3.1.2. Pending application:** If an application for a tables and chairs licence under the Highways Act 1980 has already been made but not determined, the applicant may proceed with that application which will be determined taking into account environmental and public safety considerations together with other relevant policies including the City Corporation's 5 key principles. However, an applicant may opt to make a fresh application for a pavement licence under the new process. If an application for a pavement licence is submitted, the application for a tables and chairs licence is treated as withdrawn. If a fee has been paid in connection with that application, no further fee is payable in connection with the application for a pavement licence.

## 3.2. Submission of an application for pavement licence

### 3.2.1. Premises that currently benefit with a pavement licence:

(a) In order to streamline the process for premises that currently benefit with a pavement licence, the City Corporation will invite those business to confirm by way of email that they propose to reapply on the same terms as before, capturing the mandatory requirements of the Business and Planning Act 2020

(b) Statutory consultation with stakeholders will remain the same and all comments will be considered in the decision-making process.

### 3.2.2. Premises that do not have a current pavement licence:

An application for a pavement licence must be made to the City Corporation using our online platform at [www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk) . The following information will be collected as part of the application:

- a) Applicant details including name and address
- b) Business premises details including trading name, address and type of business use
- c) Details of the area of highway to be used by the business
- d) A location plan of the premises with the proposed area of highway to be used shown by a red line, so the application site can be clearly identified, together with:
  - The positions and number of proposed tables and chairs, together with any other furniture to be placed on the highway
  - The plan does not have to be to scale but it must include clear measurements of, for example, furniture, pathway width/length, building width and any other fixed item in the proposed area. **Please see illustration in paragraph 1.9 above.**
  - Fire exits of premises as well as those of neighbouring properties if affected by the area of highway to be used.
- e) Description of and photos or brochure images showing the proposed type of furniture and information on potential siting of it within the area applied;
- f) Proposed hours of highway use for the placing of furniture
- g) Evidence that the applicant has met the requirement to give notice of the application (for example photographs of the notice outside the premises and of the notice itself);
- h) A declaration that the applicant has a current certificate of public liability insurance against the insured's legal liability for death of or bodily injury to



or disease contracted by a third party and/or loss of or damage to a third party properly arising out of or in the course of or in connection with the carrying out of the insured's business at the application premises and pavement licence site:

- Inclusion of an indemnity to Principals Clause operative at the request of the insured.
  - A minimum limited of indemnity for any one occurrence of £5,000,000.00
- i) There will be no fee charged for pavement licence applications in the City of London.

**An application will only be deemed valid when submitted in the correct manner as set out above, with all sections of the form completed and it is submitted with all required documents and a fee if applicable.**

### 3.3. Consultation

3.3.1. The applicant is encouraged to talk to neighbouring businesses and occupiers prior to applying to the local authority, and so take any issues around noise, and nuisance into consideration as part of the proposal

3.3.2. A public consultation period of 7 days will commence the day after a **valid application** is made to the City Corporation. Bank holidays, Christmas day and Good Friday will not be counted as part of the 7 days. The consultation will consist of the following:

- The City Corporation will publish the application on its website for the duration of the 7-day consultation period. The last date for representations will be made clear and representations will not be accepted after this date.
- The applicant must fix a notice of the application to the premises so that it is readily visible and can be read easily by members of the public for the duration of the 7-day consultation period. A template is attached as Appendix C. **The applicant must email the City Corporation evidence that the notice has been fixed.**
- In addition to the statutory consultation with the Highways Authority (where the authority is not the City Corporation), the following will also be consulted: City of London Police, City of London Pollution Control Team, City of London Commercial Environmental Health Team, Access Team, City Surveyors, Street Environment Team, Planning & Transportation Team
- Applications will also be added to the licensing application bulletin email for wider distribution.

During the consultation period, representations relating to the application may be made by any person. The City Corporation must consider any representations received during the public consultation period when determining the application.

## Section 4

### 4. Pavement Licence: Determination

4.1. In determining an application for a pavement licence, the City Corporation will take into consideration a range of factors including the criteria set out in Section 1 and the conditions set out in Section 5. A site assessment may be carried out by an authorised officer to ensure that no obstruction to the highway would be caused by licensing the proposed site.

4.2. Any representations made during the consultation period will be taken into consideration. Representations that do not relate directly to the granting of a pavement licence may be given less weight when determining an application. Representations received outside the consultation period will be disregarded.

4.3. The City Corporation may

- a) grant the licence in respect of any or all of the purposes specified in the application,
- b) grant the licence for some or all of the part of the highway specified in the application, or
- c) reject the application.

Any licence granted will be subject to the City Corporation's published standard conditions.

4.4. The City Corporation must determine an application within a 7-day determination period. Decisions will be communicated to the applicant by way of email before the determination period ends.

4.5. If the City Corporation does not determine an application by the end of the 7-day determination period, the licence is deemed to be granted by the City Corporation.

4.6. Any pavement licences granted by the City Corporation will be valid for a period of one year subject to no licence extending beyond 30 September 2023. Any pavement licence deemed to be granted will be valid for one year commencing the day after the determination period ends and subject to no licence extending beyond 30 September 2023.

4.7. A person may apply for further pavement licences in respect of the same premises, provided that the determination period for any previous application made has ended.

4.8. A licence holder may surrender a pavement licence at any time by email notification to the City Corporation at [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) . If a fee has

been paid for the licence, there will be no refund of the fee where a licence is surrendered.

- 4.9. The City Corporation will reject a pavement licence where the site is deemed unsuitable or unsafe having applied the criteria set out in Section 1, the conditions in Section 5 cannot be met, or if representations are made which raise issues that cannot be mitigated by way of conditions. If a fee has been paid, it will not be refunded where an application is rejected. There is no statutory right of appeal against a decision to reject an application. If an applicant is aggrieved by a decision to reject an application for a pavement licence, they can make a complaint to the Director of Port Health and Public Protection at [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) setting out clear reasons for the complaint. The Director will consider the complaint within 14 days. Alternatively, an applicant may wish to make an application for a tables and chairs licence under Part 7A of the Highways Act 1980 which includes an arbitration process for contested applications.

## Section 5

### 5. Pavement Licence: Conditions

- 5.1. All conditions set out in this section will apply to any pavement licence granted or deemed to have been granted by the City Corporation.
- 5.2. The City Corporation may impose additional conditions to a pavement licence as it considers reasonable and appropriate to a particular case, with the exception of licences deemed to be granted which are subject only to conditions published before the application was made.
- 5.3. **City of London Standard Conditions:** The City Corporation's standard conditions applicable to all pavement licences granted or deemed granted are attached as Appendix A.
- 5.4. **Default Conditions as set out Section 3(6) and 5(4) of the Act:** The default 'no obstruction' and 'smoke-free seating' condition is set out in Appendix B.
- 5.5. **National Conditions as provided by the Secretary of State:** The Secretary of State, in exercise of his powers under [clause 5(6)] of the Business and Planning Act 2020, may make provisions for national conditions by way of regulation.

## Section 6

### 6. Pavement Licence: Enforcement/Revocation

- 6.1. If the licence-holder breaches any condition of a pavement licence the City Corporation may:
- a) Serve a notice on the licence holder requiring measures to be taken to remedy the breach as specified within the notice and within a specified time scale. If the licence holder fails to comply with the notice, the City Corporation may take the steps itself and recover the costs of doing so from the licence holder

b) Revoke the licence (whether or not a remediation notice has been issued)

6.2. The City Corporation may also revoke the licence where:

- a) There are risks to public health or safety – for example where increased footfall in an area gives rise to congestion on the highway and the furniture is considered to be an obstruction to the safe movement of pedestrians;
- b) there is anti-social behaviour or public nuisance – for example, the use is increasing the amount of noise generated and litter is not being cleaned up;
- c) the highway is being obstructed (other than by anything permitted by the licence);
- d) it comes to light that the applicant provided false or misleading statements in their application; or
- e) the licence holder did not comply with the requirement to affix the notice to notify the public for the relevant period.

## **Section 7**

### **7. Other considerations: Counter Terrorism Advice**

7.1. Greater use of open spaces through alfresco eating and drinking increases the public's vulnerability to terrorist attacks. There is no specific information or intelligence to suggest that any particular premises in the City of London are under any immediate threat from a terrorist attack, however the threat to the UK from terrorism is currently assessed as SUBSTANTIAL, and this means an attack is likely.

7.2. Each application for a pavement licence will be referred to a City of London Police Counter Terrorism Security Advisor (CTSA). Each application will be considered on its own merits and the advice of the CTSA will be passed on to the licence holder for action. If a licence holder fails to comply with CTSA advice, a remediation notice may be served on the licence holder or the licence may be revoked if it is in the public interest to do so. Where an objection is raised by the CTSA the application will be refused.

7.3. Where a licence is granted, licence holders will need to carefully consider the increased vulnerabilities to their customers. The security of those customers must not be overlooked and must be covered in the licence holder's risk assessment. Details of what to include in a terrorist threat risk assessment are included in but not limited to those set out in Appendix D. In particular, licensees will be expected to comply with requirements 5 and 6 of the risk assessment (CCTV systems and ACT (Action Counters Terrorism) training) as set out in the new national guidance 'Counter Terrorism Protective Security Pavement Licence Conditions'. Failure to comply may result in a remedial notice being served on a licence holder or ultimately, revocation of the pavement licence.

## Section 8

### 8. City of London: Managing Outside eating and drinking

- 8.1. Under the pavement licensing regime, more pubs, bars, restaurants and cafes in the City of London will take advantage of being able to serve customers outdoors. As a result, there is the potential for an increase in noise and anti-social behaviour. It is essential that licence holders have provisions in place to manage their outside drinking and eating areas to lessen the impact on neighbouring residents and other businesses.
- 8.2. Licence holders are responsible for managing their customers consuming alcohol outside their premises. It is good practice to have a documented policy on managing outside eating and drinking to include but not limited to:
- a) **Noise from patrons:** Customers smoking, eating and drinking in outdoor areas including the public highway should be monitored by staff to prevent public nuisance. Licence holders should display prominent signs asking customer to be respectful of neighbouring property owners and to keep noise to a minimum.
  - b) **Obstruction:** Customers must not be allowed to obstruct the highway or the doorways of neighbouring residential, commercial or office premises. Customers queueing to enter premises must be managed to prevent any such obstruction. Customers must not be permitted to congregate on the carriageway causing obstruction to vehicular traffic. Pedestrians must have unobstructed access to the highway and should not be forced to step into the road to pass by.
  - c) **Customer safety:** Licence holders may wish to use toughened or polycarbonate glass in outside areas. Staff should monitor outside areas and collect empty glassware regularly. Spillages and or broken glass must be swept away immediately.
  - d) **Litter:** Outside areas should be monitored regularly by staff and any litter generated by customers including food wrappers and cigarette butts should be cleaned up regularly and at the end of each evening.
  - e) **Theft of personal belongings:** With more customers using external areas, there is more potential for opportunist theft of personal belongings. Licence holders may wish to use chelsea hooks on external furniture, display external signage warning customers of the risk of bag thefts and pick-pocketing. Staff monitoring outside areas should be vigilant at all times and remind customers to look after their personal belongings.

## Appendix A

### City of London Pavement Licence Standard Conditions

These standard conditions are made pursuant to Section 5(2) of the Business and Planning Act 2020. To the extent that these conditions do not prevent the obstructions specified in section 3(6) of the Act, a pavement licence is granted or deemed to be granted subject to the statutory no-obstruction and smoke-free seating condition.

The term 'furniture' used hereinafter means counters or stalls for selling or serving food or drink; tables, counters or shelves on which food or drink can be placed; chairs or other forms of seating; umbrellas, heaters and other articles such as parasols or planters used in connection with the outdoor consumption of food or drink.

1. This licence must be displayed in a prominent position during any period that furniture is placed on the highway.
2. The placing of furniture and seating of customers should comply with government Covid-19 Secure Guidelines and the licence holder must have an appropriate risk assessment in place for their business operation
3. This licence only permits the area of the highway (the authorised area) and the items of furniture specified on the licence to be used. All furniture is to remain within the authorised area whilst it is in use on the highway.
4. All customers in the authorised area must be seated at all times save for access to and egress from the seating area.
5. The furniture must be removed from the authorised area by the licence holder by 23:00 unless otherwise specified on the licence, or at any time when requested to do so by an officer of the City Corporation or City of London Police. The furniture must be stored off the highway every evening.
6. Furniture must not be placed in any position where it will obstruct a designated fire escape route.
7. The authorised area must be supervised at all times whilst the licence is in use. The licence holder must ensure there are sufficient staff to supervise and control the authorised area to:
  - a. deter and prevent noise nuisance and/or antisocial behaviour
  - b. ensure the safety of customers and staff in line with the Covid-19 risk assessment
  - c. ensure that the area is kept clean, tidy and free of litter
  - d. ensure that the area is swept and/or gritted in order to prevent slipping in adverse weather conditions
  - e. ensure that food and drink is be cleared from unoccupied tables as soon as possible
8. The licence holder must clean the authorised area regularly to prevent staining by anything done pursuant to the licence.

9. The licence holder shall be liable for any damage to the authorised area which the City Corporation considers reasonably attributable to anything done pursuant to the licence and shall reimburse the costs of the City Corporation or its Agents in repairing the same.
10. The licence holder shall be liable for and shall indemnify the City Corporation, their Servants and Agents against:-
  - a) any expense, liability, loss, claim or proceedings whatsoever arising under statute or at common law in respect of personal injury to or the death of any person whomsoever, and
  - b) any expense, liability, loss, claim or proceedings in respect of any injury, loss or damage whatsoever to any person whomsoever or to any property real or personal, arising from the use of the Public Footway for the permitted purpose.

Without limiting the obligation hereunder, the licensee will effect insurance against the matters referred to in this condition to the satisfaction of the Chamberlain of London and will produce to the Chamberlain the policies of insurance so effected and the current premium renewal receipts relative thereto at such times as the Chamberlain shall reasonably require.

11. No advertising material may be attached to, or form part of, any of the furniture.
12. No supplemental lighting may be used in connection with the furniture.

## **Appendix B**

### **Pavement Licence: Default No Obstruction Condition**

Anything done by the licence-holder pursuant to the holder, or any activity of other persons which is enabled by the licence, must not have one of the specified statutory effects debarring grant of the licence, namely the effect of:

- (a) preventing traffic, other than vehicular traffic, from
  - (i) entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
  - (ii) passing along the relevant highway, or
  - (iii) having normal access to premises adjoining the relevant highway,
- (b) preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
- (c) preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
- (d) preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.

### **Pavement Licence: Default Smoke-free Seating condition**

Where the furniture on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must make reasonable provision for seating where smoking is not permitted.



Appendix C

**PUBLIC NOTICE**

**Business and Planning Act 2020  
Application for a Pavement Licence**

I/We (*name of applicant*), \_\_\_\_\_

do hereby give notice that on (*date of application*) \_\_\_\_\_

have applied to the City Corporation for a 'Pavement Licence' at:

(*postal address of premises*)

known as (*trading name of premises*)

The application is for: (*brief description of application eg. outdoor seating to the front of the premises for serving food and drink*)

A copy of my application and associated documents including plan and details of furniture can be viewed on the City Corporation's website at [www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk). Any person wishing to make representations to this application may do so by email at: [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk)

by: (*date*) \_\_\_\_\_

(*this must be 7 days from the date of the application not including bank holidays*)

Signed .....

Dated .....

## Appendix D

### Counter Terrorism Advice for Risk Assessment

As part of a terrorist threat risk assessment in relation to use of outdoor public space for eating and drinking a licensee should consider the following:

1. The safe access/egress of your customers and of those within nearby premises. Allowances should be made for the rapid dispersal of people in the event of an emergency/incident. Tables and chairs or other furniture should NOT impede this.
2. If the premises become busy creating a queue outside, this must not conflict with customers using the tables and chairs or the adjoining pedestrian footpath. There should be clear guidance provided by the staff to direct patrons accordingly, away from the road scene. The staff should be prepared for such an event.
3. Adequate street lighting should illuminate the deployment of tables and chairs.
4. The licensee should liaise with neighbouring properties so they can consider their evacuation procedures accordingly and avoid any conflict and capitalise on shared benefits.
5. The Pavement License holder will need to ensure that existing CCTV systems are correctly working, are compliant with the Data Protection Act 1998, Information Commissioners requirements and any other local CCTV Code of Conduct produced by the Police or Local Authority. Imagery must be retained for at least 28 days and images produced to a Police Officer or Local Authority Enforcement Officer upon reasonable request. Faults which render the CCTV system or parts of it inoperable should normally be rectified within 24 hours.
6. The pavement licence holder will need to ensure that the management team of the business to which the pavement licence is attached; register and successfully complete the nationally recognised counter terrorism training product referred to as ACT E Learning within 10 days of the notification of the grant of the Pavement License OR can demonstrate that the ACT E Learning product has successfully been completed within the preceding 12 months and that all staff employed by OR at the premises complete the ACT E Learning within a reasonable period not exceeding 3 months from the notification of the grant of the Pavement License. (Act E Learning certificates are provided on successful on-line completion. )ACT E-learning can be accessed at:

<https://www.gov.uk/government/news/act-awareness-elearning>.

And also at <https://ct.highfieldelearning.com/>

Further information on free training and awareness can be obtained via contact with the local Counter Terrorism Security Advisors who can be contacted on the following email: [CTSA@city-of-london.pnn.police.uk](mailto:CTSA@city-of-london.pnn.police.uk)

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# City of London

Reopening the hospitality sector:

Alfresco eating and drinking under the  
Business and Planning Act 2020

July 2022



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## Introduction

The Covid-19 pandemic has affected businesses across the economy, particularly the hospitality sector, causing many of them to cease trading for several months while others have had to significantly modify their operations.

On 25 June 2020, the Government announced urgent relaxations to licensing and planning laws to support the hospitality sector. The new Business and Planning Act 2020 (the Act) introduces significant changes designed to help food and alcohol licensed premises survive and then bounce-back from the pandemic lockdown by removing short term obstacles that could get in their way.

As lockdown restrictions are lifted ~~but social distancing guidelines remain in place and the hospitality sector resumes business~~, the Act makes it easier for premises serving food and drink such as bars, restaurants, cafes and pubs, to seat and serve customers outdoors through temporary changes to licensing and planning procedures. Initially, the temporary measures to boost the economy were set to expire at the end of September 2021. The government has now extended these provisions until 30 September 2023<sup>32</sup>.

The measures in the Act include a temporary fast-track process for these businesses to obtain permission, in the form of a 'pavement licence', from the City of London Corporation (the City Corporation) for the placement of furniture such as tables and chairs on the pavement adjacent to their premises. This will enable them to maximise their trading capacity ~~whilst adhering to social distancing guidelines and bounce back financially~~.

~~The Act also modifies the provisions of the Licensing Act 2003 to automatically vary most premises licences with alcohol on-sales to allow for off-sales.~~

As the economy starts to re-open, the City Corporation welcomes the Act and acknowledges the importance of helping businesses adjust to new ways of working and to succeed in new and challenging conditions ~~over the coming months~~. Public safety remains at the heart of the City Corporation's consideration and it has adopted measures to provide safer and comfortable spaces for pedestrians, people walking and cycling, and queuing outside shops and offices to socially distance whilst balancing that with the need to support businesses in their return to work.

The City Corporation has adopted five principles which it will apply in considering applications under the new Act:

- To put safety first
- To recognise the need to nurture a thriving economy in the City
- No privatisation of public space
- Having regard to space required to queue outside premises
- Having regard to new or existing public seating nearby

*"The vibrancy ~~resumption~~ of outdoor dining on City streets is a welcome shift, but it is vital ~~that the return of that~~ social spaces continues to be safe for all workers, residents and visitors to the City. We ~~are~~ offerready ~~continued~~ to support for the safe and e, sustainable and gradual return of people to the City, as it again becomes the thriving world-class centre for business" Shravan Joshi Alistair Moss, Chairman of Planning and Transportation Committee*

*"A world-class hospitality offering is a fundamental and increasingly important element of the Square Mile. We know that the outdoors is playing a leading role in the City's vibrant offer 'new normal' so it is vital that The City Corporation has shown generosity generosity tremendous initiative by adopting these changes early so we are*

prepared to continue to support the hospitality sector~~welcome people and businesses as soon as it is safe for them to return~~"  
James Tumbridge~~Sophie Fernandes~~, Chairman of Licensing Committee

## Part A: Pavement Licensing

### Section 1

#### 1. Scope for pavement licensing in the City of London

- 1.1. ~~As the hospitality sector recovers from the impacts of the COVID-19 pandemic, The City of London will have seen~~ an increased demand for outside space by businesses wanting to place tables, ~~and~~ chairs and other furniture on the highway to facilitate that recovery. ~~and this must be balanced with the need to enable social distancing for pedestrians.~~
- 1.2. The City Corporation ~~will~~ continues to support hospitality businesses in their ~~Covid~~COVID-19 recovery as much as it can, ~~to ensure that their trade bounces back and stabilises~~ reopen in a safe manner as soon as possible.
- 1.3. Balanced with that, the City Corporation must provide residents, workers and visitors to the City with a safe and comfortable environment when ~~travelling into and within the Square Mile using the public highway within the Square Mile,~~ particularly when travelling on foot, by bike and on public transport as footfall gradually returns to pre-pandemic levels. ~~whilst social distancing measures are still in place.~~
- 1.4. With a unique street layout, often comprising of narrow lanes following their original medieval design, surrounded by large high-rise buildings and with high volumes of pedestrians, the Square Mile faces ~~a number of~~ many challenges which are not present in other areas of London.
- 1.5. In considering whether to issue a pavement licence, the City Corporation will have in mind environmental and public safety considerations, together with other relevant policies including the five key principles agreed at Planning and Transportation Committee on 23 June 2020:
  - i) To put safety first
  - ii) To recognise the need to nurture a thriving economy in our City
  - iii) No privatisation of public space
  - iv) Having regard for space required to queue outside premises
  - v) Having regard to new or existing public seating nearby
- 1.6. When considering whether to grant a pavement licence, the City Corporation will, having regard to those five principles, assess a variety of factors including
  - a) Public health and safety including compliance with current ~~social~~ government guidelines ~~distancing guidelines~~, crowd management, queue management, proximity to existing public seating or new public seating areas provided as part of the COVID-19 recovery programme, queues likely to be forming from nearby businesses
  - b) Public amenity including the potential to create nuisance to neighbouring occupiers by generating anti-social behaviour and litter
  - c) Accessibility including the width of the highway, the needs of disabled people, pedestrian footfall, especially at peak times, suitable access to all members of the public using the highway, the presence of existing street



- furniture, the number of other permissions issued for areas in or near the proposed permitted area
- d) Policy changes brought in during the pandemic that particularly affect pedestrian and traffic movement
- e) The potential to safely reallocate carriageway to provide space for tables and chairs that are privately managed but clearly signed as available for public use

1.7. Hours of Operation: Under this ~~fast track~~~~fast-track~~ process, the City Corporation will only consider applications for pavement licences between the hours of 07:00 and 23:00 except in exceptional circumstances. This is to minimise the potential for crime and disorder and public nuisance.

1.8. ~~Footfall and unobstructed~~ footway width:

~~1.8.1. The City Corporation has determined through its Tables and Chairs Policy that a minimum width of 2.2 metres must be maintained on all footways for pedestrian use. This means that where a business occupies pavement space with furniture, there must be a minimum of 2.2 metres of unobstructed space between the edge of the furniture and the edge of the pavement or to the edge of another obstruction (e.g. bike rack). This is without taking social distancing requirements into account.~~

~~1.8.2.1.8.1. Since March 2020, footfall in t~~The City of London has a high footfall level been well below its usual level of circa of circa 0.5 million 500,000 workers daily. ~~with many city based office staff still working from home. Since the relaxation of COVID-19 restrictions, the City has seen a gradual return of office staff, with current footfall at approximately 70% of pre-pandemic levels and rising.~~

~~1.8.2. Due to high footfall in The City, it is important to provide enough space on the highway for people to feel comfortable when walking at a typical pace, and to prevent localised pinch-points or overcrowding that can lead to people stepping into the carriageway. Whilst footfall in the City of London remains low and subject to social distancing easements, it is possible to consider pavement licence applications in lower footfall areas where a minimum width of only 2.2 metres is maintained. Each application will be considered on its own merits.~~

1.8.3. In order to maintain a reasonable and safe pedestrian comfort level, The City Corporation has determined through its Tables and Chairs Policy that a minimum width of 2.2 metres must be maintained on all footways for pedestrian use. This means that where a business occupies pavement space with furniture, there must be a minimum of 2.2 metres of unobstructed space between the edge of the furniture and the edge of the pavement or to the edge of another obstruction (e.g. bike rack). It is therefore unlikely that a pavement licence will be granted where there is less than 2.2 metres of unobstructed highway unless the applicant can prove a low footfall in that area. Each application will be determined on its own merits.

1.8.4. In some areas where footfall is generally higher, for example around London Underground and National Railway station entry/exit points, an unobstructed

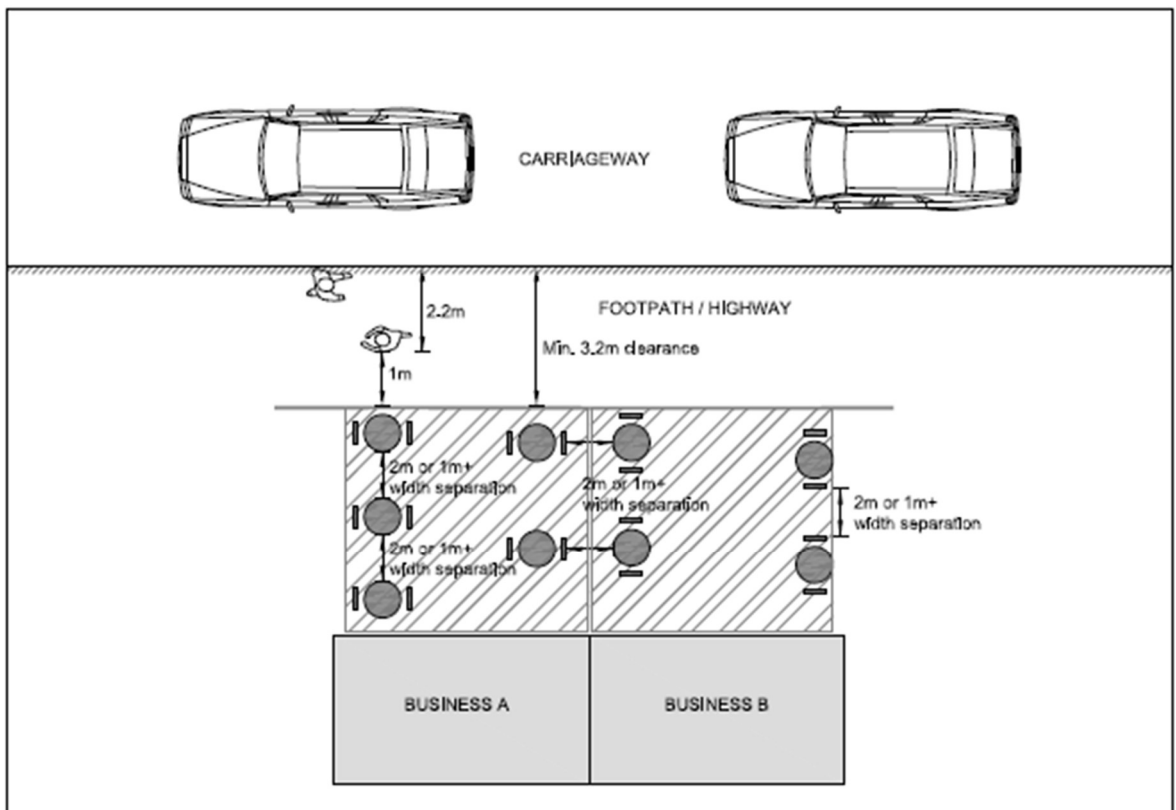
footway of more than 2.2 metres may be required, or licences might be time-limited to avoid busy times. This is in order to allow pedestrians to social distance if required and to prevent footways from becoming congested. In these instances, a clear footway width of 3.2 metres may be required. Each application will be considered on it's own merits.

~~1.8.5. As footfall in the City of London returns to normal, footways may become congested and it may become difficult to achieve social distancing if required between pedestrians and those seated without people having to walk on the kerb line. In these instances, a clear footway width of 3.2 metres may be required for pedestrian use. This will enable the 2.2 metre width for pedestrians plus a 1 metre distance between pedestrians and people seated at tables and chairs outside the premises. Each application will be considered on its own merits.~~

~~1.8.6-1.8.5.~~ Where a pavement licence has been granted with a minimum 2.2 metre of unobstructed footway and there is evidence of congestion on that footway to the detriment of pedestrian health and safety, the City Corporation may require that some or all of the furniture is removed from the pavement to facilitate the safe flow of pedestrians.

1.9. **City Streets:** Many City streets are too narrow to accommodate pavement licences whilst meeting the minimum restrictions set out in paragraph 1.8 above.

1.10. Applications should only be made in respect of City streets which are wide enough to accommodate furniture and maintain a minimum of 2.2 metre width ~~(or 3.2 metre width where necessary)~~ for pedestrians passing in either direction. This illustration sets out the City Corporation's requirements:



### 1.11. Duration of licence

- a) The statutory provisions for pavement licensing were originally set to expire on 30 September 2021 but the government ~~has since~~ extended this provision until 30 September 2022. The government has since agreed a further extension of the pavement licence regime until 30 September 2023. Premises that currently benefit with a pavement licence expiring on 30 September 202~~1~~<sup>4</sup> must reapply for a new licence. Licences are not automatically extended.
- b) New pavement licences will be issued for the full term until 30 September 202~~3~~<sup>2</sup> unless (i) a shorter period is specified on the application or (ii) there are unique grounds on the merits of an individual application to issue it for a shorter period.
- c) Notwithstanding the statutory requirement to issue a licence for a minimum of 3 months, any application received after 16 June 202~~3~~<sup>2</sup> will only have a licence granted until 30 September 202~~3~~<sup>2</sup>.
- d) The City's streets are undertaking a period of change in terms of both pedestrian numbers and temporary changes to the highway to deliver the City Corporation's CovidCOVID-19 transport recovery plan. ~~In order to~~To ensure the safety of residents, workers and visitors as people return to the Square Mile, all licences will be subject to regular monitoring by the City Corporation's enforcement officers. A licence may be revised or revoked dependant on pedestrian footfall changes in the City and the aggregate number of pavement licences in any given area. Powers to amend/revoke a licence are set out in Section 6 below.
- e) There will be no charge for a reapplication.

## Section 2

### 2. Pavement Licence: Definitions

- 2.1. **Pavement licence:** A pavement licence is a licence granted by the City Corporation, or deemed to have been granted, which allows the licence-holder to place removable furniture on part of a relevant highway adjacent to the premises in relation to which the application was made. A licence permits the holder to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by persons for consumption of food or drink supplied from, or in connection with the use of the premises.
- 2.2. **Eligible persons / businesses:** A person (includes a body corporate) who uses or proposes to use any premises (a) as a public house, wine bar or other drinking establishment, or (b) for the sale of food or drink for consumption on or off the premises can apply for a licence. Eligible businesses include public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours.
- 2.3. **Eligible locations:** Licences can only be granted in respect of highways listed in Part 7A of the Highways Act 1980. Generally, these are footpaths restricted to

pedestrians or are roads and places to which vehicle access is restricted or prohibited. In the City of London this includes the footpaths, certain carriageways and city walkways. Highways maintained by Network Rail or over Crown land are exempt so a licence cannot be granted.

#### 2.4. **Furniture:** Furniture which may be used is:

- a) counters or stalls for selling or serving food or drink;
- b) tables, counters or shelves on which food or drink can be placed;
- c) chairs, benches\* or other forms of seating that meet accessibility standards; \* **benches generally do not meet accessibility standards and permission for these will likely not be granted by the City Corporation.**
- d) umbrellas, barriers\*, heaters\*\* and other articles used in connection with the outdoor consumption of food or drink;

\* **Barriers** - it is the City Corporation's policy not to permit barriers as they provide additional obstructions in our narrow streets. However, barriers may be considered where they provide mitigation from vehicle attack.

\*\* **Heaters** - in order to support the hospitality sector during the winter months, the City Corporation will allow patio heaters from October 2020 through to ~~March-September~~ [2024](#)<sup>3</sup>. For environmental reasons, it is preferable to use zero / low carbon emitting electric heaters although gas heaters will be permitted if there is no easy electric supply to the pavement licensed area. Where it is proposed to use patio heaters, a risk assessment must be submitted with the application.

The furniture must be removable, which in principle means it is not a permanent fixed structure, is able to be moved easily and stored away every evening.

#### 2.5. **Other consents (food and alcohol) / Planning Permission / Street Trading**

2.5.1. **Other consents:** The grant of a pavement licence only permits the placing of furniture on the highway. Other regulatory frameworks still apply; food businesses must be registered with the City Corporation and alcohol sales must only be made in accordance with a premises licence granted under the Licensing Act 2003. A sale of alcohol may only be made within the area defined in the plan attached to an alcohol premises licence and does not extend to the area covered by a pavement licence.

2.5.2. **Planning Permission:** A pavement licence when granted, or deemed to be granted, benefits the licence holder with deemed planning permission to use the land for anything done pursuant to the licence whilst the licence is valid.

2.5.3. **Street Trading:** Anything done by the licence holder under the terms of a pavement licence will not be street trading for the purpose of the City of

London (Various Powers) Act 1987 as amended by the City of London (Various Powers) Act 2013.

## Section 3

### 3. Pavement Licence: Application Process

#### 3.1. Existing Tables and Chairs licence or pending application

3.1.1. **Existing licence:** During the lockdown period, the City Corporation suspended all existing tables and chairs licences granted under Part 7A of the Highways Act 1980. These licences will only be reinstated where it is safe to do so taking into account environmental and public safety considerations together with other relevant policies including the City Corporation's 5 key principles. If an application for a pavement licence is made and subsequently granted, the tables and chairs licence will have no effect whilst the pavement licence is in force.

3.1.2. **Pending application:** If an application for a tables and chairs licence under the Highways Act 1980 has already been made but not determined, the applicant may proceed with that application which will be determined taking into account environmental and public safety considerations together with other relevant policies including the City Corporation's 5 key principles. However, an applicant may opt to make a fresh application for a pavement licence under the new process. If an application for a pavement licence is submitted, the application for a tables and chairs licence is treated as withdrawn. If a fee has been paid in connection with that application, no further fee is payable in connection with the application for a pavement licence.

#### 3.2. Submission of an application for pavement licence

##### 3.2.1. Premises that currently benefit with a pavement licence:

(a) In order to streamline the process for premises that currently benefit with a pavement licence, the City Corporation will invite those business to confirm by way of email that they propose to reapply on the same terms as before, capturing the mandatory requirements of the Business and Planning Act 2020

(b) Statutory consultation with stakeholders will remain the same and all comments will be considered in the decision-making process.

##### 3.2.2. ~~Premises~~Premises that do not have a current pavement licence:

An application for a pavement licence must be made to the City Corporation using our online platform at [www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk). The following information will be collected as part of the application:

- a) Applicant details including name and address
- b) Business premises details including trading name, address and type of business use

- c) Details of the area of highway to be used by the business
- d) A location plan of the premises with the proposed area of highway to be used shown by a red line, so the application site can be clearly identified, together with:
  - The positions and number of proposed tables and chairs, together with any other furniture to be placed on the highway
  - The plan does not have to be to scale but it must include clear measurements of, for example, furniture, pathway width/length, building width and any other fixed item in the proposed area **and should indicate distance between furniture in accordance with the relevant COVID-19 risk assessment for the business. Please see illustration in paragraph 1.10 above.**
  - Fire exits of premises as well as those of neighbouring properties if affected by the area of highway to be used.
- e) Description of and photos or brochure images showing the proposed type of furniture and information on potential siting of it within the area applied;
- f) Proposed hours of highway use for the placing of furniture
- g) Evidence that the applicant has met the requirement to give notice of the application (for example photographs of the notice outside the premises and of the notice itself);
- h) A declaration that the applicant has a current certificate of public liability insurance against the insured's legal liability for death of or bodily injury to or disease contracted by a third party and/or loss of or damage to a third party properly arising out of or in the course of or in connection with the carrying out of the insured's business at the application premises and pavement licence site:
  - Inclusion of an indemnity to Principals Clause operative at the request of the insured.
  - A minimum limited of indemnity for any one occurrence of £5,000,000.00
- i) There will be no fee charged for pavement licence applications in the City of London.

**An application will only be deemed valid when submitted in the correct manner as set out above, with all sections of the form completed and it is submitted with all required documents and a fee if applicable.**

### 3.3. Consultation

3.3.1. The applicant is encouraged to talk to neighbouring businesses and occupiers prior to applying to the local authority, and so take any issues around noise, and nuisance into consideration as part of the proposal

3.3.2. A public consultation period of 7 days will commence the day after a **valid application** is made to the City Corporation. Bank holidays, Christmas day and Good Friday will not be counted as part of the 7 days. The consultation will consist of the following:

- The City Corporation will publish the application on its website for the duration of the 7-day consultation period. The last date for representations will be made clear and representations will not be accepted after this date.
- The applicant must fix a notice of the application to the premises so that it is readily visible and can be read easily by members of the public for the duration of the 7-day consultation period. A template is attached as Appendix C. **The applicant must email the City Corporation evidence that the notice has been fixed.**
- In addition to the statutory consultation with the Highways Authority (where the authority is not the City Corporation), the following will also be consulted: City of London Police, City of London Pollution Control Team, City of London Commercial Environmental Health Team, Access Team, City Surveyors, Street Environment Team, Planning & Transportation Team
- Applications will also be added to the licensing application bulletin email for wider distribution.

During the consultation period, representations relating to the application may be made by any person. The City Corporation must take into account any representations received during the public consultation period when determining the application.

## Section 4

### 4. Pavement Licence: Determination

4.1. In determining an application for a pavement licence, the City Corporation will take into consideration a range of factors including the criteria set out in Section 1 and the conditions set out in Section 5. A site assessment may be carried out by an authorised officer to ensure that no obstruction to the highway would be caused by licensing the proposed site.

4.2. Any representations made during the consultation period will be taken into consideration. Representations that do not relate directly to the granting of a pavement licence may be given less weight when determining an application. Representations received outside the consultation period will be disregarded.

4.3. The City Corporation may



- a) grant the licence in respect of any or all of the purposes specified in the application,
- b) grant the licence for some or all of the part of the highway specified in the application, or
- c) reject the application.

Any licence granted will be subject to the City Corporation's published standard conditions.

- 4.4. The City Corporation must determine an application within a 7-day determination period. Decisions will be communicated to the applicant by way of email before the determination period ends.
- 4.5. If the City Corporation does not determine an application by the end of the 7-day determination period, the licence is deemed to be granted by the City Corporation.
- 4.6. Any pavement licences granted by the City Corporation will be valid for a period of 6 months subject to no licence extending beyond 30 September 2021. Any pavement licence deemed to be granted will be valid for one year commencing the day after the determination period ends and subject to no licence extending beyond 30 September 2021.
- 4.7. A person may apply for further pavement licences in respect of the same premises, provided that the determination period for any previous application made has ended.
- 4.8. A licence holder may surrender a pavement licence at any time by email notification to the City Corporation at [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) . If a fee has been paid for the licence, there will be no refund of the fee where a licence is surrendered.
- 4.9. The City Corporation will reject a pavement licence where the site is deemed unsuitable or unsafe having applied the criteria set out in Section 1, the conditions in Section 5 cannot be met, or if representations are made which raise issues that cannot be mitigated by way of conditions. If a fee has been paid, it will not be refunded where an application is rejected. There is no statutory right of appeal against a decision to reject an application. If an applicant is aggrieved by a decision to reject an application for a pavement licence, they can make a complaint to the Director of Port Health and Public Protection at [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) setting out clear reasons for the complaint. The Director will consider the complaint within 14 days. Alternatively, an applicant may wish to make an application for a tables and chairs licence under Part 7A of the Highways Act 1980 which includes an arbitration process for contested applications.

## **Section 5**

### **5. Pavement Licence: Conditions**



- 5.1. All conditions set out in this section will apply to any pavement licence granted or deemed to have been granted by the City Corporation.
- 5.2. The City Corporation may impose additional conditions to a pavement licence as it considers reasonable and appropriate to a particular case, with the exception of licences deemed to be granted which are subject only to conditions published before the application was made.
- 5.3. **City of London Standard Conditions:** The City Corporation's standard conditions applicable to all pavement licences granted or deemed granted are attached as Appendix A.
- 5.4. **Default Conditions as set out Section 3(6) and 5(4) of the Act:** The default 'no obstruction' and 'smoke-free seating' condition is set out in Appendix B.
- 5.5. **National Conditions as provided by the Secretary of State:** The Secretary of State, in exercise of his powers under [clause 5(6)] of the Business and Planning Act 2020, may make provisions for national conditions by way of regulation.

## Section 6

### 6. Pavement Licence: Enforcement/Revocation

- 6.1. If the licence-holder breaches any condition of a pavement licence the City Corporation may:
  - a) Serve a notice on the licence holder requiring measures to be taken to remedy the breach as specified within the notice and within a specified time scale. If the licence holder fails to comply with the notice, the City Corporation may take the steps itself and recover the costs of doing so from the licence holder
  - b) Revoke the licence (whether or not a remediation notice has been issued)
- 6.2. The City Corporation may also revoke the licence where:
  - a) There are risks to public health or safety – for example where increased footfall in an area gives rise to congestion on the highway and the furniture is considered to be an obstruction to the safe movement of pedestrians; by encouraging users to breach government guidance on social distancing by placing tables and chairs too close together;
  - b) there is anti-social behaviour or public nuisance – for example, the use is increasing the amount of noise generated and litter is not being cleaned up;
  - c) the highway is being obstructed (other than by anything permitted by the licence);
  - d) it comes to light that the applicant provided false or misleading statements in their application; or
  - e) the licence holder did not comply with the requirement to affix the notice to notify the public for the relevant period.

## Section 7

### 7. Other considerations: Counter Terrorism Advice

- 7.1. Greater use of open spaces through alfresco eating and drinking increases the public's vulnerability to terrorist attacks. There is no specific information or intelligence to suggest that any particular premises in the City of London are under any immediate threat from a terrorist attack, however the threat to the UK from terrorism is currently assessed as SUBSTANTIAL, and this means an attack is likely.
- 7.2. Each application for a pavement licence will be referred to a City of London Police Counter Terrorism Security Advisor (CTSA). Each application will be considered on its own merits and the advice of the CTSA will be passed on to the licence holder for action. If a licence holder fails to comply with CTSA advice, a remediation notice may be served on the licence holder or the licence may be revoked if it is in the public interest to do so. Where an objection is raised by the CTSA the application will be refused.
- 7.3. Where a licence is granted, licence holders will need to carefully consider the increased vulnerabilities to their customers. The security of those customers must not be overlooked and must be covered in the licence holder's risk assessment. Details of what to include in a terrorist threat risk assessment are included in but not limited to those set out in Appendix D. In particular, licensees will be expected to comply with requirements 5 and 6 of the risk assessment (CCTV systems and ACT (Action Counters Terrorism) training) as set out in the new national guidance 'Counter Terrorism Protective Security Pavement Licence Conditions'. Failure to comply may result in a remedial notice being served on a licence holder or ultimately, revocation of the pavement licence.

## **Part B: Alcohol Licensing**

### **Section 8**

#### **8. Automatic Off-Sales Extension**

~~8.1. The Business and Planning Act 2020 (the Act) modifies the provisions in the Licensing Act 2003 to provide automatic extensions to the terms of premises licences with alcohol on-sales to allow for off-sales (subject to exemptions in paragraph 7.9 below). It is a temporary measure to boost the economy, with provisions lasting until the 30 September 2022.~~

~~8.2. The measures make it possible for licensed premises that have only an on-sales licence to sell alcohol for consumption off the premises. This allows businesses to trade whilst keeping social distancing measures in place inside.~~

~~8.3. The measures also make it possible for licensed premises that have off-sales with certain restrictions to sell alcohol without those restrictions applied.~~

~~8.4. There is no need for an application to be made and no fee to be paid.~~

#### ~~8.5. Premises with alcohol licences that currently only permit on-sales:~~

~~(a) Licensees who have a premises licence that only permits on-sales automatically benefit with off-sales permission during the same hours permitted for on-sales or until 11pm, whichever is earlier. Off-sales are permitted in open containers and allow deliveries of alcohol to residential or work buildings. If longer hours are required for off-sales (than the on-sales or 11pm), an application to vary the licence must be made in accordance with Section 34 of the Licensing Act 2003.~~

~~(b) Licensees who have a premises licence that permits on-sales with an outdoor area such as beer garden or terrace within their 'red line drawing' with time restrictions on use of the outdoor areas will only be permitted new off-sales at times when they would be permitted on-sales within their outdoor area.~~

#### ~~8.6. Premises with alcohol licences that currently permit on-sales and off-sales with restrictions:~~

~~Licensees who have a premises licence that permits on-sales and off-sales with certain restrictions will have those restrictions automatically suspended. There are three types of restrictions (conditions) that are suspended:~~

~~a) Restrictions on times for off-sales. Off-sales can now mirror the times for on-sales or 11pm or the closure time of an outdoor area, whichever is earlier. This would apply, for example, if the times of off-sales in an outdoor area which is outside the 'red line drawing', hence "off" the premises, is limited by condition, and more restrictive than the hours for sales inside the premises.~~

~~b) Restrictions on selling alcohol for off-sales in an open container. Open containers are now automatically permitted, and any condition requiring off sales to be in sealed containers only is disappplied.~~

- e) ~~Restrictions on deliveries to the door (of office or residential properties). Home (office) deliveries are now automatically permitted, without any additional conditions.~~

~~All other restrictions on a premises licence still apply, including restrictions on using outdoor areas that form part of the premises or restrictions on off-sales that do not relate to hours, sealed containers or deliveries.~~

#### ~~8.7. Premises with alcohol licences that currently permit on-sales and off-sales without restrictions~~

~~These licences are unaffected~~

- ~~8.8. Exemptions to the automatic extension of off-sales: Licensees who have had an application for an off-sales permission refused or had their off-sales permission excluded by variation or at review within the last three years, will be excluded from this automatic licence extension. This is a safeguard to ensure that where it has recently been decided that the licensee should not have the permission, they do not receive it through the Business and Planning Act 2020. If those premises want to benefit from off-sales, or have off-sales without restriction, they must apply to vary their premises licence in accordance with Section 34 of the Licensing Act 2003.~~

## ~~Section 9~~

### ~~9. Review Procedures~~

- ~~9.1. If any premises cause particular problems in operating under the automatic extension of off-sales, then any responsible authority (the Police, Environmental Health, Licensing Authority, Trading Standards and others) can apply to the City Corporation for a review of the new automatic off-sales permission. The review application must be based on one or more of the four licensing objectives. The review application works in a similar way to the existing summary review application, so it is a fast-track review application. The Licensing Authority has the power to consider it quickly, and apply interim steps, within 48 hours, just like a regular summary review.~~
- ~~9.2. In considering such a review, the Licensing Authority can only take into account the automatic extension for off-sales itself, and whether that should be removed. The licence cannot be revoked under this procedure~~
- ~~9.3. The Licensing Authority can remove the automatic right to have off-sales, or can reimpose conditions, such as time limits in beer gardens, or restrictions on home deliveries, in the off-sales review. The licensing authority can apply interim steps without the licence holder being present, but the licensee has the right to be heard to review interim steps, and there is a mandatory fully review hearing 28 days after the off-sales review application by the responsible authority. At this full review, only the off-sales provision may be considered and not the rest of the licence.~~
- ~~9.4. A licence holder has a right of appeal against a decision to remove the automatic extension of off-sales to a Magistrates Court.~~

## Section 10

### 10.8. City of London: Managing Outside drinking

~~10.1.8.1. With the temporary relaxation of licensing and planning laws until 30 September 2022, m~~Under the pavement licensing regime, more pubs, bars, restaurants and cafes in the City of London will take advantage of being able to serve customers outdoors. As a result, there is the potential for an increase in noise and anti-social behaviour. It is essential that licence holders have provisions in place to manage their outside drinking and eating areas in order to lessen the impact on neighbouring residents and other businesses.

10.2.8.2. Licence holders are responsible for managing their customers consuming alcohol outside their premises. It is good practice to have a documented policy on managing outside eating and drinking to include but not limited to:

~~a) **Social distancing:** The government has produced guidelines to assist businesses in returning to work during the COVID-19 pandemic. The guidelines are constantly evolving and changing and licence holders are responsible for keeping risk assessments up to date to ensure the safety of their customers.~~

b)a) **Noise from patrons:** Customers smoking, eating and drinking in outdoor areas including the public highway should be monitored by staff to prevent public nuisance. Licence holders should display prominent signs asking customer to be respectful of neighbouring property owners and to keep noise to a minimum.

e)b) **Obstruction:** Customers must not be allowed to obstruct the highway or the doorways of neighbouring residential, commercial or office premises. Customers queueing to enter premises must be managed to prevent any such obstruction. Customers must not be permitted to congregate on the carriageway causing obstruction to vehicular traffic. Pedestrians must have unobstructed access to the highway and should not be forced to step into the road to pass by.

d)c) **Customer safety:** Licence holders may wish to use toughened or polycarbonate glass in outside areas. Staff should monitor outside areas and collect empty glassware regularly. Spillages and or broken glass must be swept away immediately.

e)d) **Litter:** Outside areas should be monitored regularly by staff and any litter generated by customers including food wrappers and cigarette butts should be cleaned up regularly and at the end of each evening.

f)e) **Theft of personal belongings:** With more customers using external areas, there is more potential for opportunist theft of personal belongings. Licence holders may wish to use chelsea hooks on external furniture, display external signage warning customers of the risk of bag thefts and pick-pocketing. Staff monitoring outside areas should be vigilant at all times and remind customers to look after their personal belongings.

## Appendix A

### City of London Pavement Licence Standard Conditions

These standard conditions are made pursuant to Section 5(2) of the Business and Planning Act 2020. To the extent that these conditions do not prevent the obstructions specified in section 3(6) of the Act, a pavement licence is granted or deemed to be granted subject to the statutory no-obstruction and smoke-free seating condition.

The term 'furniture' used hereinafter means counters or stalls for selling or serving food or drink; tables, counters or shelves on which food or drink can be placed; chairs or other forms of seating; umbrellas, heaters and other articles such as parasols or planters used in connection with the outdoor consumption of food or drink.

1. This licence must be displayed in a prominent position during any period that furniture is placed on the highway.
2. The placing of furniture and seating of customers should comply with government Covid-19 Secure Guidelines and the licence holder must have an appropriate risk assessment in place for their business operation
3. This licence only permits the area of the highway (the authorised area) and the items of furniture specified on the licence to be used. All furniture is to remain within the authorised area whilst it is in use on the highway.
4. All customers in the authorised area must be seated at all times save for access to and egress from the seating area.
5. The furniture must be removed from the authorised area by the licence holder by 23:00 unless otherwise specified on the licence, or at any time when requested to do so by an officer of the City Corporation or City of London Police. The furniture must be stored off the highway every evening.
6. Furniture must not be placed in any position where it will obstruct a designated fire escape route.
7. The authorised area must be supervised at all times whilst the licence is in use. The licence holder must ensure there are sufficient staff to supervise and control the authorised area to:
  - a. deter and prevent noise nuisance and/or antisocial behaviour
  - b. ensure the safety of customers and staff in line with the Covid-19 risk assessment
  - c. ensure that the area is kept clean, tidy and free of litter
  - d. ensure that the area is swept and/or gritted in order to prevent slipping in adverse weather conditions
  - e. ensure that food and drink is be cleared from unoccupied tables as soon as possible
8. The licence holder must clean the authorised area regularly to prevent staining by anything done pursuant to the licence.

9. The licence holder shall be liable for any damage to the authorised area which the City Corporation considers reasonably attributable to anything done pursuant to the licence and shall reimburse the costs of the City Corporation or its Agents in repairing the same.
10. The licence holder shall be liable for and shall indemnify the City Corporation, their Servants and Agents against:-
  - a) any expense, liability, loss, claim or proceedings whatsoever arising under statute or at common law in respect of personal injury to or the death of any person whomsoever, and
  - b) any expense, liability, loss, claim or proceedings in respect of any injury, loss or damage whatsoever to any person whomsoever or to any property real or personal, arising from the use of the Public Footway for the permitted purpose.

Without limiting the obligation hereunder, the licensee will effect insurance against the matters referred to in this condition to the satisfaction of the Chamberlain of London and will produce to the Chamberlain the policies of insurance so effected and the current premium renewal receipts relative thereto at such times as the Chamberlain shall reasonably require.

11. No advertising material may be attached to, or form part of, any of the furniture.
12. No supplemental lighting may be used in connection with the furniture.

## **Appendix B**

### **Pavement Licence: Default No Obstruction Condition**

Anything done by the licence-holder pursuant to the holder, or any activity of other persons which is enabled by the licence, must not have one of the specified statutory effects debarring grant of the licence, namely the effect of:

- (a) preventing traffic, other than vehicular traffic, from
  - (i) entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
  - (ii) passing along the relevant highway, or
  - (iii) having normal access to premises adjoining the relevant highway,
- (b) preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
- (c) preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
- (d) preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.

### **Pavement Licence: Default Smoke-free Seating condition**

Where the furniture on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must make reasonable provision for seating where smoking is not permitted.



Appendix C

**PUBLIC NOTICE**

**Business and Planning Act 2020  
Application for a Pavement Licence**

I/We (*name of applicant*), \_\_\_\_\_

do hereby give notice that on (*date of application*) \_\_\_\_\_

have applied to the City Corporation for a 'Pavement Licence' at:

*(postal address of premises)*

known as *(trading name of premises)*

The application is for: *(brief description of application eg. outdoor seating to the front of the premises for serving food and drink)*

A copy of my application and associated documents including plan and details of furniture can be viewed on the City Corporation's website at [www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk). Any person wishing to make representations to this application may do so by email at: [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk)

by: (*date*) \_\_\_\_\_

*(this must be 7 days from the date of the application not including bank holidays)*

Signed .....

Dated .....

## Appendix D

### Counter Terrorism Advice for Risk Assessment

As part of a terrorist threat risk assessment in relation to use of outdoor public space for eating and drinking a licensee should consider the following:

1. The safe access/egress of your customers and of those within nearby premises. Allowances should be made for the rapid dispersal of people in the event of an emergency/incident. Tables and chairs or other furniture should NOT impede this.
2. If the premises become busy creating a queue outside, this must not conflict with customers using the tables and chairs or the adjoining pedestrian footpath. There should be clear guidance provided by the staff to direct patrons accordingly, away from the road scene. The staff should be prepared for such an event.
3. Adequate street lighting should illuminate the deployment of tables and chairs.
4. The licensee should liaise with neighbouring properties so they can consider their evacuation procedures accordingly and avoid any conflict and capitalise on shared benefits.
5. The Pavement License holder will need to ensure that existing CCTV systems are correctly working, are compliant with the Data Protection Act 1998, Information Commissioners requirements and any other local CCTV Code of Conduct produced by the Police or Local Authority. Imagery must be retained for at least 28 days and images produced to a Police Officer or Local Authority Enforcement Officer upon reasonable request. Faults which render the CCTV system or parts of it inoperable should normally be rectified within 24 hours.
6. The pavement licence holder will need to ensure that the management team of the business to which the pavement licence is attached; register and successfully complete the nationally recognised counter terrorism training product referred to as ACT E Learning within 10 days of the notification of the grant of the Pavement License OR can demonstrate that the ACT E Learning product has successfully been completed within the preceding 12 months and that all staff employed by OR at the premises complete the ACT E Learning within a reasonable period not exceeding 3 months from the notification of the grant of the Pavement License. (Act E Learning certificates are provided on successful on-line completion. )ACT E-learning can be accessed at:

<https://www.gov.uk/government/news/act-awareness-elearning>.

And also at <https://ct.highfieldelearning.com/>

Further information on free training and awareness can be obtained via contact with the local Counter Terrorism Security Advisors who can be contacted on the following email: [CTSA@city-of-london.pnn.police.uk](mailto:CTSA@city-of-london.pnn.police.uk)

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