



Planning and Transportation Committee

Date: WEDNESDAY, 24 FEBRUARY 2021

Time: 9.30 am

Venue: VIRTUAL PUBLIC MEETING (ACCESSIBLE REMOTELY)

Members:

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

Enquiries: Gemma Stokley
gemma.stokley@cityoflondon.gov.uk

Accessing the virtual public meeting

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

https://youtu.be/xN_erXXKT54

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

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**
To agree the public minutes and summary of the meeting held virtually on 16 February 2021 **(TO FOLLOW)**.

For Decision
4. **2-3 FINSBURY AVENUE LONDON EC2M 2PF**
Report of the Interim Chief Planning Officer and Development Director.

For Decision
(Pages 1 - 244)
5. **ANONYMISATION OF MEMBERS IN MINUTES**
Report of the Town Clerk.

For Decision
(Pages 245 - 250)
6. **GATEWAY 2 - CAR PARKS - FIRE REMEDIAL WORKS**
Report of the City Surveyor.

For Decision
(Pages 251 - 264)
7. **2020/21 BUSINESS PLAN UPDATE Q3**
Report of the Director of the Built Environment.

For Information
(Pages 265 - 274)
8. **DEEP DIVE: CR21 AIR QUALITY**
Report of the Director of Markets and Consumer Protection.

For Information
(Pages 275 - 298)

9. **OUTSTANDING ITEMS**
Report of the Town Clerk.

For Information
(Pages 299 - 302)

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

For Information
(Pages 303 - 304)

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

For Information
(Pages 305 - 312)

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

For Information
(Pages 313 - 314)

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

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

Committee:	Date:
Planning and Transportation	24 February 2021
Subject: 2-3 Finsbury Avenue London EC2M 2PF Demolition of the existing buildings and construction of a new building arranged over three basement levels, ground and 37 upper floors to provide an office-led, mixed use development comprising commercial, business and service uses (Class E), flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); and learning and non-residential institutions uses (Class F1); creation of a new pedestrian route through the site at ground floor level; hard and soft landscaping works; outdoor seating associated with ground level uses and other works incidental to the development.	Public
Ward: Bishopsgate	For Decision
Registered No: 20/00869/FULEIA	Registered on: 4 November 2020
Conservation Area:	Listed Building: No

Summary

Planning permission is sought for: Demolition of the existing buildings and construction of a new building arranged over three basement levels, ground and 37 upper floors to provide an office-led, mixed use development comprising commercial, business and service uses (Class E), flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); and learning and non-residential institutions uses (Class F1); creation of a new pedestrian route through the site at ground floor level; hard and soft landscaping works; outdoor seating associated with ground level uses and other works incidental to the development.

An Environmental Statement accompanies the scheme.

The proposed development has been designed to accommodate new ways of working reflected in flexible and adaptable floorspace to meet the demands of different types of business occupiers, including incubators, start-ups and other small and medium sized companies. The office space would be complemented by an exemplar 'Open Learning Hub' (Class F1) at ground, first and second floor levels at the north west corner, facing onto Wilson Street and Sun Street. The vision for the Open Learning Hub is to create a shared resource and an accessible and inclusive route into the knowledge and expertise of the City for use by local communities and networks.

The proposed development would deliver the highest architectural quality through two dynamic towers coherently connected by a podium which would deliver an engaging, distinctive and vibrant building designed to be responsive at a macro and local context. The development would be a positive and lasting addition to the skyline and the streetscapes and represents a responsive approach to bulk, height, scale, massing, quality of materials and detailed design.

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

Dedicated areas of planting and greening would be incorporated into the development through a combination of external terraces with perimeter planting; green walls; and new tree planting at ground level within the surrounding public realm.

The scheme delivers significant public realm enhancements, including a generously proportioned north-south passageway through the site, connecting Sun Street and Finsbury Avenue Square with a minimum of 732 sqm of active ground floor commercial units (suitable for drinking establishments and restaurants).

The increase in floorspace and occupation places extra pressure on the comfort and safety of the City's streets. The overall width of the existing pavements around the site would be enlarged to increase their capacity and improve pedestrian comfort levels. Overall, the PCLs are much improved due to the setting back of the building and the new, step free, public pedestrian route through the development.

Objections have been received from neighbouring occupiers at One Crown Place (OCP) relating to the design, massing and the impact on townscape views of the development, its impact on designated and non-designated heritage assets and the impact on the environment and amenity (daylight and sunlight) of the immediately surrounding area and the building at One Crown place. This report has considered these impacts, and conditions have been recommended to mitigate the impacts including the implementation of wind mitigation measures.

The site does not lie in an area which is considered to be inappropriate for a tall building. The site is considered suitable for tall buildings having regard to the criteria set out in policy CS14(3) of the Local Plan. The proposed height is considered acceptable in the context of an existing and emerging cluster of tall buildings on the City Fringe. The proposal complies with Local Plan Policy CS14, draft City Plan Policy S12, London Plan Policy 7.7 and draft Publication London Plan D9. The proposal would not harm and would protect pan-London LVMF and local strategic views in accordance with Local Plan Policy CS13(1), London Plan Policies 7.11 and 7.12, draft City Plan 2036 Policy S13 and draft

Publication London Plan Policy HC4 and associated guidance in the LVMF SPG and Protected Views SPD. Following rigorous assessment, it is concluded that the proposal would preserve the setting and significance of St Paul's Cathedral and comply with LVMF SPG and Protected Views SPD.

The proposal would preserve the special interest/significance and setting of 1 Finsbury Avenue, Park House and Garden House , Britannic House , Salisbury House , 25 London Wall, Lutyens House, The Flying Horse Public House St Botolph without Bishopsgate Church St Botolph Church Hall , Bishopsgate Parish Memorial and drinking fountains and over throws. The proposal would preserve the special interest/significance and setting of the Finsbury Circus, Bunhill Fields and Finsbury Square, Bishopsgate and Sun Street Conservation Areas. In relation to other designated and non-designated heritage assets, it is considered that the proposed development would not harm their significance or setting. The application proposals accord with London Plan policy 7.8, Local Plan policies CS12, DM12.1, DM12.3 and DM12.4, draft Publication London Plan policy HC1 and with the emerging City Plan policy HE1. The objective set out in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in particular that of preserving the settings of listed buildings is achieved.

The proposed development would have a Major Adverse impact on the daylight and sunlight to a number of rooms within the soon to be completed development at One Crown Place. Despite failure to comply with BRE criteria , it is not considered that the proposal would result in an unacceptable impact on residential amenity in the context of the location of the site in a densely developed City Centre location, and will not reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels. As such, the extent of harm is not considered to be such as to cause the proposals to conflict with Local Plan Policy DM10.7 and Policy DE8 of the draft City Plan 2036. It is also the view of officers that the proposals would not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, and that London Plan policy 7.6B is complied with. Officers also consider that surrounding housing will enjoy sufficient daylight and sunlight which is appropriate for its context, and that draft Publication London Plan policy D6D is complied with In any event, it is considered that the public benefits of the scheme, including the provision of additional office floorspace within the proposed development, meeting Local Plan ambitions for further office floorspace and contributing to the City's primary business and professional services function, outweighs the identified Major Adverse impact.

The development would regenerate the Liverpool Street area through improved public realm connectivity and activation and represents good growth. This development would be an exemplary in its progressive approach to sustainable, circular, accessible and behavioural design addressing many of the key issues facing the City, London and the UK by providing a state of the art workplace that contributes to the local environment, City workers and local communities.

It is the view of officers that the proposal complies with the development plan when considered as a whole and that other material considerations also indicate that planning permission should be granted as set out in the recommendation and the schedules attached.

Recommendation

(1) That the Chief Planning Officer be authorised to grant planning permission for the above proposal in accordance with the details set out in the attached schedule, subject to:

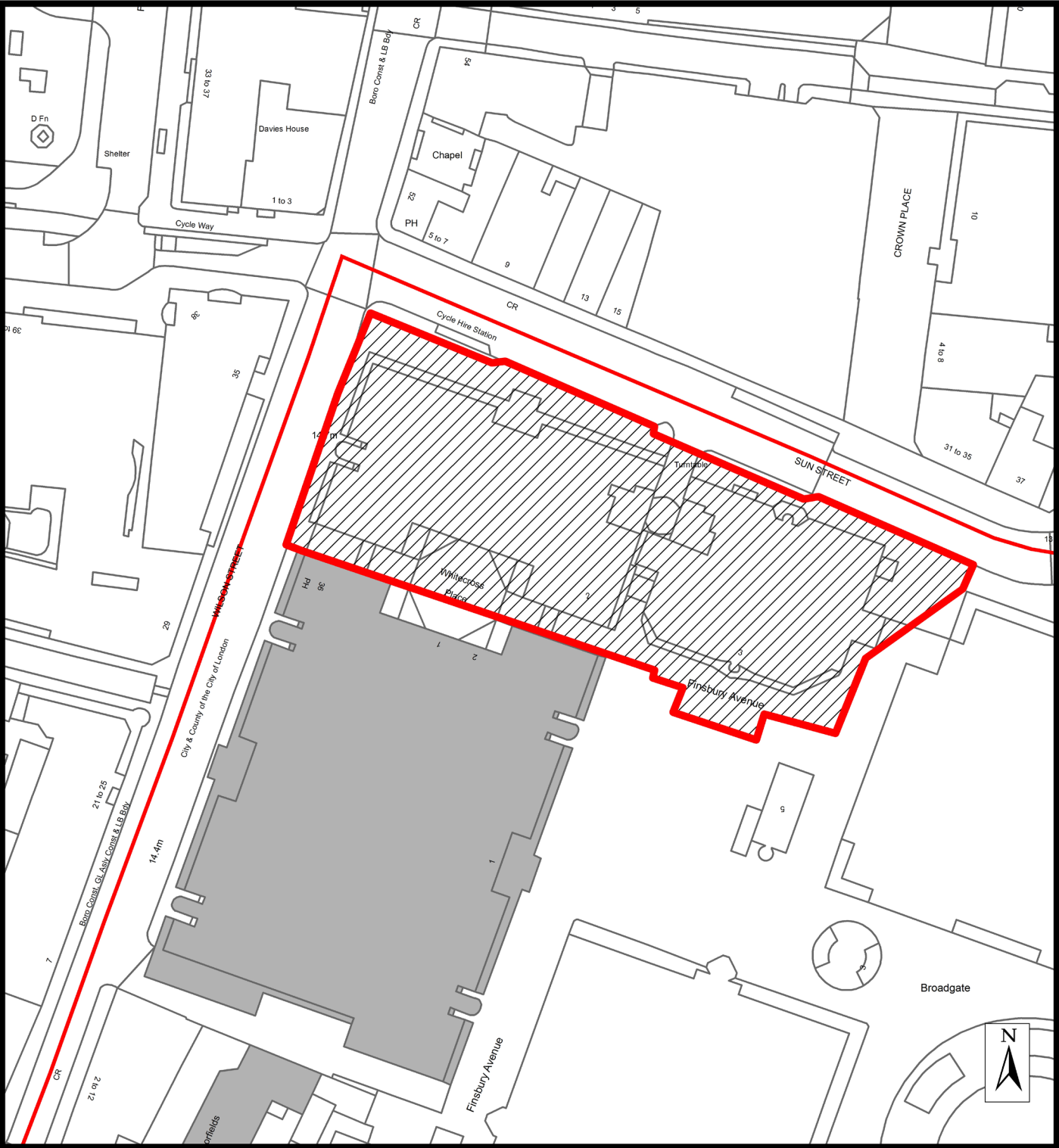
a) The Mayor of London being given 14 days to decide whether to allow the Corporation to grant planning permission as recommended, or to direct refusal, or to determine the application himself (Article 5(1)(a) of the Town & Country Planning (Mayor of London) Order 2008);

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

(2) 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.

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





Site Location Plan



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ADDRESS:
2-3 Finsbury Avenue, London EC2M 2PA

CASE No.
20/00869/FULEIA

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



Wilson Street / Sun Street Corner Aerial



Wilson Street / Sun Street Corner



Sun Street (Looking East)



Wilson Street (Looking North)



Finsbury Avenue Square



Finsbury Avenue Square



Main Report

Environmental Impact Assessment

1. The application is for EIA development and is accompanied by an Environmental Statement (ES). The ES is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. This is to ensure that the importance of the predicted effects and the scope for reducing them are properly understood by the public and the competent authority before it makes its decision.
2. The Local Planning Authority must take the Environmental Statement into consideration in reaching its decision as well as comments made by the consultation bodies and any representations from members of the public about environmental issues as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
3. The duties imposed by regulation 26 of the EIA Regulations require the local planning authority to undertake the following steps:
 - a) To examine the environmental information
 - b) To reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account the examination referred to at (a) above, and where appropriate, their own supplementary examination
 - c) To integrate that conclusion into the decision as to whether planning permission is to be granted; and
 - d) If planning permission or subsequent consent is to be granted, consider whether it is appropriate to impose monitoring measures.
4. The local planning authority must not grant planning permission unless satisfied that the reasoned conclusion referred to above is up to date. A reasoned conclusion is to be taken to be up to date if, in the opinion of the relevant planning authority, it addresses the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development. The draft statement attached to this report at Appendix A and the content of this report set out the conclusions reached on the matters identified in regulation 26. It is the view of the officers that the reasoned conclusions address the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development and that reasoned conclusions set out in the statement are up to date.
5. Representations made by anybody required by the EIA Regulations to be invited to make representations and any representations duly made by any other person about the environmental effects of the development also forms part of the environmental information to be examined and taken into account by your Committee.

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

Site and Surroundings

8. The Site is located at the north west corner of the Broadgate campus, on the northern side of Finsbury Avenue Square. It has frontages to Finsbury Avenue Square and Whitecross Place to the south, Sun Street to the north and Wilson Street to the west. The Site is 0.49 hectares (ha) in area.
9. Broadgate is located on the north eastern edge of the City of London. Immediately north of Sun Street lies the London Borough of Hackney in an area identified in the London Plan as the City Fringe. Immediately to the west across Wilson Street and to the northwest is the London Borough of Islington. Liverpool Street Station and Bishopsgate lie to the east of the site, beyond which is the London Borough of Tower Hamlets.
10. The Broadgate campus is a major office location serving the financial, legal and other sectors. The campus is undergoing a process of renewal to ensure that it remains a global business destination and is the subject of major investment in the redevelopment and refurbishment of existing buildings.
11. The existing site comprises two 1980s office buildings (2 and 3 Finsbury Avenue) providing approximately 22,359sq.m (GEA) of office (B1) and 663sq.m (GEA) of ground floor retail. The buildings were designed by Arup Associates and were constructed during 1986-1988, following the first phase of development of the Broadgate masterplan.
12. 2 Finsbury Avenue aligns with 1 Finsbury Avenue, to the south; 3 Finsbury Avenue is located east of number 2 and forms the northern edge of Finsbury Avenue Square. The 5 Broadgate development, which was completed in 2015, is located immediately to the east of the Site.
13. To the north of the site, on the opposite of Sun Street within the London Borough of Hackney, is One Crown Place, a part 6, 28 and 33 storey mixed used development of office, retail, hotel and residential apartments, which incorporates the locally listed Georgian terrace at 5 - 15 Sun Street.

Relevant Planning History

Certificate of Immunity from Listing

14. The existing buildings at 2 and 3 Finsbury Avenue buildings are not listed and are the subject of a Certificate of Immunity from Listing (ref: 1463185) that was issued by the Secretary of State on 03 December 2015, and renewed on 27 June 2019, which is valid until 27 June 2024.

2016 Redevelopment Scheme

15. Planning permission was granted on 29 March 2018 (application reference: 16/00149/FULEIA) for:

Demolition of existing buildings and construction of a building arranged over three basement floors, ground and 32 upper floors plus mezzanine and three rooftop plant levels (168.4m AOD) to provide office accommodation (Class B1) (61,867sq.m); flexible retail uses (for either class A1, A2 or A3) at part ground and mezzanine levels (4,250sq.m GIA); cafe/restaurant uses (Class A3) at 13th floor level (1,291sq.m); flexible retail uses (for either class A1 or A3) at part ground floor level (248sq.m); a flexible space for office, conferencing, events and/or leisure use (for either Class B1, D1 or D2) at 13th to 18th floor levels (5,333sq.m) and a publicly accessible roof terrace and associated facilities at 13th floor level; hard and soft landscaping works; servicing facilities; and other works incidental to the development (total floor area 85,378sq.m GIA).

16. The planning permission approved the demolition of the two existing buildings on the site and their replacement with a new single office-led mixed-use building. The permitted scheme comprises four elements: a 36 storey tower on its eastern end; a lower 13 storey central section stepping up to a 20 storey tower towards the west before stepping down to eight storeys on the western end to Wilson Street.
17. The permitted scheme comprises 85,378 sq.m (GIA) of floorspace, incorporating the following land uses:

Use (Class)	Floor Area (sq.m GIA)
Office (Class B1)	61,867
Flexible conference and events centre / office (Class D1/D2/B1)	5,333
Flexible retail (Class A1/A2/A3)	4,250
Flexible retail (Class A1/A3)	248
Café/restaurant (Class A3)	1,291
Publicly accessible roof terrace	895
Total	85,378

18. A new ground level pedestrian route was included in the scheme in the form of a retail arcade providing public access diagonally through the

site linking Finsbury Avenue Square and the junction of Sun Street and Wilson Street. Condition 1 attached to that planning permission provides that the development permitted shall be begun for the expiration of six years for the date of the permission. The planning permission is still extant.

Meanwhile Uses

19. Temporary planning permissions have been granted for meanwhile uses within the existing buildings, pending the redevelopment of the site. The permissions include:
- Theatre space with ancillary studios / workshops and café (1,649 sq.m GIA) at part ground and first floor of 2 Finsbury Avenue (16/1319/FULL dated 16 March 2017);
 - Either / or a mixture of office / conferencing events space / assembly and leisure uses at seventh floor level of 2 Finsbury Avenue (1,201 sq.m GIA) (16/1319/FULL dated 16 March 2017); and
 - Retail / café / restaurant / non-residential institutions at part ground floor level of 3 Finsbury Avenue (300 sq.m GIA) (18/00159/FULL dated 10 May 2018).

Proposal

20. Planning permission is sought for:
- Demolition of the existing buildings and construction of a new building arranged over three basement levels, ground and 37 upper floors to provide an office-led, mixed use development comprising commercial, business and service uses (Class E), flexible commercial, business and service uses / drinking establishment uses (Class E/Sui Generis); and learning and non-residential institutions uses (Class F1); creation of a new pedestrian route through the site at ground floor level; hard and soft landscaping works; outdoor seating associated with ground level uses and other works incidental to the development.*
21. The proposed development would comprise four elements: a 38 storey tower on the eastern end; a lower 13 storey central podium stepping up to a 22 storey tower towards the west before stepping down to nine storeys on the western end on to Wilson Street. The maximum height of the proposed development would be 170.29m AOD.
22. The proposed development would comprise a total of 106,615 sq.m (GIA) of floorspace, incorporating the following land uses:

Use (Class)	Floor Level	Floor Area (sq.m GIA)
Commercial, Business & Service Use (Class E)	G – L02	4,309
Commercial, Business & Service Use / Drink Establishment Uses (Class E / Sui Generis)	G	1,075
Offices (Class E)	L01-L35	83,301
Learning (Class F1)	G-L02	2,194
Plant, BOH, Storage	B01, 02, 03, above ground plant floors, lift machine room	15,736
Total		106,615

23. The applicant is seeking a 5 year consent for the following reasons:
- 'The scheme forms part of a campus masterplan with 1 Broadgate next in the programme;
 - 1 Broadgate is due to commence in May 2021.
 - A pre-let would be required for British Land and GIC to commit to and deliver 2FA in parallel;
 - Securing planning permission is part of the pre-let strategy;
 - If a pre-let is not secured delivery will need to be staggered and the existing SME tenancies in 2FA extended;
 - A longer time limit would provide some flexibility in light of current market uncertainty and the JV's significant commitment to 1 Broadgate.'
24. It is considered that having regard to the extent and sequencing of development being undertaken by the applicant in the Broadgate campus, a 5 year consent is considered reasonable to allow some flexibility for its implementation and in such circumstances is considered acceptable.
25. The three basement levels would contain plant, servicing areas, cycle parking and associated facilities and other ancillary spaces to serve the uses above ground.
26. The scheme is an office led development that would provide a minimum of 83,301sqm (GIA) of new flexible office floorspace (Class E) across first to 35th floors. Part of the ground floor of the development would be allocated to provide lobby space and access to the upper office floors, with level access to these areas achieved from entrances on the southern side of the development facing Finsbury Avenue Square.

27. The development would include a 'social lobby' at first floor level, which is intended to operate as a communal entrance to the building's workspaces across the upper levels. A winter garden is proposed at 12th and 13th floor levels between the east and west towers, which would provide a shared amenity space for the office occupiers of the building.
28. Active ground floor frontages would be provided around the perimeter of the development through flexible commercial uses (Class E) that are proposed at ground floor level, including a minimum of 732sq.m of retail floorspace that would be secured by condition. Part of the ground floor, which addresses Whitecross Place and Finsbury Avenue Square would include the flexibility for drinking establishment use alongside the wider commercial uses.
29. The development would include an 'Open Learning Hub' (Class F1) at ground, first and second floor levels at the north west corner, facing onto Wilson Street and Sun Street. The vision for the Open Learning Hub is to create a shared resource and an accessible and inclusive route into the knowledge and expertise of the City. It has been designed to encompass informal and informal learning offers through flexible space that could be utilised by local communities and networks, as well as hosting a range of learning providers from local non-profit organisations to national institutions and global brands.
30. The offer and programme for the learning hub would be developed in consultation with potential operators, community partners, institutions, businesses and end users. The delivery and management of the Open Learning Hub would be secured through the Section 106 Agreement.
31. Hard and soft landscaping is proposed within the public realm to building on existing and recent public realm works within and around the Broadgate campus. The overall width of the existing pavements around the site would be enlarged to increase their capacity and improve pedestrian comfort levels.
32. A new north – south pedestrian route is proposed within the development at ground floor between Sun Street and Finsbury Avenue. This would further develop the existing orthogonal network of public routes within the campus and greatly improve the permeability of the site.
33. The existing public 'Chromorama' sculpture would be required to be relocated from its current position at the northern entrance to Finsbury Avenue Square, which would be secured through the Section 106 Agreement.
34. Dedicated areas of planting and greening would be incorporated into the development through a combination of external terraces with perimeter planting; green walls; and new tree planting at ground level within the surrounding public realm.

35. A total of 1,422 long stay cycle spaces would be provided at basement level one and 100 short stay cycle spaces located at ground floor level, within the building and the surrounding public realm.
36. Cycle spaces within the building would be accessed from Wilson Street, with a dedicated cycle ramp that would provide access to the basement level long stay cycle parking. The cycle entrance has been designed to be generous and highly visible as cyclists' approach/exit the building and to reduce the need for cyclist to dismount upon entering. A cycle workshop space would be provided at ground floor level adjacent to the cycle entrance, allowing for on-site bicycle maintenance and repair when necessary.
37. The servicing of the building would take place within a dedicated service area at second basement level, which would be accessed via two dedicated service vehicle lifts from Wilson Street.

Consultations

Pre-Application Consultation

38. The applicants have submitted a Statement of Community Involvement outlining their engagement with stakeholders.
39. The Applicant created a consultation website (2finsburyavenueconsultation.co.uk) was launched in September 2020 which featured an introduction to the proposals, a virtual consultation page, a feedback page and information on how to contact the project team. The website received 203 sessions and 378-page views over the course of the consultation between 1 - 13 September 2020.
40. A virtual consultation was created to replicate the features of a traditional public exhibition. The virtual consultation comprised interactive banners which attendees could view on a laptop or handheld device.
41. The Applicant hosted four webchat sessions across two days where members of the public could log on to the consultation and speak directly to members of the project team.
42. Following receipt of the applications they have been advertised on site and in the press and have been consulted upon twice, including under regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Copies of all received letter and e-mails making representations are attached in full and appended to this report.
43. A summary of the representations received, and the consultation responses is set out in the table below. The applicant has provided detailed responses to matters raised in consultee and third-party responses. The applicant's responses are attached in full and appended to this report.

Consultation Response	
Historic England	Historic England did not wish to comment on the application.
Greater London Authority	<p>The principle of development is strongly supported, but the following changes might lead to the application becoming compliant with the London Plan and Publication London Plan:</p> <ul style="list-style-type: none"> • Principle of development: Given the proposal's contribution to the strategic functions of the CAZ and provision of publicly accessible space within the building, the principle of development is strongly supported in strategic planning terms in line with London Plan Policies 2.10, 2.11 and 7.7 and Publication London Plan Policies D9, SD4 and SD5, subject to the public's access to the "Open Learning Hub" being robustly secured in the Section 106 agreement • Heritage and urban design: The approach to design is broadly supported, with well activated frontages, improved permeability across the Broadgate Campus and height and massing that reflects the emerging cluster of tall buildings around Bishopsgate. The less than substantial harm that would be caused to historic assets would be outweighed by the public benefits of the scheme. • Transport: The new pedestrian route should be publicly accessible at all times and secured via the Section 106 agreement, short-stay cycle parking increased and clarification provided in terms of Blue Badge parking. Contributions toward the proposed TfL Cycleway and cycle hire are sought; and a cycle promotion plan, full delivery and servicing plan and construction logistics plan should be secured by condition. • Sustainable development: Additional information with respect to connecting to the Citigen network and the provision of photo voltaic is required; the urban greening proposed off-site across the Broadgate Campus should be robustly secured by the Corporation; and further information on the circular economy is required.
Heathrow Safeguarding	Heathrow Safeguarding had no objections, but advised that if a crane is to be used for construction, red omnidirectional lights will need to be applied at the highest point of the apparatus.
Crossrail Ltd	Crossrail Ltd did not make any comments on the application.

Natural England	Natural England had no objection to the application.
London City Airport	City Airport had no objection to the application, subject to information being submitted regarding the operation of cranes on the site.
Thames Water	Thames Water had no objection, subject to additional information being submitted regarding the wastewater needs of the development. Also requested were details in respect to safeguarding water mains.
Twentieth Century Society	The Twentieth Century Society objected to the application on the grounds that it considers 2 Finsbury Avenue to be a high quality building and an important Non-Designated Heritage Asset, and that there is potential for there to be a sympathetic upgrade. This is addressed in the Design and Heritage section under Demolition of the Existing Building.
NATS Safeguarding	NATS had no objection to the application.
Royal Borough of Kensington and Chelsea	RBKC had no objection to the application.
London Borough of Richmond upon Thames	LB of Richmond upon Thames had no objection to the application.
London Borough of Hammersmith and Fulham	LB of Hammersmith and Fulham had no objection to the application.
London Borough of Hackney	LB of Hackney objected on grounds of harm to heritage/townscape and residential amenity. The massing and height is cited as reducing the amount of daylight and sunlight nearby residents would experience. The proposal would visually dominate the Grade II listed Flying Horse PH, Sun Street Conservation Area and locally listed buildings 5-15 Sun Street. These are addressed in the following sections: Designated Heritage Assets impact on the setting and significance: Listed Buildings, Flying Horse Public House; Conservation Areas, Sun Street Conservation Area; and Non-designated heritage assets, 5-15 Sun Street.
London Borough of Southwark	LB of Southwark did not make any comments on the proposed development.
London Borough of Tower Hamlets	LB of Tower Hamlets did not have any objections to the application.
City of Westminster	The City of Westminster did not wish to comment on the application.

Representations (objections)	
Owner/occupier of Flat 1, 12a Finsbury Square	<p>The objector stated that the proposed development would cause harm to the historic character of Finsbury Square. They also objected on the grounds that the massing of the proposed development would have a detrimental effect on the local microclimate.</p> <p>Response to Comments: The applicants have undertaken various assessments to assess the impact of the proposed development on the microclimate (including wind, thermal comfort, air quality, daylight and sunlight). The results of the assessment are set out in the main body of the report and overall conclude that subject to compliance with the recommended conditions and s106 obligations, the microclimate conditions remain acceptable and in compliance with policy and suitable for the intended uses.</p>
Forsters on behalf of AMTD London Development Co Ltd, owners of One Crown Place	<p>The owners of One Crown Place (OCP) have submitted a detailed objection and accompanying supporting documents to the proposals regarding the potentially adverse effect on OCP and the wider City of London. In summary the grounds of objection contained in the letter cover the following matters.</p> <p>There are concerns that the methodology used to assess the daylight and sunlight impacts of the Application on OCP is not consistent with the BRE Guidelines. The key concerns with Chapter 11(Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare) of the Environmental Statement (ES) are as follows:</p> <p>Chapter 11 assesses the impact on OCP in terms of Average Daylight Factor (ADF) but does not assess the No Sky Line (NSL) or Vertical Sky Component (VSC). It also principally assesses the difference between the 2016 Application and the Application for the Site, concentrating on what additional effects are caused as opposed to what full effects are caused when comparing the Application against the true existing baseline.</p> <p>VSC</p> <p>A full VSC assessment should have been undertaken as part of this Application, as well as the NSL and ADF assessments. This should include details on the extent of the impacts from the baseline position (i.e. the Site in its existing form) and the levels of retained VSC that would be experienced by the OCP residents with the Application scheme built.</p> <p>AMTD have received advice from their daylight and sunlight consultants (GIA). GIA advise that any analysis should include an assessment of the impact on all floors of OCP</p>

	<p>which contain residential accommodation (i.e. 7th floor upwards). The Application only includes the analysis of the impacts on Levels 7-20 of OCP as this was included within the 2016 Application and these floors were assessed within the OCP internal daylight levels assessment previously. However, the proposed massing of the current application is noticeably larger than the 2016 Application and it is expected that Levels 20+ to be included within the assessment.</p> <p>From the indicative VSC analysis undertaken by GIA on behalf of AMTD, there will be a number of windows impacted severely with retained levels of below 15% (and many with below 10% retained VSC) when comparing the proposed scheme against the true existing baseline. This indicative analysis also demonstrates that those windows worst effected, i.e. experiencing greater than 40% VSC losses and retaining VSC levels well below 10%, will increase for the Application compared to the 2016 Application. Without full analysis (i.e. VSC, NSL and ADF) on all residential levels, it is not possible to understand the true and full impact of the Application on the daylight potential of OCP.</p> <p>Baseline Information -</p> <ul style="list-style-type: none"> • The daylight and sunlight assessment within Chapter 11 of the ES outlines that the 2016 Application had a 'major adverse' (significant) impact on the OCP residents facing the development in both daylight and sunlight terms. It is noted that the significance of these impacts was not outlined clearly within the 2016 Application ES Chapter. • There is no information provided within the ES chapter on the extent and severity of such impacts from the existing position and the summary tables and text simply outline the number of pass and fails under some of the required daylight tests (ADF and NSL) and the APSH for sunlight. Instead, the focus of ES is very much on the incremental increase in impacts from the 2016 Application as a result of the Application. As such, the daylight impact is categorised as 'negligible' and the sunlight impact as 'minor adverse' (not significant). It is particularly concerning that the sunlight impacts identified within the ES Chapter with a number of additional failings identified on top of the already 'major adverse' (significant) impacts identified from the 2016 Application, the severity of which is not recognised in this chapter. • The reliance on the 2016 Application scheme to justify the impacts over and above those caused previously by those now caused by the Application is not acceptable.
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	<p>Instead it should be considered that the focus of the assessment should be on the overall total impacts of the Application, which is supported by the QC Opinion appended to this objection.</p> <ul style="list-style-type: none"> • Concerns are raised regarding additional overshadowing impacts on OCP terraces and open space. When compared to the baseline, the proposal would result in a 'major adverse' (significant) impact on three of the OCP terraces and a 'minor adverse' (not significant) impact on one area of open space. One western terrace would result in a significant reduction in sunlight from the increased massing of the development (Ref 8 within Annex 5 of the Daylight and Sunlight Appendices). • It would be an error of law for the Council to determine the New Application on the basis that the BRE Guidelines have been applied but with an evidence base that considers ADF alone, and not VSC in respect of the Site. This would be a clear misdirection given the unambiguous wording of the relevant parts of the BRE Guidelines; • Whether or not the permission granted pursuant to the 2016 Application has been commenced, it would be legally erroneous for the Council to assess the environmental impacts of the Application on the basis that, as contended in the Environmental Assessment accompanying that application, the only "meaningful" consideration is an assessment of the difference between the consented scheme and the Application, as opposed to assessment of the difference between the current 'on the ground' situation and the development proposed by the Application; and • As the ES accompanying the Application does not properly apply the BRE Guidelines, there is, therefore, no evidence currently before the Council to enable it rationally to conclude that there is compliance with relevant planning policies, as cited in the enclosed opinion. The grant of planning permission on the basis that, on the evidence base currently accompanying the Application, these policies have been complied with would be vulnerable to judicial review. • The Application should respond to the residential development to the north and seek to minimise amenity impacts on residential units as far as possible. This application exacerbates these already significant impacts further by increasing the bulk and mass of the proposal and does not take into consideration the amenity impacts of the residential units within the OCP development. For the reasons set out above, AMTD and their expert team consider that the impact of the Application on the OCP
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	<p>residential units immediately adjacent to the Site, will be adverse, and severe. The impacts stemming from the 2016 Application were already significant and the increased massing and height proposed within the Application have only exacerbated these impacts further.</p> <p>Response to Comments: The Applicant's Daylight & Sunlight consultant, GIA, has undertaken further modelling as requested by AMTD which has been submitted under separate cover pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>AMTD made a number of comments, which included the following:</p> <ul style="list-style-type: none"> (i) Policy DM10.7 in the Local Plan requires that account be taken for the BRE Guidelines on site Layout Planning for Daylight and Sunlight. (ii) In assessing impact on daylight the BRE Guidelines indicate that there is likely to be a significant adverse effect if either the vertical sky component ("VSC") or daylight distribution guideline is not met. (iii) AMTD contend that the assessment in the ES was defective as it did not contain an assessment of impact on VSC when considering likely effects on One Crown Place. (iv) AMTD contend that the appropriate comparison to make is between the baseline (i.e. the existing position) and the proposed development and not between the proposed development and the scheme for which planning permission was granted in March 2018. (v) AMTD contended that the relevant daylight (VSC, No Sky Line "NSL" and Average Daylight Factor ("ADF")) and sunlight (Annual Probable Sunlight Hours "APSH") should be provided for all residential levels in One Crown Place and not just levels 7-20). <p>The information contained in the ES addendum Includes</p> <ul style="list-style-type: none"> (a) Vertical Sky Component (VSC) assessment of daylight impacts to One Crown Place; (b) Extension of all daylight (VSC, NSL and ADF) and sunlight (APSH) assessments to all residential levels of One Crown Place (7th to 33rd) (the October 2020 ES focused on levels 7 – 20); (c) Commentary on daylight, sunlight and overshadowing results and residual effects against the existing baseline conditions;
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	<p>(d) Supplementary commentary on daylight, sunlight and overshadowing results when considering the effects of the Consented Scheme on One Crown Place, and discussion around the comparison of these results with the results of the Proposed Development; and</p> <p>(e) Extension of the light pollution assessments to all residential levels of One Crown Place (7th to 33rd) (the October 2020 ES focused on levels 7 – 20).</p> <p>The information now before the City includes:</p> <p>(i) An assessment of VSC to the neighbouring apertures of the One Crown Place development, including an assessment of the 1,548 relevant windows.</p> <p>(ii) An assessment of the proposed development against NSL with 620 relevant rooms in One Crown Place being assessed.</p> <p>(iii) An assessment using the ADF methodology.</p> <p>Of the 496 windows where BRE criteria are not satisfied , 51 would experience an alteration in VSC between 20-29.9%, which is considered a Minor Adverse effect, and 94 would experience an alteration between 30-39.9%, which is considered a Moderate Adverse Effect. The remaining 351 windows would experience an alteration in excess of 40%, which is considered a Major Adverse effect.</p> <p>For NSL, 563 of the 620 (90.8%) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.</p> <p>Of the 57 remaining affected rooms, four would experience an alteration in NSL between 20-29.9%, which is considered a Minor Adverse effect, and four would experience an alteration between 30-39.9%, which is considered a Moderate Adverse Effect. The remaining 49 rooms would experience an alteration in excess of 40%, which is considered a Major Adverse effect.</p> <p>Overall, only considering the VSC and NSL methods of assessment, the effect of the Proposed Development on One Crown Place when compared with the existing Baseline Scenario is considered to be Major Adverse (significant).</p> <p>A total of 176 rooms were assessed for sunlight within One Crown Place, of which 123 (69.9%) would meet the BRE's criteria for both Annual and Winter PSH.</p> <p>For Annual PSH, 146 of the 176 (82.9%) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.</p> <p>Of the 30 remaining rooms affected annually, four would experience an alteration in Annual PSH between 30-39.9%, which is considered a Moderate Adverse effect,</p>
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	<p>whilst 26 would experience an alteration in excess of 40%, which is considered a Major Adverse effect. London Plan policy 7.6B(d) provides that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings.</p> <p>Policy D6D of the draft Publication London Plan provides that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that it is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.</p> <p>Local Plan policy DM10.7(1) states: 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.</p> <p>Draft City Plan 2036 policy DE8(1) states 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 Building Research Establishment's guidelines.</p> <p>In considering impact on the sunlight and daylight, including overshadowing of amenity areas, enjoyed by those living at One Crown Place (when it is occupied) it is necessary to ask whether the development proposed in the current application</p> <ul style="list-style-type: none"> • Would cause unacceptable harm to amenity • Is of a design which ensures that those living in existing dwellings (including One Crown Place) would have sufficient daylight and sunlight that is appropriate to its context. • Would reduce daylight and sunlight available to the dwellings in One Crown Place to unacceptable levels, taking account of the BRE guidelines. • would cause those living in existing dwellings (including One Crown Place) to enjoy sunlight and daylight which is appropriate to context and acceptable living standards taking account of the BRE guidelines. <p>On the basis of the assessment set out in the environmental statement and, in particular the ES Addendum, is not considered that the proposal would result in unacceptable harm to the amenity of surrounding residential properties, and in particular, 1 Crown Place whether through impact on daylight,</p>
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	<p>sunlight or overshadowing. It is considered that surrounding residential properties would enjoy sufficient daylight and sunlight appropriate to their context, and that the overshadowing effects would not be unacceptable. Although the BRE criteria would not be complied with in the instances set out above, it is not considered that daylight and sunlight available to nearby dwelling would be reduced to unacceptable levels. It is considered that daylight and sunlight available to nearby dwellings and open spaces is appropriate for its context and provides acceptable living standards . As such the extent of harm arising from the proposed development when compared with the existing baseline is not considered to be such that it would conflict with London Plan Policy 7.6B, draft Publication London Plan policy D6, Local Plan Policy DM10.7 and Policy DE8 of the draft Local Plan.</p> <p>The March 2018 planning permission remains a lawful planning permission that remains capable of being implemented until March 2024. The ability to carry out the development authorised by that planning permission is a material consideration to be taken into account when determining this application. It is the view of officers that, were planning permission to be refused for the current application, there is a reasonable prospect that development would be carried out in reliance on the March 2018 planning permission.</p> <p>In considering the current application account can be taken of the impact on residential amenity of adjoining occupiers that would be likely to occur were the development authorised by the March 2018 planning permission to be carried out. The effects on daylight and sunlight arising from the March 2018 scheme are assessed in the ES, including in the ES addendum.</p> <p>It is important to note that the conclusion reached by officers that the impact of the proposed development on the sunlight and daylight available to the residential accommodation and amenity areas at One Crown Place is acceptable is based upon an analysis of the effect of the proposed development when compared with existing (baseline) circumstances. That analysis does not depend upon any comparison between the development proposed in this application and the development permitted by the March 2018 planning permission.</p> <p>Increased Massing:</p> <ul style="list-style-type: none"> • The proposal scheme would result in an approximate uplift in GIA sqm of 25% above that approved under the 2016 application and would largely be accommodated above ground.
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	<ul style="list-style-type: none"> • There would be a noticeable uplift in height and bulk on the Western Tower as well as the western podium element of the proposal. • Concerns are raised regarding the appearance of a decreased gap between the western and eastern towers. Whilst parts the 'gap' between the towers is the same or similar to the 2016 Application, in other parts it appears from analysis that the gap between the towers does reduce. • Reducing the 'gap' will likely have a further implication on the outlook and sense of enclosure experienced by the residents looking south from the southern residential tower within the OCP scheme. This was a key point within the 2016 Application and the 'gap' between the towers should be retained to protect the amenity of residents. <p>Response to Comments: The retention of a gap between the towers that is the same approximate width and location as that within the consented scheme is provided. The gap between the two towers is c.74mm less than that of the consented scheme. This represents a 0.7% difference from that within the consented scheme, which is well within normal measuring and construction tolerances. Such a negligible difference would have no noticeable effect on the outlook or sense of enclosure from the One Crown Place development in comparison to that of the consented development.</p> <p>Impact on Heritage Assets and Townscape:</p> <ul style="list-style-type: none"> • The proposed development is high density, highly visible and immediately to the south of the Sun Street Conservation Area, creating a large-scale continuous wall with towers extending up from it. • Regarding the impact of St Paul's, the views from Westminster Pier (View 2 within the TVIA) and Richmond Park (View 1 within the TVIA) seem to be pushing unprecedented boundaries where the Application becomes the new definition of 'sky edge' to the right and left of the dome respectively. • For the OCP approved scheme, the effect of the view from Westminster Pier was also tested 7 metres either side of the established viewpoint as requested by the GLA. A similar assessment should be provided for the Application so decision-makers can understand the impact outside of the established viewpoint within the LVMF. • The application scheme would cause an unacceptable
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	<p>backdrop to the dome, which would be much more obtrusive than the 2016 Application and the cluster of consented schemes already in the backdrop of views 7 and 7T from Waterloo Bridge near the National Theatre. It is considered that the proposal damages the setting of an important Grade I listed building, equating to 'less than substantial harm' of the highest level which could never be balanced by public benefits.</p> <ul style="list-style-type: none"> • Designated heritage assets in the vicinity of the development site will be harmed as a result of a very dominant neighbour. • The effect on locally listed buildings in the London Borough of Hackney and opposite the site will be server in nature. <p>Response to Comments:</p> <ul style="list-style-type: none"> • The principle of a tall building in this location is considered in the Design and Heritage section – Principle of a Tall Building. A detailed Townscape and Heritage Visual Impact Assessment has been undertaken to understand visibility of the development and the impact on LVMF, townscape, listed building and conservation areas. The impact on the setting of the Sun Street Conservation Area is considered in the Design and Heritage section, Conservation Areas. The distribution of massing and permeable routes would ensure the development is broken down into clear architectural components that have a human scale at street level rather than reading as a single volume. • The impact of the development on St Paul's Cathedral from viewpoints LVMF 8A.1 and LVMF 9A are considered in Design and Heritage Section, London View Management Framework. The development complies with the LVMF SPD London View Management Framework (LVMF) relevant tests for each linear view. There has been no objection to the impact on St Paul's Cathedral in these LVMF views from the GLA, Historic England, LB Richmond or City of Westminster. For View 8A.1 there has been no request from the GLA for further assessment to be undertaken to either side of the viewpoint. The Stage 1 letter states in relation to View 8A.1 the tower would not be visible and the visual framework around the strategic landmark would be maintained. As regards View 9A.1 the Stage 1 letter states the development would appear as part of a cluster of tall buildings emerging around Bishopsgate and this would not detract from the viewer's ability to recognise the Cathedral. • The view from the Southbank outside the National
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	<p>Theatre is included in the HTVIA View 7 and 7T. The impact on this view is considered in Design and Heritage section Other Key Views (non LVMF). This is not a LVMF view but a townscape view and views of St Pauls Cathedral along the Southbank are identified as important in the Protected Views SPD. It is not supported that there would be less than substantial harm to this townscape view and the setting and significance of St Pauls Cathedral within the view. The setting is not pristine and the Cathedral and the development would read as part of an existing cluster of towers which are the established setting of St Pauls in the view. There would be no worsening of the setting or the ability to appreciate the significance of St Pauls Cathedral. There are no objections from Historic England or the GLA to the impact on this view.</p> <ul style="list-style-type: none"> • The impact on designated heritage assets is addressed in Design and Heritage section, Designated heritage assets impact on significance and setting • The impact on non-designated heritage assets in particular 5-15 Sun Street is addressed in Design and Heritage section, Non designated heritage assets <p>Wind and Thermal Comfort:</p> <ul style="list-style-type: none"> • The City's Thermal Comfort document was adopted after the application was submitted and therefore, there is no reference to this document within the submission material. This information should be provided and any impacts to the OCP amenity space outlined. • Initial concerns are raised regarding increased windiness in certain public areas without providing mitigation measures, and how this adverse impact meets the City's guidance. This is particularly true in areas along Wilson Street and the thoroughfare between the site and 5 Broadgate. <p>Response to Comments:</p> <p>The applicants submitted a thermal comfort assessment after the City published the Thermal Comfort Guidelines in December 2020. The information in the thermal comfort assessment draws together information relating to, daylight, sunlight, overshadowing and wind into a separate evaluation which focuses on the microclimate of public spaces. (This underlying information already forms part of the Environmental Statement.)</p> <p>The submitted Thermal Comfort Assessment assess the impact on One Crown Place and the surrounding public spaces and this is set out in the report. Overall, the Proposed Development's impact on thermal comfort on the terrace level amenity spaces of One Crown Place and surrounding public</p>
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	<p>spaces is expected to range between beneficial and negligible and suitable for the intended use.</p> <p>The applicant has submitted a wind microclimate assessment which includes an assessment on the impact on the surrounding public spaces. Whilst the conditions to the east, between the proposed development 5 Broadgate would become one category windier than the existing situation the conditions would remain suitable for the intended use. Notwithstanding, a condition has been recommended for the applicants to explore further mitigation measures in this area to improve the wind conditions.</p>
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Policy Context

44. The development plan consists of the London Plan and the City of London Local Plan. The Mayor of London and the City of London have prepared draft plans which are material considerations to be taken into account in the determination of the planning application.
45. The Draft London Plan is at an advanced stage. It takes forward many of the policy positions of the existing plan whilst strengthening and adding to others. On the 13th March 2020 the Secretary of State directed the Mayor not to adopt the Plan due to it not satisfactorily addressing a number of national policies in respect of housing ambition, small sites, industrial land and aviation.
46. Following an exchange of correspondence and further directions issued by the Secretary of State on 10th December 2020, the Mayor approved the 'Publication London Plan' which is intended to address the Secretary of State's directions on 13th March 2020 and 10th December 2020. On 21st December 2020 the Mayor sent the draft Publication London Plan to the Secretary of State for his consideration.
47. The Secretary of State responded on the 29th of January 2021 formally confirming that the version of the London Plan provided on the 21st December 2020 contained the modifications necessary to conform with the previous directions. As it has passed through the Examination in Public, and there are no longer any barriers to the adoption of the plan it is expected to that the new London Plan will be published shortly. As such it can be afforded significant weight as a material consideration.
48. Given that there is likely to be a period of time between any resolution to grant planning permission and the permission being issued, to allow for the negotiation of the S106 agreement, it is possible that the new London Plan will be adopted before the permission is issued, should members resolve to grant planning permission.
49. In relation to this scheme the draft Publication London Plan continues to support a mixed-use office scheme in the Central Activities Zone (CAZ). The changes that are most relevant to this scheme are those that encourage good growth, enhance climate change, good design

and sustainability requirements and further support requirements for public access and routes through sites.

50. The draft City Plan 2036 was agreed by the Court of Common Council in May 2020 for pre-submission, Regulation 19, consultation. The Plan is therefore a material consideration in the determination of planning applications. As the plan has not yet reached the regulation 19 stage, it can only be afforded limited weight. Regulation 19 consultation has been paused until early 2021 to enable the City Corporation to update policies in light of changes to the Use Class Order. These changes have been agreed by the Planning & Transportation and Policy & Resources Committee and will be considered by Court of Common Council in January 2021. However, the fundamental principles in relation to this application remain unchanged.
51. The London Plan and Local Plan policies and supplementary planning guidance documents that are most relevant to the consideration of this case are set out in Appendix B to this report.
52. Government Guidance is contained in the National Planning Policy Framework (NPPF) 2019 and the Planning Practice Guidance (PPG) which is amended from time to time.

Considerations

Relevant Statutory Duties

53. The Corporation, in determining the planning application has the following main statutory duties to perform:
 - To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations. (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
54. In considering whether, as in this case, 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

55. In respect of sustainable development, the NPPF states at paragraph 10 that 'at the heart of the Framework is a presumption in favour of sustainable development.' At paragraph 11(c) the NPPF states that for decision-making this means 'approving development proposals that accord with an up-to-date development plan without delay...'.
56. 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)
57. It states at paragraph 8 that achieving sustainable development has three overarching objectives, being economic, social and environmental.
 58. Chapter 9 of the NPPF seeks to promote sustainable transport. Paragraph 103 states that “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health”.
 59. 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”.
 60. Chapter 12 of the NPPF seeks to achieve well designed places. Paragraph 124 advises that “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.
 61. Paragraph 127 sets out how good design should be achieved including ensuring developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible and which promote health and wellbeing.
 62. Paragraph 131 sets out that great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
 63. Chapter 14 of the NPPF relates to climate change, flooding and coastal change. Paragraph 151 states that new developments should increase the use and supply of renewable and low carbon energy and heat through measures including renewable and low carbon energy sources and identifying opportunities to draw energy supply from decentralised supply systems.

64. Chapter 16 of the NPPF relates to conserving and enhancing the historic environment. Paragraph 190 of the NPPF advises that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
65. Paragraph 192 of the NPPF advises, "In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness."
66. Paragraph 193 of the NPPF advises "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
67. Paragraph 194 of the NPPF states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) Grade II listed buildings, or Grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, Grade I and II* listed buildings, Grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."
68. Paragraph 196 of the NPPF states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." When carrying out that balancing exercise in a case where there is harm to the significance of a listed building, considerable importance and weight should be given to the desirability of preserving the building or its setting. When carrying out the balancing exercise in a case where there is harm to the significance of a conservation area, considerable importance and weight should be given to the desirability

of preserving or enhancing the character or appearance of the conservation area.

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

Other Guidance

70. The Historic England Good Practice Advice notes, including Note 3 ‘The Setting of Heritage Assets’.

Considerations in This Case

71. In considering the planning application before you, account has to be taken of the documents accompanying the application, the environmental information including the Environmental Statement, the further information, any other information and consultation responses, the development plan, and other material considerations including SPGs, SPDs and emerging policy.
72. It is necessary to assess all the policies and proposals in the plan and come to a view as to whether in light of the whole plan the proposal does or does not accord with it. It is considered that the scheme is in accordance with the development plan.
73. The principal issues in considering this application are:
- The extent to which the proposals comply with Government policy advice (NPPF) and with the relevant policies of the Development Plan;
 - The economic benefits of the proposal
 - The appropriateness of the proposed uses
 - The appropriateness of a tall building in this location
 - The appropriateness of height, bulk, massing and design of the proposals
 - The impact on strategic views in the Local Views Management Framework, Protected Views and on local townscape views
 - The impact of the proposal on designated heritage assets and their settings in both the City of London, London Borough of Islington and London Borough of Hackney including amongst others: Sun Street Conservation Area, Bunhill and Finsbury Square Conservation Area; Finsbury Circus Conservation Area; The Running Horse Public House; and 1 Finsbury Avenue
 - The impact on non-designated heritage assets of 5-15 Sun Street, public spaces and pedestrian layout of Broadgate
 - The proposed public realm benefits and cultural/community offer
 - Transport, servicing, cycle parking provision and impact on highways
 - The impact of the proposed development on the amenity of nearby residential occupiers, including noise, overlooking, daylight, solar

glare, thermal comfort, pedestrian comfort, sunlight and light pollution

- The environmental impacts of the proposal including wind microclimate, flood risk, air quality, building resource efficiency, demolition and whole life cycle – carbon, energy consumption, climate resilience, sustainability and urban greening and biodiversity

Economic Development

74. The City of London, as one of the world's leading international financial and business centres, contributes significantly to the national economy and to London's status as a 'World City'. Rankings such as the Global Financial Centres Index (Z/Yen Group) and the Cities of Opportunities series (PwC) consistently score London as the world's leading financial centre, alongside New York. The City is a leading driver of the London and national economies, generating £69 billion in economic output (as measured by Gross Value Added), equivalent to 15% of London's output and 4% of total UK output. The City is a significant and growing centre of employment, providing employment for over 520,000 people.
75. The City is the home of many of the world's leading markets. It has world class banking, insurance and maritime industries supported by world class legal, accountancy and other professional services and a growing cluster of technology, media and telecommunications (TMT) businesses. These office-based economic activities have clustered in or near the City to benefit from the economies of scale and in recognition that physical proximity to business customers and rivals can provide a significant competitive advantage.
76. 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 many businesses in the City are classed as Small and Medium Sized Enterprises (SMEs).
77. 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.
78. The City lies wholly within London's Central Activity Zone (CAZ) where the London Plan promotes further economic and employment growth. The GLA projects (GLA 2017 London Labour Market Projections and 2017 London Office Policy Review), that City of London employment will grow by 116,000 from 2016 to 2036, of which approximately 103,000 employees are estimated to be office based. London's rapidly

growing population will create the demand for more employment and for the space required to accommodate it.

79. The London Plan 2016 strongly supports the renewal of office sites within the CAZ to meet long term demand for offices and support London's continuing function as a World City. The Plan recognises the City of London as a strategic priority and stresses the need 'to sustain and enhance it as a strategically important, globally-oriented financial and business services centre' (policy 2.10). CAZ policy and wider London Plan policy acknowledge the need to sustain the City's cluster of economic activity and policies 2.11 and 4.3 provide for exemptions from mixed use development in the City in order to achieve this aim.
80. The London Plan projects future employment growth across London, projecting an increase in City employment of 116,000 between 2016 and 2036, a growth of 22%. Further office floorspace would be required in the City to deliver this scale of growth and contribute to the maintenance of London's World City Status.
81. The draft Publication London Plan policy E1 supports the improvement of the quality, flexibility and adaptability of office space of different sizes.
82. Strategic Objective 1 in the City of London Local Plan 2015 is to maintain the City's position as the world's leading international financial and business centre. Policy CS1 aims to increase the City's office floorspace by 1,150,000sq.m gross during the period 2011-2026, to provide for an expected growth in workforce of 55,000. The Local Plan, policy DM1.2 further encourages the provision of large office schemes, while DM1.3 encourages the provision of space suitable for SMEs. The Local Plan recognises the benefits that can accrue from a concentration of economic activity and seeks to strengthen the cluster of office activity.
83. The draft City Plan (2036) policy S4 (Offices) states that the City will facilitate significant growth in office development through increasing stock by a minimum of 2,000,000sqm during the period 2016-2036. This floorspace should be adaptable and flexible. Policy OF1 (Office Development) requires offices to be of an outstanding design and an exemplar of sustainability.
84. The Broadgate campus, within which the site is located is a major office location serving the financial, legal and other sectors. The campus is undergoing a process of renewal to ensure that it remains a global business destination and is the subject of major investment in the redevelopment and refurbishment of existing buildings.
85. Within the emerging Local Plan the site is located with the Liverpool Street Area of Change and Policy S26 seeks to encourage the development of flexible and collaborative office space to meet the needs of potential start-ups, business growth and the development of the tech and fintech eco-system

86. The proposal would provide 83,301 sq.m (GIA) of office floorspace, a net uplift of 61,462sq.m (GIA) which would contribute significantly to the above policy aims and objectives.
87. Despite the short term uncertainty about the pace and scale of future growth in the City following the immediate impact of Covid-19, the longer term geographical, economic and social fundamentals underpinning demand remain in place and it is expected that the City will continue to be an attractive and sustainable meeting place where people and businesses come together for creative innovation. Local Plan and draft City Plan 2036 policies seek to facilitate a healthy and inclusive City, new ways of working, improvements in public realm, urban greening and a radical transformation of the City's streets in accordance with these expectations and as outlined in the City of London document: London Recharged: Our Vision for London 2025.

Proposed Uses

88. The proposed development would be arranged over three basement levels, ground and 37 upper floors to provide an office-led, mixed use development comprising 85,009sq.m of office floorspace (Class E); 4,397sq.m GEA of commercial, business and service uses (Class E); 1,097sq.m of flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); 2,239sq.m GEA of learning and non-residential institutions uses (Class F1).

Proposed Office Accommodation

89. Strategic Policy CS1 of the City of London Local Plan 2015 and policy 4.2 of the London Plan seeks to ensure that there is sufficient office space to meet demand and encourages the supply of a range of office accommodation to meet the varied needs of City occupiers. Policy DM 1.3 seeks to promote small and medium sized businesses in the City by encouraging new accommodation suitable for small and medium sized businesses and office designs which are flexible and adaptable to allow for subdivision to meet the needs of such businesses. Similar policy objectives are carried forward into Policies S4 and OF1 of the emerging City Plan 2036 and policy E1 of the Draft Publication London Plan
90. The existing site contains 21,839sq.m of office floorspace and a minimum total of 97,724sq.m is proposed which would provide an additional 75,885sq.m (GIA) of office floorspace. The proposed new workplace accommodation includes large, adaptable floors in the podium, supporting a wide range of flexible working arrangements. The two tower elements are joined by a podium block at lower levels, the West Tower would have access to several amenity spaces whilst the taller East Tower offers floorspace which can be adapted to be suitable for a range of occupiers. The amenity spaces include a 'Social Lobby' which is a communal entrance to the building's workspaces split across both ground and first floors. It is envisaged this would create spaces that offers opportunities for collaboration and wellbeing.

91. The additional and improved office accommodation supports the aims of Local Plan Policy CS1 and the provision of flexible office floorplates for workers which are designed to meet the needs of a wide range of potential occupiers, in accordance with adopted and emerging Local Plan policies.

Affordable Workspace

92. Policy DM1.3 of the 2015 City of London Local Plan encourages the provision of accommodation for small and medium sized businesses or occupiers which is flexible and adaptable. Policy S4 of the draft City Plan 2036 seeks to ensure that new office floorspace is designed to be flexible to allow adaptation of space for different types and sizes of occupiers and to meet the needs of SME's, start-up companies and those requiring move on accommodation.
93. The Publication (Dec 2020) London Plan policy (E3) recognises the need for additional affordable workspace, particularly in locations defined in a local Development Document where the provision of affordable workspace would be necessary or desirable to sustain a mix of business or cultural uses which contribute to the character of the area. However, London Plan Policy E3 does not require affordable workspace provision across London; it indicates that Local Plans may include policies for site-specific locations or for certain kinds of affordable workspace based on local evidence of need and viability.
94. The Liverpool Street Key Area of Change in the draft City Plan 2036 (Policy S26), in which the proposed development site is located, seeks development that will support the area's status as the gateway to the City's Culture Mile area and promotes flexible and collaborative office space to meet the needs of potential start-ups, business growth and development of the tech / fintech sectors. However, Policies S4 and Policy S26 in the emerging City Plan 2036 do not 'require' affordable workspace, nor do they define a specific proportion of workspace that should be suitable for micro, small and medium sized enterprises.
95. The proposal includes the provision of 33 desk spaces, either within the development or elsewhere in the Broadgate campus which would be secured in the S106 agreement. This is an increase of 32% on the number of desk spaces secured within the previously consented scheme and is considered to accord with both the current and emerging Local Plan.

Proposed Retail

96. The application site is not located within a designated Principal Shopping Centre (PSC) or Retail Link as set out in the Local Plan (2015). The existing site contains 623sq.m of retail floorspace including two retail units at ground floor level (HOP Vietnamese and Theatre Deli Cafe Bar). It is proposed a maximum total of 1,960sq.m of retail floorspace (Class E/Sui Generis) would be provided and a minimum total of 732sq.m.

97. A minimum amount of retail floorspace (i.e. 732sq.m) within the Commercial, Business and Service Use Class (Class E) and flexible Commercial, Business and Service/Drinking Establishment/Wine Bar/Public House (Class E/Sui Generis) floorspace will be secured by planning condition, which would ensure there will be no net loss of retail on site. The proposed elevations along Sun Street, Wilson Street and Whitecross Place would create active and vibrant frontages containing retail provision. The 'Social Lobby' at first floor level as referred to earlier in the 'Office' section above would also increase the potential for a café/retail kiosk.
98. The application proposes flexible retail space that is adaptable to changing retail demand. Policy DM1.5 aims to encourage a mix of commercial uses within office developments which contribute to the City's economy and character. The intention behind the Government's recent changes to the Use Classes Order is to allow flexibility for businesses to adapt and diversify to meet changing demands, therefore a more flexible and fit for purpose retail use as proposed would be deemed acceptable subject to a condition to ensure no net loss of retail on the site.

Open Learning Hub/Local training opportunities

99. Policies CS22 and CS8 in the City of London Local Plan 2015, and policies S1 and S20 in the emerging City Plan 2036 recognise the role that the Local Plan can play in tackling employment and training disparities. Policies seek to secure training and skills programmes through planning obligations associated with major development schemes, particularly for residents on the Middlesex and Mansell Street Estates and people in neighbouring boroughs.
100. The development proposes an Open Learning Hub which the application states "is conceived as a flexible hub which can respond to need and act as a platform for local communities and networks, as well as hosting a range of learning providers, from local non-profits to national institutions and global brands, united by their social values and commitments to learning and development, and inclusion". It therefore offers the potential to make a significant contribution towards training and skills opportunities for local communities and its details, provision and management will be secured via the S106 agreement. These further details of the hub together with a management plan will ensure that the facility is designed from the outset to provide services and facilities that benefit local communities and to be a welcoming and accessible place for those communities to visit.

Design and Heritage

Demolition of the existing Building 2-3 Finsbury Avenue:

101. Historic England have assessed 2-3 Finsbury Avenue the buildings which form the application site. Their most recent assessment in 2019 concluded these existing buildings do not meet the requirements for

statutory protection. The buildings have a Certificate of Immunity until June 2024. The number of recent permitted and merging schemes within Broadgate Campus would mean that there is no longer a uniform architectural approach. However, there is an historic network of pedestrian routes through the Estate which is intrinsic to the campus and its character and the plan is identified as a non-designated heritage asset. The impact of the development on the plan of Broadgate Estate is assessed in the Design and Heritage section under Non Designated Heritage Assets.

102. The options for retention / reuse of 2-3 Finsbury Avenue have been explored but for the reasons outlined lined in the Circular Economy section of the report, this approach was considered to provide a materially less sustainable, less usable and less efficient building than could be offered by a more comprehensive redevelopment. Conditions attached to any decision would require the auditing of the existing fabric of 2/3 Finsbury Avenue as part of the demolition process for with a management plan for reuse to reduce landfill, waste and carbon emissions.

The Building's form, height and massing:

Principle of a Tall Building and relationship to the City Fringe Cluster

103. The current proposal includes two towers which constitute tall buildings under the adopted Local Plan (CS 14, para 3.14.1) and the emerging City Plan S12(1) since both towers will significantly exceed the height of their general surroundings and exceed 75m AOD.
104. The site is not an area identified as 'inappropriate for a tall buildings' in either Plan. Proposals for tall buildings are to be permitted only on those sites which are considered suitable having regard to the potential effect on the City skyline; the character and amenity of their surroundings, including the relationship with existing tall buildings; the significance of heritage assets and their settings; and the effect on historic skyline features. (CS 14(3) in the Local Plan). An assessment must also be undertaken against the criteria set out in S12(2-5) in the emerging City Plan, and the wider provisions of the Development Plan.

The appropriateness of a tall building on the site was analysed under 16/00149/FULEIA based on a rigorous assessment of strategic and local townscape views. The principle of a tall building and the approved heights in this location outside of the City Cluster Area was considered acceptable given the relationship to adjoining and emerging cluster of consented tall buildings to the north and east of the site. Part of the site is located in a wedge shaped area which falls between two Protected Vistas, the Background Wider Consultation Areas for LVMF 9A.1 King Henry VIII's mound and the second, LVMF 8A.1 Westminster Pier, both focussing on St Paul's Cathedral. This provided an opportunity for the consented tall building within this narrow wedge between these Protected Vistas as have other tall buildings in LB Hackney. In assessing the previous application, the GLA advised that the site was appropriate for a tall building, was of high architectural

quality and would not adversely affect strategic views, the setting of listed buildings or heritage assets and would not cause harm to the historic environment.

105. A further thorough townscape and heritage impact assessment continues to identify this as an appropriate location for a tall building and there are no material planning or policy changes to divert from this position. The proposed towers would adjoin an emerging cluster of permitted towers including those under construction and completed on the Hackney / City of London boundary in the London Plan "City Fringe Opportunity Area". The site subject of this application lies just outside the boundary of the Opportunity Area, which runs along the opposite side of Sun Street in Hackney. The proposed development would not be the tallest element in the emerging cluster of buildings in this part of the City Fringe.
106. The emerging cluster of tall building on site and to the north and east include:
- Broadgate Tower Primrose Street City of London completed 178.4 m AOD
 - One Crown Place Sun Street – LB Hackney expected completion 2021 137.2m AOD
 - Bavaria House Appold Street LB Hackney consented 169.99m AOD
 - Principal Place Worship Street LB Hackney 176.7m AOD
 - 2/3 Finsbury Avenue 168.4m AOD Approved 170.289 m AOD the current proposal
107. Strategically a tall building on this site supports good growth, London Plan and City Plan policies. Broadgate falls within the area to which Local Plan policy CS5 applies, The North of the City and in the Draft City Plan 2036 emerging policy Liverpool Street Key Area of Change. The emerging policy supports extensive change in the area with the opening of the Elizabeth Line, completion of new office floorspace and retail and leisure facilities which are currently under construction and supports the redevelopment of Broadgate to deliver: increased flexible office ; active frontages; links with educational institutions and activities to support a night time economy.

In summary, it is considered that the principle of a tall building is acceptable given that the tall building element is not located in an area deemed as inappropriate under Policies CS 14 and S21 subject to the provisions in particular of CS 14(3) and S12(2-6), assessed below, amongst the wider provisions of the Development Plan.

Height, massing and footprint

108. Since the approved application patterns of working; sustainability standards; social sustainability and inclusiveness; and the Broadgate Campus itself (100 Liverpool Street, 135 Bishopsgate, 1 Broadgate, 1

Finsbury Avenue, Exchange Square) have all transformed. The approved ARUP development is a high quality and well-designed scheme but some aspects do not fulfil the current targets : of sustainability performance; limited adaptability; wellbeing vision; microclimatic design; the western terrace floor plates are not flexible; and the visitor experience at Level 13 would be unsatisfactory due to microclimate.

109. As part of the overall architectural design review the limits of the proposed massing were reassessed in relation to context in close, mid and long range relationships. The revised distribution of massing responds to the surrounding urban scale and is very similar to the approved application. The re-examination of views both local and strategic demonstrated there were possibilities to increase the height and footprint particularly of the western block. The application proposes an increase of 21, 236 m² GIA of increased volume above ground compared to the approved application.
110. The ground floor footprint would be recessed and covered permeable walkway would be orientated in a north/south direction. Overall, the footprint would be similar to the approved application with increases and decreases in the round. However there would be a widening of the public highway particularly on Sun Street. The built form above would over sail particularly on the Sun Street elevation and this would increase by up to 1.4m in parts compared to the approved scheme. The over sail would include a striking dynamic canopy providing a sheltered environment for pedestrians introducing a folded roof plane to provide a unique experience to reinforce human scale at street level.
111. Like the approved development the proposed form comprises four distinct parts and steps down east to west across the site comprising an east tower G+37 storeys, west tower G+ 24 storeys and central lower podium G+13 storeys which conjoins the east and west tower. The massing of the podium then steps down to the west to G+9 storeys with a series of split green terraces at L10 and L11. This stepping down responds to the more modest scale of development on Wilson Street and Sun Street junction as opposed to the taller consented towers to the east. As in the approved scheme the proposed composition of the east and west towers is informed by the relationship to the emerging cluster north of the Broadgate campus, especially as experienced from local townscape, LVMF and other key views. In particular, the massing is modelled to be concealed behind the dome and drum of St Paul's from both recognised LVMF viewpoints from the Southbank and Westminster Pier
112. The east tower has a maximum height of 170.289m AOD this represents an increase of 1.89m AOD compared to the approved application 168.390m AOD. The footprint of the east tower is similar to the consented scheme with slight increases to the north and northwest. However, the overall height and massing is reduced by the dynamic roof form which pulls the corners of the crown down to 163.040m AOD to create a unique and dynamic silhouette compared to

the flat roof form of the approved scheme. The architectural approach comprises a distinctive and elegant folding 'V', resulting in more distinctive elevations that would be modulated with the movement of sunlight. The remodelling is considered to add visual interest and be a compatible addition to skyline views at a local and macro level supported by the Townscape, Heritage and Visual Impact Assessment (THVIA).

113. The west tower proposes the most significant increase in height and massing and therefore bulk compared to the consented scheme. The maximum height would range 115.25 m AOD - 107.975m AOD and again would incorporate a more dynamic roof form compared to the approved scheme which repeated the flat roof and was a maximum height of 103.4m AOD. The footprint of the west tower would be increased on all elevations most notably by up to 5m on the north west elevation. However due to the chamfered footprint and geometrically modelled elevations the resulting massing in views remains appropriate for the site and wider context supported by the Heritage and Townscape Impact Assessment (THVIA).
114. The central podium including winter garden is slightly lower than the approved application 73.030 m AOD provides a gap between the east and west towers. This gap is reimagined in this scheme but with negligible changes in width and alignment. This visual break reduces the perceived bulk of the two towers in key views and preserves the background to St Pauls Cathedral from Westminster Pier. The podium at the Wilson Street elevation would be pulled forward by 2m compared to the approved scheme and the height to the terrace level would increase 55.975m AOD compared to approved application 50.4m AOD. This would continue to deliver a height and massing which is compatible with the local context which has a finer urban grain and this has been supported by a series of kinetic viewpoints along Wilson Street, Sun Street and in approaches from Finsbury Square in the THVIA.
115. The height and massing has been informed by its setting within Broadgate, local and macro context. As a tall building this would contribute to the emerging and dynamic cluster of tall buildings around the north and north east of Broadgate. The massing and height would result in a refined, distinctive and expressive built form on the skyline and in most views. The height of the eastern tower would comfortably integrate with the emerging setting of taller buildings in terms of scale and would serve as a landmark and improving urban legibility and way finding.
116. There are a number of benefits from this reimagined approach compared to the approved scheme and which have evolved and been refined through the pre-application process. The proportions and geometry of the west tower has been further adjusted to improve the

relationship to Finsbury Square and the articulation and distribution of the towers creates a better microclimate around Sun Street and Wilson Street compared to the approved application. The increased massing of the western tower offers more flexible, useable floorplates and the towers' design maintains the important sky gap between the two masses. The reconfigured footprint enables a more generous passageway connecting Sun Street and Finsbury Avenue Square and provides opportunities to improve the activity and use of the public realm.

Architecture, Urban Design and Public Realm

117. The proposed scheme successfully integrates benefits of energy and carbon sustainability innovatively with a strong architectural identity. It is considered to be an exemplary design, attractive and would create inviting spaces for people to work, shop, and study, contributing to the sense of place and to Broadgate's quality and prominence as a destination space. The proposal has architectural integrity and a design narrative which could be appreciated at a macro scale, as an object on the skyline and equally at a detailed, human scale where the building meets the ground. It would use high quality materials, open new pedestrian routes through the site, create new open spaces and would enhance the existing public realm.
118. The approach for the new proposal is conceptualised as a 'vertical campus'; an interpretation of the conventional idea of a campus; a cluster of buildings separated by open spaces and amenities. The proposal reimagines this as a vertically stacked cluster of buildings (in this case, office spaces) separated by green and amenity volumes, which would be distinguished by contrasting materiality and shape in the building's facades and would take advantage of south and west-facing sunny aspects.
119. In distant views, the architecture would be appreciated for its striking geometry, dynamic silhouette and facades which would change in shape and texture from different viewpoints. The 4 components would be faceted, accentuating the architectural geometry of the building and creating an irregular roof profile. The design proposes strong diagonal seams of steel structure which crisscross the 4 components, dividing the direction of the angled windowed facade, and the light they would reflect – an innovative and aesthetic application of solar shading which would form part of the energy strategy for the building.
120. The diagonals are complimented by triangular, unshaded double height windows, which would appear to horizontally 'cut' into the façade and break up the vertical dominance of the towers. These would house the amenity spaces which form a key element of the building's composition and legibility and, equally, the work environment ethos promoted within the building. The proposed amenity volumes separating the office spaces would take the form of mixture of enclosed glazed and open-to-air garden terrace areas as well as internal 'breakout' spaces designed with a focus on wellness and biophilia, where tenants could congregate, dwell and enjoy at various interval throughout the building.

121. Adaptability to flex to the working needs of tenants and changes over time has been incorporated in the design of the proposed building. The floor plates could be subdivided to accommodate varying numbers of occupiers and/or work space formats; dedicated entrances from the social lobby could be accommodated; areas identified as 'soft spots' within the floor plate would enable occupiers to remove parts of the floor to create double height spaces between storeys and some of the glazed amenity spaces may become open air balconies. This flexibility would allow the building to remain relevant to future tenant needs over the lifetime of the building whilst also retaining its high design qualities and architectural integrity.
122. The development would be predominantly glazed with metal linear elements of high quality with a refined warm palette of colours to reflect the existing buildings within Broadgate campus as well as the wider townscape. This would suitably integrate the building within its context. The detailing of interfaces and junctions within the building's composition are well considered and final construction details would be provided as conditions to ensure design quality is delivered.
123. The base of the building footprint has been sculpted and carved out to create a generous base, animated by retail and active frontages on all sides, predominantly glazed, improving the public amenity particularly on Sun Street and the junction with Wilson Street where pavements are narrow and facades are predominantly inactive and uninviting. The proposal includes a striking architectural metal soffit which would rise and fall in peaks and troughs around the building, which would denote an inviting parade of vibrant internal spaces, double height in some spaces, and create a human-scale relationship between the building and the pedestrian experience on the street. The chamfered building corners would help to mitigate wind conditions and a wind canopy is proposed over the entrance of Whitecross place at the entrance of Wilson Street designed in conjunction with a tree planting scheme to manage wind conditions at ground, the details of which would be secured by condition.
124. Proposed above the ground floor is the publicly – accessible Social Lobby, an open and informal arrival space which would act as the portal to the office floors above and a common area which building tenants would arrive at and potentially connect.
125. The innovative façade is proposed as a concertina surface of alternating windows and opaque cladding, designed to maximise views but optimise the balance of solar gain and shade depending on the orientation of the façade. This three-dimensional surface would work on many levels; it would provide optimal internal natural day light for building users, it would create exterior visual interest and would contribute to the building's solar shading and energy efficiency
126. The proposed building is designed to have no rear or "back of house" elevation and would contribute to the public realm in the round. At the base, back of house functions would be concealed and designed to mitigate their impact on the public realm; The East elevation proposes

high level louvers and fire exits which would be shrouded by a generous soffit to ground green wall, the details of which will be conditioned as part of the consent for this application. The servicing entrance proposed on the West elevation would use high quality materials consistent on all elevations and has been designed to house any waiting delivery vehicles within the building and off the highway maintain pedestrian priority around the base of the building; the majority of plant requiring an external position is proposed at roof level which would be well concealed in the roof profile.

127. Active travel would be celebrated in this proposal with the inclusion of a feature cycle entrance adjacent to the Open Learning Hub , leading to cycle workshop for repairs, and generous changing and cycle storage facilities.
128. An existing sculpture at the North-East corner of the site would be relocated as part of public realm works in the scheme, the details of which would be secured by condition.
129. Lighting, in accordance with the adopted City Lighting Strategy, is proposed to enhance visual amenity and minimise light trespass. It would be contextual, building on the components of spatial character design guidance for the Liverpool Street area in the adopted Strategy. The full details including the management of lighting would be ensured via condition.

Townscape, Heritage and Visual Impact

130. The impact of the height, massing and design of the development has been carefully considered through pre-application using 3 -d modelling and 52 verified townscape views (THVIA). These include LVMF and local townscape views from a variety of locations including Sun Street, Wilson Street, Finsbury Avenue Square and Broadgate Circle as well as views from nearby and more distant conservation areas and listed buildings to understand the impact on the significance of their setting.

London View Management Framework

131. The London View Management Framework (LVMF) designates pan-London views deemed to contribute to the Capital's character and identity at a strategic level.
132. The London View Management Framework (LVMF) is a key part of the Mayor's strategy to preserve London's character and built heritage. It explains the policy framework for managing the impact of development on key panoramas, river prospects and townscape views. Detailed visual management guidance is provided in the Mayor's Supplementary Planning Guidance (SPG) on the management of 27 strategically important views designated in the London Plan. It elaborates on the policy approach set out in London Plan policies 7.10, 7.11 and 7.12. and came into effect on 16 March 2012.
133. The proposed tall buildings would be located so that they are outside of the background consultation area of the two principal LVMF viewing corridors Westminster Pier (8A.1) and Kings Henry's Mound (9A.1).

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

Linear Views

Westminster Pier (8A.1)

134. The linear view is from Westminster Pier and adjacent to Victoria Embankment towards St Paul's Cathedral. The lower western tower element would be located behind and therefore concealed by the dome and peristyle of St Paul's Cathedral whilst the taller east tower would be located behind the Whitehouse Building (formerly Shell Building) to the right. The middle lower part of the building would be in the gap between the two towers and the open sky to the right of the Cathedral will remain.
135. Therefore, the proposal is considered to be in accordance with the guidance for this view (para 170 of the LVMF). In particular, the proposal would preserve the viewer's ability to recognise or appreciate the dome, peristyle and south-west tower of St Paul's Cathedral which would remain with a clear sky backdrop.

Kings Henry VIII's Mound (9A)

136. The proposed tower would be located in alignment with the Broadgate Tower beyond and therefore there would be no further encroachment on the background consultation area than currently exists. It would adjoin the consented cluster of towers to the north of St Paul's Cathedral. Although the tower would result in this cluster of permitted schemes being closer to St Paul's the generous gap to the left of St Paul's is maintained and the proposal would be screened by the canopies of the mature trees in this view. In this respect, the tower would be wholly concealed in summer when the trees are in full leaf and screened by branches in winter.
137. Therefore, the proposal is considered to be in accordance with the guidance for this view (para 175 and 176 of the LVMF). The proposal is subordinate to the St Paul's Cathedral and would preserve the viewer's ability to recognise and appreciate the dome of the Cathedral and the clear sky background profile of the upper part of the dome would remain.

River Prospects

Waterloo Bridge downstream (15B.1 and 15 B.2)

138. St Paul's Cathedral is identified as the Strategically Important Landmark and this is an iconic view both in daytime and night time. The proposed towers would appear as part of the cluster of consented towers to the left of St Paul's Cathedral from and between Assessment points 15B.1 and 15B.2. The eastern tower would in front and conceal Broadgate Tower and appear slightly taller. The proposal would bring the northern cluster somewhat closer to the Cathedral but a very generous gap would still exist between the development and the

Cathedral and neither tower would affect its clear sky backdrop and would not dominate or cause a 'canyon effect' around the Cathedral. The viewer's ability to recognise and appreciate St Paul's Cathedral as a Strategically Important Landmark would not be diminished.

139. At night time St Paul's Cathedral is floodlit and readily distinctive on the skyline. The proposed development would add to the night time articulation of the skyline and is positioned well to the left of St Paul's reading as part of a group of tall buildings which is far less visually prominent at night time compared to the City Eastern Cluster. A lighting strategy is required as a condition and lighting proposals will be required to be fully compliant with policy and the City Lighting Strategy.
140. The proposal is considered to be in accordance with guidance for this view in paragraphs 262-267 of the LVMF. The proposal would draw the emerging cluster of tall buildings slightly closer to St Paul's Cathedral but in a manner which preserves the composition of the view and the Cathedral's relationship with its clear sky background and does not dominate the dome or western towers in accordance with paragraph 264.

The South Bank : Gabriel's Wharf viewing platform (16B.1 16B.2)

141. St Paul's Cathedral is identified as the Strategically Important Landmark. The proposed development would be wholly concealed behind the eastern tower behind St Paul's Cathedral and the western tower behind St Paul's Cathedral and Moor House from and between Assessment points 16B.1 and 16B.2. The views and setting of St Paul's Cathedral and other heritage assets in this view would not be harmed and comply with paras 280-283.

Hungerford Bridge downstream (17B.1 and 17B.2)

142. St Paul's Cathedral is identified as the Strategically Important Landmark. The impact on the views eastwards from Hungerford Bridge is very similar to that from Waterloo Bridge. The east tower would be viewed alongside the consented cluster of towers in front of and would appear slightly taller than Broadgate Tower between Assessment points 17B.1 and 17B.2 in this view. The tower would read as part of the emerging northern cluster and add visual distinction without being dominant due to the muted colours and slender silhouettes. The western tower would also be visible but would appear as part of the dense urban layers of the lower skyline. The muted palette of colours and slender silhouette would add to the distinction of the tower would read as a slender silhouette. The proposed tower would not harm the appreciation, views or setting of St Paul's Cathedral.
143. The proposal is considered to be in accordance with the guidance for this view (paras 301 to 305 of the LVMF). In particular, the setting of St Paul's is preserved, and the tower is grouped with the northern cluster of tall buildings.

London Bridge downstream (11B.1 and 11 B.2)

144. The development would be outside of these viewpoints on the periphery to the left of the viewing experience. The proposals would not harm the setting of the Tower of London World Heritage Site, which is in the extreme east of the view or harm the wider settings of the listed Adelaide House, Custom House, St Magnus the Martyr or Billingsgate Market. The proposal is considered to be in accordance with the guidance for this view (paras 202 to 205 of the LVMF). In particular, Tower Bridge would remain the dominant structure in the view and the viewer's ability to easily recognise its profile and the Outstanding Universal Value of the World Heritage Site would not be compromised.

Millennium Bridge (13A.1 and 13B.1)

145. From these viewpoints the tower would be seen on the skyline above the riverside buildings alongside the consented towers in the emerging cluster and a significant distance to the east of St Paul's Cathedral.
146. Therefore, the proposal is considered to be in accordance with the guidance for this view (paras 227 to 229 and 234 to 236 of the LVMF). In particular, the proposal would preserve the peristyle, drum and dome's prominence in the view of St Paul's Cathedral.

Tower Bridge (10A.1)

147. This LVMF view is identified also as a key view in the Tower of London World Heritage Site Local Setting Study, its focus is on the Tower of London. In this view, the proposed east and west towers would be wholly concealed behind 100 Bishopsgate and foreground buildings and would have no impact on the view. In this respect the proposal would not compromise views or the setting of the Tower of London World Heritage Site or its Outstanding Universal Value.
148. Therefore the proposal does not dominate the Tower of London or compromise the ability to appreciate the Outstanding Universal Value of the World Heritage Site and would relate satisfactorily to existing skyline features in consolidating the City cluster of towers; as such the proposal is in accordance with the guidance for this view (paragraphs 183 to 187 of the LVMF).

City Hall: the public terraces and Queen's Walk (25A.1 and 25 A.2 and 25A.3)

149. The principal focus of all three views is the strategic landmark of the Tower of London on the eastern side of the view. The proposed east and west towers would be concealed from view behind the Three Quays development and the consented schemes in the City's Eastern Cluster of tall buildings. The Outstanding Universal value and setting of the Tower of London World Heritage Site would not be compromised.
150. The proposal is considered to be in accordance with the guidance for this view (paras 414 to 415 and 418 to 419 of the LVMF) and Policy 7.10B of the London Plan. The proposal would not compromise the viewer's ability to appreciate the Outstanding Universal Value, integrity,

authenticity or significance of the World Heritage Site, does not dominate the World Heritage Site and relates positively to the Tower of London. Consequently, the World Heritage Site would continue to dominate its surroundings.

Summary of LVMF Impacts

151. The proposal would not harm the characteristics and composition of these strategic views and their landmark elements, preserving the ability of the observer to recognise and appreciate the strategically important landmarks, in accordance with Local Plan Policy CS 13(1), London Plan Policies 7.11 and 7.12, draft City Plan 2036 Policy S13 and Draft Publication London Plan Policy HC4 and guidance contained in the LMVF SPG.

Other Key Views (non LVMF)

The Monument to the Great Fire

152. The Protected Views SPD identifies views of and approaches to the Monument which are deemed important to the strategic character and identity of the City. The proposal falls outside the identified viewing areas from the Monument and would not harm or conceal views of important heritage assets in the view.

St Pauls' Cathedral

153. The proposal would not harm views of or the setting or significance of St Paul's Cathedral. The proposal would not harm views within and out of or the setting or significance of the St Paul's Conservation Area.
154. The proposal would be visible from the Golden Gallery of St Paul's Cathedral. The Protected Views SPD seeks special attention be paid to the roofscape surrounding and views from the Cathedral. The development would not obscure or detract from any City skyline landmarks and would be an attractive addition to the skyline. The proposed eastern tower would be visible in front of and partially screening both Principal Place and Broadgate Tower. The eastern tower would be slightly taller in the group each reading distinctively rather than as a single mass. The group would remain subordinate to the eastern city cluster of tall buildings. It is considered the new development would preserve the composition and character of these views.
155. The Protected Views SPD includes views from River Bridges and the Southbank. The new development would be visible from Gabriel's Wharf/Blackfriars Bridge and Southwark Bridge and would read as a distant tower with others above the rooflines of riverside foreground buildings.
156. Along the Southbank the development would be visible in the context of St Pauls Cathedral as a kinetic experience eastward from Waterloo Bridge to Blackfriars Bridge. In these views the relationship of the east tower to St Pauls would vary depending on the viewpoint. There are moments when the development would directly abut the dome

including the view alongside the National Theatre on Waterloo Bridge and from locations close to the Oxo Tower. In these views St Paul's Cathedral is not currently experienced against a clear sky. The development would read as part of the permitted distant cluster of towers in this north area. In these views the eastern tower would now be imperceptibly taller than the approved application but the muted palette of colours would appear as a soft addition to the skyline in terms of colour finish and silhouette positively contrasting with the colouration and silhouette of St Pauls' without appearing dominant.

157. In conclusion there would be a similar visual impact to existing and there would not be a worsening to the backdrop of St Paul's Cathedral which complies with guidance of the Protected Views SPD.

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

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

Tower of London World Heritage Site – Impact on Outstanding Universal Value

159. The Tower of London World Heritage Site is located a substantial distance to the south east of the scheme. The proposed development will be concealed from key viewpoints of and from the tower (including those identified in the World Heritage Site Local Setting Study) and therefore will not harm any of the attributes of the Outstanding Universal Value of the World Heritage Site including setting.

Local townscape and other views

160. Given the scale of the proposed tower, it would have an impact on other views both in the City and in the wider area of central London. These have been reassessed in detail.
161. The proposal would appear as a prominent development in local views within the public spaces such as Exchange Square, Broadgate Circle and pedestrian thoroughfares of the Broadgate Campus. The development would be impactful in approaches to the site in relation to immediate local townscape from Eldon Street, Finsbury Avenue Square, Wilson Street, Sun Street, Finsbury Square as well Finsbury Circus which is slightly further from the site. The development would be prominent but not in a manner which is harmful or especially dominant as it will either be viewed appearing above midrise buildings such as 100 Liverpool Street or alongside the significant scale of existing tall buildings including: 5 Broadgate; the emerging developments at 1-2 Broadgate; and the consented towers in Hackney including, 1 Crown Place and 13-14 Appold Street. The development would read as a positive addition complementing and enriching the diversity of the wider Broadgate context and local townscape as an architecturally distinctive landmark and a vibrant addition to the skyline and streetscape.

162. In views northwards along London Bridge the proposed southern and eastern faces of the eastern tower would be visible on the skyline to the right of the Old Stock Exchange tower and the left of the cupola of 68 King William Street. The proposed development would encroach on the clear sky background of the cupola of 68 Kings William Street which is within Bank Conservation Area. The eastern tower would read as a distant background built form and the angled roof form and muted palette of materials would reduce any visual impact. The cupola would remain distinctive in the view and on the skyline. As a kinetic experience the tower would become concealed in approaches across London Bridge towards the north bank.
163. In views westwards along Fournier Street, Brick Lane, and from Christ Church Spitalfields, the development would have a significant architectural presence on the skyline. In these views the eastern tower is again either experienced alongside other permitted towers and other significant new schemes in Broadgate or the western end of Spitalfields Market or as a distinctive isolated addition to a view in the distant background. In views eastwards from Chiswell Street both towers would be experienced as a distant and elegant landmark amongst other taller buildings. The impact of the proposal would not be harmful to these wider views and townscapes or to the significance or setting of any identified designated heritage assets within the views.
164. Other views that have been assessed including Somerset House Terrace and St James' Park and the proposal does not harm these views or the setting of heritage assets within these views.
165. In terms of the townscape, the THVIA concludes that the impact the development has on the townscape is beneficial with no negative impact. Officers concur with this assessment and consider the impacts of the proposed development on townscape views is neutral to minor beneficial.

Designated Heritage Assets - impact on the setting and significance

Listed Buildings

166. The impact of the proposal has been assessed on the setting of a large number of listed buildings in the vicinity of the site both within and outside the City of London and it is not considered to harm the special historic and architectural interest or significance or the setting of these.

1 Finsbury Avenue (grade II)

167. To the south is the Grade 2 listed 1 Finsbury Avenue a midrise 1982-4 office building designed by Arup Associates. The development would have an immediate impact on its setting. The extent of special interest of the designated heritage asset resides in the external envelope where the form, structure and aesthetic are unaltered. 1 Finsbury Avenue forms part of the Broadgate Campus and addresses Wilson Street, Finsbury Avenue Square and Whitecross Place and has a

distinctive, architecture, scale and materiality. The robust and complex architecture of 1 Finsbury Avenue as a piece of design is not reliant on its relationship with 2/3 Finsbury Avenue as part of its setting and significance and it reads as standalone piece of urban architecture in the round.

168. Taller and midrise buildings juxtaposed with lower more historic buildings and an evolving diverse architecture have become the established setting of 1 Finsbury Avenue. In particular, 5 Broadgate, 1-2 Broadgate, Finsbury Avenue Square and the planned layout of Broadgate contribute to this setting.
169. The proposed development and increase in scale and architecture would have a significant impact on the setting of the listed building in views along Wilson Street, Finsbury Avenue Square and Sun Street. The lower scale 9 storey and tiered green terraces at L10 and L11 step down to the Wilson Street frontage of the development and would create an appropriate bookend to the townscape. This would achieve a comfortable transition to the listed building in views northwards and southwards along Wilson Street and is respectful to the scale of the Wilson Street elevation of the listed building.
170. The loss of the appearance of the stair towers of the listed building seen against open sky would slightly diminish the building's setting in views northwards along Wilson Street. However, the permitted 1 Crown Place development in Hackney currently has a similar impact. The different materials and contrasting architectural language of the proposed development would ensure the listed building remains prominent and discernible in its setting. The listed building would also remain as a prominent part of Finsbury Avenue Square enclosing the western perimeter and distinct from the new development. The building line relationship and pedestrian route width to Whitecross Place would be preserved.
171. Overall, the proposal would result in major change to the setting of 1 Finsbury Avenue, but not in a manner which would undermine that significance, which would be preserved.

St Botolph without Bishopsgate Church (grade I) St Botolph Church Hall (grade II) , Bishopsgate Parish Memorial (grade II) and drinking fountains and over throws (grade II)

172. The proposed development would be visible in views northwards from the St Botolph's Churchyard within the settings of a number of designated heritage assets. The principal setting for these designated heritage assets which positively contributes to their significance is St Botolph's Churchyard an intimate and enclosed green space with lawns and shrubs and the fine grained commercial retail buildings on the south side of Liverpool Street. The wider setting is the surrounding townscape which is mixed in character and quality with many tall buildings as well as more historic buildings juxtaposed in views of the listed buildings. Dashwood House tower in the foreground is particularly prominent. Although not contributing to significance these

taller buildings are part of the existing urban setting. The proposed development would rise above 100 Liverpool Street in the background of views from the Churchyard gardens. The development would be immediately noticeable but would form part of the context of established and emerging tall buildings which is already characterised by tall modern buildings in the wider urban setting including 13-14 Appold Street.

173. It is considered the proposal would result in a major change to the setting of this group of listed buildings but not in a manner which would undermine that significance, which would be preserved.

Park House and Garden House (grade II), Britannic House (grade II), Salisbury House (grade II) , 25 London Wall (grade II) Lutyens House (grade II*) all in Finsbury Circus

174. The development would be a significant addition on the skyline and in views above the roofscapes around Finsbury Square which contains a number of listed buildings including Park House and Garden House, Britannic House, Salisbury House, 25 London Wall and Lutyens House . A series of sequential views including night time and winter demonstrate the upper parts of the eastern and western towers would be prominent in northward views particularly eastwards and from Circus Place most notably rising above the roofscape of the Grade II listed inter war Park House and Garden House.
175. The principal feature of these listed buildings in Finsbury Circus are the central garden and the planned layout of the Circus about which the buildings are positioned and address. These aspects strongly contribute to the listed buildings heritage significance as a planned development and there is a defined sense of enclosure. From within the gardens in views to the east and south along Circus Place the tall buildings within the City's Eastern Cluster are visible. In views west the tall buildings around Moorgate Station and Barbican Towers are visible. In views north 1 Crown Place, 1-2 Broadgate (consented) and 13-14 Appold Street would all be visible above the roofline of Park House and Garden House and form part of the setting for these listed buildings. Although not contributing to the significance of the listed buildings in Finsbury Circus tall buildings are an existing part of their wider urban setting.
176. The GLA has identified the visibility of the development above rooftops would cause a degree of less than substantial harm to the significance or appreciation of listed buildings in Finsbury Circus. Your officers do not agree with that assessment. There is no harm to the significance or appreciation of these listed buildings. Furthermore the setting of these listed buildings in Finsbury Circus is to varying degrees already characterised by a wider urban backdrop of completed or permitted taller new development and the presence of the mature plane tree canopy of Finsbury Circus would partially filter many of these towers even in the winter. This emerging background urban setting also

remains distinct of the listed buildings and their architectural and historic interest.

177. It is considered the proposal would result in a moderate change to the setting of Park House and Garden House, Britannic House, Salisbury House, 25 London Wall, Lutyens House all in Finsbury Circus but not in a manner which would undermine that significance, which would be preserved.

Flying Horse Public House (grade II)

178. This Grade 2 listed 19th century corner pub lies opposite the site on Sun Street which has a curved corner defining south west corner of Sun Street and its setting is defined. The height and massing of the proposed development would have an immediate impact on the setting of this modest public house. The existing setting of the listed building is diverse with a mixed townscape comprising historic smaller scale buildings such as 11-15 Sun Street which adjoins the listed building juxtaposed with contemporary tall buildings and contemporary striking architecture to the east of Sun Street. The proposed development would become a distinctive and differently scaled backdrop to the listed building and adjoining terrace in views along Sun Street and in this context the proposed development would be similar in nature to the relationship with other tall buildings in the immediate context. The western part of the proposed development opposite the listed building would step down to 9 storeys in response to the modest scale of the junction of Wilson Street and Sun Street. In this respect, the development would not harm the setting of the listed building.
179. Overall, the proposal would result in major change to the setting of the Flying Horse Pub but not in a manner which would undermine significance, which would be preserved.

Other Listed Buildings

180. The impact of the proposals on the settings of other listed buildings has been assessed in the THVIA within and outside the City of London. The settings and the contribution they make to the significance of the listed buildings, would not be adversely affected by the proposals due to: the relative distance of the proposal where it would not appear unduly prominent; the presence of other tall buildings that characterise the existing emerging settings; and existing built fabric blocking the view of the proposed development in the backdrop. The THVIA assessment that the effect on significance and setting would be neutral or minor is concurred with and the proposed development would not harm the setting or the contribution that the setting makes to the significance of these listed buildings. The proposed development would not harm the setting or the contribution that the setting makes to the significance of these listed buildings.

Conservation Areas

181. The impact of the proposal has been assessed on the setting of a large number of conservation areas in the vicinity of the site both within and outside the City of London. In particular there would be an impact on the setting of the following Conservation Areas close to the development.

Finsbury Circus Conservation Area (City of London)

182. This Conservation Area lies some distance to the south of the site and is centred on Finsbury Circus itself. Finsbury Circus is a grade II Registered Park and Garden. The principal feature of the setting of the gardens and the conservation area is the central gardens and surrounding Edwardian stone buildings and the Circus layout. Significant views are from the Circus itself looking into the gardens from around the edge and looking outwards from across the gardens to the buildings beyond. The City's taller buildings are visible in these views from the east, west and south out of the Circus above the rooflines of foreground buildings. These background and taller buildings are part of the existing setting of the Conservation Area and the Registered Park and Garden.
183. The proposed development would be most impactful on the skyline in views northwards from Circus Place on the south side of the Conservation Area and eastwards from the west side of the Circus where it would appear as a prominent element albeit partially screened by the mature plane trees of the central gardens. The development would form part of an emerging cluster and be visually distinctive and an elegant addition to the group distinct from Edwardian foreground buildings. Contrary to the GLA conclusions the moderate change is not considered harmful to the significance or appreciation of historic assets including the Conservation Area or its significance or status as a Registered Park and Garden.

Bishopsgate Conservation Area (City of London)

184. This Conservation Area lies to the south and east of the site. The tower would be visible on the skyline in numerous views from the Conservation Area. In particular, the eastern tower would appear as a prominent element on the skyline in views northwards from the Churchyard of St Botolph without Bishopsgate Church. The impact is not considered harmful given the more assertive impact of Dashwood House tower in the foreground as well as the permitted towers in Hackney which are also form part of the setting of the Conservation Area. The emerging cluster of tall buildings have become part of the established background and now form part of the setting to the Conservation Area.
185. The moderate change is not considered harmful to the significance or setting of the Conservation Area.

Bunhill Fields/Finsbury Square Conservation Area (L.B Islington)

186. The site lies to the west of this Conservation Area within the LB of Islington where the development would be visible from numerous vantage points. The Conservation Area is dominated by three green spaces Finsbury Square, Bunhill Fields Burial Ground and the former Artillery Ground. The open prospects of these three spaces allows longer views of the surrounding urban landscape.
187. A number of sequential views have been undertaken from Finsbury Square, the top half of the east and west tower would be prominent above the midrise office buildings on the east side of Finsbury Square. On the skyline in views eastwards and to the south, it would be seen alongside either the permitted cluster of towers in the City Fringe area to the east or the cluster of towers in the City's Eastern Cluster to the south. In this respect, the setting of Finsbury Square as part of the Conservation Area is characterised by an urban layering of consented and completed tall buildings, which the development would relate to satisfactorily.
188. The development would gently step up in height from 1 Crown Place to read as a coherent group of tall buildings. The architecture of the two towers would have a clear vertical emphasis and would be distinctive from the foreground terrace buildings to Finsbury Square. The increased height and massing of the western tower compared to the approved application would be evident in these views from Finsbury Circus. The western tower would have a similar overall width to the consented west tower in views from Finsbury Square. Due to the chamfered plan form and the dynamic roof design, geometric folds and angles as well as the palette of materials the development would be an enriching, high quality and positive addition to the setting of Finsbury Square and the urban skyline. The ability to appreciate the heritage significance of this part of the Conservation Area would be preserved.
189. Similarly, the development would be viewed alongside the permitted and completed towers to the south and east in views from the grounds of the Honourable Artillery Company. The tower would be visible through the mature trees from Bunhill Fields, a Grade 1 Registered Park and Garden alongside the consented towers. From Bunhill Fields in particular, the tower would be virtually concealed when the trees are in leaf and heavily screened by branches at other points in the winter months.
190. Overall, the proposal would result in a major change to the wider backdrop setting of Bunhill Fields and Finsbury Circus Conservation Area and the Registered Historic Park and Garden, but contrary to the GLA conclusion, this would not be in a manner which would undermine that significance which would be preserved.

Sun Street Conservation Area (L.B Hackney)

191. The site is directly to the south of this small Conservation Area in LB Hackney and the development would have an immediate impact on its setting. The Conservation Area is characterised by a domestic scaled enclave of mainly C19th buildings. The scale of development would have a significant impact on the Conservation Area but not in a manner which is considered harmful. In particular in the key views eastwards along Sun Street, the proposed tower would be seen alongside substantially taller buildings including One Crown Place in LB Hackney and 5 Broadgate development in the City. In this respect the backdrop and setting of the Conservation Area is characterised by a juxtaposition of diverse architecture of building heights and different urban grains both e taller buildings. This has transformed the character and appearance of the Conservation Area and its setting by grounding historic buildings – The Flying Horse Pub and 5-15 Sun Street in the context of tall buildings.
192. The base of the development would have a human scale and the palette of materials would create a welcoming pedestrian environment and would redefine and reactivate the street scene and the character of the corner junction introducing a positive outward looking building . The ground floor mediates between the street pedestrian scale emphasised by the canopy and the traditional brick buildings of Sun Street and taller buildings. The different language, light and bright materiality would not dominate the existing masonry buildings which would remain distinctive in the Conservation Area. Sun Street itself would be enhanced though increased permeability, activated edges and improved public realm. The Open Learning Hub would be a destination to providing a cross Borough free public space for all.
193. The height of the development would step down towards Wilson Street and be compatible with the scale of the historic terrace. The eastern and western tower would be set back closer to Crown Place forming a cluster of taller buildings straddling Sun Street.
194. The new development has been designed to respond to the context and the high quality design would enhance the local townscape. Overall, the proposal would result in major change to the setting of the Conservation Area, but not in a manner which would undermine that significance, which would be preserved.

Other Conservation Areas

195. The impact of the proposals on the settings of other Conservation Areas and Historic Registered Parks and Gardens has been assessed in the THVIA within and outside the City of London. These have included South Shoreditch Conservation Area, New Broad Street Conservation Area, Bank Conservation Area, Elder Street Conservation Area, Brick Lane and Fournier Street Conservation Area, Brewery Street Conservation Area and Chiswell Street Conservation Area. The settings and the contribution they make to the significance of the Conservation Areas, would not be adversely affected by the

proposals due to: the relative distance from the proposal where it would not appear unduly prominent; the presence of other tall buildings that characterise the existing emerging settings; and existing built fabric blocking the view of the proposed development in the backdrop. The THVIA assessment that the effect on significance and setting would be neutral or minor is concurred with and the proposed development would not harm the setting or the contribution that the setting makes to the significance of these Conservation Areas or Registered Historic Parks and Gardens.

Non - Designated Heritage Assets

2/3 Finsbury Avenue plan form of public spaces

196. The proposed development would demolish 2/3 Finsbury Avenue and the replacement would be a new high quality development redefining the northern edge to Finsbury Avenue Square. The base of the building would be visually permeable with a new pedestrian route connecting Finsbury Avenue Square and Sun Street. The plan form of public spaces with connecting pedestrian links to the Broadgate Estate is identified by the City as a non-designated Heritage Asset. The proposed north/south permeable route would enhance the nature of existing routes and the quality of the non-designated heritage asset. The proposed new permeable route would follow the existing alignment of Finsbury Avenue. Overall, the public spaces, pedestrian links and visual experience of the Broadgate Campus would be enhanced by the proposed development better revealing the heritage significance of the undesignated heritage asset.
197. The proposed development would not adversely impact on any elements of setting that contribute to significance of the non-designated heritage asset or an ability to appreciate its heritage significance.

5-15 Sun Street

198. The proposed development would be directly opposite the site and these locally listed C19th terrace buildings in LB Hackney. The double height proportions of the ground floor of the development would respond to the scale of these buildings and provide a human context ensuring the development would not be over dominant within the setting of the buildings. The high-quality architecture and public realm would provide a positive setting to their context which is already characterised by tall buildings including 1 Crown Place.
199. The proposed development would not adversely impact on any elements of setting that contribute to significance of the non-designated heritage asset or an ability to appreciate its heritage significance.

Access and Inclusive Design

200. 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 2036 and policy 7.2 of the London Plan and policy D5 of the draft Publication London Plan.

201. The principles of inclusive design have been incorporated into the proposals. The ground floor of the development is highly permeable, with a number of entrances and new routes through the site, all of which have been designed to be step free and at no time the gradient would be steeper than 1:20.
202. All horizontal and vertical access in the building has been designed to the recommendations set out in the Approved Document M and BS8300. Lifts would be the main means of vertical circulation within the building and have been designed to accommodate a variety of users, including wheelchair users.
203. Accessible WC facilities would also be provided in appropriate numbers and locations and the proposed showers at basement would also include accessible shower rooms. A non-gendered shower and WC is also proposed at basement level.
204. The Access Officer welcomes the inclusive access to and within the building which would meet the requirements of Local Plan policy DM10.8 and London Plan policy 7.2. S106 obligations/conditions are recommended to ensure the facilities meet the requirements for the educational/community uses to ensure to ensure full accessibility and provision.

Fire Statement

205. Policy D12 of the draft Publication 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.
206. 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. Further details would be required regarding the fire service access and the application of the evacuation lifts and these would be developed as the detailed design of the building progresses in consultation with City District Surveyors and the London Fire Brigade.
207. If planning permission were to be granted, a condition would be recommended requiring the submission of details of a Fire and Emergency Escape Strategy for all building users (including people with disabilities) with details of the means of escape, areas of refuge and fire evacuation lifts and stairs and fire service access shall be submitted to and approved in writing by the Local Planning Authority in consultation with the London Fire and Emergency Planning Authority,

Building Control Health and Safety Team prior to construction of the building and the strategy shall remain in place thereafter.

208. Subject to compliance with the condition the proposed development would meet the requirements of Policy D12 of the draft Publication London Plan.

Archaeology

209. The site is in an area of archaeological potential, situated outside the Roman and medieval City Wall. There is potential for remains from all periods to survive in this area. An archaeological assessment has been submitted with the application.
210. There is moderate potential for survival of environmental remains associated with marsh forming in this part of the Walbrook valley, Roman remains including land reclamation and quarrying and high potential for post medieval remains. There is low potential for survival of Roman burials as the site is to the north of a known Roman cemetery, and prehistoric remains.
211. The potential for remains to survive has been affected by the construction of the existing building basements and piled foundations. It is considered that only deep cut features will survive below the basements and between foundations. There is higher potential for archaeological survival outside the basement footprint.
212. The proposed building would have three levels of basement and an area of piled foundations outside the existing basement which would remove all surviving archaeological remains.
213. Archaeological evaluation is required to provide additional information on the type, date and character of potential archaeological survival and to design an appropriate mitigation strategy.
214. The proposals are acceptable in archaeological terms, subject to conditions to cover archaeological evaluation, a programme of archaeological work and foundations and piling design.

Transport, Servicing and Highways

Public Transport

215. The site has the highest level of public transport provision with a public transport accessibility level (PTAL) of 6B. The site is located close to Liverpool Street Station and Moorgate Station. The site is close to several bus routes running close by and can be accessed from Finsbury Square, Norton Folgate, and Liverpool Street Station.

Cycling

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

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

217. The Publication London Plan requires 1419 long stay cycle parking spaces. The applicant is proposing 1422 long stay cycle parking spaces. This exceeds the Publication London Plan standards. The long stay cycle parking would be accessed via a dedicated cycle ramp from Wilson Street.
218. A minimum of 5% of the cycle parking spaces will be accessible for adapted cycles and this arrangement will be secured by planning condition (in line the Publication London Plan Policy T5 cycling B, with the London Cycling Design Standards 8.2.1, and the emerging City Plan 6.3.24).
219. The cycle facilities offer parking for a broad range of cycles, including double stacked racks, foldable bicycle lockers, Sheffield hoops and spaces for recumbent/outsized cycles. Charging points for electric bikes will also be provided.
220. The proposals include 112 showers, and 1422 lockers, which complement the cycle parking provision. The Publication 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. Therefore, the shower proposals do not meet the Publication Plan recommendations. The applicant has demonstrated that the shower number can be increased, however the cycle ramp would need to be removed to facilitate the increase in showers. Therefore, on balance, we agree that the ramp is an excellent facility for people cycling, and in this case the shower provision is acceptable. The locker provision exceeds the Publication London Plan standards.
221. The Publication London Plan requires between 92 and 156 short stay cycle parking spaces, the range is due to the flexible nature of this planning application. The applicant is proposing 100 short stay cycle parking spaces. We have worked with the applicant to increase this from 42 spaces and we believe that this is a reasonable provision of short stay cycle parking, albeit not compliant with the Publication London Plan. The short stay cycle parking comprises 10 spaces and 12 foldable cycle lockers within the cycle lobby accessed off Wilson Street, 20 spaces on Finsbury Avenue Square (east) and 58 spaces on Sun Street Passage. The cycle parking spaces on Sun Street Passage are not immediately outside of the development, but are within the wider Broadgate Estate. Securing these outdoor spaces on the Broadgate Estate is considered a benefit of this scheme. These locations are considered not to impede pedestrian movement. The exact location of the outdoor short stay cycle parking spaces will be secured by planning condition/obligation.
222. The applicant will be responsible for promoting the use of the cycle parking spaces and as such will be required by planning condition 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 Publication London Plan policy T4 and 10.4.3.

223. TfL are exploring options to secure Section 106 obligations in relation to a Cycle Hire Docking Station and/or a Cycle Route Quality Criteria assessment.

Vehicular Access

224. Local Plan 2015 Policy DM16.5 – 1 and Draft City Plan 2036 policy VT3 – 1 require development in the City to be car-free except for designated Blue Badge spaces.
225. The development is car free except for one facilities management vehicle space.
226. No blue badge space is proposed within the development. TfL have requested on street blue badge spaces are considered. Therefore this will be included in the Section 278 agreement.

Servicing and Deliveries

227. Policy DM16.5 of the Local Plan and draft City Plan 2036 Policy VT2 – 1 require developments to be designed to allow for on-site servicing. Policy VT2 – 2 requires major commercial development to provide for freight consolidation. Policy VT2 – 4 requires delivery to and servicing of new developments to take place outside peak hours (7am – 10am, 12pm – 2pm and 4pm – 7pm on weekdays) and requires justification where deliveries within peak hours are considered necessary. Publication London Plan policy T7 G 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.
228. The servicing of the building would take place off-street accessed off Wilson Street via two vehicle lifts. The servicing is proposed in the same place as the existing permission on the site. The applicant will have a service level agreement with their lift provider to ensure any breakdowns are fixed in a timely manner. Vehicles would be able to enter and exit the servicing area in forward gear.
229. The servicing area would accommodate 4 vehicles up to 10m in size, but the majority of vehicles are expected to be 8m.
230. 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. Outside of these hours, on average there will be 10 vehicles per hour servicing the site.
231. The development will be required to produce a delivery and servicing plan, and this will be secured in the Section 106 agreement.
232. The applicant is proposing to use a consolidation centre in order to reduce the number of deliveries to the development per day, and a minimum of 90% of deliveries will travel via the consolidation centre. A small number of vehicles will be allowed direct access to site (not via the consolidation centre) and this number will be secured in the delivery and servicing planning obligation.

233. The proposed development will generate fewer daily servicing trips than the consented scheme, which proposed approximately 151 deliveries per day. The applicant has agreed to a cap on the number of deliveries to the development per day of 132, and this will be secured in the Section 106 agreement.
234. The applicant has stated by the opening year of the Proposed Development the vehicle fleet is expected to be electric. As such, electric vehicle charging points are proposed in the servicing area and these will be secured by planning condition. This is in line with Policy VT2 Freight and Servicing point 6.2.38 in the Draft City Plan.
235. The location of the new servicing entrance will require the removal of four pay and display parking bays, which is as agreed in the previous permission on this site. The removal of the pay and display parking bays will be subject to consultation. There is a potential of loss of earnings, should the consultation result in the loss of the spaces. The impact on income will be outweighed by the benefits of the whole of the public realm and Section 278 works; there may be a lost earnings sum agreed within the Section 278 agreement. An application to amend the Traffic Management Order relating to the Pay and Display bays will need to be submitted to the CoL.

Public Realm Security and Hostile Vehicle Mitigation (HVM)

236. Local Plan Policy DM3.2, draft City Plan 2036 Strategic Policy S2 (Safe and Secure City) and Policy SA3 (Designing in Security) sets out how appropriate security and safety provision must be incorporated into all development. Policy D11 of the Publication London Plan states development proposals 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.
237. Security proposals to protect the building and the new areas of public realm have been developed in consultation with the Designing out crime and the counter terrorism security officers within the City of London Police.
238. The majority of the HVM will be within the façade of the building. Where there is a break in the façade line there will be other measures. Vehicle blockers will be used to protect the servicing lift entrance, bollards will be used to protect the routes from Wilson Street and Sun Street into Whitecross Place.
239. There are existing bollards on Sun Street outside the eastern side of the development site. These bollards will be rationalised and partially relocated to meet the corner of the proposed development.
240. Trees are also proposed surrounding the development which serve a dual purpose. They will enhance the environment and provide a visual deterrent to hostile vehicles.

Pedestrian Comfort

241. A pedestrian comfort level (PCL) assessment has been conducted for the site. The pedestrian flows have been thoroughly analysed and the applicant has presented data for three scenarios: the existing situation; the consented development; and the proposed development. Overall, the PCLs are much improved due to the setting back of the building and the new, step free, public pedestrian route through the development.
242. The PCLs at all of the surveyed locations around the site are classed as 'comfortable' in the proposed development scenario, this is a minimum level of B+. The scores range from PCL A to B+. TfL's Pedestrian Comfort Guidance recommends a minimum comfort level of B+ and the City's Transport Strategy aims for all City pavements to have a minimum pedestrian comfort level of B+. There is a small reduction in the useable footway width on Sun Street from 4.5m to 4.2m, this is as a result of the location of tree planting. The footway width measuring 4.2m is sufficient to facilitate comfortable pedestrian conditions with a PCL of A in both the AM and PM peaks.
243. It is predicted that the total number of trips to the development in the AM peak would be 3555. The existing situation is 733 trips in the AM peak, and the consented scheme predicts 2941 trips in the AM peak. Therefore, the proposed trips in the AM are an increase of 614 trips compared to the consented scheme.
244. It is predicted that the total number of trips to the development in the PM peak would be 3303. The existing situation is 743 trips in the PM peak, and the consented scheme predicts 3017 trips in the PM peak. Therefore, the proposed trips in the PM are an increase of 286 trips compared to the consented scheme.
245. The increase in trip generation is considered acceptable due to the PCL assessment predictions, the new proposed route through the site, the widening of the footways, and the commitment to promote cycling at the development.
246. The submitted Transport Assessment indicates that the overall increase in trips across all modes of transport would have a minimal impact and the change will likely not be perceptible.
247. There is no stopping up proposed as part of this development, however there are changes to the existing permissive path. Overall, there will be an extra 163sq.m of permissible path created by the development.

Section 278 Agreement

248. A Section 278 agreement has been secured. The Section 278 agreement will comprise footway works, minor HVM works, the removal of on-street parking bays (subject to consultation), the provision of a public blue badge space in the vicinity of the site (subject to consultation), works to facilitate the new cycle and servicing entrances, and tree planting.

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

Environmental Sustainability

Energy and CO2 emissions

250. The Energy Statement accompanying the planning application demonstrates that the building has been designed to achieve an overall 47.3% reduction in regulated carbon emissions compared with a Building Regulations compliant building.
251. The proposed energy demand reduction measures include the use of passive design measures in the building envelope, balancing the reduction of heat loss, solar gains and glare, and maximising daylight access. A high efficiency ventilation strategy with heat recovery would be incorporated, along with energy efficient fittings, lighting and appliances. Passive ventilation was excluded due to the height of the building, but the applicants will undertake a further assessment of integrating mix modal ventilation into the detailed design. The savings from energy demand reduction would achieve a 17.3% carbon emissions reduction overall.
252. There are currently no opportunities to connect the development to an existing or planned district heating network. However, drawings demonstrating how the site is to be future-proofed for a potential connection to a district heating network have been provided.
253. A reverse cycle Air Source Heat Pump system, to take full benefit of simultaneous heating and cooling demand, would be incorporated, achieving further carbon emissions savings from low energy and renewable technologies compared to the energy demand reduction stage (be clean) of 36%. The installation of PV panels has been discounted due to their estimated low contribution to the overall carbon emissions savings of approx. 1%. In addition the PV panels would be visually prominent on the west and south facing roof slopes of the towers in long views and would dilute the geometric roof form which is designed to seamlessly integrate with the facades and is intrinsic to the overall design rationale.
254. This energy strategy demonstrates compliance with the London Plan carbon targets. (London Plan Policy 5.2 and Intend to Publish London Plan S12). A S106 clause will be included requiring reconfirmation of this energy strategy approach at completion stage and carbon offsetting contribution or appropriate off-site project to account for any shortfall against London Plan targets, for the completed building. There will also be a requirement to monitor and report the post construction energy performance to ensure that actual operational performance is in line with GLA's zero carbon target in the Intend to Publish London Plan.

BREEAM

255. BREEAM pre-assessments for the offices, the Open Learning Hub and the retail element have been carried out. These demonstrate that the office parts of the development can achieve a score of 90.3% while the Open Learning Hub may achieve 89.1%, both in the excess of 85% threshold required to achieve an “Outstanding” rating. The retail element would achieve a score of 75.8%, exceeding the 55% “Excellent” target, however, this can only be achieved when the credits relating to the fit-out of mechanical systems which at this stage cannot be included, can be accounted for. Additional credits are highlighted for the whole scheme that could protect the anticipated ratings against changes in the detailed design that could affect the ratings. The retail floorspace could potentially amount to approx. 5,000sqm, and therefore separate BREEAM assessment for the offices, the Open Learning Hub and the retail element have been requested by condition. The post construction BREEAM for retail should be submitted after full fit-out and occupation of the retail spaces.
256. The development scores highly on three of the City’s four priority categories of Energy, Water and Pollution. For the fourth priority category, Materials, additional credits relating to the responsible sourcing of materials and the identification of opportunities to reduce environmental impacts of materials will be targeted as part of the detailed design phase and reviewed within the detailed Circular Economy assessment requested by condition. The BREEAM pre-assessment results comply with Local Plan Policy CS15 and draft City Plan 2036 Policy DE1. A condition has been included requiring the submission of post construction BREEAM assessments for all proposed building uses, demonstrating that a target rating of ‘Outstanding’ has been achieved (or a minimum rating of ‘Excellent’ as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an ‘Outstanding’ rating).

Whole Life-Cycle Carbon Emissions

257. Emerging New London Plan Policy SI 2 (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 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 Whole Life-

Cycle Carbon emissions of the building. The Whole Life-Cycle Carbon assessment is therefore an important tool to achieve the Mayor's net-carbon city target.

258. A Whole Life-Cycle analysis has been carried out, showing that a significant proportion of the embodied carbon of the base model, approx. 43%, is due to the superstructure. An assessment of low carbon structural solutions results in the following, most significant measures to be considered in the next design stage:
- Maximise the use of demolition materials from the existing building
 - Reduce MEP (Mechanical, Electrical and Plumbing) related embodied carbon
 - Consider low carbon alternatives to typical aluminium frame curtain walling
 - Use 90% recycled steel in reinforcement and concrete with higher GGBS (Granulated Blast-furnace Slag) content cement.
 - Consider the use of a low carbon raised access flooring system.
259. Over the proposed building's whole life-cycle, the embodied carbon emissions calculations at planning stage demonstrate emissions well below the Greater London Authority's benchmark emissions target and reach the GLA's aspirational target. A strategy to optimise the results for the proposal's Whole Life-Cycle carbon emissions through the detailed design stage, and a confirmation of the post-construction results have been requested by conditions.

Circular Economy and Waste

260. Emerging New London Plan Policy SI7 ('Reducing waste and supporting the circular economy') sets out a series of circular economy principles that major development proposals are expected to follow. Emerging City Plan 2036 Policy S16 sets out the City's support for Circular Economy principles.
261. The submitted Draft Circular Economy Statement describes how the building design will incorporate circularity principles and actions according to the 9 circularity principles in the GLA Circular Economy Guidance. A scheme that maintains parts of the base structure was considered but not found technically feasible, given the brief for a tall building development on site in line with the approved planning permission for the site. However, some of the basement structure would be retained.
262. The applicants are committed to achieve a low impact building by employing the following main measures:
- Exploring pre-fabrication of façade and superstructure and utilising bespoke fabrication
 - Optimising thermal fabric specifications and daylight ingress
 - Prioritising green energy supply
 - Including water efficiency measures to achieve at least a 50% reduction in water usage

- Specifying and sourcing materials responsibly by developing a sustainable procurement plan and using a portion of recycled materials or by-products of industrial processes.
- Designing the structure to achieve internal spaces that enable flexibility in use, e.g. with regards to locations of partitions and providing floor slab soft spots
- Designing for disassembly of the superstructure and cores
- Using robust materials fit for purpose and long life
- Develop a Circular Economy fitout guide
- Incorporating easy maintenance and replacement access for plant installations
- Delivering a zero waste to landfill demolition process and exploring the reuse and upcycling of materials, committing to resell equipment and furniture and reuse of façade glass for the existing building
- Managing excavation waste, construction waste and municipal waste responsibly.
- The development aims to be an exemplar of circular design for City office buildings. The applicant commits to:
 - achieve the targets of reusing/recycling/recovering 95 per cent of construction and demolition waste, and putting 95 per cent of excavation waste to beneficial use
 - provide a notification of the likely destination of all waste streams (beyond the Materials Recycling Facility) and a written confirmation that the destination landfill(s) has/ have the capacity to receive waste
 - meet the Mayor's 65 per cent target for Municipal waste recycling
 - demonstrate that all development designs have adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

263. A Detailed Circular Economy Assessment and a post-completion update in line with the Mayor's guidance on Circular Economy Assessments to confirm that these 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.

Urban Greening and Biodiversity

264. Local Plan Policy DM19.2, draft City Plan 2036 Policy OS2 and New Publication London Plan Policy G5 requires development proposals to 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.

265. This development proposes some green roof terraces, green walls, trees and planting which would provide biodiversity benefits and visual interest. The external terraces on the western facade of the building (at

Levels 10 and 11) would provide valuable green spaces that contribute to wellbeing and urban greening and provide views to the west of the City. Planted borders would be provided across several levels of the building which would feature green 'fringes' to the external roof terraces. The proposed Winter Garden (between the west and east towers) across Levels 12 and 13, would provide a valuable communal amenity space for occupiers of the building with greening through a mix of planting.

266. The proposed urban greening includes two planters located between 2 Finsbury Avenue and 5 Broadgate which would feature trees, flower-rich perennial planting and public seating. Green walls are proposed around the base of the building to the north, east and south elevations and a two-storey green wall over Levels 3 and 4. The green walls would provide a mix of pollinator friendly species to deliver year-round interest and would assist in improving air quality
267. The UGF for the site has been calculated as 0.1 which would fall short of the target of 0.3 set out in both the draft London Plan and the City's draft Local Plan for commercial development. The applicants have set out details of further greening they intend to carry out across the Broadgate Estate to secure a higher UGF score of 0.3, including a potential green roof on Exchange House or an equivalent financial contribution (£503,000) to be applied by the City Corporation to urban greening within the vicinity of Broadgate.
268. Given the scale and form of the proposed building, opportunities for urban greening and enhancing biodiversity on site would be limited. It has therefore been agreed that further urban greening opportunities across the wider Broadgate Campus, within the ownership of the applicant, would be identified and would be secured as part of the Section 106 agreement.
269. Details of the quality and maintenance of the proposed greening would be required by condition.

Flood Risk, Sustainable Urban Drainage

270. Local Plan 2015 policy CS18 seeks to "reduce the risk of flooding from surface water throughout the City, by ensuring the development proposals minimise water use, reduce demands on the combined surface water sewer and sewerage network". The use of Sustainable Drainage Systems (SuDS) is supported by Local Plan policy CS18 and policy CR3 of the draft City Plan 2036.
271. The submitted Flood Risk Assessment indicates that this development does not fall within the City Flood Risk Area. The uses proposed are acceptable within the sequential test requirements, so the exceptions test does not apply.
272. The inclusion of SuDS and rainwater harvesting would reduce the risk of sewer surcharge flooding elsewhere in the City by reducing the speed and quantity of rainwater entering the combined drainage

network. This will be especially important as we experience more frequent extreme weather events due to climate change.

- 273. The Lead Local Flood Authority and Thames Water have raised no objections to the proposals and have recommended conditions to be attached.
- 274. The proposed Flood Risk and SuDs strategy would accord with policies CS18 of the Local Plan 2015, CR3 of the draft City Plan 2036, policies 5.12 and 5.13 of the London Plan and policies SI12 and 13 of the draft Publication London Plan.

Climate Resilience

Heat Stress

- 275. The sustainability statement outlines the measures that have been included to prevent overheating including balancing solar gains and daylight access, solar control glazing, openable windows for natural ventilation. These measures will not only reduce the need for carbon intensive air conditioning but will help to make the building resilient to higher temperatures and urban heat island effects.

Water Resources

- 276. The sustainability statement summarises a number of measures to conserve water including rainwater and greywater harvesting and recycling, water metering and leak detection. These measures will enable the development to minimise the use of fresh potable water which will be under increasing pressure as we experience longer periods of drought.

Natural Capital

- 277. Although constrained by its position this development will incorporate some greening on site and elsewhere within the Broadgate Campus or its immediate vicinity. This will help to protect 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 and more extreme weather events.

Pest & Diseases

- 278. The detailed planting plans will determine how resilient the planting is to pests and diseases that will change as the weather patterns in the City change.
- 279. 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 a condition is attached to seek more detailed modelling and planting plans against the UK Climate Projections UKCP18 to 2080. These details should demonstrate the resilience of the building and landscaping to hotter drier summers, warmer wetter winters and more frequent extreme weather events for the lifetime of the building.

Conclusion

280. 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.
281. The proposed development, by way of its central location within London, its opportunities for providing a positive and healthy work/life environment, and its environmental credentials, would positively contribute to the economic, social and environmental sustainability of the City of London. The proposed sustainability strategy overall meets current and new London Plan policies as well as Local Plan policies, and it is on track to achieve an “Outstanding” BREEAM assessment rating. The proposals indicate that Whole Life-Cycle Carbon emissions can be significantly reduced and Circular Economy principles can be positively addressed through the forthcoming detailed design development. The building would achieve an appropriate degree of climate change mitigation through providing a connection to a potential new or extended renewable heat network while passive energy saving measures and low energy technologies would be employed to significantly reduce carbon emissions. Furthermore, the development would contribute to the Broadgate Biodiversity Framework to help deliver greening improvement in strategically identified locations.

Environmental Impact of the Proposal on the Surrounding Area

Wind Microclimate

282. Wind tunnel testing has taken place to predict the local wind environment associated with the completed development and the resulting pedestrian comfort within and immediately surrounding the site. Computational Fluid Dynamics (CFD) simulation and analysis has also been carried out in accordance with the City of London’s Planning Advice Note, Wind Microclimate Guidelines for Developments in the City of London.
283. Wind conditions are compared with the intended pedestrian use of the various locations, including carriageways, footways, building entrances and thoroughfares. The assessment uses the wind comfort criteria, referred to as the City Lawson Criteria in the Planning Advice Note, Wind Microclimate Guidelines for Developments in the City of London, being 5 Comfort Categories defining conditions suitable for: frequent sitting, occasional sitting, standing, walking and uncomfortable.
284. A separate safety criterion is also applied to ascertain if there are any safety risks to pedestrians or cyclists.
285. In considering significance and the need for mitigation measures, if resulting on-site wind conditions are identified as being unsafe (major

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

286. Rigorous assessments have been carried out for both the windiest season and the summer season with measurements taken for 36 different wind directions for various scenarios including; the existing site and surrounding buildings, the proposed development and existing surrounding buildings and the proposed development with cumulative surrounding buildings.
287. The wind tunnel and CFD results broadly give the same assessment results. Where there is variance this would only be by one category and in either category the condition would remain suitable to use. Variance occurs as the two methods use different tools to predict the wind microclimate; the purpose of the two assessments is to give the broadest picture and to ensure that in either test the conditions are acceptable.

Existing Wind Conditions

Wind Conditions at Street Level

288. In the existing baseline conditions the wind tunnel tests and CFD show that conditions are suitable for frequent sitting to standing in use in most locations around the site at street level, which is suitable for its intended use. At the south eastern corner of Crown Place at the junction with Sun Street, wind conditions are suitable for walking and one location with uncomfortable wind conditions during the windiest season. During the summer Season the wind conditions are one category calmer at ground level with majority of the locations are suitable for frequent sitting to walking use.

Wind Conditions at Thoroughfares

289. The existing wind conditions at the public passageway through the site ranges between frequent sitting use to standing use with two locations at the northern entrance of the passageway along Sun Street being suitable for walking use and one location to the east of the site where it is suitable for walking use during the windiest season. These wind conditions in the thoroughfares are suitable for its intended use.

Wind Conditions at Terrace Level

290. During the summer season the existing wind conditions on the roof level terraces on the northern side of One Crown Place generally ranges from frequent sitting to standing use with one area suitable for walking use in the summer season. At the south eastern side of the terraces at One Crown Place, the conditions range from sitting and walking use with one area being uncomfortable.

291. Early testing of the effects of the development on wind microclimate led to the incorporation of a number of features into the design of the building and landscaping. These include:
- Proposed landscaping scheme in Finsbury Avenue Square
 - Proposed landscaping scheme to the east of the Proposed Development with the inclusion of four 8m high deciduous trees in two planters 0.5m high
 - 2.5m solid downstand on both sides of the passageway underneath the Proposed Development;
 - 1.5m high solid balustrades at the terraces to the west and south-east of the Proposed Development
 - Green wall along the eastern façade of the Proposed Development
 - Four 4m high 50% porous 'umbrellas', 3m by 3m in size at the south-west corner of the Proposed Development
 - Final details to be secured by planning condition.

Proposed Wind Conditions

Wind Conditions at Street Level

292. In considering the completed development with mitigation measures in place, in most locations the wind conditions at street level would remain either in the same categories as existing or become one category windier ranging from occasional sitting and standing use but would continue to fall within a suitable category for the intended use.
293. Two locations in the south-west corner of the site would become one category windier from standing to walking use. This area is a servicing entrance would continue to be suitable for the intended use.
294. Following the completed development, wind conditions are expected to become calmer compared to the existing scenario at the junction of Sun Street and Crown Place. This area would become suitable for occasional sitting and standing use and the one uncomfortable area that has been identified in the existing baseline scenario would become suitable for standing.

Wind Conditions at Thoroughfares

295. Following the completed development, the area immediately east of the Proposed Development and 5 Broadgate would become one category windier at five locations changing from standing to walking use. The wind conditions along the thoroughfare going south (leading to Finsbury Avenue Square) and would broadly remain the same and be suitable for occasional sitting and standing during the windiest season. During the summer season, wind conditions are expected to be one category calmer, suitable for frequent sitting use to walking use.
296. The wind conditions within the public passageway through the site and at the northern side of the passageway along Sun Street, would become one category windier and would change from a mix of frequent sitting and occasional sitting to standing and walking conditions, during the windiest season. During the summer season, wind conditions are

expected to be one category calmer, suitable for frequent sitting use to walking use.

297. The conditions along the thoroughfares would continue to be suitable for the intended use as these are not areas where pedestrians are likely to dwell but are expected to pass through. Notwithstanding, a condition has been recommended to secure further wind mitigations measures (in the form of landscaping) in the passageway to the east, between the Proposed Development and 5 Broadgate.

Wind Conditions at Terrace Level

298. During the summer season, the proposed wind conditions on the roof level terraces on the northern side of One Crown Place would broadly remain the same or become one category calmer than in the existing baseline scenario with wind conditions ranging from frequent sitting and occasional sitting. At the south eastern side of the terraces at One Crown Place, the conditions would continue to range from sitting and walking use (broadly similar as in the existing baseline scenario) with the one uncomfortable location becoming calmer to standing use. The improvement would occur as a result of the proposed development providing shelter from the prevailing southerly and south westerly winds.

Conclusions

299. In conclusion, with the proposed wind mitigation measures in place, all locations at street level, in thoroughfares and at roof level terraces would experience wind conditions appropriate for the intended use and there would not be any safety exceedances resulting in unsafe conditions in the proposed and cumulative scenarios.
300. If planning permission were to be granted, a Wind Audit would be secured in the S106 Agreement which would require, if requested by the City Corporation, a post-completion audit to assess and compare the results of the Wind Tunnel Test against the results of wind speed assessments carried out in the vicinity of the site over a specified period, to identify if the completed development has material adverse effects not identified in the ES.
301. It is considered that the microclimate in and around the site, with regard to wind conditions, would be acceptable in accordance with Local Plan Policy 7.6, draft Publication London Plan Policy D8, Local Plan Policy DM10.1, and draft City Plan policies S8 and DE2, and the guidance contained in the Planning Advice Note, Wind Microclimate Guidelines for Developments in the City of London.

Thermal Comfort Assessment

302. Draft New Publication London Plan Policy D8 and D9 and Draft City Plan 2036 Policy S8 indicates that development proposals should ensure that microclimatic considerations, including temperature and wind, should be taken into account in order to encourage people to spend time in a place and that the environmental impacts of tall buildings - 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. 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. Strategic 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. The Thermal Comfort Guidelines for Developments in the City of London was published in December 2020 which sets out how the thermal comfort assessment should be carried out.

303. In accordance with the City of London Thermal Comfort Guidelines an outdoor thermal comfort assessment has been prepared. 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.
304. The Universal Thermal Climate Index (UTCI) metric will be utilized for predicting thermal comfort. The usage categories for thermal comfort is set out below and is used to define the categorization of a given location.

Usage Category	% of hours with Acceptable UTCI	Description
All Season	≥90% in each season	Appropriate for use all year round (e.g. parks)
Seasonal	≥90% spring-autumn AND ≥70% winter	Appropriate for use during most of the year (e.g. outdoor dining).
Short Term	≥50% in all seasons	Appropriate for short duration and/or infrequent sedentary uses (e.g. unsheltered bus stops or entrances) year-round
Short Term Seasonal	≥50% spring-autumn AND ≥25% winter	Appropriate for short duration and/or infrequent sedentary uses during most of the year.
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).

- 305. Three configurations have been assessed including; the existing site with existing surrounding buildings, the proposed development with the existing surrounding buildings and the proposed development with cumulative surrounding buildings.
- 306. Both the landscaping and the wind mitigation measures considered during the wind microclimate assessments have been included in the study.

Ground Level Amenity Spaces

- 307. Finsbury Avenue Square and the recess along Whitecross Place represent the main amenity spaces adjacent to the Site.
- 308. The baseline existing conditions for Finsbury Avenue Square range from “Seasonal” to “All Season”. With the Proposed Development in place, the thermal comfort conditions remain suitable for the indented pedestrian use ranging from “Seasonal” to “All Season”. All the outdoor dining areas situated along the perimeter of Finsbury Avenue Square are comfortable all year-round.
- 309. The outdoor seating area situated in the recess along Whitecross Place remains comfortable all year-round.
- 310. The conditions at the ground level amenity spaces would be would continue to be suitable for the intended pedestrian use.

Terrace Level Amenity Space

- 311. The thermal comfort conditions on the terrace level amenity spaces of the Proposed Development mainly range from “Seasonal” to “All Season”. A small portion of the lower western terrace is missing by a few percentage points the 70% comfort criteria threshold during wintertime, transitioning into the “Short-Term” category. This zone covers less than 2% of the overall terrace area. Considering that the comfort percentage is predicted to be higher than 90% during all the remaining seasons, when the terraces are more likely to be in use, it is possible to conclude that the thermal comfort conditions on the proposed terraces would be suitable for the intended use.

Onsite thoroughfare locations

- 312. The main onsite thoroughfares are the new ground level passageway being created which will connect Finsbury Avenue Square with Sun Street, the thoroughfare on the east of the Site between the Proposed Development and 5 Broadgate and the area along Whitecross Place immediately to the south of the proposed 2 Finsbury Avenue building.

New ground level passageway

- 313. The thermal comfort conditions along the newly created passageway range from “All-Season” to “Short-Term Seasonal” The areas achieving “Short-Term Seasonal” conditions are mostly located at the northern entrance of the passageway while the covered area is mainly achieving “Seasonal” to “Short-term” conditions. High levels of comfort, above 76%, are still achieved during spring, summer and autumn. The conditions would continue to be suitable for the intended pedestrian use.

Thoroughfare between the Proposed Development and 5 Broadgate

314. The baseline existing conditions along the thoroughfare between the Proposed Development and 5 Broadgate range from “Seasonal” to “Short-Term” and are suitable for the intended use.
315. With the Proposed Development in place the thermal comfort conditions range from “Seasonal” to “Short-Term Seasonal”. High levels of comfort, above 76%, are still achieved during spring, summer and autumn. The conditions would continue to be suitable for the intended pedestrian use.

Whitecross Place

316. The baseline existing conditions along Whitecross Place range from “All Season” to “Seasonal” and is suitable for the intended use.
317. With the Proposed Development in place the wind conditions range from “Seasonal” to “Short-Term Seasonal”. The extent of the area achieving “Short-Term Seasonal” conditions is limited and located in the proximity of the southwestern corner of the development while a large portion of Whitecross Place remains comfortable all year-round. High levels of comfort, above 80%, are achieved during spring, summer and autumn. The conditions would continue to be suitable for the intended pedestrian use.

Offsite thoroughfare locations

318. The main offsite thoroughfares are Sun Street, to the north of the Site, and Wilson Street, located west of the Site.

Sun Street

319. The baseline existing thermal comfort conditions along Sun Street range from “Seasonal” to “Short-Term Seasonal” and are therefore suitable for the intended pedestrian use. High levels of comfort, above 80%, are achieved during spring, summer and autumn. The thermal comfort levels drop during wintertime when the wind speeds are the highest and the temperature the lowest. This is primarily due to a combination of low direct sun access and downdraught effect caused by One Crown Place for the strong south westerly winds, common during winter.
320. With the Proposed Development in place, the thermal comfort conditions along Sun Street range from “Seasonal” to “Short-Term Seasonal”. Similar to the existing conditions, high levels of comfort are achieved during spring, summer and autumn. During wintertime, the Proposed Development shelters Sun Street from the south-westerly winds, significantly reducing the wind speeds at pedestrian level. This effect results in a considerable increase of the thermal comfort conditions during wintertime corresponding to a large portion of Sun Street shifting from “Short Term” to “Seasonal”. The Proposed Development is therefore improving the overall thermal comfort conditions along Sun Street both in the context of existing and

cumulative surroundings configurations. The beneficial effect of sheltering from the south-westerly winds extends beyond Sun Street and positively affects Crown Place and Finsbury Square as well. A large portion of Crown Place experiences improved thermal comfort conditions, in particular during wintertime, and transitions from “Short Term” to “Seasonal”. The improved thermal comfort conditions are particularly relevant for the area in front of the retail unit located on the south-eastern corner of Crown Place.

Wilson Street

321. The baseline existing conditions on Wilson Street range from “All-Season” to “Short-Term”. These conditions are suitable for the intended pedestrian use.
322. With the Proposed Development in place the thermal conditions along Wilson Street range from “All-Season” to “Short-Term Seasonal”. The transition of some areas along Wilson Street into more transitory thermal comfort categories is related to a reduction in thermal comfort levels during wintertime. A large portion of the areas ranking as “Short-Term Seasonal” is only a few percentage points away from the 50% comfort threshold during wintertime. High levels of comfort, above 78%, are still achieved during spring, summer and autumn and would be suitable for the intended pedestrian use.

One Crown Place Terraces

323. The baseline existing conditions on the terrace level amenity spaces of One Crown Place range from “All-Season” to “Short-Term Seasonal”. Areas ranking as suitable for long-term activities are mainly located on the lower terraces, while more transitory categories are to be found on the higher terraces, in particular on the upper-south eastern terrace due to the significant wind exposure to the south westerly winds, resulting in a portion of the terrace ranking as “Seasonal” and “Short-Term Seasonal”. (It is worth noting that both the CFD and the wind tunnel wind microclimate assessments highlighted the same area on the terraces as unsuitable for the intended amenity use).
324. The thermal conditions with the proposed developed in place remain largely unaltered for the upper terraces, where a beneficial reduction in wind speed during wintertime is compensated by the overshadowing effect of the Proposed Development. Significant improvements are realised on the lower terraces of the development corresponding to a 20% increase of the available terrace area achieving comfortable conditions all-year round. Marginal improvements are also noticeable on the northern upper terraces. The percentage of terrace area ranking as “Short-Term Seasonal” is increased by a couple of percentage points in the configuration with the Proposed Development in place however the difference is only affecting the portion of the south-eastern terraces already highlighted as unsuitable for the intended use by the wind microclimate study. The thermal comfort percentage in this area is predicted to be higher than 78% during all the remaining seasons, when the terraces are more likely to be in use

325. The proposed development's impact on thermal comfort on the terrace level amenity spaces of One Crown Place is therefore expected to range between beneficial and negligible.

Thermal Comfort Conclusion

326. The Proposed Development's impact on thermal comfort in the existing pedestrian realm is expected to be minor to negligible.
327. All the transitory and standing areas including roads, crossings, thoroughfares, entrances and bus stops are predicted to achieve appropriate thermal comfort conditions post-construction.
328. The thermal comfort conditions for all the ground level amenity spaces remain suitable for the intended use ranging from "Seasonal" to "All Season". All the outdoor dining areas, located along the perimeter of Finsbury Avenue Square and in the recess along Whitecross Place, remain comfortable all year-round.
329. The thermal comfort conditions on the terrace level amenity spaces of the Proposed Development mainly range from "Seasonal" to "All Season" and would be considered to be suitable for intended the intended use.
330. The Proposed Development's impact on thermal comfort on the terrace level amenity spaces of One Crown Place is expected to range between beneficial and negligible.
331. It is considered that the thermal comfort in and around the site, would be acceptable in accordance Publication London Plan Policy D8, Policy D9 and draft City Plan policies S8 and S12, and the guidance contained in the Thermal Comfort Guidelines for Development in the City of London.

Daylight, Sunlight, Overshadowing

332. An assessment of the impact of the development on daylight and sunlight to surrounding residential buildings and public amenity spaces is included in the environmental statement (October 2020), supplemented by an Addendum dated 13th January 2021. Chapter 11 of the environmental statement identifies the methodology employed. When referring to the degree of adverse impact in this report (negligible, minor, moderate etc..) in this report, officers have adopted the terminology used in the environmental statement when describing the degree or extent of adverse impacts. The officers agree with the judgements reached in the environmental statement when arriving at the assessment of the degree or extent of adverse impact. The guidelines set out in Building Research Establishment (BRE) Guidelines: Site Layout Planning for Daylight and Sunlight (2011) are used as the basis for the assessment in the environmental statement, and in particular, when describing effects.

333. Policies 7.6 and 7.7 of the London Plan, policy DM10.7 of the Local Plan and policy DE8 of the draft City Plan set out the policy approach. Policy D6(D) of the draft Publication London Plan states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context whilst avoiding overheating, minimising overshadowing, and maximising the usability of outdoor amenity space.
334. London Plan Policy 2.12 states that the Mayor and boroughs should work to develop sensitive mixed use policies to ensure that housing does not compromise strategic functions (including the increase in office floorspace) within the Central Activities Zone (CAZ). The Mayor's Central Activities Zone Supplementary Planning Guidance (SPG) identifies that it is important to strike a balance when considering areas within the CAZ that are appropriate for mixed use development including residential to ensure that business clusters in the CAZ are not undermined. Table 1.1 within the SPG provides general guidance on the appropriate balance between offices and residential in different parts of the Zone. It states that in the City Fringe Opportunity Area, offices and other CAZ strategic functions are to be given greater weight relative to new residential development.
335. The policy set out in Policy DM10.7 of the Local Plan is to resist development which would reduce noticeably the daylight and sunlight available to nearby residential dwellings and open spaces to unacceptable levels, taking account of the BRE's guidelines. The Local plan states (at paragraph 3.10.41) that the City Corporation will apply the methods in the BRE guidelines consistent with BRE advice that ideal daylight and sunlight conditions may not be practicable in densely developed city-centre locations. The approach indicated by planning policy, in particular London Plan policy 7.6B is that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings. In applying London Plan policy 7.6B the BRE Guidelines can be used when assessing whether harm is likely to occur, and further judgement made as to whether any such harm is unacceptable. Both the London Plan and Local Plan policies require a judgement to be made as to whether any harm is unacceptable and whether any reduction results in unacceptable levels of daylight and/or sunlight. The draft City Plan policy DE8 requires development proposals to demonstrate that daylight and sunlight available to nearby dwellings and open spaces is appropriate for its context. Draft publication London Plan policy D6(D) provides that the design of development should provide sufficient daylight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
336. The residential buildings to be considered include those at the new development at One Crown Place, ancillary residential at The Flying Horse Public House and St Mary Moorfields Roman Catholic Church. Impact on three public amenity spaces is also to be considered.

337. Local Plan Strategic Policy CS10 seeks to ensure that buildings are appropriate to the character of the City and the setting and amenities of surrounding buildings and spaces. The BRE daylight guidelines are intended for use for rooms adjoining dwellings where daylight is required and may also be applied to non-domestic buildings where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostels, small workshops and some offices. The BRE sunlight guidelines are intended for dwellings and for non-domestic buildings where there is a particular requirement for sunlight. In this case officers do not consider that the offices surrounding the application site fall into the category contemplated by the BRE where occupiers have a reasonable expectation of daylight, and officers do not consider that the surrounding offices have a particular requirement for sunlight. The surrounding commercial premises are not considered as sensitive receptors and as such the daylight and sunlight impact is not subject to the same test requirements as residential premises.
338. The dense urban environment of the City, is such that the juxtaposition of commercial buildings is a characteristic that often results in limited daylight and sunlight levels to those premises. Commercial buildings in such locations require artificial lighting and are not reliant on natural daylight and sunlight to allow them to function as intended, indeed many buildings incorporate basement level floorspace or internal layouts at ground floor and above without the benefit of direct daylight and sunlight. Whilst the proposed development would result in a diminution of daylight and sunlight to surrounding commercial premises, the proposed development provides a degree of separation such that it would not have an unacceptable impact on the amenity of those properties and would not prevent the beneficial use of their intended occupation. As such the proposal is not considered to conflict with Local Plan Policy CS10.

Daylight

339. Impact on daylight has been assessed for both Vertical Sky Component (VSC) and No Sky Line (NSL) and Average Daylight Factor (ADF) these are complementary assessments for daylight: VSC is the measure of daylight hitting a window, NSL assesses the proportion of a room in which the sky can be seen from the working plane. Daylighting will be adversely affected if either the VSC of the NSL guidelines are not met.
340. The BRE criteria state that a window may be adversely affected if the VSC measured at the centre of a window is less than 27% and less than 0.8 times its former value (i.e. experiences a 20% or more reduction.) In terms of NSL, a room may be adversely affected if the daylight distribution (NSL) is reduced beyond 0.8 times its existing area (20% or more reduction).

St Mary Moorfields RC Church

- 341. This religious building is located south of the Proposed Development. A total of 67 windows serving 30 rooms were assessed for daylight within this building.
- 342. For VSC, 66 of the 67 (98.5%) windows assessed would meet BRE's criteria and are therefore considered to experience a negligible effect.
- 343. The one affected window would experience an alteration in VSC between 20-29.9% which is considered a Minor Adverse effect. This window has a low existing VSC of 6.2% and as such the change is 1.6%.
- 344. For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a negligible effect.

Flying Horse Public House

- 345. This building is located north of the Proposed Development. A total of eight windows serving seven rooms were assessed for daylight within this building.
- 346. For VSC, six of the eight (75%) windows assessed would meet BRE's criteria and are therefore considered to experience a negligible effect.
- 347. Of the two impacted windows, both would experience an alteration in VSC slightly greater than 40% (41% and 41.5% respectively) which is considered a major adverse effect.
- 348. For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a negligible effect.

One Crown Place

- 349. This building is located opposite the proposed development and is currently under construction.
- 350. The impact on this building is considered above, when responding to AMTD's objection.
- 351. For VSC, 1052 of the 1548 (68%) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 352. Of the 496 remaining affected windows, 51 would experience an alteration in VSC between 20-29.9%, which is considered a minor adverse effect, and 94 would experience an alteration between 30-39.9%, which is considered a moderate adverse effect. The remaining 351 windows would experience an alteration in excess of 40%, which is considered a major adverse effect.
- 353. For NSL, 563 of the 620 (90.8%) rooms assessed would meet BRE's criteria and are therefore considered to experience a negligible effect.
- 354. Of the 57 remaining affected rooms, four would experience an alteration in NSL between 20-29.9%, which is considered a minor

adverse effect, and four would experience an alteration between 30-39.9%, which is considered a moderate adverse effect. The remaining 49 rooms would experience an alteration in excess of 40%, which is considered a major adverse effect.

355. Overall, considering the VSC and NSL methods of assessment, the Proposed Development gives rise to a number of effects on One Crown Place which are described as 'major adverse' (significant).
356. An assessment of ADF has also been undertaken. In the baseline scenario 580 (93.5%) out of 620 rooms would retain ADF levels in line with those recommended within the BRE Guidelines and would result in well daylight spaces. Should 1.5% ADF be considered acceptable for combined Living/Dining/Kitchen areas (L/K/Ds), this would increase to 97.1%.
357. In the Proposed Development Scenario, 499 (80.5%) out of all 620 rooms would retain ADF levels in line with those recommended within the BRE Guidelines and would result in well daylight spaces. Should 1.5% ADF be considered acceptable for combined Living/Dining/Kitchen areas (L/K/Ds), this would increase to 84.5%.

Sunlight

St Mary Moorfields RC Church & Flying Horse Public House

358. All 18 rooms within St Mary Moorfields RC Church and The Flying Horse Public House assessed for Annual Probable Sun Hours and Winter Probable Sun Hours would meet the BRE Guidelines criteria (alterations below 20%) and are therefore considered to experience a negligible effect.

One Crown Place

359. A total of 176 rooms were assessed for sunlight within One Crown Place, of which 123 (69.9%) would meet the BRE's criteria for both Annual and Winter PSH.
360. For Annual PSH, 146 of the 176 (82.9%) rooms assessed would meet BRE's criteria and are therefore considered to experience a negligible effect.
361. Of the 30 remaining rooms affected annually, four would experience an alteration in Annual PSH between 30-39.9%, which is considered a moderate adverse effect, whilst 26 would experience an alteration in excess of 40%, which is considered a major adverse effect.
362. For Winter PSH, 130 of the 176 (73.8%) rooms assessed would meet BRE's criteria and are therefore considered to experience a negligible effect. The remaining 46 see losses greater than 40%, which is considered a major adverse effect.
363. Overall, the Proposed Development will give rise to a number of effects on One Crown Place which when compared with the Baseline Scenario, are described as 'major adverse'.

Conclusion on Daylight & Sunlight

364. In summary, the proposed development would have a Major Adverse impact on the daylight and sunlight to a number of rooms within the soon to be completed development at One Crown Place. There will be some harm to the living conditions within this building as compared to the baseline, with losses of daylight and sunlight noticeable. However, the adopted and emerging Local Plans indicate that impacts on daylight and sunlight have to be considered within the context of what is appropriate given the City Centre location and the fact that ideal daylight and sunlight conditions may not be practicable in densely developed city- centre locations,. It is not considered that the proposal would result in an unacceptable impact on the residential use of the property. As such the extent of harm is not considered to be such that it would conflict with Local Plan Policy DM10.7 and Policy DE8 of the draft Local Plan. It is also the view of officers that the proposals would not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, and that London Plan policy 7.6B is complied with. Officers also consider that surrounding housing will enjoy sufficient daylight and sunlight which is appropriate for its context, and that draft Publication London Plan policy D6D is complied with.
365. In the environmental statement the impact of the scheme consented by the planning permission granted in March 2018 is considered. Your officers, in performing their assessment, have considered the impact of the proposed development when compared to existing circumstances (the baseline) without taking account of the effects on sunlight and daylight that would occur were the scheme authorised by the extant planning permission to be built. The view taken by officers is, based upon comparing the proposed development with existing circumstances, the scheme is acceptable.

Overshadowing

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

Public Open spaces:

367. The potential overshadowing impacts of the proposed development has been assessed on 3 surrounding public amenity areas:
- Finsbury Square;
 - Exchange Square;
 - Crown Place pedestrian amenity area;

Finsbury Square & Exchange Square

Transient Overshadowing

21st March – Spring Equinox

368. In assessing transient overshadowing, on 21st March, shadow is cast from the Proposed Development from 08:00 GMT in a north westerly direction until 17:00 GMT. All three amenity areas are cast in shadow from existing structures at this time.
369. Between 09:00 GMT and 10:00 GMT, shadows encroach on Finsbury Square. The shadow clears by 11:00 GMT, by which time the area experiences a period of direct sunlight throughout the afternoon.
370. At 13:00 GMT, a small strip of shadow is cast onto the Crown Place pedestrian amenity area, alongside shadowing from existing structures which remain present for the remainder of the day. This small strip moves across the area and clears completely by 15:00 GMT. Exchange Square is not affected by the Proposed Development at any point during the day.

21st June – Summer Solstice

371. On 21st June, shadow is cast from the Proposed Development in a north westerly direction from 09:00 GMT. Owing to the developed nature of the surrounding area, the majority of overshadowing is a function of existing structures. As such, Finsbury Square and Exchange Square are not affected by overshadowing from the Proposed Development, with Crown Place pedestrian amenity area experiencing only a short period of overshadowing between 13:00 GMT and 14:00 BST.

21st December – Winter Solstice

372. On 21st December, shadow is cast from the Proposed Development in a north westerly direction from 09:00 GMT. Owing to the developed nature of the surrounding area, the majority of overshadowing is a function of existing structures. As such, Finsbury Square and Exchange Square are not affected by overshadowing from the Proposed Development, with Crown Place pedestrian amenity area experiencing only a short period of overshadowing between 13:00 GMT and 14:00 BST.

Sun Hours on Ground (SHOG)

373. In assessing sun hours on the ground, when comparing the Baseline scenario with the Proposed Development scenario, all three amenity areas assessed see little to no alteration (0-1%) from the percentage of total area which receives at least two hours of direct sunlight on March 21st. Therefore, all three amenity areas are considered to experience a negligible effect from the shadow cast from the Proposed Development.

One Crown Place

374. SHOG assessments have been undertaken for all the private and communal areas within One Crown Place. When compared with the Existing Baseline Scenario, the effects of the Proposed Development are considered major adverse on three terraces and minor adverse on one open space. The remaining eight areas are considered negligible.
375. Overall, the effect of the of the Proposed Development Scenario would be major adverse (significant) on three roof terraces against Baseline conditions.

Cumulative Impact

376. For daylight in the cumulative scenario, St Mary Moorfields RC Church and Flying Horse Public House were assessed given their proximity to the emerging cumulative scheme at 1&2 Broadgate.
377. In terms of daylight, St Mary Moorfields Church is considered to experience a significant (moderate) adverse effect with the Proposed Development and 1&2 Broadgate in situ. The impact to the Flying Horse Pub does not change from the Proposed Development scenario and therefore the effect remains not significant.
378. In terms of sunlight, St Mary Moorfields building is considered to experience a significant (moderate) adverse effect with the Proposed Development and 1-2 Broadgate in situ. Given that no effects occur in the Proposed Development scenario, the adverse effect is a function of the 1-2 Broadgate development. The impact to the Flying Horse Pub does not change from the Proposed Development scenario and therefore the effect remains not significant.
379. No additional overshadowing effects are considered likely in the cumulative scenario and therefore the effect remains not significant for all three amenity areas.
380. As such the proposal is considered to comply with Policies 7.6 and 7.7 of the London Plan, policy DM10.7 of the Local Plan, policy DE8 of the draft City Plan and Policy D6(D) of the draft Publication London Plan in that the development would not have an unacceptable impact on the overshadowing of surrounding public spaces.

Solar Glare

381. Four locations have been identified in the ES as sensitive to solar glare within 600m around the site in all different directions. There are located west of Chiswell Street looking east; at the southern end of Finsbury Square looking east; on Wilson Street north of Sun Street looking south; and on Wilson Street at the junction with Lackington Street looking north. The potential effect of the impact of solar glare on road users has been assessed at the most sensitive traffic junctions around the site.
382. The assessment considers the potential occurrence, proximity and duration of solar reflections from the Proposed Development owing to

its size and large areas of glazed façade visible at these road traffic junctions. At the locations where there is more than one road traffic signal from which the Proposed Development is visible, several viewpoints have been tested.

- 383. Of the four locations assessed, the assessment concludes that at one of the junctions assessed (CAM 2A), the proposed development would have a negligible effect. Solar reflections would occur at 25o to 26o of a road user's line of sight between 16:00 GMT and 17:00 GMT from mid-April and mid-May and mid-July to mid-August for a very short period of time on very limited portions of the façade.
- 384. At the three remaining locations (CAM 1, CAM 2B and 2C and CAM 4), based on a combination of criteria including angle of the solar reflection (ranging from 19o to 30o) in relation to the road users' line of sight, the ability to deploy a visor, the duration of the solar glare and the existence of alternative traffic signals at junctions enabling the road user to use different options, the effects of solar glare as a result of the proposed development are assessed as being 'minor adverse'.
- 385. The assessment in the environmental assessment concludes that no additional measures are required to mitigate the impact of solar glare.
- 386. 26. If planning permission were to be granted, a S106 obligation would be recommended to require a solar glare assessment to be submitted post completion but prior to occupation which would include details of any mitigation measures (if considered necessary). The development would comply with the London Plan, policy D9 of the draft Publication London Plan, Local Plan policy DM10.1 and draft City Plan 2036 policy DE8 to avoid intrusive solar glare impacts and to mitigate adverse solar glare effects on surrounding buildings and public realm.

Light Pollution

- 387. Local Plan Policy DM15.7 and draft City Plan 2036 policy DE9 requires that development should incorporate measures to reduce light spillage particularly where it would impact adversely on neighbouring occupiers, the wider public realm and biodiversity.
- 388. In terms of light pollution (i.e. the brightening of the night sky caused by artificial lighting) two surrounding sensitive buildings, One Crown Place and the Flying Horse Pub, have been assessed for potential light trespass. The assessment showed that there would be a negligible effect at One Crown Place and the Flying Horse Pub, for light intrusion pre-curfew (before 11pm). The assessment showed that there would be a negligible effect at the Flying Horse Pub for light intrusion post-curfew (after 11pm), and whilst some impact was identified at One Crown Place, it is considered that a condition requiring a detailed lighting strategy would adequately mitigate this impact. The condition would require the submission and approval of the strategy prior to the occupation of the building demonstrating the measures that would be utilised to mitigate the impact of internal and external lighting on light pollution and residential amenity. The strategy shall include full details of all luminaires, associated infrastructure, and the lighting intensity,

uniformity, colour, a controlled passive infra-red system and associated management measures to reduce the impact on light pollution and residential amenity.

389. The development would comply with the Local Plan Policy DM15.7 and draft City Plan 2036 policy DE9 and has been designed as to avoid light spill.

Air Quality

390. Local Plan 2015 policy CS15 seeks to ensure that developments positively address air quality. Policy DE1 of the draft City Plan 2036 states that London Plan carbon emissions and air quality requirements should be met on sites and policy HL2 requires all development to be at least Air Quality Neutral, developers will be expected to install non-combustion energy technology where available, construction and deconstruction must minimise air quality impacts and all combustion flues should terminate above the roof height of the tallest part of the development. The requirements to positively address air quality and be air quality neutral are supported by policy 7.14 of the London Plan and policy SI of the draft Publication London Plan.
391. The Environmental Statement includes an assessment of the likely impact of the proposed development on air quality as a result of the construction and operational phases of the development.
392. The assessment states that during demolition and construction the effects from dust will be mitigated in accordance with the measures set out in the Greater London Authority's Supplementary Planning Guidance. Mitigation measures shall be written into a dust management plan which would be secured by condition. With regards to demolition and construction traffic, the site is located within London's Ultra Low Emission Zone and therefore all construction vehicles will need to meet these stringent emissions standards. In addition, a Construction Environmental Management Plan and a Construction Logistics Plan will be implemented to minimise the road traffic and environmental impacts
393. The assessment has identified that the proposal will not cause significant air quality impacts once completed and in use. Additionally, the development will be air quality neutral, as required for all new developments in London.
394. The City's Air Quality Officer has no objection and has commented that the development will be car free and heating will be through an electric system utilising air source heat pumps which is welcomed and that the emissions associated with the vehicle trips have been assessed and should have negligible impact on the local air quality. They also state that the development meets both the transport and building emissions benchmarks for the Air Quality Neutral Assessment and recommend that a condition is attached requiring the submission and approval of an Air Quality Report to detail how the finished development will minimise emissions and exposure to air polluting during its operational phase

and will comply with the City of London Air Quality Supplementary Planning Document and the submitted Air Quality Assessment.

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

Noise and Vibration

396. Local Plan 2015 policy DM15.7, London Plan policy 7.15 and draft Publication London Plan policies D13 and D14 require developers to consider the impact of their developments on the noise environment. It should be ensured that operational noise does not adversely affect neighbours and that any noise from plant should be at least 10dBa below background noise levels.
397. The Environmental Statement assesses the impact from noise and vibration on the surrounding area, including noise and vibration from demolition and construction; noise from the proposed development during operation; and noise associated with increases in road traffic, which could be attributed to the development.
398. In most City redevelopment schemes the main noise and vibration issues occur during demolition and early construction phases. The Assessment identifies significant adverse effects (without mitigation) on One Crown Place (major adverse for all activities), the Flying Horse Pub / St Christopher's Inn (major adverse all activities except superstructure) and 33 Finsbury Square (moderate adverse during demolition and bulk dig). All other receptors are predicted to result in a Minor Adverse or Negligible effect (not significant).
399. The Assessment concludes that with the mitigation measures adopted, the likely residual effects from demolition construction activities are expected to reduce, but would not remove significant adverse effects, although they should reduce their prevalence and therefore are welcomed.
400. The assessment also identified the potential for significant adverse vibration effects. Mitigation measures such as vibration limits and monitoring will be implemented, however it is anticipated that some significant adverse effects are likely to remain. There is expected to be a temporary significant adverse effect in relation to vibration at One Crown Place and Flying Horse Pub / St Christopher's Inn due to their close proximity to the site.
401. Noise and vibration mitigation, including control over working hours and types of equipment to be used would be included in a Construction Environmental Management Plan to be secured by condition, and freight movements would be controlled through the Construction Logistics Plan, secured by condition. These would need to demonstrate compliance with the City's Code of Practice for Deconstruction and Construction Sites and the Mayor of London's Construction Logistics

Plan Guidance. Environmental Health Officers have requested the conditions be attached in order to mitigate the construction impacts. It is therefore considered that the temporary residual impacts would be acceptable.

402. During the operational phase of the development, the Assessment concludes that there would be a negligible impact on noise levels from road traffic compared with the existing.
403. Noise levels from mechanical plant in the completed development would need to comply with the City of London's standard requirements that noise output should be 10dB below background noise levels and would be approved under planning conditions to ensure that there would not be an adverse effect on the surrounding area.
404. The submitted noise assessment indicated that the requirements of these conditions can be satisfactorily met and consequently the proposals would comply with London Plan policy 7.15, draft London Plan policy D13, Local Plan policy DM15.7 and draft City Plan 2036 policy HL3.

Health Impact Assessment

405. The applicants have submitted a Health Impact Assessment which has been based on the Healthy Urban Development Unit (HUDU) to develop a comprehensive assessment outlining how the proposed development could impact on health, identifying relevant pathways towards health outcomes drawing on the wider determinants of health. The Assessment concludes that the development would have an overall positive impact on health. Positive impacts include:
406. Provision of new jobs associated with the uplift in commercial floorspace, supporting access to local employment, as well as the creation of job opportunities during construction;
 - Provision of a flexible community learning hub (the 'Open Learning Hub') providing a space dedicated to a range of learning and training facilities;
 - A new north-south pedestrian passageway will be created between Finsbury Avenue and Sun Street which will improve pedestrian access and permeability to the existing civic space at Finsbury Avenue Square and alleviating demand on pedestrian routes;
 - Provision of high-quality public realm at the ground floor improving the physical environment and contributing to social cohesion;
 - Two large terraces (the 'Western Terraces') at Levels 10 and 11 which will have extensive green planting and a winter garden at Levels 12 and 13 which will provide a climate-variable green space for office tenants to access;
 - A car-free development minimising vehicles travelling to the site;
 - Building design considering the context of the site and maximising benefits including employing system to reduce energy usage;
 - Consideration to sustainability and inclusive design; and

- Provision of long and short stay cycle parking spaces and associated facilities to promote cycling and other active travel options
407. Potential negative impacts identified would need to be mitigated during the construction and operational phases, for example by:
- Implementation of a Construction Environmental Management Plan to minimise any environmental effects including dust (via Dust Management), noise and vibration;
 - Implementation of a Construction Logistics Plan to minimise the environmental and road traffic related impacts of the demolition and construction works;
 - Implementation of a Delivery and Servicing Management Plan setting out access, delivery times and booking system; and
 - Implementation of a Cycling Promotion Plan to encourage cycling.
 - A Sustainable Urban Drainage Strategy
 - A Waste Management Strategy
 - Local Training Skills and Job Brokerage Strategy
 - Landscaping Management Plan
408. Potential negative impacts identified in the Assessment would be mitigated by the requirements of relevant conditions and S106 obligations. The development seeks to improve the health and addresses health inequalities, the residual impact would be acceptable, and the proposals would comply with London Plan policy 3.2 and draft London Plan policy GG3 and draft City Plan 2036 policy S1.

Planning Obligations and Community Infrastructure Levy

409. 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.
410. These contributions would be in accordance with Supplementary Planning Documents (SPDs) adopted by the Mayor of London and the City.
411. From 1st April 2019 Mayoral CIL 2 (MCIL2) supersedes the Mayor of London's CIL and associated section 106 planning obligations charging schedule. This change removes the Mayors planning obligations for Crossrail contributions. Therefore, the Mayor will be collecting funding for Crossrail 1 and Crossrail 2 under the provisions of the Community Infrastructure Levy regulations 2010 (as amended).
412. CIL contributions and City of London Planning obligations are set out below.

MCIL2

Liability in accordance with the Mayor of London's policies	Contribution (Excl. Indexation)	Forwarded to the Mayor	City's charge for administration and monitoring
MCIL2 payable	£15,343,236	£14,729,507	£613,729

City CIL and S106 Planning Obligations

Liability in accordance with the City of London's policies	Contribution (Excl. Indexation)	Available for allocation	Retained for administration and monitoring
City CIL	£6,311,400	£5,995,830	£315,570
City Planning Obligations			
Affordable Housing	£1,683,040	£1,666,210	£16,830
Local, Training, Skills and Job Brokerage	£252,456	£249,931	£2,525
Carbon Reduction Shortfall (<i>as designed</i>) - <i>Not Indexed</i>	£to be calculated on completion	£to be calculated on completion	£to be calculated on completion
Section 278 Design and Evaluation <i>Not Indexed</i>	£50,000	£50,000	£0
S106 Monitoring Charge	£4,500	£0	£4,500
Total liability in accordance with the City of London's policies	£8,301,396	£7,961,971	£339,425

City's Planning Obligations

413. 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
 - Wind Audit
 - Solar Glare Assessment
 - Local Procurement Strategy
 - Local Training, Skills and Job Brokerage Strategy (Demolition and Construction)
 - Delivery and Servicing Management Plan (including Consolidation)
 - Cycling Promotion Plan
 - Legible London Contribution (£20,000)
 - Cycle Hire Contribution (£220,000)
 - TfL Cycleway Contribution (TBC)
 - Carbon Offsetting
 - Utility Connections
 - Section 278 Agreement
 - Public Route Access (Provision and Management Plan for pedestrian arcade running through the site between Finsbury Avenue Square and Sun Street)
 - Public Art Relocation (Chromorama sculpture)
 - Open Learning Hub (Provision and Management Plan)
 - SME / Incubator Space (Provision and Plan for 33 desk spaces)
 - Urban Greening / Tree Planting
414. I request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations and enter into the S278 agreement.
415. The scope of the s278 agreement may include, but is not limited to, Hostile Vehicle Mitigation measures, a new vehicle crossover, cycle parking, tree planting, , highway and footway works to Sun Street and Wilson Street, and any other works necessary to make the Development acceptable.

Monitoring and Administrative Costs

416. 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.
417. 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

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

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

419. The City, as a public authority must, in the exercise of its functions, have due regard to the need to:
- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
420. The characteristics protected by the Equality Act are age, disability, gender, reassignment, pregnancy and maternity, race, religion or beliefs, sex and sexual orientation. It is the view of officers that a decision to grant permission in this case would remove or minimise disadvantages suffered by persons who suffer from a disability and in particular mobility impairment by providing enhanced and accessible public realm. It is also the view of officers that the provision of accessible floorspace together with the proposed 'open learning hub' would advance equality of opportunity.

Human Rights Act 1998

421. 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")).
422. 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. It is not considered that the proposal would result in an unacceptable impact on the existing use of the properties. As such, the extent of harm is not considered to be unacceptable and does not cause the proposals to conflict with Local Plan Policy DM10.7 and Policy DE8 of the draft City Plan 2036. It is considered that the public benefits of the scheme, including the provision of additional office floorspace within the proposed development, meeting Local Plan ambitions for further office floorspace and contributing to the City's primary business and professional services function, together with the proposed 'open learning hub', outweighs the Minor Adverse impact and that such impact is necessary in the interests of the economic well-being of the country and is proportionate.
423. Insofar as the grant of planning permission will result in interference with property rights (Article 1 Protocol 1) including by interference arising though impact on daylight and sunlight or other impact on adjoining properties, it is the view of officers that such interference is in the public interest and proportionate.

Conclusions

- 424. The proposal has been assessed in accordance with the relevant statutory duties and having regard to the development plan and other relevant policies and guidance, SPDs and SPGs and relevant advice including the NPPF, the draft Publication London Plan and the draft Local Plan and considering all other material considerations.
- 425. The development has been designed to accommodate new ways of working reflected in flexible and adaptable floorspace to meet the demands of different types of business occupiers, including incubators, start-ups and other small and medium sized companies. The office space would be complemented by an exemplar 'Open Learning Hub' (Class F1) at ground, first and second floor levels at the north west corner, facing onto Wilson Street and Sun Street. The vision for the Open Learning Hub is to create a shared resource and an accessible and inclusive route into the knowledge and expertise of the City for use by local communities and networks.
- 426. The Proposed Development comprises the demolition of two 1980s retail and office buildings and the replacement proposed delivers a high quality, office-led development in, which will meet growing business needs, supporting and strengthening opportunities for continued collaboration and clustering of businesses.
- 427. The proposed development would deliver the highest architectural quality through two dynamic towers coherently connected by a podium which would deliver an engaging, distinctive and vibrant building designed to be responsive at a macro and local context. The development would be a positive and lasting addition to the skyline and the streetscapes and represents a responsive approach to bulk, height, scale, massing, quality of materials and detailed design. The proposals would comply with NPPF design policies para 124, 127 draft London Plan policy paras 7.4 and 7.6, draft Publication London Plan policy D1, D3, Local Plan Policies CS10 and DM10.1, S8 and emerging City Plan Policy DE2.
- 428. The building would be designed to high sustainability standards, incorporating integrated urban greening, climate resilience, targeting BREEAM 'Outstanding' and adopting Circular Economy principles and Whole Life Carbon principles.
- 429. Dedicated areas of planting and greening would be incorporated into the development through a combination of external terraces with perimeter planting; green walls; and new tree planting at ground level within the surrounding public realm.
- 430. The scheme delivers significant public realm enhancements, including a generously proportioned north-south passageway through the site, connecting Sun Street and Finsbury Avenue Square with a minimum of 732 sqm of active ground floor commercial units (suitable for drinking establishments and restaurants).

431. The increase in floorspace and occupation places extra pressure on the comfort and safety of the City's streets. The overall width of the existing pavements around the site would be enlarged to increase their capacity and improve pedestrian comfort levels. Overall, the PCLs are much improved due to the setting back of the building and the new, step free, public pedestrian route through the development.
432. The scheme benefits from high levels of public transport accessibility, would be car-free and would promote cycling and walking as healthy modes of travel.
433. Objections have been received from neighbouring occupiers at One Crown Place (OCP) relating to the design, massing and the impact on townscape views of the development, its impact on designated and non-designated heritage assets and the impact on the environment and amenity of the immediately surrounding area and the building at One Crown place. This report has considered these impacts, and conditions have been recommended to mitigate the impacts including the implementation of wind mitigation measures.
434. The site does not lie in an area which is considered to be inappropriate for a tall building. The site is considered suitable for tall buildings having regard to the criteria set out in policy CS14(3) of the Local Plan. The proposed height is considered acceptable in the context of an existing and emerging cluster of tall buildings on the City Fringe. The proposal complies with Local Plan Policy CS14, draft City Plan Policy S12, London Plan Policy 7.7 and draft Publication London Plan D9. The proposal would not harm and would protect pan-London LVMF and local strategic views in accordance with Local Plan Policy CS13(1), London Plan Policies 7.11 and 7.12, draft City Plan 2036 Policy S13 and draft Publication London Plan Policy HC4 and associated guidance in the LVMF SPG and Protected Views SPD. Following rigorous assessment, it is concluded that the proposal would preserve the setting and significance of St Paul's Cathedral and comply with LVMF SPG and Protected Views SPD.
435. The proposal would preserve the special interest/significance and setting of 1 Finsbury Avenue, Park House and Garden House, Britannic House, Salisbury House, 25 London Wall, Lutyens House, The Flying Horse Public House St Botolph without Bishopsgate Church St Botolph Church Hall, Bishopsgate Parish Memorial and drinking fountains and over throws. The proposal would preserve the special interest/significance and setting of the Finsbury Circus, Bunhill Fields and Finsbury Square, Bishopsgate and Sun Street Conservation Areas. In relation to other designated and non-designated heritage assets, it is considered that the proposed development would not harm their significance or setting.
436. The application proposals accord with London Plan policy 7.8, Local Plan policies CS12, DM12.1, DM12.3 and DM12.4, draft Publication London Plan policy HC1 and with the emerging City Plan policy HE1. The objective set out in section 66(1) of the Planning (Listed Buildings

and Conservation Areas) Act 1990, in particular that of preserving the settings of listed buildings is achieved.

437. The proposals comply with strategic objective 1 in the Local Plan and with the policies relating to offices and to economic growth.
438. The environmental impact of the development on the neighbouring buildings and spaces has been assessed.
439. The proposed development would have a Major Adverse impact on the daylight and sunlight to a number of rooms within the soon to be completed development at One Crown Place. Despite failure to comply with BRE criteria, it is not considered that the proposal would result in an unacceptable impact on residential amenity in the context of the location of the site in a densely developed City Centre location, and will not reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels. As such, the extent of harm is not considered to be such as to cause the proposals to conflict with Local Plan Policy DM10.7 and Policy DE8 of the draft City Plan 2036. It is also the view of officers that the proposals would not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, and that London Plan policy 7.6B is complied with. Officers also consider that surrounding housing will enjoy sufficient daylight and sunlight which is appropriate for its context, and that draft Publication London Plan policy D6D is complied with. In any event, it is considered that the public benefits of the scheme, including the provision of additional office floorspace within the proposed development, meeting Local Plan ambitions for further office floorspace and contributing to the City's primary business and professional services function, outweighs the identified Major Adverse impact.
440. Negative impacts during construction would be controlled as far as possible by implementation of a robust Construction Environmental Management Plan and good site practices embodied therein; it is recognised that there are inevitable, albeit temporary consequences of development in a tight-knit urban environment. Post construction, compliance with planning conditions and S106 obligations would minimise any adverse impacts.
441. The scheme would provide benefits through CIL for improvements to the public realm, housing and other local facilities and measures. That payment of CIL is a local finance consideration which weighs in favour of the scheme. In addition to the general planning obligations there would be site specific measures secured in the S106 Agreement. Together these would go some way to mitigate the impact of the proposal.
442. The development would regenerate the Liverpool Street area through improved public realm connectivity and activation and represents good growth. This development would be an exemplary in its progressive approach to sustainable, circular, accessible and behavioural design addressing many of the key issues facing the City, London and the UK

by providing a state of the art workplace that contributes to the local environment, City workers and local communities.

443. It is the view of officers that the proposal complies with the development plan when considered as a whole and that other material considerations also indicate that planning permission should be granted as set out in the recommendation and the schedules attached.

Background Papers

Internal

Memo, DBE Transport, 03 December 2020
Memo, Stephanie Hughes (Air Quality), 15 December 2020
Memo, Lead Local Flood Authority, 17 December 2020
Memo, Archaeology, 07 January 2021
Memo, Access Team, 08 January 2021
Memo, Department of Markets and Consumer Protection, 11 January 2021
Memo, Planning Obligations, 11 January 2021
Memo, City Public Realm, 15 January 2021
Email, Patrick Hegarty (Open Spaces), 05 February 2021
Memo, Department of the Built Environment, 09 February 2021

External

E-mail, NATS Safeguarding, 25 November 2020
E-mail, Crossrail Safeguarding, 27 November 2020
Letter, London City Airport, 02 December 2020
E-mail, Heathrow Airport Limited (Airport Safeguarding), 02 December 2020
Letter, City of Westminster, 02 December 2020
Letter, Natural England, 08 December 2020
Letter, Royal Borough of Kensington and Chelsea, 11 December 2020
Letter, London Borough of Tower Hamlets, 14 December 2020
Letter, Twentieth Century Society, 15 December 2020
Letter, London Borough of Southwark, 15 December 2020
E-mail, Thames Water, 17 December 2020
Letter, London Borough of Hammersmith and Fulham, 18 December 2020
Letter, London Borough of Richmond, 04 January 2021
Letter, Forsters LLP, 11 January 2021
Letter, London Borough of Hackney, 14 January 2021
Letter, Greater London Authority, 25 January 2021
Planning report GLA/2020/6825/S1/01, Greater London Authority, 25 January 2021
Letter, Royal Borough of Kensington and Chelsea, 28 January 2021
E-mail, Crossrail Safeguarding, 29 January 2021
Online Comment, Mr Alessio Sancetta, 31 January 2021
E-mail, NATS Safeguarding, 04 February 2021
Letter, Historic England, 05 February 2021
Letter, London Borough of Tower Hamlets, 05 February 2021
E-mail, Natural England, 09 February 2021
Letter, London Borough of Southwark, 10 February 2021

Application Documents

BRUKL Output Document, 22 September 2020
Fire Statement, OFR, 30 September 2020
Design and Access Statement, 3XN, October 2020
Planning Statement, DP9, October 2020
Statement of Community Involvement (SCI), BECG, October 2020
Transport Assessment, Velocity, October 2020

Cycle Promotion Plan, Velocity, October 2020
 Delivery and Servicing Plan, Velocity, October 2020
 Energy Assessment, Ramboll, October 2020
 Sustainability Statement, Ramboll/Atelier Ten/GXN, October 2020
 Sustainable Urban Drainage Strategy, Ramboll, October 2020
 Flood Risk Assessment, Ramboll, October 2020
 Environmental Statement Volume 1: Main Report, Trium, October 2020
 Environmental Statement Volume 2: Townscape, Heritage and Visual Impact
 Assessment, Trium/Tavernor Consultancy/Miller Hare, October 2020
 Environmental Statement Volume 3: Technical Appendices, Trium, October
 2020
 Environmental Statement Non-technical summary, Trium, October 2020
 Draft Circular Economy Statement, GXN, 28 October 2020
 Cover Letter, DP9 Ltd, 30 October 2020
 Environmental Statement Addendum: Non-Technical Summary Memorandum,
 Trium, January 2021
 Environmental Statement Addendum Volume 1: Environmental Statement
 Addendum Main Report, Trium / GIA, January 2021
 Environmental Statement Addendum Volume 3: Environmental Statement
 Addendum Technical Appendices, Trium / GIA, January 2021
 Letter: Response to Objection of LB of Hackney, Tavernor Consultancy, 20
 January 2021
 Letter: Submission of Additional Environmental Information, DP9, 22 January
 2021
 Letter: Response to Objection of AMTD London Development Co Limited,
 DP9, 22 January 2021
 Urban Greening Factor Assessment, Greengage, 08 February 2021
 Outdoor Thermal Comfort Assessment, Ramboll, 09 February 2021

Appendix A

REASONED CONCLUSIONS ON SIGNIFICANT EFFECTS

Reasoned Conclusions

Following examination of the environmental information a reasoned conclusion on the significant effects of the proposed development on the environment has been reached and is set out in the report.

As required by regulation 26 of the Environmental Impact Assessment (EIA) Regulations the City is required to examine the environmental information and reach a reasoned conclusion on the significant effects of the proposed development on the environment. The environmental information has been examined and a reasoned conclusion has been reached as set out in the officers' report, and in particular, as summarised in the assessment and conclusions sections of that report. The conclusions have been integrated into the decision as to whether planning permission should be granted. An objection received states that the Environmental Statement refers to uses defined under the categories of the Town and Country Planning (Use Classes) Order 1987. The description of development refers to the same types of uses but as defined under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which would potentially allow for a significantly different range of uses. Therefore, it is stated that the City of London need to determine that the Environmental Statement and all other documents adequately assess the proposed development.

The applicants and the City agreed the scope of the EIA prior to its submission. The ES provides details of the EIA methodology, the existing site, alternatives and design evolution, the proposed development, socio-economics, health, highways & transport, noise & vibration, air quality, wind microclimate, daylight/sunlight, overshadowing, light pollution & solar glare, townscape, built heritage & visual, climate change, greenhouse gas emissions, waste and cumulative effects. The ES Addendum submitted under Regulation 25 of the EIA Regulations addresses the proposed amendments contained within the submission and sets out additional assessment of daylight, sunlight and overshadowing, light pollution and solar glare. It is considered that the likely significant effects of the proposed development on the environment are as described in the ES, ES Addendum and further and other information, and as, where relevant, referred to in the report.

Should planning permission be granted, it would authorise a range of uses. The assessment contained in the ES is based on the uses proposed, namely office, flexible retail space and public terrace uses. The floor areas proposed to be devoted to each use are described in the application materials and summarised in the ES. The application does not state that the development seeks unrestricted Class E business and commercial uses. Conditions are recommended that requires the development to implemented only in accordance with the specific floor areas and uses as set out and assessed in the application, removing the ability, without consent, to subsequently change to other uses specified within Class E.

The following conditions are recommended:

1. The development shall provide:

- 89,406 sq.m. (GEA) of office floorspace (Class E);
- 1,097 sq.m. (GEA) flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis.)); and
- 2,239 sq.m (GEA) of learning and non-residential institutional (Class F1)

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

2. No more than 1,960sqm (GIA) of the Commercial, Business and Service (Class E) and the flexible Commercial, Business and Service/Drinking Establishment (Class E/Sui

Generis) floorspace hereby approved to be provided at Ground to Level 01 shall be used for purposes falling within Class E (a), (b), (c) or sui generis under Schedule 2 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 amending or revoking and re-enacting that Order with or without modification.

REASON: To ensure that active uses are retained on the lower floors in accordance with Local Plan Policy DM20.2.

3. Not less than 732 sq m (GIA) of the Commercial, Business and Service (Class E) and the flexible Commercial, Business and Service/Drinking Establishment (Class E/Sui Generis) floorspace hereby approved to be provided at Ground Floor to Level 01 shall be used for purposes within Class E (a), (b), (c) or sui generis under Schedule 2 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 amending or revoking and re-enacting that Order with or without modification.'

REASON: To ensure that active uses are retained on the lower floors in accordance with Local Plan Policy DM20.2

4. Unless otherwise approved in writing by the Local Planning Authority, no more than 50% of the areas marked as flexible Commercial, Business and Service/Drinking Establishment (Class E/Sui Generis) on the floorplans hereby approved shall be occupied as Food and Beverage uses.

REASON: To ensure that a varied mix of retail types is provided within the development in accordance with the following policies of the Local Plan: CS20 and of the emerging policies of the City Local Plan: S5, RE2.

5. The areas shown on the approved drawings above ground floor as offices including internal amenity green space, internal winter garden and external terraces (levels 3,4,9,10,11 and 12) and as set out in Condition xx of this decision notice, shall be used for those purposes only and for no other purpose (including any other purpose in Class E) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020).

REASON: To ensure that the development does not give rise to environmental impacts that are in excess of or different to those assessed in the Environmental Statement and that public benefits within the development are secured for the life of the development.

6. The areas shown on the approved drawings as offices (Class E), flexible retail use (Class E), drinking establishment (sui generis) and hot food takeaway (sui generis) and learning and non-residential institution (Class F1), and as set out in Condition xx of this decision notice, shall be used for those purposes only and for no other purpose (including any other purpose in Class E and Class F1 as appropriate) 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 amending or revoking and re-enacting that Order with or without modification.

REASON: To ensure that the development does not give rise to environmental impacts that are in excess of or different to those assessed in the Environmental Statement and that public benefits within the development are secured for the life of the development

The local planning authority is satisfied that the environmental statement includes a description of the likely significant effects of the potential range of uses comprised in the proposed development on the environment.

Monitoring Measures

If planning permission were granted, it is considered that monitoring measures should be imposed to secure compliance with the Construction Environmental Management Plan, the cap on servicing trips and other elements of the Delivery and Servicing Management Plan, a Service Vehicle Lift Maintenance Strategy, a Cycling Promotion Plan. Mitigation measures should be secured including additional wind mitigation measures at the ground floor level. These, as well as other measures to ensure the scheme is acceptable, would be secured and monitored through the S106 agreement, recommended conditions and the S278 agreements. Any remedial action necessary can be taken by enforcing those agreements or conditions. The duration of the monitoring will depend upon the particular provision in the relevant agreement or in conditions.

Appendix B

London Plan Policies

The following policies from the London Plan (2016) are considered relevant:

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

Policy 2.11 Ensure that developments proposals to increase office floorspace within CAZ include a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in the plan.

Policy 2.18 Protect, promote, expand and manage the extent and quality of and access to London's network of green infrastructure.

Policy 3.1 Protect and enhance facilities and services that meet the needs of particular groups and communities.

Policy 3.2 New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help to reduce health inequalities.

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

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

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

Policy 4.2 Support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes.

Policy 4.3 Within the Central Activities Zone increases in office floorspace should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan.

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

improve the range and quality of provision.

Policy 4.6 Support the continued success of London's diverse range of arts, cultural, professional sporting and entertainment enterprises and the cultural, social and economic benefits that they offer to its residents, workers and visitors.

Policy 4.8 Support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of this Plan, especially town centres.

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

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

Policy 5.5 (Decentralised Energy Networks) Development proposals should prioritise connections to existing or planned decentralised energy networks where feasible.

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

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

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

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

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

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

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

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

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

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

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

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

provide parking for disabled people in line with Table 6.2

meet the minimum cycle parking standards set out in Table 6.3

provide for the needs of businesses for delivery and servicing.

Policy 7.1 Development should be designed so that the layout, tenure, mix of uses interface with surrounding land will improve people's access to social and community infrastructure (including green spaces), the Blue Ribbon Network, local shops, employment opportunities, commercial services and public transport.

Policy 7.2 All new development in London to achieve the highest standards of

accessible and inclusive design.

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

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

Policy 7.5 London's public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.

Policy 7.6 Buildings and structures should:

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

Policy 7.7 Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria set out in this policy.

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

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

Policy 7.15 Minimise existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals and separate new noise sensitive development from major noise sources.

Policy 7.19 Development proposals should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy 7.21 Trees should be protected, maintained, and enhanced. Existing trees of value should be retained and any loss as the result of development should be replaced.

Relevant draft Publication London Plan Policies.

- Policy CG1 Building Strong and Inclusive Communities
- Policy GG2 Making the best use of land
- Policy CG3 Creating a Healthy City
- Policy GG5 Growing a good economy
- CG6 Increasing efficiency and resilience
- Policy SD4 The Central Activities Zone (CAZ)
- Policy SD5 Offices, and other strategic functions and residential development in the CAZ
- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering Good Design
- Policy D5 Inclusive Design
- Policy D8 Public realm
- Policy D9 Tall buildings
- Policy D11 Safety, security and resilience to emergency
- Policy D14 Noise
- Policy S6 Public toilets
- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy E9 Retail, markets and hot food takeaways
- Policy E10 Visitor infrastructure
- Policy HC3 Strategic and Local Views
- Policy HC4 London View Management Framework
- Policy HC5 Supporting London's culture and creative industries
- Policy G5 Urban Greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI1 Improving air quality
- Policy SI2 Minimising greenhouse gas emissions
- Policy SI4 Managing heat risk
- Policy SI5 Water Infrastructure
- Policy SI7 Reducing waste and supporting the circular economy
- Policy SI 8 Waste capacity and net waste self-sufficiency
- Policy SL13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car Parking
- Policy T7 Deliveries, servicing and construction
- Policy T9 Funding transport infrastructure through planning

Relevant GLA Supplementary Planning Guidance (SPG):

- Accessible London: Achieving an Inclusive Environment SPG (October 2014);
- Control of Dust and Emissions during Construction and Demolition SPG (September 2014);
- Sustainable Design and Construction (September 2014);
- Social Infrastructure (May 2015);
- Culture and Night-Time Economy SPG (November 2017);
- London Environment Strategy (May 2018);
- London View Management Framework SPG (March 2012);
- Cultural Strategy (2018);
- Mayoral CIL 2 Charging Schedule (April 2019);
- Central Activities Zone (March 2016).
- Mayor's Transport Strategy (2018)

Relevant Draft City Plan 2036 Policies

S1 Healthy and inclusive city
HL1 Inclusive buildings and spaces
HL2 Air quality
HL3 Noise and light pollution
HL4 Contaminated land and water quality
HL6 Public toilets
HL9 Health Impact Assessments
S2 Safe and Secure City
SA1 Crowded Places
SA3 Designing in security
HS3 Residential environment
S4 Offices
OF1 Office development
S5 Retailing
RE3 Ground floor retail provision elsewhere in the city
S6 Culture, Visitors and the Night -time Economy
CV2 Provision of Visitor Facilities
CV5 Public Art
S7 Smart Infrastructure and Utilities
S8 Design
DE1 Sustainability requirements
DE2 New development
DE3 Public realm
DE5 Terraces and viewing galleries
DE6 Shopfronts
DE8 Daylight and sunlight
DE9 Lighting
S9 Vehicular transport and servicing
VT1 The impacts of development on transport
VT2 Freight and servicing
VT3 Vehicle Parking
S10 Active travel and healthy streets

AT1 Pedestrian movement
 AT2 Active travel including cycling
 AT3 Cycle parking
 S11 Historic environment
 HE2 Ancient monuments and archaeology
 S12 Tall Buildings
 S13 Protected Views
 S14 Open spaces and green infrastructure
 OS1 Protection and Provision of Open Spaces
 OS2 City greening
 OS3 Biodiversity
 OS4 Trees
 S15 Climate resilience and flood risk
 CR1 Overheating and Urban Heat Island effect
 CR3 Sustainable drainage systems (SuDS)
 S16 Circular economy and waste
 CE1 Zero Waste City
 S27 Planning contributions

Relevant City Corporation Guidance and Supplementary Planning Documents (SPDs)

- Air Quality SPD (July 2017);
- Archaeology and Development Guidance SPD (July 2017);
- City Lighting Strategy (October 2018);
- City Transport Strategy (May 2019);
- City Waste Strategy 2013-2020 (January 2014);
- Protected Views SPD (January 2012);
- City of London's Wind Microclimate Guidelines (2019);
- Planning Obligations SPD (July 2014);
- Open Space Strategy (2016);
- Office Use SPD (2015);
- City Public Realm (2016);
- Cultural Strategy 2018 – 2022 (2018).

Relevant Local Plan Policies

CS1 Provide additional offices

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

CS2 Facilitate utilities infrastructure

To co-ordinate and facilitate infrastructure planning and delivery to ensure that the functioning and growth of the City's business, resident, student and visitor communities is not limited by provision of utilities and telecommunications infrastructure.

CS3 Ensure security from crime/terrorism

To ensure that the City is secure from crime, disorder and terrorism, has safety systems of transport and is designed and managed to satisfactorily accommodate large numbers of people, thereby increasing public and corporate confidence in the City's role as the world's leading international financial and business centre.

CS4 Seek planning contributions

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

CS10 Promote high quality environment

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

CS11 Encourage art, heritage and culture

To maintain and enhance the City's contribution to London's world-class cultural status and to enable the City's communities to access a range of arts, heritage and cultural experiences, in accordance with the City Corporation's Destination Strategy.

CS12 Conserve or enhance heritage assets

To conserve or enhance the significance of the City's heritage assets and their settings, and provide an attractive environment for the City's communities and visitors.

CS13 Protect/enhance significant views

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

CS14 Tall buildings in suitable places

To allow tall buildings of world class architecture and sustainable design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level.

CS15 Creation of sustainable development

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

CS16 Improving transport and travel

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

CS17 Minimising and managing waste

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

CS18 Minimise flood risk

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

CS19 Improve open space and biodiversity

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

CS20 Improve retail facilities

To improve the quantity and quality of retailing and the retail environment, promoting the development of the five Principal Shopping Centres and the linkages between them.

CS22 Maximise community facilities

To maximise opportunities for the City's residential and working communities to access suitable health, social and educational facilities and opportunities, while fostering cohesive communities and healthy lifestyles.

DM1.3 Small and medium business units

To promote small and medium sized businesses in the City by encouraging:

- a) new accommodation suitable for small and medium sized businesses or occupiers;
- b) office designs which are flexible and adaptable to allow for sub-division to create small and medium sized business units;
- c) continued use of existing small and medium sized units which meet occupier needs.

DM1.5 Mixed uses in commercial areas

To encourage a mix of commercial uses within office developments which contribute to the City's economy and character and provide support services for its businesses, workers and residents.

DM2.1 Infrastructure provision

- 1) Developers will be required to demonstrate, in conjunction with utility providers, that there will be adequate utility infrastructure capacity, both on and off the site, to serve the development during construction and operation. Development should not lead to capacity or reliability problems in the surrounding area. Capacity projections must take account of climate change impacts which may influence future infrastructure demand.
- 2) Utility infrastructure and connections must be designed into and integrated with the development wherever possible. As a minimum, developers should identify and plan for:
 - a) electricity supply to serve the construction phase and the intended use for the site, and identify, in conjunction with electricity providers, Temporary Building Supply (TBS) for the construction phase and the estimated load capacity of the building and the substations and routes for supply;
 - b) reasonable gas and water supply considering the need to conserve natural resources;
 - c) heating and cooling demand and the viability of its provision via decentralised energy (DE) networks. Designs must incorporate access to existing DE networks where feasible and viable;

d) telecommunications network demand, including wired and wireless infrastructure, planning for dual entry provision, where possible, through communal entry chambers and flexibility to address future technological improvements;

e) separate surface water and foul drainage requirements within the proposed building or site, including provision of Sustainable Drainage Systems (SuDS), rainwater harvesting and grey-water recycling, minimising discharge to the combined sewer network.

3) In planning for utility infrastructure developers and utility providers must provide entry and connection points within the development which relate to the City's established utility infrastructure networks, utilising pipe subway routes wherever feasible. Sharing of routes with other nearby developments and the provision of new pipe subway facilities adjacent to buildings will be encouraged.

4) Infrastructure provision must be completed prior to occupation of the development. Where potential capacity problems are identified and no improvements are programmed by the utility company, the City Corporation will require the developer to facilitate appropriate improvements, which may require the provision of space within new developments for on-site infrastructure or off-site infrastructure upgrades.

DM3.1 Self-containment in mixed uses

Where feasible, proposals for mixed use developments must provide independent primary and secondary access points, ensuring that the proposed uses are separate and self-contained.

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.

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.

DM10.5 Shopfronts

To ensure that shopfronts are of a high standard of design and appearance and to resist inappropriate designs and alterations. Proposals for shopfronts should:

- a) respect the quality and architectural contribution of any existing shopfront;
- b) respect the relationship between the shopfront, the building and its context;
- c) use high quality and sympathetic materials;
- d) include signage only in appropriate locations and in proportion to the shopfront;
- e) consider the impact of the installation of louvres, plant and access to refuse storage;

- f) incorporate awnings and canopies only in locations where they would not harm the appearance of the shopfront or obstruct architectural features;
- g) not include openable shopfronts or large serving openings where they would have a harmful impact on the appearance of the building and/or amenity;
- h) resist external shutters and consider other measures required for security;
- i) consider the internal treatment of shop windows (displays and opaque windows) and the contribution to passive surveillance;
- j) be designed to allow access by users, for example, incorporating level entrances and adequate door widths.

DM10.7 Daylight and sunlight

- 1) To resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels, taking account of the Building Research Establishment's guidelines.
- 2) The design of new developments should allow for the lighting needs of intended occupiers and provide acceptable levels of daylight and sunlight.

DM10.8 Access and inclusive design

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

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

DM11.2 Public Art

To enhance the City's public realm and distinctive identity by:

- a) protecting existing works of art and other objects of cultural significance and encouraging the provision of additional works in appropriate locations;
- b) ensuring that financial provision is made for the future maintenance of new public art;

- c) requiring the appropriate reinstatement or re-siting of art works and other objects of cultural significance when buildings are redeveloped.

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM12.4 Archaeology

1. To require planning applications which involve excavation or ground works on sites of archaeological potential to be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development.
2. To preserve, protect, safeguard and enhance archaeological monuments, remains and their settings in development, and to seek a public display and interpretation, where appropriate.
3. To require proper investigation and recording of archaeological remains as an integral part of a development programme, and publication and archiving of results to advance understanding.

DM15.1 Sustainability requirements

1. Sustainability Statements must be submitted with all planning applications in order to ensure that sustainability is integrated into designs for all development.
2. For major development (including new development and refurbishment) the Sustainability Statement should include as a minimum:

- a) BREEAM or Code for Sustainable Homes pre-assessment;
 - b) an energy statement in line with London Plan requirements;
 - c) demonstration of climate change resilience measures.
3. BREEAM or Code for Sustainable Homes assessments should demonstrate sustainability in aspects which are of particular significance in the City's high density urban environment. Developers should aim to achieve the maximum possible credits to address the City's priorities.
4. Innovative sustainability solutions will be encouraged to ensure that the City's buildings remain at the forefront of sustainable building design. Details should be included in the Sustainability Statement.
5. Planning conditions will be used to ensure that Local Plan assessment targets are met.

DM15.2 Energy and CO2 emissions

1. Development design must take account of location, building orientation, internal layouts and landscaping to reduce likely energy consumption.
2. For all major development energy assessments must be submitted with the application demonstrating:
- a) energy efficiency - showing the maximum improvement over current Building Regulations to achieve the required Fabric Energy Efficiency Standards;
 - b) carbon compliance levels required to meet national targets for zero carbon development using low and zero carbon technologies, where feasible;
 - c) where on-site carbon emission reduction is unviable, offsetting of residual CO2 emissions through "allowable solutions" for the lifetime of the building to achieve national targets for zero-carbon homes and non-domestic buildings. Achievement of zero carbon buildings in advance of national target dates will be encouraged;
 - d) anticipated residual power loads and routes for supply.

DM15.3 Low and zero carbon technologies

1. For development with a peak heat demand of 100 kilowatts or more developers should investigate the feasibility and viability of connecting to existing decentralised energy networks. This should include investigation of the potential for extensions of existing heating and cooling networks to serve the development and development of new networks where existing networks are not available. Connection routes should be designed into the development where feasible and connection infrastructure should be incorporated wherever it is viable.

2. Where connection to offsite decentralised energy networks is not feasible, installation of on-site CCHP and the potential to create new localised decentralised energy infrastructure through the export of excess heat must be considered
3. Where connection is not feasible or viable, all development with a peak heat demand of 100 kilowatts or more should be designed to enable connection to potential future decentralised energy networks.
4. Other low and zero carbon technologies must be evaluated. Non combustion based technologies should be prioritised in order to avoid adverse impacts on air quality.

DM15.4 Offsetting carbon emissions

1. All feasible and viable on-site or near-site options for carbon emission reduction must be applied before consideration of offsetting. Any remaining carbon emissions calculated for the lifetime of the building that cannot be mitigated on-site will need to be offset using "allowable solutions".
2. Where carbon targets cannot be met on-site the City Corporation will require carbon abatement elsewhere or a financial contribution, negotiated through a S106 planning obligation to be made to an approved carbon offsetting scheme.
3. Offsetting may also be applied to other resources including water resources and rainwater run-off to meet sustainability targets off-site where on-site compliance is not feasible.

DM15.5 Climate change resilience

1. Developers will be required to demonstrate through Sustainability Statements that all major developments are resilient to the predicted climate conditions during the building's lifetime.
2. Building designs should minimise any contribution to the urban heat island effect caused by heat retention and waste heat expulsion in the built environment.

DM15.6 Air quality

1. Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.
2. Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.

3. Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for Sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NO_x).
4. Developers will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.
5. Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.
6. Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest building in the development in order to ensure maximum dispersion of pollutants.

DM15.7 Noise and light pollution

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.
2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.
3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.
4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.
5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

DM16.1 Transport impacts of development

1. Development proposals that are likely to have effects on transport must be accompanied by an assessment of the transport implications during both construction and operation, in particular addressing impacts on:
 - a) road dangers;
 - b) pedestrian environment and movement;
 - c) cycling infrastructure provision;
 - d) public transport;
 - e) the street network.
2. Transport Assessments and Travel Plans should be used to demonstrate adherence to the City Corporation's transportation standards.

DM16.2 Pedestrian movement

1. Pedestrian movement must be facilitated by provision of suitable pedestrian routes through and around new developments, by maintaining pedestrian routes at ground level, and the upper level walkway network around the Barbican and London Wall.
2. The loss of a pedestrian route will normally only be permitted where an alternative public pedestrian route of at least an equivalent standard is provided having regard to:
 - a) the extent to which the route provides for current and all reasonably foreseeable future demands placed upon it, including at peak periods;
 - b) the shortest practicable routes between relevant points.
3. Routes of historic importance should be safeguarded as part of the City's characteristic pattern of lanes, alleys and courts, including the route's historic alignment and width.
4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.
5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.
6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

DM16.3 Cycle parking

1. On-site cycle parking must be provided in accordance with the local standards set out in Table 16.2 or, for other land uses, with the standards of the London Plan. Applicants will be encouraged to exceed the standards set out in Table 16.2.
2. On-street cycle parking in suitable locations will be encouraged to meet the needs of cyclists.

DM16.4 Encouraging active travel

1. Ancillary facilities must be provided within new and refurbished buildings to support active transport modes such as walking, cycling and running. All commercial development should make sufficient provision for showers, changing areas and lockers/storage to cater for employees wishing to engage in active travel.
2. Where facilities are to be shared with a number of activities they should be conveniently located to serve all proposed activities.

DM16.5 Parking and servicing standards

1. Developments in the City should be car-free except for designated Blue Badge spaces. Where other car parking is exceptionally provided it must not exceed London Plan's standards.
2. Designated parking must be provided for Blue Badge holders within developments in conformity with London Plan requirements and must be marked out and reserved at all times for their use. Disabled parking spaces must be at least 2.4m wide and at least 4.8m long and with reserved areas at least 1.2m wide, marked out between the parking spaces and at the rear of the parking spaces.
3. Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.
4. On site servicing areas should be provided to allow all goods and refuse collection vehicles likely to service the development at the same time to be conveniently loaded and unloaded. Such servicing areas should provide sufficient space or facilities for all vehicles to enter and exit the site in a forward gear. Headroom of at least 5m where skips are to be lifted and 4.75m for all other vehicle circulation areas should be provided.

5. Coach parking facilities for hotels (use class C1) will not be permitted.
6. All off-street car parking spaces and servicing areas must be equipped with the facility to conveniently recharge electric vehicles.
7. Taxi ranks are encouraged at key locations, such as stations, hotels and shopping centres. The provision of taxi ranks should be designed to occupy the minimum practicable space, using a combined entry and exit point to avoid obstruction to other transport modes.

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.
2. On-site waste management, through techniques such as 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

DM18.2 Sustainable drainage systems

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

3. SuDS should be designed, where possible, to maximise contributions to water resource efficiency, biodiversity enhancement and the provision of multifunctional open spaces.

DM19.1 Additional open space

1. Major commercial and residential developments should provide new and enhanced open space where possible. Where on-site provision is not feasible, new or enhanced open space should be provided near the site, or elsewhere in the City.
2. New open space should:
 - a) be publicly accessible where feasible; this may be achieved through a legal agreement;
 - b) provide a high quality environment;
 - c) incorporate soft landscaping and Sustainable Drainage Systems, where practicable;
 - d) have regard to biodiversity and the creation of green corridors;
 - e) have regard to acoustic design to minimise noise and create tranquil spaces.
3. The use of vacant development sites to provide open space for a temporary period will be encouraged where feasible and appropriate.

DM20.3 Retail uses elsewhere

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

DM20.4 Retail unit sizes

1. Proposals for new retail uses should provide a variety of unit sizes compatible with the character of the area in which they are situated.
2. Major retail units (over 1,000sq.m) will be encouraged in PSCs and, where appropriate, in the Retail Links in accordance with the sequential test.

DM22.1 Social and community facilities

1. To resist the loss of social and community facilities unless:
 - a) replacement facilities are provided on-site or within the vicinity which meet the needs of the users of the existing facility; or
 - b) necessary services can be delivered from other facilities without leading to, or increasing, any shortfall in provision; or

c) it has been demonstrated that there is no demand for another similar use on site.

2. Proposals for the redevelopment or change of use of social and community facilities must be accompanied by evidence of the lack of need for those facilities. Loss of facilities will only be permitted where it has been demonstrated that the existing floor space has been actively marketed at reasonable terms for public social and community floorspace.

3. The development of new social and community facilities should provide flexible, multi-use space suitable for a range of different uses and will be permitted:

- a) where they would not be prejudicial to the business City and where there is no strong economic reason for retaining office use;
- b) in locations which are convenient to the communities they serve;
- c) in or near identified residential areas, providing their amenity is safeguarded;
- d) as part of major mixed-use developments, subject to an assessment of the scale, character, location and impact of the proposal on existing facilities and neighbouring uses.

4. Developments that result in additional need for social and community facilities will be required to provide the necessary facilities or contribute towards enhancing existing facilities to enable them to meet identified need.

SCHEDULE

APPLICATION: 20/00869/FULEIA

2-3 Finsbury Avenue London EC2M 2PF

Demolition of the existing buildings and construction of a new building arranged over three basement levels, ground and 37 upper floors to provide an office-led, mixed use development comprising commercial, business and service uses (Class E), flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); and learning and non-residential institutions uses (Class F1); creation of a new pedestrian route through the site at ground floor level; hard and soft landscaping works; outdoor seating associated with ground level uses and other works incidental to the development.

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 Prior to any stripping-out or demolition of the existing building, a material audit of the building should be submitted to and approved in writing by the Local Planning Authority to understand the value of it as a material bank, establishing what can be retained and what can be re-used either on-site, in the first instance, re-used off-site or recycled, with the presumption that as little waste as possible is generated and the development shall be carried out in accordance with the approved details.
REASON : To ensure that the Local Planning Authority can be satisfied that the proposed development will be designed to promote circular economy principles to reduce waste and encourage recycling, reducing impact on virgin resources in accordance with the following policies in the Development Plan and the draft Development Plan: London Plan ; GG5, GG6, D3, SI 7, SI 8 - Local Plan; CS 17, DM 17.2 - Draft City Plan 2036; S16, CEW 1. These details are required prior to demolition and construction work commencing in order to establish the extent of recycling and minimised waste from the time that demolition and construction start.
- 3 Prior to the commencement of the development a detailed Circular Economy Statement shall be submitted to and approved in writing by the Local Planning Authority, providing final details on how the building would adhere to circular economy principles: build in layers, design out waste, design for longevity, design for flexibility and adaptability, design for disassembly and using systems, elements or

materials that can be re-used and recycled, to meet the relevant targets set out in the GLA Circular Economy Guidance. The development shall be carried out in accordance with the approved details.

REASON : To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development so that it reduces the demand for redevelopment, encourages re-use and reduces waste in accordance with the following policies in the Development Plan and draft Development Plan: London Plan; D3, SI 7, SI 8 - Local Plan; CS 17, DM 17.2 - Draft City Plan 2036; S16, CEW 1. These details are required prior to demolition and construction work commencing in order to establish the extent of recycling and minimised waste from the time that demolition and construction starts.

- 4 Prior to the commencement of the development a detailed Whole Life Cycle Carbon assessment shall be submitted to and approved in writing by the Local Planning Authority, demonstrating that the Whole Life Cycle Carbon emissions savings of the development achieve at least the GLA benchmarks and setting out further opportunities to achieve the GLA's aspirational benchmarks 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: Publication London Plan: D3, SI 2, SI 7 - Local Plan: CS 17, DM 15.2, DM 17.2 - Draft City Plan 2036: CE 1. These details are required prior to demolition and construction work commencing in order to be able to account for embodied carbon emissions resulting from the demolition and construction phase (including recycling and reuse of materials) of the development.

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

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

- 6 Demolition works shall not begin until a Deconstruction Logistics Plan to manage all freight vehicle movements to and from the site during deconstruction of the existing building(s) has been submitted to and approved in writing by the Local Planning Authority. The Deconstruction Logistics Plan shall be completed in accordance with the Mayor of London's Construction Logistics Plan Guidance dated July 2017, and shall specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Community Safety (CLOCS) Standard. The Plan must demonstrate how Work Related Road Risk is to be managed. The demolition shall not be carried out otherwise than in accordance with the approved Deconstruction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

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

- 7 Before any works including demolition are begun a site survey and survey of highway and other land at the perimeter of the site shall be carried out and details must be submitted to and approved in writing by the local planning authority indicating the proposed finished floor levels and ground floor levels in relation to the existing Ordnance Datum levels of the adjoining streets and open spaces. The development shall be carried out in accordance with the approved survey unless otherwise agreed in writing by the local planning authority.

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

- 8 Before the development hereby permitted is begun a detailed site investigation shall be carried out to establish if the site is contaminated and to determine the potential for pollution of the water environment. The method and extent of this site investigation shall be agreed in writing with the Local Planning Authority prior to commencement of the work. Details of measures to prevent pollution of ground and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall proceed in strict accordance with the measures approved.

REASON: To prevent pollution of the water environment in accordance with the following policy of the Local Plan: DM15.8. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 9 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.

- 10 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.
- 12 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.
- 13 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read the Thames Water guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near Thames Water pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

- 14 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

- 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. The development shall not be carried out otherwise than in accordance with the approved details.
REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policy of the Local Plan: DM12.4.
- 17 Archaeological evaluation shall be carried out in order to compile archaeological records in accordance with a timetable and scheme of such archaeological work submitted to and approved in writing by the Local Planning Authority before any commencement of archaeological evaluation work. The development shall not be carried out otherwise than in accordance with the approved details.
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.
- 18 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The Construction Logistics Plan shall be completed in accordance with the Mayor of London's Construction Logistics Plan Guidance dated July 2017, and shall specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Community Safety (CLOCS) Standard. The Plan must demonstrate how Work Related Road Risk is to be managed. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.
REASON: To ensure that construction works do not have an adverse impact on public safety and the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to construction work commencing in order that the impact on the transport network is minimised from the time that construction starts.
- 19 Prior to construction details shall be submitted detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

REASON: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read the Thames Water guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near Thames Water pipes or other structures.
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

Should you require further information please contact Thames Water.
Email: developer.services@thameswater.co.uk.

- 20 No cranes or scaffolding shall be erected on the site unless and until construction methodology and diagrams clearly presenting the location, maximum operating height, radius and start/finish dates for the use of cranes during the Development has been submitted to and approved by the Local Planning Authority, the Local Planning Authority having consulted London City Airport. The development shall not be carried out other than in accordance with the approved details.
REASON: To ensure that construction work and construction equipment does not endanger the safe movement of aircraft or the operation of London City Airport through interference with communication, navigational aids and surveillance equipment.
- 21 No development other than demolition shall take place until the detailed design of all wind mitigation measures (including the exploration of further wind mitigation measures in the passageway between the proposed development and 5 Broadgate) has been submitted to and approved in writing by the Local Planning Authority. These details shall include the size and appearance of any features, the size and appearance of any planting containers, trees species, planting medium and irrigation systems. No part of the building shall be occupied until the approved wind mitigation measures have been implemented unless the Local Planning Authority agrees otherwise in writing. The said wind mitigation measures shall be retained in place for the life of the building unless otherwise agreed by the Local Planning Authority.
REASON: In order to ensure that the proposed development does not have a detrimental impact on the amenities of the area in accordance with the following policies of the Local Plan: DM10.1, DM16.1, DM16.2. These details are required prior to construction in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 22 Except as may otherwise be approved in writing by the Local Planning Authority, no development shall be carried out in advance of the building lines as shown on the deposited plans.
REASON: To ensure compliance with the proposed building lines and site boundaries in accordance with the following policies of the Local Plan: DM16.1, DM16.2.

- 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 including blue roofs, rainwater pipework, flow control devices, pumps, design for system exceedance, design for ongoing maintenance; surface water flow rates shall be restricted to no greater than 5 litres per second from no more than one distinct outfall, provision should be made for an attenuation volume capacity capable of achieving this, which should be no less than 390m³;
 - (b) Full details of measures to be taken to prevent flooding (of the site or caused by the site) during the course of the construction works.
 - (c) Evidence that Thames Water have been consulted and consider the proposed discharge rate to be satisfactory.
- REASON: To improve sustainability, reduce flood risk and reduce water runoff rates in accordance with the following policy of the Local Plan: DM18.1, DM18.2 and DM18.3 and emerging policies CR2, CR3 and CR4 of the Draft City Plan 2036.
- 24 Before the shell and core is complete the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
- (a) A Lifetime Maintenance Plan for the SuDS system to include:
 - A full description of how the system would work, it's aims and objectives and the flow control arrangements;
 - A Maintenance Inspection Checklist/Log;
 - A Maintenance Schedule of Work itemising the tasks to be undertaken, such as the frequency required and the costs incurred to maintain the system.
- REASON: To improve sustainability, reduce flood risk and reduce water runoff rates in accordance with the following policy of the Local Plan: DM18.1, DM18.2 and DM18.3 and emerging policies CR2, CR3 and CR4 of the Draft City Plan 2036.
- 25 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 development shall not be carried out other than in accordance with the approved details. 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.

- 26 Prior to construction the submission of details of a Fire and Emergency Escape Strategy for all building users (including people with disabilities) with details of the means of escape, areas of refuge and fire evacuation lifts and stairs and fire service access shall be submitted to and approved in writing by the Local Planning Authority (after consultation with the London Fire Brigade, Building Control Health and Safety Team) and the strategy shall remain in place thereafter. The development shall be carried out in accordance with the approved Fire and Emergency Escape Strategy details.
REASON: In the interests of the safety of occupants of the buildings in the event of a fire or emergency in accordance with City of London Local Plan policy CS3.
- 27 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 the GLA's WLC Assessment Guidance) shall be submitted to the Local Planning Authority and the GLA at: ZeroCarbonPlanning@london.gov.uk. 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 is calculated and reduced and to demonstrate compliance with Policy SI 2 of the Publication London Plan.
- 28 A post construction BREEAM assessment for the retail element of the development, demonstrating that a target rating of 'Outstanding' has been achieved (or, if first agreed by the local planning authority a minimum rating of 'Excellent' has been achieved) shall be submitted after full fit-out and occupation of the retail spaces. In the event that the local planning authority is asked to agree a minimum rating of "Excellent" it must be first demonstrated to the satisfaction of the local planning authority that all reasonable endeavours have been used to achieve an "Outstanding" rating. The details shall thereafter be retained.

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.

- 29 A post construction BREEAM assessment demonstrating that a target rating of 'Outstanding' has been achieved (or, if first agreed by the local planning authority a minimum rating of 'Excellent' has been achieved) shall be submitted as soon as practicable after practical completion. In the event that the local planning authority is asked to agree a minimum rating of "Excellent" it must be first demonstrated to the satisfaction of the local planning authority that all reasonable endeavours have been used to achieve an "Outstanding' rating. The details shall thereafter be retained.

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.

- 30 No development shall be occupied until details have been submitted and approved confirmation has been provided that either:-
1. Water Capacity exists off site to serve the development or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water.

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. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. (The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning).

- 31 No more than 1,960sqm (GIA) of the Commercial, Business and Service (Class E) and the flexible Commercial, Business and Service/Drinking Establishment (Class E/Sui Generis) floorspace hereby approved to be provided at Ground to Level 01 shall be used

for purposes falling within Class E (a), (b), (c) or sui generis under Schedule 2 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 amending or revoking and re-enacting that Order with or without modification.

REASON: To ensure that active uses are retained on the lower floors in accordance with Local Plan Policy DM20.2

- 32 Not less than 732 sq m (GIA) of the Commercial, Business and Service (Class E) and the flexible Commercial, Business and Service/Drinking Establishment (Class E/Sui Generis) floorspace hereby approved to be provided at Ground Floor to Level 01 shall be used for purposes within Class E (a), (b), (c) or sui generis under Schedule 2 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 amending or revoking and re-enacting that Order with or without modification.'
REASON: To ensure that active uses are retained on the lower floors in accordance with Local Plan Policy DM20.2
- 33 Unless otherwise approved in writing by the Local Planning Authority, no more than 50% of the areas marked as flexible Commercial, Business and Service/Drinking Establishment (Class E/Sui Generis) on the floorplans hereby approved shall be occupied as Food and Beverage uses.
REASON: To ensure that a varied mix of retail types is provided within the development in accordance with the following policies of the Local Plan: CS20 and of the emerging policies of the City Local Plan: S5, RE2
- 34 The areas shown on the approved drawings above ground floor as offices including internal amenity green space, internal winter garden and external terraces (levels 3,4,9,10,11 and 12) and as set out in Condition 76 of this decision notice, shall be used for those purposes only and for no other purpose (including any other purpose in Class E) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020).
REASON: To ensure that the development does not give rise to environmental impacts that are in excess of or different to those assessed in the Environmental Statement and that public benefits within the development are secured for the life of the development.
- 35 Before any retail units are occupied 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) Detailed design of shopfronts
 - (b) A signage strategy for the retail units within the development shall be submitted;
 - (c) The signage relating to the public viewing gallery and winter garden shall also be included within the overall 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, DM10.5, DM10.8, DM12.1, DM12.2 and DM15.7.

- 36 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.
- 37 Self-closing mechanisms must be fitted on the doors at Drinking Establishment before the Class (Sui Generis) use commences and shall be retained for the life of the premises. The 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.
- 38 The roof terraces on hereby permitted shall not be used or accessed between the hours of 23:00 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.
- 39 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.
- 40 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.
- 41 (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.

- 42 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.

- 43 Before any works thereby affected are begun, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the retail uses (Class E and sui generis) and any Class E (office) kitchens. Flues must terminate at roof level or an agreed high-level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. The details approved must be implemented before the said use takes place and retained for the life of the building.

REASON: In order to protect commercial amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.

- 44 No cooking shall take place within any Class E or sui generis use hereby approved until fume extract arrangements and ventilation have been installed to serve that unit in accordance with a scheme approved by the Local Planning Authority. Flues must terminate at roof level or an agreed high-level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. Any works that would materially affect the external appearance of the building will require a separate planning permission.

REASON: In order to protect the amenity of the area in accordance with the following policies of the Local Plan: DM15.6, DM21.3.

- 45 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

- 46 Unless otherwise approved in writing by the Local Planning Authority, no plant or telecommunications equipment shall be installed on the exterior of the building, including any plan 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.

- 47 3XN Architects shall be retained as the project architects for the duration of the development for completion of RIBA Stages 4-7.
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.

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

- (a) particulars and samples of the materials to be used on all external and semi-external faces of the building and surface treatments in areas where the public would have access, including external ground and upper level surfaces, including details of compliance with approved Circular Economy Strategy;
- (b) details of the proposed new facades and roofs including details of typical bays of the development for each facade and fenestration;
- (c) details of canopies including soffits, jointing and integrated drainage and lighting;
- (d) details of key junction types and junctions across the building including: thermal sawtooth facade; public space interfaces ; roof and facade interfaces; ground level façade interfaces to include any expansion/movement joints
- (e) details of ground and first floor elevations including all entrances, integrated seating, vitrines and information boards;
- (f) details of all semi-internal elevations fronting the ground floor public routes;
- (g) details of the Open Learning Hub external and internal level ground to 2nd floor including: all elevations: entrances: fenestration; internal circulation and fit out; planters; fixed seating; fixed lighting; signage; and any infrastructure required to deliver the F1 use;
- (h) full details of the Cycling Hub entrance and lobby external and internal design including; all elevations; entrances, fenestration; lighting; signage; and any infrastructure required to deliver the proposed use;

- (i)) full details of the Social Lobby entrance and lobby external and internal design including; all elevations; entrances; circulation fenestration; planters; seating; lighting; signage; and any infrastructure required to deliver the proposed use;
- (g) full details of the internal winter garden and external terraces including all enclosures, elevations, entrances, fenestration, planters, seating, lighting, soffit, drainage, irrigation and any infrastructure required to deliver programming and varied uses;
- (h) details of soffits, hand rails and balustrades;
- (i) detailed design of the public realm route including; elevations; soffits and associated jointing and lighting; signage and any art installation
- (k) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, and other excrescences at roof level including within the plant room;
- (l) details of all drainage and irrigation;
- (m) details of the integration of M&E in all external and semi-external public elevations in the podium from ground to garden level;
- (n) details of the legible London wayfinding sign
- (o) details of the improvement works to the public realm to Sun Street, Wilson Street, Finsbury Avenue Square and Whitecross Place
- (p) details of all ground floor service entrances

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.

- 49 Before the works thereby affected are begun, sample panels of agreed sections of the glazing and metal structural facades shall be built, agreed on-site and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details.

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

- 50 Details of the construction, including detailed drawings, growing media, planting irrigation and maintenance regime for the proposed green wall(s)/roof(s) , shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.

REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.

- 51 Details of the position and size of any green/blue roof(s), the type of planting and the contribution of the green/blue roof(s) to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.
- 52 Details of the position and size of the green walls(s), the type of planting and the contribution of the green wall(s) to biodiversity shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2
- 53 Details of the planting for the internal amenity green spaces, internal winter garden and external terraces (levels 3,4,9,10,11 and 12) shall be submitted to and be approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.
- 54 All unbuilt surfaces, including the podium, terraces, balconies, roof terrace, tenant garden, under croft, new public route and trees and approved for wind mitigation, shall be treated in accordance with a landscaping scheme, including details of:
- a) Irrigation
 - b) provision for harvesting rainwater run-off from road to supplement irrigation
 - c) spot heights for ground levels around planting pit
 - d) Soil
 - e) planting pit size and construction
 - f) tree guards

g) species and selection of trees including details of its age, growing habit, girth of trunk, how many times transplanted and root development

h) containers or planters

to be submitted to and approved in writing by the Local Planning Authority before any landscaping works are commenced. All hard and soft landscaping works shall be carried out in accordance with the approved details not later than the end of the first planting season following completion of the development and prior to occupation. 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 the lifetime of the development shall be replaced with trees and shrubs of the same 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.

- 55 The existing sculpture at the North-East corner of the site shall be removed, safely stored, reinstalled and retained for the life of the building as part of the public realm scheme for the building in accordance with detailed specifications including safe storage, location, position and fixing details which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the works affected thereby. The approved scheme must be implemented prior to the occupation of the building unless otherwise approved in writing by the Local Planning Authority and any changes thereto thereafter shall be submitted to and approved in writing by the Local Planning Authority.

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; DM10.5; DM10.8; DM11.2.

- 56 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.

- 57 Prior to the commencement of the relevant works, a full Lighting Strategy shall be submitted to and approved in writing by the Local Planning Authority, which should include full details of all luminaires, both decorative, functional or ambient (including associated

infrastructure), alongside details of the impact of lighting on the public realm, including intensity, uniformity, colour, timings and associated management measures to reduce the impact on light pollution and residential amenity. Detail should be provided for all external, semi-external and public-facing parts of the building and of internal lighting levels and how this has been designed to reduce glare and light trespass. All works and management measures pursuant to this consent shall be carried out and maintained 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

- 58 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.

- 59 Facilities must be provided and maintained for the life of the development so that vehicles may enter and leave the building by driving in a forward direction.

REASON: To ensure satisfactory servicing facilities and in the interests of public safety in accordance with the following policy of the Local Plan: DM16.5.

- 60 The dividing wall between the F1 use and Cycling Hub functions shall be retained as transparent wall to enable visibility between the uses. Details of this wall shall be submitted and be approved authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.

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

- 61 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.
- 62 Permanently installed pedal cycle racks shall be provided and maintained on the site throughout the life of the building sufficient to accommodate a minimum of 1419 long stay pedal cycle spaces, and a minimum of 42 short stay pedal cycle spaces. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.
- REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.
- 63 Unless otherwise agreed in writing by the Local Planning Authority a minimum of 112 showers and 1422 lockers shall be provided adjacent to the cycle 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: DM16.4.
- 64 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.
- 65 No servicing of the premises shall be carried out between the hours of 0700-1000, 1200-1400 and 1600-1900 from Monday to Sunday including Bank Holidays. Servicing includes the loading and unloading of goods from vehicles and putting rubbish outside the building.
- To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM16.1, DM21.3.
- 66 Before any works thereby affected are begun, the layout and the arrangement of the long stay and short stay cycle parking shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. The cycle parking detailed in

the approved arrangement plans and report shall thereafter be maintained in accordance with the approved plan(s) for the life of the building.

REASON: To ensure the cycle parking is accessible and has regard to compliance with the London Cycling Design Standards in accordance

with the following policy of the Local Plan: DM16.3 and Intend to Publish London Plan policy: T5

- 67 A minimum of 2 electric charging points within the delivery and servicing area must be provided.
REASON: to further improve the sustainability and efficiency of travel in, to, from and through the City in accordance with the following policy of the Local Plan: CS 16 and draft Local Plan 2036 Policy VT2.
- 68 Except as may be approved in writing by the Local Planning Authority the loading and unloading areas must remain ancillary to the use of the building and shall be available at all times for that purpose for the occupiers thereof and visitors thereto.
REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Local Plan: DM16.5.
- 69 The threshold of all vehicular and pedestrian access points shall be at the same level as the rear of the adjoining footway.
REASON: To maintain a level passage for pedestrians in accordance with the following policies of the Local Plan: DM10.8, DM16.2.
- 70 The pass doors shown adjacent to or near the to the main entrance on the drawings hereby approved shall remain unlocked and available for use at all times when the adjacent revolving doors are unlocked.
REASON: In order to ensure that disabled people are not discriminated against and to comply with the following policy of the Local Plan: DM10.8.
- 71 No doors, gates or windows at ground floor level shall open over the public highway.
REASON: In the interests of public safety.
- 72 A clear unobstructed minimum headroom of 5m must be maintained for the life of the building in the refuse skip collection area as shown on the approved drawings and a clear unobstructed minimum headroom of 4.75m must be provided and maintained over the remaining areas and access ways.
REASON: To ensure that satisfactory servicing facilities are provided and maintained in accordance with the following policy of the Local Plan: DM16.5.

- 73 Within 6 months of completion details 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
- 74 The development shall provide:
- 83,301 sq.m. (GIA) of Office floorspace (Class E);
- 4,309 sq.m. (GIA) of Commercial, Business and Service Use floorspace (Class E);
- 1,075 sq.m. (GIA) of flexible Commercial, Business and Service Use / Drinking Establishment, Wine Bar , Public House floorspace (Class E / Sui Generis); and
- 2,194 sq.m (GIA) of Learning and Non-Residential Institutional floorspace (Class F1).
REASON: To ensure the development is carried out in accordance with the approved plans.
- 75 The areas shown on the approved drawings as offices (Class E), commercial, business and service uses (Class E), drinking establishment (sui generis) and learning and non-residential institution (Class F1), and as set out in Conditions 31 and 32 of this decision notice, shall be used for those purposes only and for no other purpose (including any other purpose in Class E and Class F1, as appropriate) 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 amending or revoking and re-enacting that Order with or without modification.
- 76 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: 2FA-3XN-XX-XX-DR-AX-0010 Site Location Plan, 2FA-3XN-XX-XX-DR-AX-0030 Site Plan - Proposed, 2FA-3XN-XX-B3-DR-AX-1200 Basement 03 Pit Access Plan - Proposed, 2FA-3XN-XX-B3-DR-AX-1201 Basement 03 Plan - Proposed, 2FA-3XN-XX-B2-DR-AX-1202 Basement 02 Plan - Proposed, 2FA-3XN-XX-BM2-DR-AX-1203 Basement 02 Mezzanine Plan - Proposed, 2FA-3XN-XX-B1-DR-AX-1204 Basement 01 Plan - Proposed, 2FA-3XN-XX-00-DR-AX-1205 Ground Floor Plan - Proposed, 2FA-3XN-XX-M0-DR-AX-1206 Ground Floor Mezzanine Plan - Proposed, 2FA-3XN-XX-01-DR-AX-1207 Level 01 Floor Plan - Proposed, 2FA-3XN-XX-02-DR-AX-1208 Level 02 Floor Plan - Proposed, 2FA-3XN-XX-03-DR-AX-1209 Level 03 Floor Plan - Proposed, 2FA-3XN-XX-04-DR-AX-1210 Level 04 Floor Plan - Proposed, 2FA-3XN-XX-05-DR-AX-1211 Level 05 Floor Plan -

Proposed, 2FA-3XN-XX-06-DR-AX-1212 Level 06 Floor Plan -
 Proposed, 2FA-3XN-XX-07-DR-AX-1213 Level 07 Floor Plan -
 Proposed, 2FA-3XN-XX-08-DR-AX-1214 Level 08 Floor Plan -
 Proposed, 2FA-3XN-XX-09-DR-AX-1215 Level 09 Floor Plan -
 Proposed, 2FA-3XN-XX-10-DR-AX-1216 Level 10 Floor Plan -
 Proposed, 2FA-3XN-XX-11-DR-AX-1217 Level 11 Floor Plan -
 Proposed, 2FA-3XN-XX-12-DR-AX-1218 Level 12 Floor Plan -
 Proposed, 2FA-3XN-XX-13-DR-AX-1219 Level 13 Floor Plan -
 Proposed, 2FA-3XN-XX-14-DR-AX-1220 Level 14 Floor Plan -
 Proposed, 2FA-3XN-XX-15-DR-AX-1221 Level 15 Floor Plan -
 Proposed, 2FA-3XN-XX-16-DR-AX-1222 Level 16 Floor Plan -
 Proposed, 2FA-3XN-XX-17-DR-AX-1223 Level 17 Floor Plan -
 Proposed, 2FA-3XN-XX-18-DR-AX-1224 Level 18 Floor Plan -
 Proposed, 2FA-3XN-XX-19-DR-AX-1225 Level 19 Floor Plan -
 Proposed, 2FA-3XN-XX-20-DR-AX-1226 Level 20 Floor Plan -
 Proposed, 2FA-3XN-XX-21-DR-AX-1227 Level 21 Floor Plan -
 Proposed, 2FA-3XN-XX-22-DR-AX-1228 Level 22 Floor Plan -
 Proposed, 2FA-3XN-XX-23-DR-AX-1229 Level 23 Floor Plan -
 Proposed, 2FA-3XN-XX-24-DR-AX-1230 Level 24 Floor Plan -
 Proposed, 2FA-3XN-XX-25-DR-AX-1231 Level 25 Floor Plan -
 Proposed, 2FA-3XN-XX-26-DR-AX-1232 Level 26 Floor Plan -
 Proposed, 2FA-3XN-XX-27-DR-AX-1233 Level 27 Floor Plan -
 Proposed, 2FA-3XN-XX-28-DR-AX-1234 Level 28 Floor Plan -
 Proposed, 2FA-3XN-XX-29-DR-AX-1235 Level 29 Floor Plan -
 Proposed, 2FA-3XN-XX-30-DR-AX-1236 Level 30 Floor Plan -
 Proposed, 2FA-3XN-XX-31-DR-AX-1237 Level 31 Floor Plan -
 Proposed, 2FA-3XN-XX-32-DR-AX-1238 Level 32 Floor Plan -
 Proposed, 2FA-3XN-XX-33-DR-AX-1239 Level 33 Floor Plan -
 Proposed, 2FA-3XN-XX-34-DR-AX-1240 Level 34 Floor Plan -
 Proposed, 2FA-3XN-XX-35-DR-AX-1241 Level 35 Floor Plan -
 Proposed, 2FA-3XN-XX-36-DR-AX-1242 Level 36 Floor Plan -
 Proposed, 2FA-3XN-XX-37-DR-AX-1243 Level 37 Floor Plan -
 Proposed, 2FA-3XN-XX-38-DR-AX-1244 Roof Plan - Proposed, 2FA-
 3XN-XX-XX-DR-AX-2100 North Elevation - Proposed, 2FA-3XN-XX-
 XX-DR-AX-2101 East Elevation - Proposed, 2FA-3XN-XX-XX-DR-AX-
 2102 South Elevation - Proposed, 2FA-3XN-XX-XX-DR-AX-2103 West
 Elevation - Proposed, 2FA-3XN-XX-XX-DR-AX-2104 North Elevation
 Illustrative - Proposed, 2FA-3XN-XX-XX-DR-AX-2105 East Elevation
 Illustrative - Proposed, 2FA-3XN-XX-XX-DR-AX-2106 South Elevation
 Illustrative - Proposed, 2FA-3XN-XX-XX-DR-AX-2107 West Elevation
 Illustrative - Proposed, 2FA-3XN-XX-XX-DR-AX-3100 Section A-A -
 Long section - Proposed, 2FA-3XN-XX-XX-DR-AX-3101 Section B-B -
 Long section - Proposed, 2FA-3XN-XX-XX-DR-AX-3102 Section C-C -
 Cross Section West Tower - Proposed, 2FA-3XN-XX-XX-DR-AX-3103
 Section D-D - Cross Section East Tower - Proposed, 2FA-3XN-XX-00-
 DR-AX-4001 Tree Planting Plan - Proposed.

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 The Mayor of London has adopted a new charging schedule for Community Infrastructure Levy ("the Mayoral CIL charge or MCIL2") on 1st April 2019.

The Mayoral Community Levy 2 Levy is set at the following differential rates within the central activity zone:

Office £185 sq.m

Retail £165 sq.m

Hotel £140 sq.m

All other uses £80 per sq.m

These rates are applied to "chargeable development" over 100sq.m (GIA) or developments where a new dwelling is created.

The City of London Community Infrastructure Levy is set at a rate of £75 per sq.m for offices, £150 per sq.m for Riverside Residential, £95 per sq.m for Rest of City Residential and £75 for all other uses.

The CIL will be recorded on the Register of Local Land Charges as a legal charge upon "chargeable development" when planning permission is granted. The Mayoral CIL will be passed to Transport for London to help fund Crossrail and Crossrail 2. The City CIL will be used to meet the infrastructure needs of the City.

Relevant persons, persons liable to pay and interested parties will be sent a "Liability Notice" that will provide full details of the charges and to whom they have been charged or apportioned. Where a liable party is not identified the owners of the land will be liable to pay the levy. Please submit to the City's Planning Obligations Officer an "Assumption of Liability" Notice (available from the Planning Portal website: www.planningportal.gov.uk/cil).

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

- 2 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.

- 3 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 4 There are water mains crossing or close to the development. 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) they will need to check that the development does not 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 our pipes.
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipe>
- 5 The proposed development is located within 15m of Thames Water's underground assets, 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 are considering working above or near Thames Water pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk
- 6 During the construction phase of the development, the City of London Corporation encourages all owners/developers to commit to the principles outlined in the City of London Corporation's Local Procurement Charter, i.e.

- to identify opportunities for local small to medium sized businesses to bid/tender for the provision of goods and services;

- aim to achieve the procurement of goods and services, relating to the development, from small to medium sized businesses based in the City and the surrounding boroughs, towards a target of 10% of the total procurement spend;

- or where the procurement of goods and services is contracted out

- ensure the above two principles are met by inserting local procurement clauses in the tender documentation issued to contractors or subcontractors (further information can be found in our 'Guidance note for developers').

For additional details please refer to the City of London's 'Local Procurement Charter' and 'Local Procurement - Guidance Note for City Developers'. These documents can be found at

http://www.cityoflondon.gov.uk/Corporation/LGNL_Services/Environment_and_planning/Planning

Further guidance can be obtained by contacting the 'City Procurement Project' which provides free advice to City based businesses and City developers. They can signpost you to local supplier databases, give one to one advice and provide written guidance via the City of London Corporation's Local Purchasing Toolkit and other resources.

To access free support in procuring locally please call 020 7332 1532 or email city.procurement@cityoflondon.gov.uk

- 7 This permission must in no way be deemed to be an approval for the display of advertisement matter indicated on the drawing(s) which must form the subject of a separate application under the Advertisement Regulations.
- 8 This permission must in no way be deemed to prejudice any rights of light which may be enjoyed by the adjoining owners or occupiers under Common Law.
- 9 The correct street number or number and name must be displayed prominently on the premises in accordance with regulations made under Section 12 of the London Building Acts (Amendment) Act 1939. Names and numbers must be agreed with the Department of the Built Environment prior to their use including use for marketing.
- 10 Improvement or other works to the public highway shown on the submitted drawings require separate approval from the local highway authority and the planning permission hereby granted does not authorise these works.

- 11 The Department of the Built Environment (Transportation & Public Realm Division) must be consulted on the following matters which require specific approval:
- (a) Hoardings, scaffolding and their respective licences, temporary road closures and any other activity on the public highway in connection with the proposed building works. In this regard the City of London Corporation operates the Considerate Contractors Scheme.
 - (b) The incorporation of street lighting and/or walkway lighting into the new development. Section 53 of the City of London (Various Powers) Act 1900 allows the City to affix to the exterior of any building fronting any street within the City brackets, wires, pipes and apparatus as may be necessary or convenient for the public lighting of streets within the City. Early discussion with the Department of the Built Environment Transportation and Public Realm Division is recommended to ensure the design of the building provides for the inclusion of street lighting.
 - (c) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window sill, rainwater pipe, oil fuel inlet pipe or box, carriageway entrance, or any other projection beneath, over or into any public way (including any cleaning equipment overhanging any public footway or carriageway).
You are advised that highway projection licences do not authorise the licensee to trespass on someone else's land. In the case of projections extending above, into or below land not owned by the developer permission will also be required from the land owner. The City Surveyor must be consulted if the City of London Corporation is the land owner. Please contact the Corporate Property Officer, City Surveyor's Department.
 - (d) Bridges over highways
 - (e) Permanent Highway Stopping-Up Orders and dedication of land for highway purposes.
 - (f) Connections to the local sewerage and surface water system.
 - (g) Carriageway crossovers.
 - (h) Servicing arrangements, which must be in accordance with the City of London Corporation's guide specifying "Standard Highway and Servicing Requirements for Development in the City of London".

- 12 The Markets and Consumer Protection Department (Environmental Health Team) must be consulted on the following matters:
- (a) Approval for the installation of furnaces to buildings and the height of any chimneys. If the requirements under the legislation require any structures in excess of those shown on drawings for which planning permission has already been granted, further planning approval will also be required.
 - (b) Installation of engine generators using fuel oil.
 - (c) The control of noise and other potential nuisances arising from the demolition and construction works on this site the Department of Markets and Consumer Protection should be informed of the name and address of the project manager and/or main contractor as soon as they are appointed.
 - (d) Alterations to the drainage and sanitary arrangements.
 - (e) The requirements of the Health and Safety at Work etc Act 1974 and the other relevant statutory enactments in particular:
 - the identification, encapsulation and removal of asbestos in accordance with a planned programme;
 - provision for window cleaning (internal and external) to be carried out safely.
 - (f) The use of premises for the storage, handling, preparation or sale of food.
 - (g) Use of the premises for public entertainment.
 - (h) Approvals relating to the storage and collection of wastes.
 - (i) The detailed layout of public conveniences.
 - (j) Limitations which may be imposed on hours of work, noise and other environmental disturbance.
 - (k) The control of noise from plant and equipment;
 - (l) Methods of odour control.

- 13 The Director of Markets and Consumer Protection (Environmental Health Team) advises that:

Noise and Dust

(a)

The construction/project management company concerned with the development must contact the Department of Markets and Consumer Protection and provide a working document detailing steps they propose to take to minimise noise and air pollution for the duration of the works at least 28 days prior to commencement of the work. Restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(b)

Demolition and construction work shall be carried out in accordance with the City of London Code of Practice for Deconstruction and Construction. The code details good site practice so as to minimise disturbance to nearby residents and commercial occupiers from noise, dust etc. The code can be accessed through the City of London internet site, www.cityoflondon.gov.uk, via the a-z index under Pollution Control-City in the section referring to noise, and is also available from the Markets and Consumer Protection Department.

(c)

Failure to notify the Markets and Consumer Protection Department of the start of the works or to provide the working documents will result in the service of a notice under section 60 of the Control of Pollution Act 1974 (which will dictate the permitted hours of work including noisy operations) and under Section 80 of the Environmental Protection Act 1990 relating to the control of dust and other air borne particles. The restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(d)

Deconstruction or Construction work shall not begin until a scheme for protecting nearby residents and commercial occupiers from noise from the site has been submitted to and approved by the Markets and Consumer Protection Department including payment of any agreed monitoring contribution.

Air Quality

(e)

Compliance with the Clean Air Act 1993

Any furnace burning liquid or gaseous matter at a rate of 366.4 kilowatts or more, and any furnace burning pulverised fuel or any solid

matter at a rate of more than 45.4 kilograms or more an hour, requires chimney height approval. Use of such a furnace without chimney height approval is an offence. The calculated chimney height can conflict with requirements of planning control and further mitigation measures may need to be taken to allow installation of the plant.

Boilers and CHP plant

(f)

The City is an Air Quality Management Area with high levels of nitrogen dioxide. All gas boilers should therefore meet a dry NO_x emission rate of <40mg/kWh in accordance with the City of London Air Quality Strategy 2015.

(g)

All gas Combined Heat and Power plant should be low NO_x technology as detailed in the City of London Guidance for controlling emissions from CHP plant and in accordance with the City of London Air Quality Strategy 2015.

(h)

When considering how to achieve, or work towards the achievement of, the renewable energy targets, the Markets and Consumer Protection Department would prefer developers not to consider installing a biomass burner as the City is an Air Quality Management Area for fine particles and nitrogen dioxide. Research indicates that the widespread use of these appliances has the potential to increase particulate levels in London to an unacceptable level. Until the Markets and Consumer Protection Department is satisfied that these appliances can be installed without causing a detriment to the local air quality they are discouraging their use. Biomass CHP may be acceptable providing sufficient abatement is fitted to the plant to reduce emissions to air.

(i)

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

Standby Generators

(j)

Advice on a range of measures to achieve the best environmental option on the control of pollution from standby generators can be obtained from the Department of Markets and Consumer Protection.

(k)

There is a potential for standby generators to give out dark smoke on start up and to cause noise nuisance. Guidance is available from the

Department of Markets and Consumer Protection on measures to avoid this.

Cooling Towers

(l)

Wet cooling towers are recommended rather than dry systems due to the energy efficiency of wet systems.

Ventilation of Sewer Gases

(o)

The sewers in the City historically vent at low level in the road. The area containing the site of the development has suffered smell problems from sewer smells entering buildings. A number of these ventilation grills have been blocked up by Thames Water Utilities. These have now reached a point where no further blocking up can be carried out. It is therefore paramount that no low level ventilation intakes or entrances are adjacent to these vents. The Director of Markets and Consumer Protection strongly recommends that a sewer vent pipe be installed in the building terminating at a safe outlet at roof level atmosphere. This would benefit the development and the surrounding areas by providing any venting of the sewers at high level away from air intakes and building entrances, thus allowing possible closing off of low level ventilation grills in any problem areas.

Food Hygiene and Safety

(p)

Further information should be provided regarding the internal layout of the proposed food/catering units showing proposals for staff/customer toilet facilities, ventilation arrangements and layout of kitchen areas.

(q)

If cooking is to be proposed within the food/catering units a satisfactory system of ventilation will be required. This must satisfy the following conditions:

Adequate access to ventilation fans, equipment and ductwork should be provided to permit routine cleaning and maintenance;

The flue should terminate at roof level in a location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. It cannot be assumed that ductwork will be permitted on the exterior of the building;

Additional methods of odour control may also be required. These must be submitted to the Markets and Consumer Protection Department for comment prior to installation;

Ventilation systems for extracting and dispersing any emissions and cooking smells to the external air must be discharged at roof level and designed, installed, operated and maintained in accordance with manufacturer's specification in order to prevent such smells and emissions adversely affecting neighbours.

- 14 The investigation and risk assessment referred to in conditions 8, 9 and 10 must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme must be submitted to and approved in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, open spaces, service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- 15 The Director of Markets and Consumer Protection states that any building proposal that will include catering facilities will be required to be constructed with adequate grease traps to the satisfaction of the Sewerage Undertaker, Thames Water Utilities Ltd, or their contractors.
- 16 The Crime Prevention Design Advisor for the City of London Police should be consulted with regard to guidance on all aspects of security, means of crime prevention in new development and on current crime trends.
- 17 Consent may be needed from the City Corporation for the display of advertisements on site during construction works. The display of an advertisement without consent is an offence. The City's policy is to restrain advertisements in terms of size, location, materials and illumination in order to safeguard the City's environment. In particular, banners at a high level on buildings or scaffolding are not normally acceptable. The Built Environment (Development Division) should be consulted on the requirement for Express Consent under the Town & Country Planning (Display of Advertisements) (England) Regulations 2007.

- 18 The Directorate of the Built Environment (District Surveyor) should be consulted on means of escape and constructional details under the Building Regulations and London Building Acts.
- 19 Access for people with disabilities is a material consideration in the determination of planning applications. The City of London Corporation has published design standards giving advice on access for people with disabilities and setting out the minimum standards it expects to see adopted in the City buildings. These can be obtained from the City's Access Adviser, Chief Planning Officer and District Surveyor. Further advice on improving access for people with disabilities can be obtained from the City's Access Adviser. Your attention is drawn to the Disability Discrimination provisions of the Equality Act 2010 to ensure that disabled people are not significantly disadvantaged.

Service providers, etc., should make "reasonable adjustments" to facilitate access to their premises and the City asks all applicants for planning permission to ensure that physical barriers to access premises are minimised in any works carried out.

- 20 All reasonable endeavours are to be used to achieve a BREEAM 'Outstanding' rating and The City of London Corporation as Planning Authority requests early discussion with the Applicant should it appear that the rating is likely to fall below outstanding.
- 21 The grant of approval under the Town and Country Planning Acts does not overcome the need to also obtain any licences and consents which may be required by other legislation. The following list is not exhaustive:

(a) Fire precautions and certification:
London Fire Brigade, Fire Prevention Branch
5-6 City Forum
City Road
London EC1N 2NY

(b) Public houses, wine bars, etc.
City of London Corporation
Trading Standards and Veterinary Service
PO Box 270
Guildhall
London EC2P 2EJ

(c) Inflammable materials (e.g., petroleum)
London Fire Brigade, Petroleum Department
5-6 City Forum
City Road
London EC1N 2NY

(d) Works affecting Transport for London operational land and structures:

Borough Integration and Partnerships
Transport for London
Windsor House
42-50 Victoria Street
London, SW1H 0TL

(e) Works affecting a GLA road:

Borough Integration and Partnerships
Transport for London
Windsor House
42-50 Victoria Street
London, SW1H 0TL

Background Papers

Internal

Memo, DBE Transport, 03 December 2020
Memo, Stephanie Hughes (Air Quality), 15 December 2020
Memo, Lead Local Flood Authority, 17 December 2020
Memo, Archaeology, 07 January 2021
Memo, Access Team, 08 January 2021
Memo, Department of Markets and Consumer Protection, 11 January 2021
Memo, Planning Obligations, 11 January 2021
Memo, City Public Realm, 15 January 2021
Email, Patrick Hegarty (Open Spaces), 05 February 2021
Memo, Department of the Built Environment, 09 February 2021

External

E-mail, NATS Safeguarding, 25 November 2020
E-mail, Crossrail Safeguarding, 27 November 2020
Letter, London City Airport, 02 December 2020
E-mail, Heathrow Airport Limited (Airport Safeguarding), 02 December 2020
Letter, City of Westminster, 02 December 2020
Letter, Natural England, 08 December 2020
Letter, Royal Borough of Kensington and Chelsea, 11 December 2020
Letter, London Borough of Tower Hamlets, 14 December 2020
Letter, Twentieth Century Society, 15 December 2020
Letter, London Borough of Southwark, 15 December 2020
E-mail, Thames Water, 17 December 2020
Letter, London Borough of Hammersmith and Fulham, 18 December 2020
Letter, London Borough of Richmond, 04 January 2021
Letter, Forsters LLP, 11 January 2021
Letter, London Borough of Hackney, 14 January 2021
Letter, Greater London Authority, 25 January 2021
Planning report GLA/2020/6825/S1/01, Greater London Authority, 25 January 2021
Letter, Royal Borough of Kensington and Chelsea, 28 January 2021
E-mail, Crossrail Safeguarding, 29 January 2021
Online Comment, Mr Alessio Sancetta, 31 January 2021
E-mail, NATS Safeguarding, 04 February 2021
Letter, Historic England, 05 February 2021
Letter, London Borough of Tower Hamlets, 05 February 2021
E-mail, Natural England, 09 February 2021
Letter, London Borough of Southwark, 10 February 2021

Liam Hart
Development Division
City of London
Guildhall
London EC2P 2EJ

Sent by email: PLNComments@cityoflondon.gov.uk

15 December 2020

Our ref: 13 02 07

Dear Liam Hart

20/00869/FULEIA 2-3 Finsbury Avenue, London, EC2M 2PF

The Twentieth Century Society has been notified of the above application which seeks permission to demolish nos. 2-3 Finsbury Avenue and erect a new build arranged over three basement levels, ground and 37 upper floors for office-led mixed use. The Society wrote to object to the issuing of a Certificate of Immunity from Listing (COI, issued in December 2015 and renewed in 2019) and has objected in the past to the proposed demolition of the buildings. We write to strongly object again, for the reasons outlined below.

Background

The Society considers no 2 Finsbury Avenue to be an important Non-Designated Heritage Asset (NDHA), significant for its group value with no 1 Finsbury Avenue and for its own architectural special interest.

No 2 Finsbury Avenue is adjacent to the Grade II listed no 1 Finsbury Avenue on the corner of Wilson Street and Sun Street. It was constructed in 1987-88 by Arup Associates Group 2 under the direction of Peter Foggo. This was the same architectural team as the earlier no 1, which was built in 1982-84. The buildings are linked by glazed walkways. The Wilson Street elevation closely resembles its neighbour and achieves a harmonious development which was designed to be seen as a coherent whole.

While the building's elevations are different, each fits within a carefully composed massing envelope and collection of materials to form a sequence along with no 1 Finsbury Avenue. The arrangement of both buildings also helps to define the planned Finsbury Avenue Square.

Policy

The City of London's Local Plan (2015) outlines that the council will endeavour

To conserve or enhance the significance of the City's heritage assets and their settings (Core Strategic Policy CS12: Historic Environment) and that developments will be required To sustain and enhance heritage assets, their settings and significance. (Policy DM 12.1: Managing change affecting all heritage assets and spaces)

Paragraph 192 of the National Planning Policy Framework (NPPF, 2019) should be noted here

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 (paragraph 192)

Paragraph 197 of the National Planning Policy Framework (NPPF, 2019) relating to developments affecting Non-Designated Heritage Assets should be considered

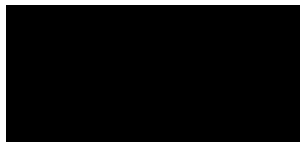
The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale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

Comments

The Twentieth Century Society considers no 2 Finsbury Avenue to be a high quality building by an important group of architects working within a leading practice. We believe the demolition of no 2 would be a needless waste of a recently constructed, high-quality building which has the potential to be sympathetically adapted and upgraded. We strongly object to the demolition of nos. 2-3 Finsbury Avenue and urge the Local Authority to refuse the application.

I trust that these comments are of use to you. Please do not hesitate to contact me if you have any further queries.

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.



Liam Hart
Department of Planning and Transportation
City of London

Your Ref: 20/00869/FULEIA

Our Ref: 35255.6/MJE/VKDC

Direct Line: [REDACTED]

Email: [REDACTED]

By email only: [REDACTED]

Date: 11th January 2021

Dear Mr Hart

2-3 Finsbury Avenue, London, EC2M 2PA ("the Site")

Applicant: Bluebutton Properties UK Limited ("the Applicant")

Corporation reference: 20/00869/FULEIA ("the Application")

1. INTRODUCTION

We act for AMTD London Development Co Limited ("AMTD"), the owners of One Crown Place ("OCP"), immediately to the north of the Site. This is a letter of objection to the Application.

Since obtaining planning permission for the redevelopment of OCP (4 December 2015, London Borough of Hackney reference: 2015/0877), AMTD have retained their team of advisers, including CBRE, Citydesigner (Richard Coleman), KPF, Leading Counsel, ourselves, and others. This letter of objection incorporates comments from all of these experts.

2. BACKGROUND

The OCP scheme includes a range of uses including hotel, offices and retail with two residential towers from Level 7 of the development upwards. The OCP development was implemented in February 2016 with practical completion due in May 2021.

The OCP team held several discussions with the Applicant as part of the previous planning application and permission for the Site (Ref: 16/00149/FULEIA) ("the 2016 Application"). The OCP team did have significant concerns with the previous planning permission and the impact that this scheme would have on the daylight and sunlight of the future residents within the OCP development, as well as severely impacting the outlook and sense of enclosure that the future residents would experience. After discussions with the Applicant, they agreed to amend the scheme to chamfer the corners to the East and West Towers which created an agreed 'gap' between the two towers as suggested by the OCP team. This amendment to the scheme resulted in at least some improvement to the outlook, sense of enclosure and daylight and sunlight impacts on the future residents of OCP. However, there were still severe impacts experienced by the south facing residential units in the South Tower of OCP and this was the maximum impact we felt was acceptable, although there were still very serious transgressions in terms of daylight on sunlight on certain residential units within OCP.



There were also concerns with the 2016 Application and the impacts on the harm to designated heritage assets and townscape as a result of the bulk, scale and massing of the proposal.

As part of the 2016 Application, our Client sent a comprehensive objection letter privately to the Applicant. A holding objection letter was sent to the City of London whilst conversations continued with the Applicant. Subsequently, the Applicant amended the scheme to reflect our Client's concerns as outlined above. Even with such changes, there were still serious failures in daylight and sunlight terms to many of the residential properties at OCP and this chapter within the Environmental Statement ("ES") for the Application notes that the 2016 Application at the Site resulted in 'major adverse' (significant) impacts to both daylight and sunlight for OCP. The overshadowing impact to the relevant amenity spaces tested within OCP were also considered of 'major adverse' significance.

Despite this previous recent history on the Site, we are very disappointed that the Applicant did not approach the OCP team directly to discuss the Application. A flyer was received in the OCP marketing suite which enabled the OCP team to contact the Applicant to arrange a meeting, although it became apparent the scheme was ready for submission and was submitted before a second meeting was arranged with the Applicant. This lack of engagement on behalf of the Applicant is very disappointing, especially due to the concerns raised by the OCP team within the 2016 Application, which directly resulted in the scheme being amended post-submission.

We have significant concerns with the Application and the impacts that will arise from the increased mass, bulk and height of the latest proposals. There are also concerns with the methodology used to undertake the daylight and sunlight assessments within the submitted ES.

We have reviewed both schemes and there is a significant increase in area proposed as a result of the Application as can be seen below:

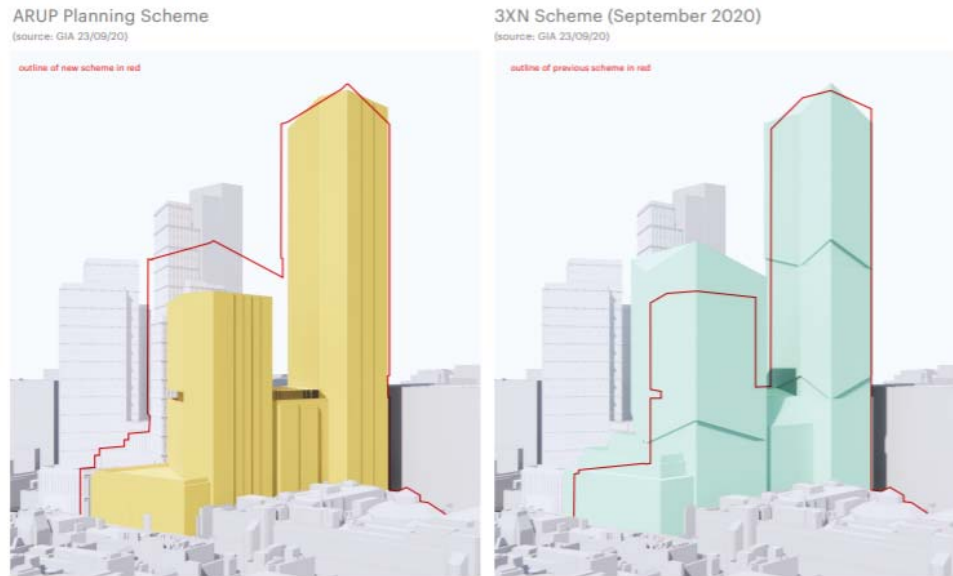
Table 1 – Comparison of Consented and Proposed Areas (sq m GIA)

Consented	Proposed	Uplift	% Uplift
85,378 sq m GIA	106,615 sq m GIA	21,237 sq m GIA	24.88%

Both schemes have three basement levels and appear to have a comparable level of below ground space. Therefore, it does appear as though this approx. 25% area gain is at least largely if not entirely above ground. Whilst we appreciate some of this area gain will be achieved by more floors within the East Tower with only a minor uplift in height in this tower (approx. 1.5 m increase in height), there is a noticeable uplift in height and bulk on the Western Tower as well as the western podium element of the proposal.

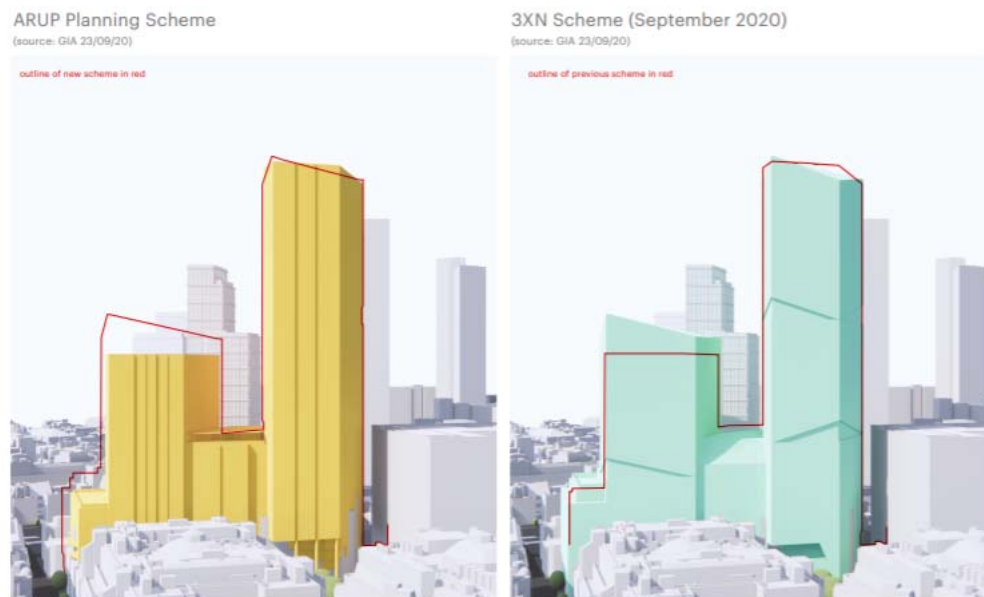
The Western Tower has increased in height from +103.4 m AOD on the consented scheme to +115.3 m AOD on the proposed scheme. We do note that para 4.5 of Chapter 4 Proposed Development of the ES (Volume I) states the height of the West Tower is 144.998 m AOD, although we assume this is an error and the +115.3 m AOD figures have been taken from the elevations. Notwithstanding the increase in heights, it is the increased bulk and width of the Western Tower that is causing significant concern to the amenity of future OCP residents as well as to the townscape and heritage assets in the vicinity. The changes to the massing are emphasised on the images below, which have been prepared by KPF:

Figure 1 – Consented and Proposed Massing Comparison



Source: KPF

Figure 2 – Consented and Proposed Massing Comparison

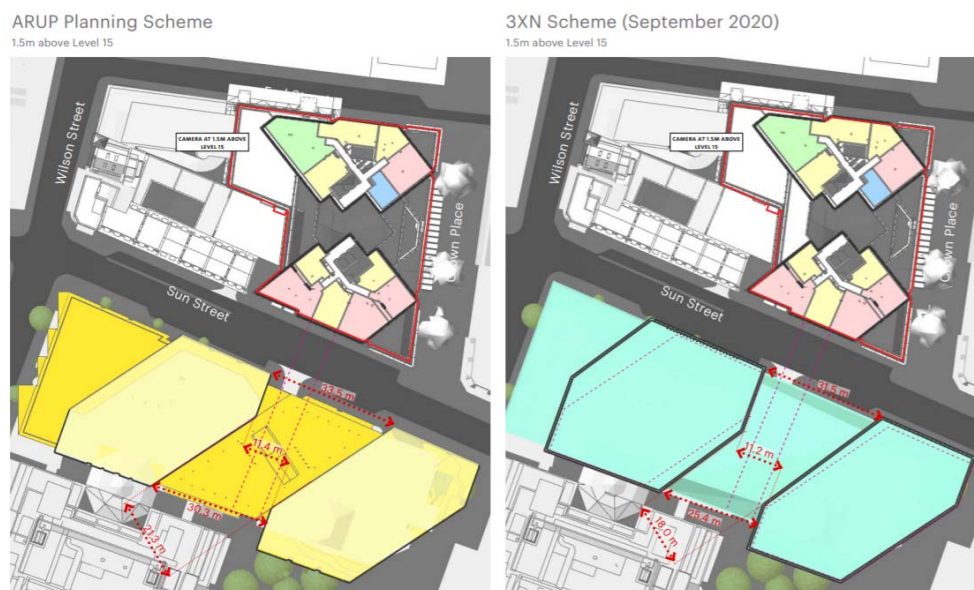


Source: KPF

As you can see from the above, the additional massing and bulk on the Western Tower in particular is very concerning to the amenity of OCP residents opposite.

There also appears to be a reduction in the gap between the Western and Eastern Towers as a result of the proposal, which in turn raises further concerns to the outlook and amenity of the OCP residents. Whilst at some points, between the towers the gap is approximately the same size as that which was consented, the gap does appear to reduce at the northern and southern points of the Site. The layout and changes to the 'gap' between the East and West Tower are identified on Figure 3 overleaf, also prepared by KPF:

Figure 3 – Consented and Proposed Layout and ‘Gap’



Source: KPF

We are particularly concerned by the additional bulk and height of the Western Tower and the additional impact the massing changes will have on the amenity of the OCP development.

This objection is made on two principal grounds:

- (a) deficiencies to the methodology and assessment undertaken within the daylight and sunlight assessment and the severe impacts caused to OCP by the Application and other similar concerns;
- (b) harm to designated heritage assets and townscape as a result of the bulk, scale and massing of the proposal.

3. DAYLIGHT AND SUNLIGHT

3.1 Policy Background

In terms of policy, the adopted London Plan (2016) Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and micro-climate.

Similarly, Part D of Policy 7.7 outlines that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference.

The Mayor has formally approved a new London Plan, the 'Publication London Plan', which was sent to the Secretary of State for his consideration in December 2020. Policy D9 (Tall Buildings) of the Publication London Plan states development proposals should address various environmental impacts. This policy outlines that wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building. The same policy outlines that the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and development plans for an area.

Policy DM 10.7 Daylight and Sunlight of the adopted City of London Local Plan seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels, taking account of the Building Research Establishment's - Site Layout Planning for Daylight and Sunlight Guidelines. The design of new developments should allow for the lighting needs of intended occupiers and provide acceptable levels of daylight and sunlight.

Policy DE8 Daylight and Sunlight of the emerging 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 Building Research Establishment's guidelines.

The OCP development is located within the City Fringe Opportunity Area where a mix of uses including residential is promoted and the proposal was supported by both the London Borough of Hackney and the Greater London Authority. The Publication London Plan outlines the Opportunity Area has an indicative capacity of 15,500 homes and 50,500 jobs during the plan period emphasising the mixed-use nature of the Opportunity Area. Both determining authorities supported the mix of uses and the introduction of the approved level of residential floorspace in this area of the City Fringe.

The Application should respond to the residential development to the north and seek to minimise amenity impacts on residential units as far as possible. The post-submission amendments to the 2016 Application did this to an extent, although there were still very serious impacts on daylight and sunlight to the residential units. This is outlined within chapter 11 of the ES submitted as part of the Application which confirms the previous permission had a 'major adverse' (significant) impact on both the daylight and sunlight of OCP residents. The Application exacerbates these already significant impacts further by increasing the bulk and mass of the proposal as outlined above and the increased massing and bulk within the new application does not take into consideration the amenity impacts of the residential units within the OCP development.

3.2 Daylight and Sunlight Assessments and Methodology

There are concerns that the methodology used to assess the daylight and sunlight impacts of the Application on OCP is not consistent with the BRE Guidelines. The key concerns with Chapter 11 (Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare) of the ES are as follows:

- Chapter 11 only assesses the impact on OCP in terms of Average Daylight Factor (ADF) and No Sky Line (NSL), with no Vertical Sky Component (VSC) assessment undertaken; and
- It also principally assesses the difference between the 2016 Application and the Application for the Site, concentrating on what additional effects are caused as opposed to what full effects are caused when comparing the Application against the true existing baseline.

CMS instructed Charles Banner QC on behalf of AMTD to provide a written opinion on these matters and the potential consequences for the Application. The CMS summary and QC written opinion is enclosed with this letter (see Appendix 1) and concludes as follows:

1. It would be an error of law for the Council to determine the New BL Application on the basis that the BRE Guidelines have been applied but with an evidence base that considers ADF alone, and not VSC in respect of the Site. This would be a clear misdirection given the unambiguous wording of the relevant parts of the BRE Guidelines;
2. Whether or not the permission granted pursuant to the 2016 Application has been commenced, it would be legally erroneous for the Council to assess the environmental impacts of the Application on the basis that, as contended in the Environmental Assessment

accompanying that application, the only “meaningful” consideration is an assessment of the difference between the consented scheme and the Application, as opposed to assessment of the difference between the current ‘on the ground’ situation and the development proposed by the Application; and

3. As the ES accompanying the Application does not properly apply the BRE Guidelines, there is, therefore, no evidence currently before the Council to enable it rationally to conclude that there is compliance with relevant planning policies, as cited in the enclosed opinion. The grant of planning permission on the basis that, on the evidence base currently accompanying the Application, these policies have been complied with would be vulnerable to judicial review.

VSC Assessment

The enclosed QC Opinion outlines that a full VSC assessment should have been undertaken as part of the Application, well as the NSL and ADF assessments. This should include details on the extent of the impacts from the baseline position (i.e. the Site in its existing form) and the levels of retained VSC that would be experienced by the OCP residents with the Application scheme built.

AMTD have also received advice from their daylight and sunlight consultants (GIA). GIA advise that the analysis should include an assessment of the impact on all floors of OCP which contain residential accommodation (i.e. 7th floor upwards). The Application only includes the analysis of the impacts on Levels 7-20 of OCP as this was included within the 2016 Application and these floors were assessed within the OCP internal daylight levels assessment previously. However, the proposed massing of the current application is noticeably larger than the 2016 Application and we would expect Levels 20+ to be included within the ES Chapter. GIA have undertaken initial high-level analysis which indicates daylight losses will occur above Level 20 and therefore, the upper levels should be included within the assessment to fully understand the impacts on OCP.

Without full analysis (i.e. VSC, NSL and ADF) on all residential levels, it is not possible to understand the true and full impact of the Application on the daylight potential of OCP. The applicant should provide these additional assessments and information as part of the application to enable the OCP team and indeed the City of London to fully understand the impacts of the proposals. When this information is received in full, we reserve the right to make further comments on the information provided.

Baseline Information

The daylight and sunlight assessment within Chapter 11 of the ES outlines that the 2016 Application had a ‘major adverse’ (significant) impact on the OCP residents facing the development in both daylight and sunlight terms. We would note that the significance of these impacts was not outlined clearly within the 2016 Application ES Chapter.

Chapter 11 of the ES for the Application does provide a summary of the baseline (existing) v proposed impacts and recognises the impact would be major adverse (significant) for both daylight and sunlight for the OCP residents facing the application Site.

However, the ES takes the view that *“given the existence of the Consented Development for the Site, a comparison of the Proposed Development with the baseline condition should not be considered meaningful in understanding the overall acceptability or significance of any daylight impacts on One Crown Place associated with the Proposed Development”* (para 11.131 with a similar comment on sunlight in para 11.144 of the ES).

There is also no information provided within the ES chapter on the extent and severity of such impacts from the existing position and the summary tables and text simply outline the number of pass and fails under some of the required daylight tests (ADF and NSL) and the APSH for sunlight. The severity of the impacts from the existing position should be clearly identified so the OCP team and the City of London can understand fully the severity of the transgressions.

Instead, the focus of ES is very much on the incremental increase in impacts from the 2016 Application as a result of the Application. As such, the daylight impact is categorised as 'negligible' and the sunlight impact as 'minor adverse' (not significant). We are particularly concerned by the sunlight impacts identified within the ES Chapter with a number of additional failings identified on top of the already 'major adverse' (significant) impacts identified from the 2016 Application, the severity of which does not seem to be recognised in any of the text within the chapter

We disagree with the reliance on the 2016 Application scheme to justify the impacts over and above those caused previously by those now caused by the Application. We instead consider that the focus of the assessment should be on the overall total impacts of the Application, which is supported by the QC Opinion appended to this objection. The 2016 Application already identified severe transgressions in both daylight and sunlight terms and the applicant should therefore seek to avoid any further impacts on top of that already consented and should not seek to add further additional impacts to already identified 'major adverse' (significant) impacts.

The enclosed Opinion from Legal Counsel on the baseline position (at paragraphs 35-36) confirms this approach:

It would, in my opinion, be unlawful in this context to fail to have regard to the effects of the new BL Application in combination with the Original BL Permission. To do so would allow incremental increases in environmental impact without consideration of the totality of their effects. That is precisely the kind of salami-slicing that the EIA Directive is designed to prevent. See e.g. Case C-227/01 Commission v Spain [2004] ECR I-8253 at para. 53.

In conclusion, whether or not the Original BL Permission has been commenced, it would in my opinion be legally erroneous for the Council to assess the environmental impacts of the New BL Application on the basis that, as contended in the ES accompanying that application, the only "meaningful" consideration is an assessment of the difference between the Original BL Permission and the New BL Application, as opposed to assessment of the difference between the current 'on the ground' situation and the development proposed by the New BL Application.

Summary

As per the above, the ES as currently drafted does not properly apply the BRE Guidelines. Therefore, there is no evidence currently before the City of London to enable it to rationally conclude that there is compliance with relevant planning policies. Therefore, the grant of planning permission on the basis provided would be vulnerable to judicial review.

Further technical analysis and information is required to undertake a fully robust assessment to enable the City of London and the OCP team to fully understand the true level of impacts caused by the Application. This should include:

- VSC assessments for the proposed development should be included within the ES Chapter. The primary focus should be on the impacts from the existing baseline position rather than

the incremental change from the 2016 Application and should clearly outline the significance of impacts and retained levels of VSC;

- the relevant daylight (VSC, NSL and ADF) and sunlight (APSH) assessments should be provided for all residential levels of OCP (not just Levels 7-20 as currently undertaken);
- the ES should focus the impacts on the overall impact from the baseline existing position and not the incremental change from the 2016 Application. This is the case for both daylight and sunlight assessments;
- the ES should focus on full impact of the Application, i.e. it should look at what daylight, sunlight, overshadowing and light pollution impacts are caused by the Application when assessed against the true existing baseline, which is the Site in its current undeveloped form; and
- the ES should provide discussion on the extent of impacts as a result of the Application when compared to the true existing baseline, for both daylight and sunlight, so the severity and extent of transgressions are clear.

From the indicative VSC analysis undertaken by GIA on behalf of AMTD, there will be a number of windows impacted severely with retained levels of below 15% (and many with below 10% retained VSC) when comparing the proposed scheme against the true existing baseline. This indicative analysis also demonstrates that those windows worst effected, i.e. experiencing greater than 40% VSC losses and retaining VSC levels well below 10%, will increase for the Application compared to the 2016 Application. The applicant should provide such analysis fully as outlined above.

Our client is particularly concerned with the impacts on sunlight as there are a number of additional failings identified within the ES Chapter as a result of the current proposal on top of the already 'major adverse' (significant) effects identified as part of the 2016 Application. From indicative GIA analysis undertaken on behalf of AMTD, we believe there will be a significant increase in the number of windows that are impacted to a significant extent (in excess of 40% loss of APSH) from the baseline than within the 2016 Application. The full assessment against the true existing baseline to be undertaken within the revised ES should clearly specify such impacts as they are not clear from the current ES chapter.

Once the initial assessments and information outlined above are provided, we reserve the right to comment further on the findings of a fully robust assessment.

3.3 Additional comments

Alongside the daylight and sunlight impacts, our client is also concerned with the appearance of a decreased gap between the western and eastern towers (see Figure 3). Whilst we appreciate in parts the 'gap' between the towers is the same or similar to the 2016 Application, in other parts it appears from KPFs analysis that the gap between the towers does reduce. We are concerned that reducing the 'gap' will likely have a further implication on the outlook and sense of enclosure experienced by the residents looking south from the southern residential tower within the OCP scheme. This was a key point within the 2016 Application and the 'gap' between the towers should be retained to protect the amenity of residents.

There are also concerns with the additional overshadowing impacts on OCP terraces and open space. When compared to the baseline, the proposal would result in a 'major adverse' (significant) impact on three of the OCP terraces and a 'minor adverse' (not significant) impact on one area of open space. We appreciate some of the impacts are very similar to the 2016 Application, but one terrace on the western side of the south residential building will experience a much more severe impact

from the Application. The 2016 Application resulted in a loss of 14% of this terrace from baseline receiving at least 2 hours of direct sunlight on March 21st (resulting in 42% of the terrace still receiving adequate sunlight). However, the Application would result in 100% of this terrace failing to receive adequate sunlight on this date resulting in a significant reduction in sunlight from the increased massing of the development (Ref 8 within Annex 5 of the Daylight and Sunlight Appendices). This is a further example of the amenity of residents being eroded by the increased proposals.

For the reasons set out above, AMTD and their expert team consider that the impact of the Application on the OCP residential units immediately adjacent to the Site, will be adverse, and severe. The impacts stemming from the 2016 Application were already significant and the increased massing and height proposed within the Application have only exacerbated these impacts further.

4. HARM TO DESIGNATED HERITAGE ASSETS AND THE TOWNSCAPE

4.1 Site designation

Although the Site is not a listed building or located within a Conservation Area, there are numerous designated heritage assets in proximity of the Site. This includes the Sun Street Conservation Area to the north (within which OCP sits) as well as Finsbury Circus Conservation Area to the south and Bunhill Fields and Finsbury Square Conservation Area to the west across Wilson Street (London Borough of Islington).

The Site is also in proximity to the Grade II listed 1 Finsbury Square building to the south, Grade II listed Flying Horse pub on the corner of Sun Street and Wilson Street as well as the locally listed Georgian terrace (5-15 Sun Street) which is refurbished into a hotel use within the OCP development.

The Site is located within the background of the following two London View Management Framework (LVMF) Protected Vistas:

- 8A.1 from Westminster Pier to St. Paul's Cathedral; and
- 9A.1 from King Henry VIII's Mound in Richmond Park to St Paul's Cathedral.

4.2 Legislative Framework

The Planning (Listed Buildings and Conservation Areas) Act 1990 is the legislative basis for decision-making on applications relating to the historic environment. Sections 66 and 72 of the Act impose a statutory duty upon planning authorities to consider the impact of proposals upon listed buildings and conservation areas and state that new development should preserve or enhance the special architectural or historic interest of listed buildings or their setting, and the character and appearance of Conservation Areas.

Advice in the NPPF concerning the conservation and enhancement of the historic environment provides:

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.

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.¹

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.²

A finding of any harm to a heritage asset within the meaning of the Listed Buildings Act, no matter how insignificant, is not something to which any weight can be attributed. Rather, as a result of the statutory provisions set out above, it is a consideration to which the decision-maker must give "considerable importance and weight"³.

The finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.⁴

4.3 Assessment

Appendix 2 of this letter provides the detailed comments of Richard Coleman of Citydesigner in terms of the impact of the Application on the views of St Paul's Cathedral and also on the various heritage assets in proximity of the Site. The Appendix specifically raises issues with some of the key views of St Paul's Cathedral as well as other heritage asserts.

The proposed development is high density, highly visible and immediately to the south of the Sun Street Conservation Area, creating a large-scale continuous wall with towers extending up from it.

In terms of the impact of St Paul's, the views from Westminster Pier (View 2 within the TVIA) and Richmond Park (View 1 within the TVIA) seem to be pushing unprecedented boundaries where the Application becomes the new definition of 'sky edge' to the right and left of the dome respectively. Whilst the LVMF defines a general protected vista width equal to twice the width of the peristyle, the backdrop is considered qualitative to avoid a 'canyon effect'. For the OCP approved scheme, the effect of the view from Westminster Pier was also tested 7 metres either side of the established viewpoint as requested by the GLA. We consider similar assessment should be provided for the Application so decision-makers can understand the impact outside of the established viewpoint within the LVMF. It is common such kinetic views to be provided and this exercise should be undertaken for the Application to understand the full impact of the proposals.

Citydesigner also outline their concerns of Views 7 and 7T from Waterloo Bridge near the National Theatre and consider the Application causes an unacceptable backdrop to the dome, which would be much more obtrusive than the 2016 Application and the cluster of consented schemes already in the backdrop of this view. Citydesigner's view is that the proposal damages the setting of one of the

¹ NPPF 193-194.

² NPPF 196.

³ *Barnwell Manor Wind Energy Limited v East Northamptonshire District Council, English Heritage, National Trust, The Secretary of State for Communities and Local Government* [2014] EWCA Civ 137, per Sullivan LJ at 22.

⁴ *R. (on the application of The Forge Field Society, Martin Barraud, Robert Rees) v Sevenoaks District Council v West Kent Housing Association, The Right Honourable Philip John Algernon Viscount De L'Isle* [2014] EWHC 1895 (Admin), per Lindblom J (as he then was) at 49.

nation's most important Grade I listed buildings, which equates to 'less than substantial harm' at the highest level and could never be balanced by public benefits.

The Site is immediately adjacent to the Sun Street Conservation Area (London Borough of Hackney), and the Application is viewable from the Finsbury Circus Conservation Area and the Bunhill Fields and Finsbury Square Conservation Area. The Flying Horse pub is grade II listed and is located on the corner of Wilson Street and Sun Street. All these designated heritage assets will be harmed as a result of a very dominant neighbour. This harm must be given considerable importance and weight, and there must be a strong presumption against the grant of planning permission in this instance.

Not only does the increased bulk and massing of the Application have its adverse effect on nearby designated conservation areas as a result of its proximity, height, scale and dominance, but it also creates a continuous street enclosure to Sun Street, of unacceptable and unprecedented proportion.

Please find Citydesigner's full illustrated comment in Appendix 2 of this document.

The effect on locally listed buildings in the London Borough of Hackney, also opposite the Site, will similarly be severe adverse in nature.

5. OTHER MATTERS

We are aware the City has recently introduced Wind Microclimate Guidance (August 2019) and Thermal Comfort Guidance for Developments in the City (December 2020).

The Thermal Comfort document was adopted after the Application was submitted and therefore, there is no reference to this document within the submission material. We trust the Applicant will be providing additional information in this regard and we are keen to understand the impacts on the OCP amenity spaces and reserve the right to respond to any further information submitted.

We are in the process of undertaking a review of the wind information through our client's wind consultants. There are initial concerns that the Application is increasing windiness in certain public locations without providing mitigation measures, and how this adverse impact meets City guidance. This is particularly true in areas along Wilson Street and the thoroughfare between the Site and 5 Broadgate. We are in the process of obtaining a wind flow model to visualize where the flows impact for different wind conditions. We will provide further correspondence on this matter separately.

6. CONCLUSION

Our principal reasons for objecting to the application are set out above. We and Henry Robinson (CBRE) would be happy to discuss these further with you if there is a need for any clarification.

Yours sincerely



Matthew Evans
Counsel

Encls.

Appendix 1 – Opinion from Charles Banner QC dated 6 January 2021 with cover letter

CBRE
St Martin's Court
10 Paternoster Row
London
EC4M 7HP

**CMS Cameron McKenna Nabarro
Olswang LLP**

Cannon Place
78 Cannon Street
London EC4N 6AF

cms.law

6 January 2021

Your ref One Crown Place
Our ref TIST/ASDM/CAP/164399.00002

Email

Dear CBRE

One Crown Place - Daylight and Sunlight Impacts on One Crown Place (the “Property”) from proposed development of a site known as 2-3 Finsbury Avenue EC2M 2PA (the “BL Site”)

We write further to your instructions on behalf of AMTD London Development Co Limited (“AMTD”).

AMTD is developing the Property pursuant to planning permission granted by the London Borough of Hackney dated 4 December 2015 with reference 2015/0877. The Property, once complete, will comprise of a mixed use scheme, but notably including residential development in the upper floors, and therefore is particularly susceptible to daylight and sunlight impacts from neighbouring schemes.

British Land (“BL”), operating through a subsidiary called Blue Button Properties UK Limited, propose to develop the BL Site. Planning permission for development at the BL Site was granted in March 2018 ((the “**Original BL Permission**”). BL have submitted a new planning application for development at the BL Site with reference 20/00869/FULEIA (the “**New BL Application**”) to the City of London (the “**Council**”), which is likely to have a greater daylight and sunlight impact on the Property due to its increased size, massing and proximity to the Property.

The methodology used to assess the daylight and sunlight impacts of the New BL Application scheme on the Property is not consistent with the BRE Guidelines. The Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare chapter of the Environmental Statement accompanying the New BL Application, in respect of the Property, incorrectly:

1. only assesses Average Daylight Factor, with no Vertical Sky Component assessment; and
2. principally assesses the difference between the Original BL Permission and the New BL Application, not between the current “on the ground” situation and the New BL Application.

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Accordingly, we instructed Charles Banner QC on your behalf to provide a written opinion on these matters and the potential consequences for the New BL Application. That written opinion is enclosed with this letter, and concludes:

1. it would be an error of law for the Council to determine the New BL Application on the basis that the BRE Guidelines have been applied but with an evidence base that considers ADF alone and not VSC in respect of the Property. This would be a clear misdirection given the unambiguous wording of the relevant parts of the BRE Guidelines, as cited in the enclosed opinion;
2. whether or not the Original BL Permission has been commenced, it would be legally erroneous for the Council to assess the environmental impacts of the New BL Application on the basis that, as contended in the Environmental Assessment accompanying that application, the only “meaningful” consideration is an assessment of the difference between the Original BL Permission and the New BL Application, as opposed to assessment of the difference between the current ‘on the ground’ situation and the development proposed by the New BL Application; and
3. as the Environmental Statement accompanying the New BL Application does not properly apply the BRE Guidelines, there is, therefore, no evidence currently before the Council to enable it rationally to conclude that there is compliance with relevant planning policies, as cited in the enclosed opinion. The grant of planning permission on the basis that, on the evidence base currently accompanying the New BL Application, these policies have been complied with would be vulnerable to judicial review.

We understand you intend to provide this letter and the accompanying written opinion from Charles Banner QC to the Council as part of your response to the consultation on the New BL Application, which should form material considerations in the City of London’s determination of the New BL Application.

Yours faithfully



CMS Cameron McKenna Nabarro Olswang LLP

Enc.

IN THE MATTER OF:
ONE CROWN PLACE, LONDON EC2A

OPINION

I. INTRODUCTION

1. I am instructed by CMS Cameron McKenna Nabarro Olswang LLP to advise AMTD London Development Co Ltd ("**AMTD**") in relation to a proposed development by British Land ("**BL**") at 2-3 Finsbury Avenue, London EC2M 2PA ("**the BL Site**"). AMTD is developing an adjacent site known as One Crown Place pursuant to a planning permission granted by the London Borough of Hackney on 4th December 2015.
2. The One Crown Place development is a mixed use scheme including two towers of 29 and 33 storeys featuring 247 residential units at levels 7 - 33. Residential development is particularly susceptible to reduction in daylight and sunlight from neighbouring development.
3. BL's subsidiary, Blue Button Properties Limited, obtained planning permission from the City of London Council ("**the Council**") for the development of the BL Site on 29th March 2018 ("**the BL Original Permission**") pursuant to an application made in 2016 and referenced 16/00149/FULEIA ("**the BL Original Application**"). That development comprised, amongst other details, of 32 upper floors.
4. AMTD had concerns about various aspects of the BL Original Application. Those concerns included the potential impact of the BL development, as then proposed, on the daylight and sunlight to be enjoyed by residents of the adjacent One Crown Place. I use the term "to be enjoyed" because at the time One Crown Place was under construction and not occupied.

5. AMTD sent a comprehensive objection letter privately to BL, whilst simultaneously in the public domain sending an unspecific holding objection to the City of London.
6. Subsequently, BL amended the BL Original Application in response to AMTD's concerns.
7. The case officer's report to the City of London's Planning Committee ("**the Committee**") for the BL Original Application recommended the grant of planning permission and, at paragraphs 196-226, expressed the view that the daylight and sunlight impacts on One Crown Place were acceptable. Members of the Committee accepted that advice and granted planning permission.
8. It is unclear whether BL has commenced the development authorised by the BL Original Permission.
9. Recently, BL has submitted a new application ("**the New BL Application**") for development at the BL Site for a larger development which, I am instructed, would have a greater impact on daylight and sunlight at One Crown Place than the development approved by the BL Original Permission.
10. The development of One Crown Place is nearly complete and is due to be occupied from May 2021, with around 65% of the units sold so far.
11. The New BL Application is EIA Development, as was the Original BL Application.
12. Chapter 11 of the Environmental Statement accompanying the New BL Application is entitled "*Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare*". In relation to the daylight and sunlight impact of the proposed development on One Crown Place, the following features are notable:
 - 1) Average Daylight Factor ("**ADF**") is assessed, with no Vertical Sky Component ("**VSC**") assessment; and

- 2) the assessment is principally of the difference between the Original BL Permission and the New BL Application, not between the current 'on the ground' situation and the New BL Application.¹
13. Against this background, I am asked to advise on what grounds, based upon the information available to date, can AMTD object to the New BL Application in respect of daylight and sunlight impacts, taking into account:
- 1) the correct/required methodology for assessing daylight and sunlight impacts arising from the New BL Application on One Crown Place bearing in mind that the latter is almost complete and the flats mostly sold;
 - 2) the required baseline to be adopted for carrying out that assessment; and
 - 3) the acceptability of incremental increases in daylight and sunlight impacts arising from the increases to the size of the BL scheme, in particular by reference to planning policy.
14. I deal with each of these issues in turn below.

II. ANALYSIS

(a) Methodology

15. The terms ADF and VSC derive from what are colloquially known as the "**BRE Guidelines**" (full reference: P. Littlefair, *Site Layout Planning for Daylight and Sunlight*, BRE Trust, 2011).
16. The BRE Guidelines are not law or development plan policy. They are, however, the industry standard framework for assessing the potential

¹ I say "principally", because the ES does include some limited commentary on baseline assessment for One Crown Place for daylight and sunlight against the existing position on the ground (see paragraphs 11.128-11.131 for daylight and 11.142-11.144 for sunlight - both of which outline a "major adverse impact (significant)" - but the text then steers the reader away from this baseline assessment as not being "meaningful".

daylight and sunlight impacts of proposed development. Where, as in the present case, the evidence base in support of an application for planning permission purports to apply the BRE Guidelines, and the decision-maker (here the Council) is invited to determine the application by reference to them, a misinterpretation of them and a consequent error of approach is capable of amounting to an error of law which could render a consequent grant of planning permission vulnerable to judicial review.

17. I do not repeat the definitions in the BRE Guidelines which I assume are familiar to the readers of this Opinion.

18. Section 2.2 of the BRE Guidelines is entitled “Existing Buildings”. It explains that VSC is the principal means of assessing daylight and sunlight impact on such buildings.

19. The first sentence of paragraph 2.1.8 of the BRE Guidelines states:

“Daylight provision in new rooms may be checked using the average daylight factor (ADF).”

20. Paragraph F6 of Appendix F of the BRE Guidelines elaborates on this distinction between “existing buildings” and “new rooms” in the following terms:

“In assessing the loss of light to an existing building the VSC is generally recommended as the appropriate parameter to use. This is because the VSC depends only on obstruction and is therefore a measure of the daylit environment as a whole. The average daylight factor (ADF) (Appendix C) also depends on the room and window dimensions, the reflectances of interior surfaces and the type of glass, as well as the obstructions outside. It is an appropriate measure to use in new buildings because most of these factors are within the developer’s control.”

21. The Glossary on page viii of the BRE Guidelines defines various terms for the purpose of the guidelines, but it does not define this term. Nowhere in the BRE Guidelines is there any express or necessarily implicit indication that, in order to amount to an “existing building” for this purpose” a building must

currently be occupied (let alone in what proportion). It must follow that “existing building” in the context of the BRE Guidelines, including the passages quoted above, should be given its ordinary meaning, namely a building which currently exists, whether or not and to whatever extent it is occupied.

22. This interpretation is also consistent with the rationale of the distinction between “existing buildings” and “new”, i.e. proposed/approved but not yet “existing” buildings, as set out in paragraph F6 of Appendix F. Once a building has been wholly or mainly constructed, as is the case in relation to One Crown Place, then it is no longer “within the developer’s control” to calibrate or recalibrate most or all of “the room and window dimensions, the reflectances of interior surfaces and the type of glass, as well as the obstructions outside”. In relation to a building which has not yet obtained planning permission or which has not yet started construction, most or all of these remain variables as contemplated by paragraph F6.
23. The consequence of this is that it would be an error of law for the Council to determine the New BL Application on the basis that the BRE Guidelines have been applied but with an evidence base that considers ADF alone and not VSC. This would be a clear misdirection given the unambiguous wording of the parts of the BRE Guidelines to which I have referred above.

(b) The baseline

24. Given that the consented and proposed development at 2-3 Finsbury Avenue is EIA Development, I approach this issue by reference to the EIA Directive² and EIA Regulations.³
25. Article 5(1)(b) of the EIA Directive requires, in relation to EIA Development, the ‘Environmental Impact Assessment Report’ (i.e., in the UK context, the

² Directive 2011/92/EU as amended by Directive 2014/52/EU.

³ Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Environmental Statement) to contain:

“a description of the likely significant effects of the project on the environment”.

26. Article 5(1)(f) further requires:

“(f) any additional information specified in Annex IV relevant to the specific characteristics of a particular project or type of project and to the environmental features likely to be affected.”

27. The information referred to in Annex IV includes:

“5. A description of the likely significant effects of the proposed project on the environment resulting from, inter alia:

(e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;

28. The final words of paragraph 5 of Annex IV state:

“The description of the likely significant effects on the factors specified in Article 3(1) [*which is the general provision in relation to the scope of EIA*] should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project.”

29. These requirements are transposed into English legislation by Regulations 2(1) and 18, and Schedule 4 of the EIA Regulations. As there is no suggestion that the EIA Regulations inaccurately transpose the EIA Directive, I do not quote their equivalent provisions to those of the EIA Directive quoted above.

30. In short, the requirement under the EIA Directive and EIA Regulations is to assess the likely significant environmental effects of the proposed development, including cumulative effects in combination with existing and/or approved projects.

31. In my opinion, if the development approved by the Original BL Permission

has not been commenced, meaning that the Original BL Permission remains unimplemented, then there can be no sensible doubt that the likely significant effects of the development proposed by the New BL Application are the effects of that development compared to the current situation 'on the ground'. That is the current status, both in reality and in planning law, of 2-3 Finsbury Avenue. The effect of the development proposed by the New BL Application would be directly to change that status, without the Original BL Permission ever having been implemented and without that Original BL Permission therefore ever having governed the planning law status of the site.

32. A failure to proceed on the basis outlined in the foregoing paragraph would, in my opinion, amount to an error of law and a valid ground for judicial review.
33. If it is demonstrated that the development permitted by the Original BL Permission has been commenced, then it is arguable that that development represents the baseline for the purposes of EIA assessment since the planning law status of the 2-3 Finsbury Avenue would then be governed by the Original BL Permission. There is a respectable counter-argument that if only relatively minor material operations have been undertaken, which have had the effect of implementing the Original BL Permission but which have not change the on the ground reality at the site, then the environmental effects of the development proposed by the New BL Permission should still be judged by reference to that on the ground reality. However the position is ambiguous and in the event of a judicial review there is a strong prospect that in this situation the High Court would hold that in this context the determination of the appropriate baseline is not a matter of law but a matter of evaluative judgment based upon the relative weight to be given to the implementation of the Original BL Permission on the one hand and the ongoing current on the ground status of the site on the other hand.
34. The onus of proof in this context is on BL to demonstrate that the

development under the Original BL Permission has been commenced. This is in line with the general principle in the civil law context that the person relying on a factual point has the burden of proving that point. It is also consistent with the precautionary principle, which is a general principle of EU law and governs the interpretation of the EIA Directive and thus the EIA Regulations. The precautionary principle requires EIA assessment to be undertaken by reference to the reasonable worst case scenario. Therefore if there is doubt as to whether the Original BL Permission has been commenced, that doubt should be construed against BL and in favour of assessing the impacts by reference to a baseline that excludes the Original BL Permission on a precautionary basis.

35. Even if there was sufficient evidence of the Original BL Permission having been commenced to arguably justify proceeding on the basis that the proper baseline for the purposes of EIA is the development under the Original BL Permission, the requirements under the EIA Directive and Regulations include an assessment of the likely significant cumulative environmental effects of the development in combination with other approved development. It would, in my opinion, be unlawful in this context to fail to have regard to the effects of the new BL Application in combination with the Original BL Permission. To do so would allow incremental increases in environmental impact without consideration of the totality of their effects. That is precisely the kind of salami-slicing that the EIA Directive is designed to prevent. See e.g. Case C-227/01 *Commission v Spain* [2004] ECR I-8253 at para. 53.
36. In conclusion, whether or not the Original BL Permission has been commenced, it would in my opinion be legally erroneous for the Council to assess the environmental impacts of the New BL Application on the basis that, as contended in the ES accompanying that application, the only “meaningful” consideration is an assessment of the difference between the Original BL Permission and the New BL Application, as opposed to assessment of the difference between the current ‘on the ground’ situation

and the development proposed by the New BL Application.

(c) Application of planning policy

37. The Development Plan for the purposes of s.38(6) of the Planning and Compulsory Purchase Act 2004 is, for the relevant area, comprised of the Council's Local Plan and the London Plan.

38. Policy DM10.7 of the Council's Local Plan states:

“Policy DM 10.7 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.”

39. Under this part of the development plan, therefore, it is obligatory to apply the BRE Guidelines to a proposed development.

40. The currently adopted London Plan 2016 provides at Policy 7.6 that buildings should:

“not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings”.

41. A new London Plan is expected imminently to be published, having been through examination which concluded in the examining Inspectors' report being published in October 2019. Policy 7.7D of the 'Intention to Publish' version of the new London Plan states, in relevant part:

“Tall buildings:

- a) should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference”.

42. Policy D9 of the same document further states, in relevant part:

“C. Development proposals should address the following impacts:

...

3) environmental impact

- a) wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building;

...

4) cumulative impacts

- a) the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting".

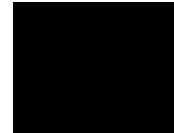
43. Although both versions of the London Plan do not make express reference to the BRE Guidelines, they require consideration of the impacts (including the cumulative impacts) of new development on the daylight and sunlight enjoyed by occupiers of neighbouring properties. Given that the BRE Guidelines are the industry standard framework for assessing such impacts, their application to a proposed development is an obviously material consideration in the context of considering these policies. This has been the consistent approach of the Planning Inspectorate in recent appeal decisions.⁴
44. Accordingly, under both components of the Development Plan – the Council’s Local Plan and the London Plan – it is necessary to apply the BRE Guidelines to the New BL Application in order for a decision to be reached as to whether there is policy compliance.
45. As I have explained above, the Environmental Statement accompanying the New BL Application does not properly apply the BRE Guidelines. There is, therefore, no evidence currently before the Council to enable it rationally to conclude that there is compliance with the policies which I have referred to above. The grant of planning permission on the basis that, on the evidence

⁴ See e.g. 64 Greenwich Park Street (APP/E5330/W/20/3245819; 15th October 2020); Lawrence Wharf, Rotherhithe Street (APP/A5840/W/19/3236753; 18th March 2020); 113-135 Lillie Road (APP/H5390/W/19/3232696; 22nd October 2019)

base currently accompanying the New BL Application, these policies have been complied with would be vulnerable to judicial review.

III. CONCLUSION

46. I have nothing further to advise as currently instructed but would be happy to advise further in due course if so required.



CHARLES BANNER Q.C.

**Keating Chambers
15 Essex Street
London
WC2R 3AA**

6th January 2021

Appendix 2 - Citydesigner's townscape comments on British Land's '3XN Broadgate Proposal'

Citydesigner's townscape comments on British Land's '3XN Broadgate Proposal'

The proposed development is high density, highly visible and immediately to the south of the Sun Street Conservation Area, creating a large scale continuous wall with towers extending up from it. The following sensitive environments are adversely affected. The relevant views are appended to this note.

St Paul's Cathedral

We acknowledge the dexterity with which the British Land team have managed their design in relation to the LVMF views. The views from Westminster Pier and Richmond Park, however, seem to be pushing unprecedented boundaries, where the proposal becomes the new definition of 'sky edge' to the right and left of the dome respectively, very close to replacing the traditional edge, in the case of the former i.e. the Downstream Shell Building (The White House). While the LVMF defines a general protected vista width equal to twice the width of the peristyle, the backdrop is considered qualitative to avoid a 'canyon effect'. In the Richmond Park view, No.1 of the townscape document (LVMF 9A.1), the canyon effect is intensified. In setting the parameters for the recently approved No.1 Crown Place scheme the effect from Westminster Pier was tested on a broader viewing place than the established viewpoint, for 7 metres either side of it. The question arises, how close to the peristyle does the British Land proposal get when the viewer moves 6 meters to the left of the viewpoint? Will it narrow the gap to an increased canyon effect? It should be tested.

A further critical view of St Paul's is from Waterloo Bridge near the National Theatre. It is clear from Views 7 and 7T that it causes an unacceptable backdrop to the dome much more obtrusively to the already constructed group, which stay clear of the dome, and more obtrusively so than the consented scheme for this site.

Sun Street Conservation Area

Sun Street is the boundary between the City and Hackney. The British Land proposal, gives Sun Street a podium height of a 14 storey continuous wall. This is a dramatically changed setting and one which will overwhelm the 19th century Sun Street terrace, which are locally listed buildings, and the listed Flying Horse Pub on the west corner. The approved scheme for the Crown Place site north of Sun Street places high buildings which recede from the Sun Street frontage owing to their triangular plan. The proposed scheme gives a continuous large scale plane directly on the frontage. This is an unacceptable street condition in most townscape environments but, in this case, it is wholly unacceptable opposite a valued heritage townscape. It is best illustrated by Views 28B, 33 and 34. In the first and the latter, the full scale of the street wall looms large over the street.

Even though it is the boundary between the different scales of Hackney and the City, the human experience of the street is currently acceptable, and will continue to be so with the construction of the triangular planned residential tower which offers its edge to the north side of the street.

The consequences of the scheme for people using and wishing to enjoy Sun Street, together with its interesting transitional qualities at the City boundary, are profound. The continuous plane of surface varying in height from 11 to 38 storeys is unprecedented on the frontage of a street such as this. It will be overbearing to users and together with the MAKE UBS building will give the unfortunate sense that the City is to be 'walled in' from Hackney.

While this approach to scale in the City may be acceptable in a large scale street such as Farringdon Road with the new Goldman Sachs building, Sun Street is of a different order in status, width and character. The Goldman Sachs's proposal rises from the back of the pavement of a metropolitan scaled street, but only to 10 storeys, compared to the proposal at a maximum of 38 storeys on a minor road.

Finsbury Circus Conservation Area

From the axial entrance to the Circus from the south side, in winter views, the visibility of the two towers of the No.1 Crown Place site, is acceptable, non-dominating and broken down in scale. The British Land proposal will appear much higher, as can be seen in Views 14W and 15 of the project's TVIA. It is closer to the Circus and of a much larger scale with its overpoweringly large, angular planes. It draws undue attention away from this 'gateway' to the Circus. While it is already the case that tall buildings are visible from various viewpoints around the Circus, none are as formal or as dominant. This is an imposition on the introductory views of the set-piece Circus townscape.

Bunhill Fields and Finsbury Square Conservation Area

In views from Finsbury Square the building will present as a very large lumpen scale, with its west elevation and combination of large triangular forms, cumulatively overpowering the southern half of the Square. While it is recognised as a 'modern' square, the public enjoyment of the space will be diminished by the over bulky and dominant nature of the proposal. View 18 shows the maximum level of dominance and View 17 also applies.

The following Appendix I illustrates these points and their captions emphasize the full effect.

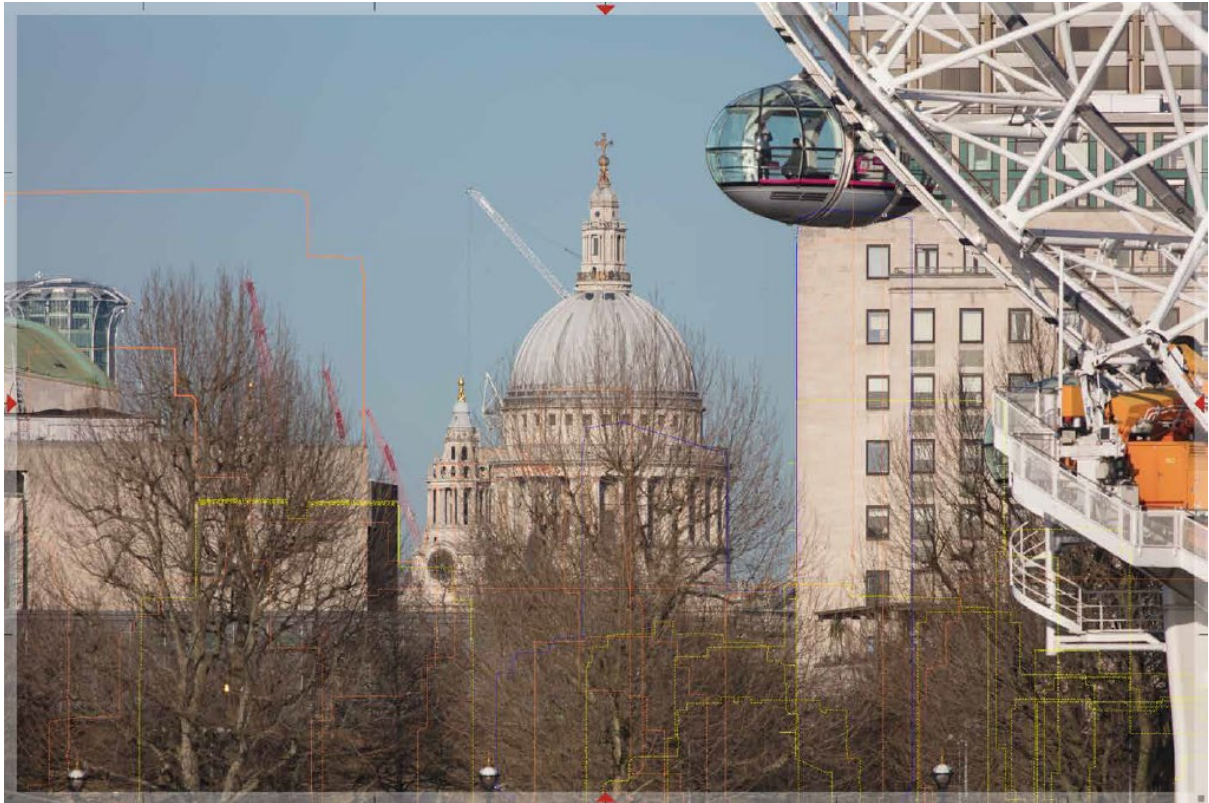
Richard Coleman
21 December 2020

Appendix I: 2 Finsbury Avenue TVIA selected views



View 1: LVMF 9A.1, King Henry VIII's Mound

The view is unique and development has been kept behind trees or at a low level. The Broadgate Tower creates a 'shadow line' behind the trees to the left which is already unfortunate. The proposal will worsen this by appearing as a bigger hard line which is further to the south. It should be remembered that this opening in the trees is managed by regular trimming, each side being trimmed alternately and thus giving rise to a subtle change in the gaps position in relation to the Dome. A degree of caution is thus required to prevent a hard line being visible at certain times in the cycle of trimming. This caution has not been applied, to the detriment of the Cathedral's setting.



View 2: LVMF 8A.1, Westminster Pier – the orientation plaque

While the development is not visible from this specific LVMF view point, movement of the viewer just slightly to the left will reveal it as a new edge to the existing 'canyon'. This should be explored with further views.



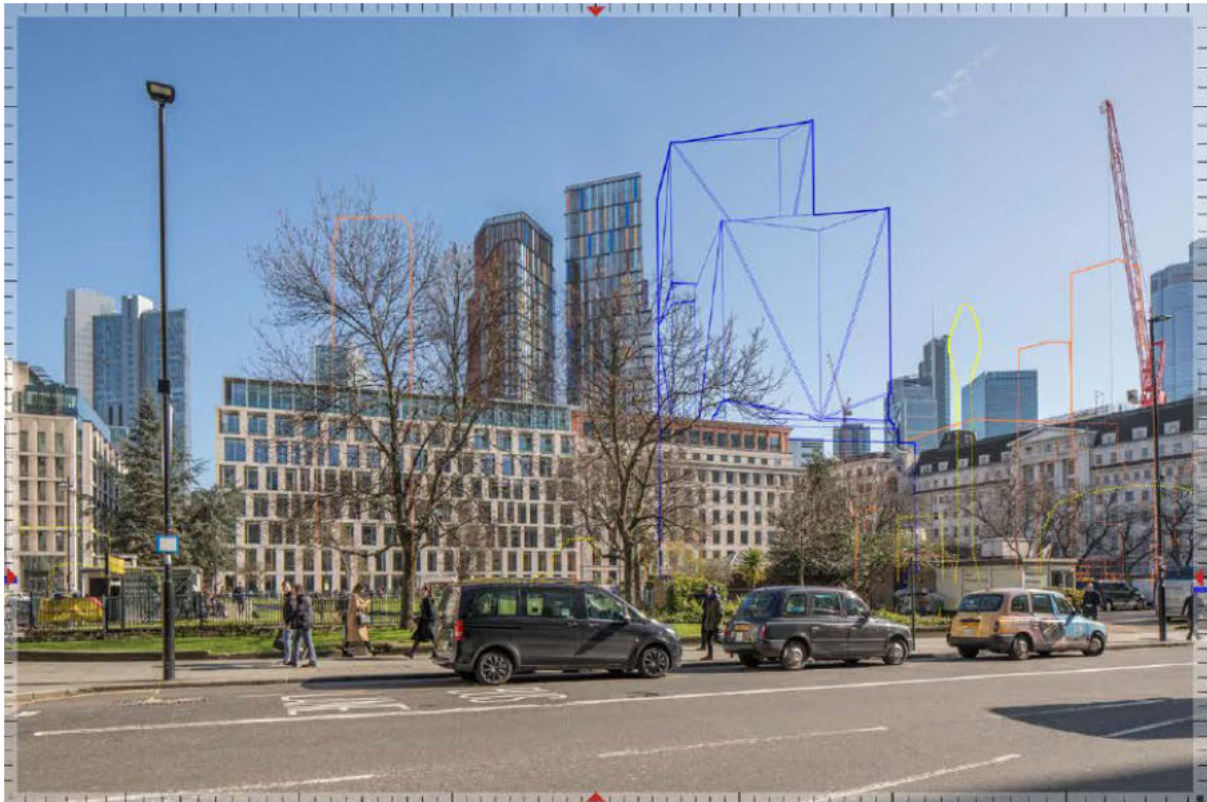
View 7T: Waterloo Bridge: downstream – alongside National Theatre, Telephoto

The view is with a zoom lens. Though not an LVMF view, it is an important informal view of the cathedral. Other permissions have been given which have damaged the appearance of the cathedral. These are generally understood to be mistakes. The proposal makes a massively bigger impact on the cathedral even than the consented scheme and, by implication, must be an even bigger mistake. Not only does it challenge the supremacy of the cathedral's dome, it exacerbates it by its unsympathetic angular planes. This is damage to the setting of one of the nation's most important Grade I listed buildings, which equates to 'less than substantial harm' at the highest level and could never be balanced by public benefits.



Views 14W and 15: Finsbury Circus

This would be the largest imposition on the Circus so far. There is a point at which a backdrop might otherwise be acceptable, but owing to its excessive size and unsympathetic design, it becomes unacceptable. Besides its size, its closeness and dominance in relation to the Circus's buildings introduces a sense of over-bearing.

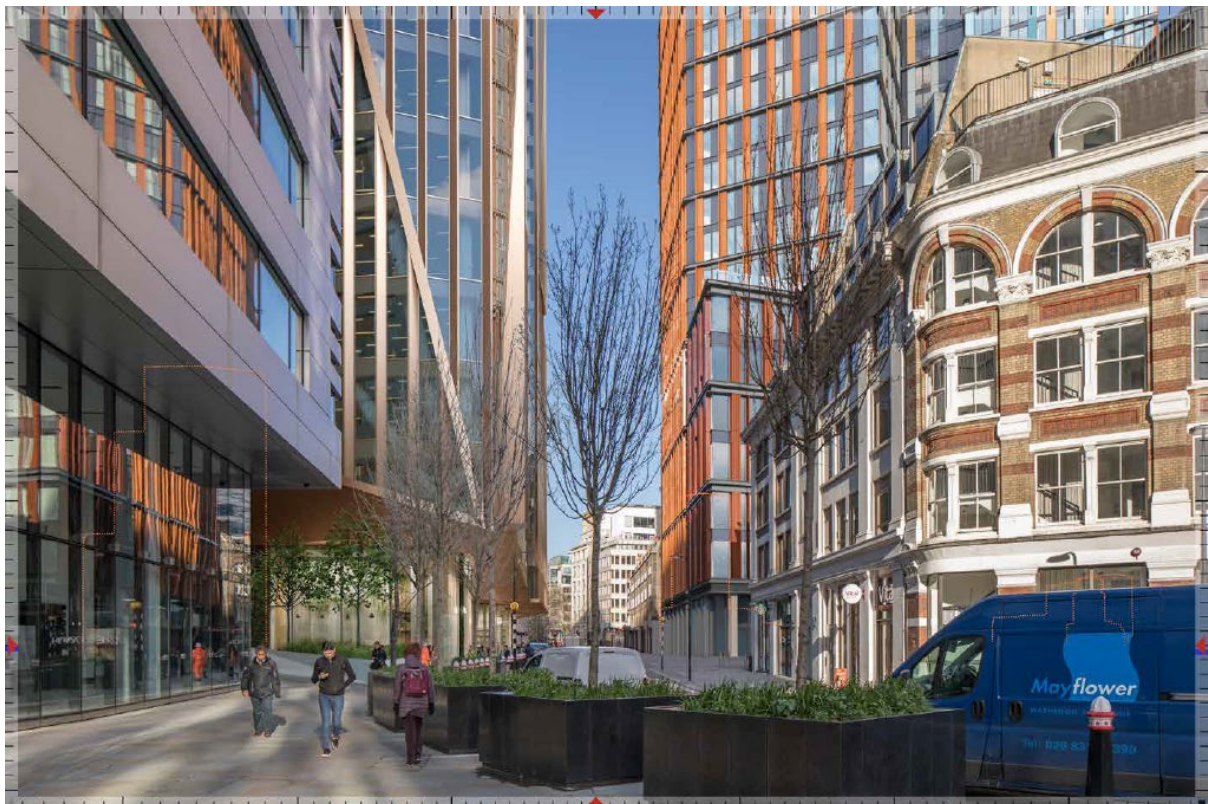


Views 17 and 18: Finsbury Square

Clearly, what is now a modern square, can accept a backdrop of taller elegant buildings. The development, however, has no elegance, is bulky, appears to be falling over and adds an angular phenomenon which is entirely unacceptable.



View 28B: Wilton Street



View 33: Appold Street



View 34: Sun Street

Views 28B, 33 and 34: Sun Street Conservation Area's immediate setting

These views show how together with the UBS building, the development will create an unrelenting high wall to the street which forms the City/Hackney boundary and the setting of the Sun Street Conservation Area. In pure streetscape terms, this will not be a pleasant street for users. The upper level shows the scale of the locally listed Georgian terrace, just beyond the 'orange' tower. The relative scales are incompatible.

Liam Hart

Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application Number: 2020/3831

Site Address: 2-3 Finsbury Avenue, London EC2M 2PF

Development Description: Notification from the City of London of application ref: 20/00869/FULEIA for the demolition of the existing buildings and construction of a new building arranged over three basement levels, ground and 37 upper floors to provide an office-led, mixed use development comprising commercial, business and service uses (Class E), flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); and learning and nonresidential institutions uses (Class F1); creation of a new pedestrian route through the site at ground floor level; hard and soft landscaping works; outdoor seating associated with ground level uses and other works incidental to the development. (The development would provide 85,009sq.m GEA of office floorspace (Class E); 4,397sq.m GEA of commercial, business and service uses (Class E); 1,097sq.m of flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); 2,239 sq.m GEA of learning and non-residential institutions uses (Class F1); and 16,058sq.m of ancillary plant, back of house and storage; total floorspace 108,800sq.m GEA; overall height 170.290m AOD).

Thank you for your recent application for the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council, either by post to the Hackney Planning Service, 2 Hillman Street, London, E8 1FB, by email to planning@hackney.gov.uk, or by phone to 020 8356 8062.

Yours sincerely



Natalie Broughton

Head of Planning and Building Control
Neighbourhoods and Housing

□

PLANNING DECISION NOTICE

7Town and Country Planning (Development Management Procedure) (England) Order 2015

Agent: Liam Hart

Applicant:

Part 1- Particulars of the Application	Application No:	2020/3831
	Date of Application:	24-11-2020
	Date Validated:	
	Application Type:	Adjoining Borough Observations

Proposal: Notification from the City of London of application ref: 20/00869/FULEIA for the demolition of the existing buildings and construction of a new building arranged over three basement levels, ground and 37 upper floors to provide an office-led, mixed use development comprising commercial, business and service uses (Class E), flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); and learning and nonresidential institutions uses (Class F1); creation of a new pedestrian route through the site at ground floor level; hard and soft landscaping works; outdoor seating associated with ground level uses and other works incidental to the development. (The development would provide 85,009sq.m GEA of office floorspace (Class E); 4,397sq.m GEA of commercial, business and service uses (Class E); 1,097sq.m of flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); 2,239 sq.m GEA of learning and non-residential institutions uses (Class F1); and 16,058sq.m of ancillary plant, back of house and storage; total floorspace 108,800sq.m GEA; overall height 170.290m AOD).

Location: 2-3 Finsbury Avenue, London EC2M 2PF

Part 2 – Particulars of Decision: **Objection**

The proposed development represents a significant increase in the bulk, height and scale of the proposed building in comparison to that of the previously approved building, which results in significant harm in terms of amenity and townscape/heritage.

Amenity - Since the previous approval the Crown Place development immediately to the North of the site has progressed significantly and is nearing completion. It includes a large number of residential units the occupiers of which would experience significant reductions in daylight, sunlight and outlook as a result of the proposed development in comparison to both the existing situation and the approved development. It is noted that the sunlight and daylight impact analysis does not include calculations for the Vertical Sky Component for the effected residential windows, and in order to fully assess the proposal VSC calculations would be required for the existing situation, the approved scheme and the proposed scheme in order to understand the additional impact of the extra bulk and height of the proposed building.

Townscape/Heritage - The additional bulk, height and scale of the proposed buildings would lead to increased visual dominance over the buildings to the North, and the area in general. This would be particularly harmful to the locally listed buildings at 5-15 Sun Street, the grade II listed Flying Horse PH, and the Sun Street Conservation Area. The proposed development is considered to be visually obtrusive and harmful to the setting of designated and non-designated heritage assets nearby.

Date of Decision: 14-01-2021

Yours sincerely



Natalie Broughton

**Head of Planning and Building Control
Neighbourhoods and Housing**

Liam Hart
Senior Planning Officer
City Planning Officer
Department of Planning and Transportation
The City of London
Guildhall
PO Box 270
London
EC2P 2EJ

DP9 Ltd
100 Pall Mall
London SW1Y 5NQ

Registered No. 05092507

telephone 020 7004 1700
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www.dp9.co.uk

Dear Liam,

2-3 FINSBURY AVENUE – 20/00869/FULEIA

RESPONSE TO OBJECTION OF AMTD LONDON DEVELOPMENT CO LIMITED ('AMTD')

On behalf of our client, Bluebutton Properties UK Limited ('the Applicant'), we wish to respond to the comments made by AMTD in their letter to you dated 11th January 2021.

Engagement/Consultation

We note that AMTD comment they only became aware of our alternative proposals for the development of 2-3 Finsbury Avenue from a flyer advertising the public consultation for the proposed development. We are surprised by this and would note that engagement with advisors acting for AMTD commenced at the end of 2019 at which point it was clear that the Applicant was developing new proposals for the site and engagement continued throughout 2020. The scheme freeze model was issued to AMTD advisors in early September 2020. We would have expected that such engagement would have been made known to AMTD by their advisors at the time.

Daylight & Sunlight Assessment

The Applicant's Daylight & Sunlight consultant, GIA, has undertaken further modelling as requested by AMTD which has been submitted under separate cover pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

One of AMTD's concerns relates to the daylight and sunlight assessment within the submitted Environmental Statement primarily being made by way of a comparison to the impacts associated with the extant planning permission for the redevelopment of the site granted in March 2018. The additional environmental information provided under separate cover directly addresses this concern. For the Corporation's information, we can confirm that the March 2018 planning permission remains a lawful planning permission that remains entirely capable of being implemented until March 2024.

It is the Applicant's belief that the revised proposals for the site represent a much-improved approach to the redevelopment of the site, capable of realising far greater economic, social and environmental benefits than that of scheme authorised by the extant planning permission.



Our assessment of the proposed development against the Development Plan in relation to daylight & sunlight matters contained within the Planning Statement (paragraphs 6.188 – 6.202) remains unchanged following the further assessment work undertaken by GIA. We do however note that both the Local Plan and the City's draft City Plan both acknowledge that the City Corporation will apply these methods for assessing daylight and sunlight consistent with BRE and NPPF guidance. *'...that ideal daylight and sunlight conditions may not be practicable in densely developed city-centre locations.'*

In addition to the additional environmental information that has been submitted, a letter prepared by GIA which provides some additional context for the daylight and sunlight impacts that have been reported in the assessments contained within the Environmental Statement is provided at Annex 1 of this letter.

Gap between the towers

The retention of a gap between the towers that is the same approximate width and location as that within the consented scheme formed part of the brief to 3XN when developing initial concepts for the redevelopment of the site. The drawings attached at Annex 2 provide an accurate comparison between the consented scheme and the proposed development. These drawings provide an accurate assessment of the gap because they have both been measured directly from digital models of the buildings. The AMTD letter does not explain how the images shown on page 4 of the letter were produced so it is not possible to verify their accuracy.

As identified by the attached drawings, the gap between the two towers is c.74mm less than that of the consented scheme. This represents a 0.7% difference from that within the consented scheme, which is well within normal measuring and construction tolerances. Such a negligible difference would have no noticeable effect on the outlook or sense of enclosure from the One Crown Place development in comparison to that of the consented development.

Harm to designated heritage assets and townscape

Please refer to Annex 3 of this letter for a response, prepared by the Tavernor Consultancy, to specific comments relating to townscape, heritage and visual impact raised within AMTD's letter.

As concluded by the Tavernor Consultancy, it is not accepted that the Proposed Development would harm LVMF views 8A.1 and 9A.1 in relation to the setting of St Paul's Cathedral, the incidental TVIA view 7 of St Paul's Cathedral, the setting of a listed building and unlisted buildings of merit within the Sun Street Conservation Area, nor views of the Finsbury Circus Conservation Area and the Bunhill Field and Finsbury Square Conservation Area.

We strongly believe that the Proposed Development is a considered and appropriate response to the specific constraints and opportunities of the site and its surroundings, which would be enhanced, and the relevant heritage assets left unharmed.

Thermal Comfort Assessment

A Thermal Comfort Assessment is currently in the process of being prepared and will be submitted to the Corporation in due course. As per the City's guidelines, *'Thermal Comfort Guidelines for Developments in the City of London'* this assessment does not form part of the Environmental



Statement. The results of the assessment will instead be used by the City Corporation to conduct a more holistic review of a building's impact on its surroundings.

We trust these comments are useful. Should you have any queries or wish to discuss then please contact either Tim Holtham or Mike Worthington.

Yours sincerely,

DP9 Ltd
Encs.



ANNEX 1 –

GIA LETTER



By Email

Liam Hart
Department of Planning & Transport
City of London
London

Dear Mr Hart,

Re: 2 Finsbury Avenue, London EC2M 2PA ("the Site")
Applicant: Bluebutton Properties UK Limited ("the Applicant")
Corporation Reference: 20/00869/FULEIA ("the Application")

Following the submission of the October 2020 Daylight, Sunlight, Overshadowing, Solar Glare and Light Pollution ES Chapter, a planning objection was lodged on behalf of the owners of One Crown Place (AMTD London Development Co Limited ("AMTD")). Contained within this objection was a request for additional assessments to be carried out by the Applicant in relation the neighbouring residential development known as 'One Crown Place' ("OCP").

The additional information requested is contained within an Addendum to the October 2020 ES, which has been submitted to the City Corporation today under separate cover. The purpose of this letter is to provide some additional context for the daylight and sunlight impacts that have been reported within the aforementioned document by reference to the following development scenarios (where applicable):

- Existing Baseline
- Existing Vs 'Proposed Development'; and
- Existing Vs '2016 Consented Development' (Planning Ref: 16/00149/FULEIA)

Any technical analysis referred to in this letter is the same technical analysis that is contained within the ES Addendum. In that way, we have not felt the need to re-append the same sizeable technical appendices to this letter.

Daylight***Vertical Sky Component (VSC)***

The ES Addendum contains an assessment of VSC to the neighbouring apertures of OCP. In undertaking our assessments, we considered a total of 1,548 windows relevant for daylighting testing.

'Proposed Development'

When assessed against the 'Proposed Development', 1,052 of the 1,548 windows comply with BRE recommendations. Of the 496 windows that fall short of BRE recommendations, 51 would experience an alteration in VSC between 20-29.9%, 94 windows would experience an alteration between 30-39.9% and the remaining 351 windows would experience an alteration in excess of 40%.

'2016 Consented Development'

Of the 1,548 windows assessed against the Consented Development, 1,120 would meet the recommendations set out within the BRE Guidelines. Of the 428 windows which experience impacts beyond the recommendations, 4 would experience an alteration in VSC between 20-29.9%, 110 would experience alterations between 30-39.9% and the remaining 314 windows would experience alterations in excess of 40%.

Based solely on percentage reductions, the difference between the 'Proposed Development' and the '2016 Consented Development' is that an additional 68 windows will experience further transgressions from the BRE Guidelines.

Given the fact that both the 2FA and OCP sites are located in the Central Activities Zone (a dense Central London urban environment) and that the OCP development is also located within a designated Opportunity Area, there is the potential for such percentage alterations to be disproportionately represented. In consideration of this, weight must also be assigned to the additional VSC reductions that any aperture may experience.

In a central London urban environment (such as that of the 2FA and OCP sites), it is often challenging, if not impossible, to fully adhere to the BRE recommendation of 27% VSC. It is commonly accepted by both the GLA and central London borough councils that to achieve a VSC in the mid-teens should be considered acceptable and that a VSC of 20% or above should be considered good.

The first two (of three) images within Figure 01 below, illustrates a side by side comparison of the retained VSCs against both development scenarios. Both development scenarios clearly demonstrate that from the 23rd floor upwards, all apertures will retain a VSC of at least a mid-teen value or above.

The third image within Figure 01 illustrates the additional VSC reductions to OCP resulting from the Proposed Development beyond those of the '2016 Consented Development'. This image clearly shows that the vast majority of apertures that experience a further reduction, do so marginally with 0-5% VSC change (green & yellow).

Where there are apertures which experience a larger change of +5% VSC (orange & red), these are primarily located on the upper floors (17th Floor and upwards) and on the western position of the site facing elevation. Whilst it is acknowledged that there will be a further reduction in the VSC levels to these windows, it is pertinent to note that the majority of these impacts exist to large corner rooms that have mitigating windows allowing light to enter the room from a second elevation which is largely unobstructed (see Figure 02 below).

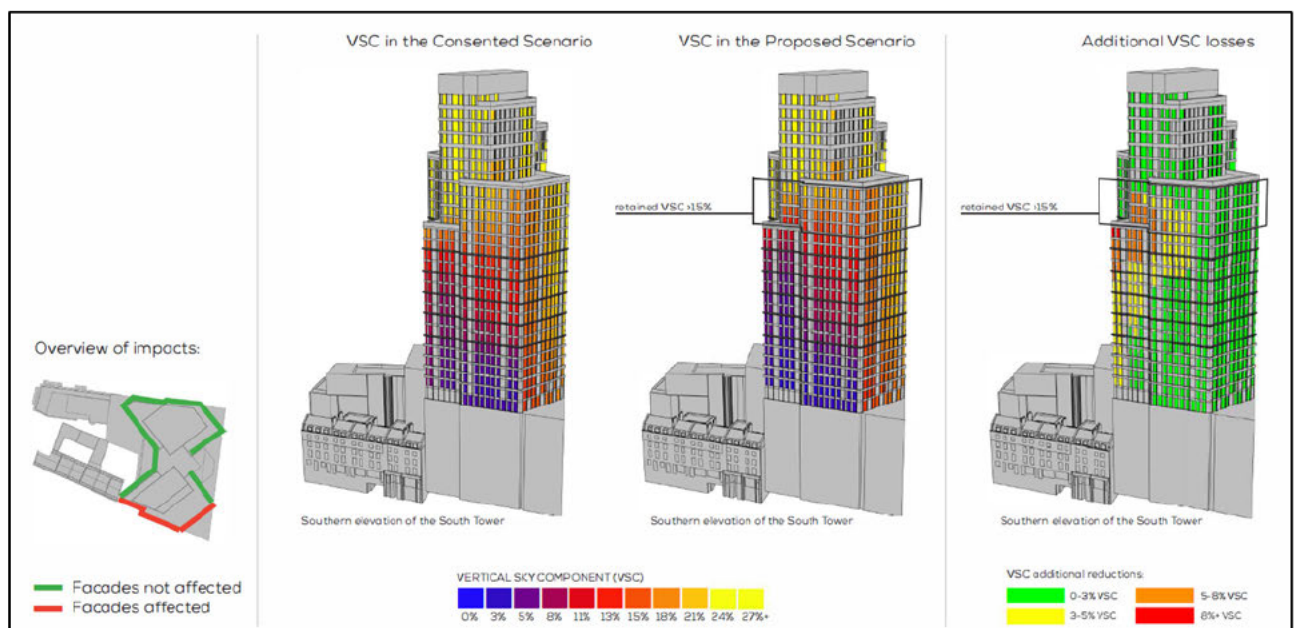


Figure 01 – Retained VSC Comparisons



Figure 02 – Additional VSC losses / Internal Floorplans

No Skyline (NSL)

Proposed Development

When considering the 'Proposed Development' against NSL, GIA have assessed 620 rooms within OCP relevant for assessment. Of these, 563 rooms assessed would meet BRE recommendations. Of the 57 remaining rooms, 4 would experience an alteration in NSL between 20–29.9%, 4 would experience an alteration between 30–39.9% and 49 rooms would experience an alteration in excess of 40%.

'2016 Consented Development'

When the '2016 Consented Development' is assessed using the same daylight methodology, 565 rooms assessed would meet the BRE's criteria. Of the 55 remaining rooms, 5 would experience an alteration in NSL between 20–29.9%, 25 would experience an alteration between 30–39.9% and the remaining 25 rooms would experience an alteration in excess of 40%.

Whilst it is accepted that the 'Proposed Development' will cause further reductions in NSL compared to the '2016 Consented Development', there are only two additional rooms which would experience reductions beyond the BRE Guidelines. Moreover, when these two rooms are examined further, one of the rooms (Room 279) only marginally trips into this category with a 20.4% change (against a 20% BRE target criteria).

Average Daylighting Factor (ADF)

The ADF daylight assessment methodology has been used in the October 2020 ES and the subsequent ES Addendum.

The Environmental Statement submitted in relation to the '2016 Consented Development' also used this daylight assessment methodology because it permitted a 'like for like' assessment in order to understand whether the unoccupied flats within OCP will meet the standards set out within the BRE Guidelines.

Existing Baseline

This is the on-ground today position. In this baseline scenario, 580 of the 620 rooms assessed would meet the recommendations set out within the BRE Guidelines.

Proposed Development

When the 'Proposed Development' is assessed, 499 of the 620 rooms would meet the BRE recommendations.

'2016 Consented Development'

When the '2016 Consented Development' is assessed, 513 of the 620 rooms would meet the BRE Guidelines.

Given that 2 Finsbury Avenue has an extant planning permission in place that is capable of being implemented up until 2024, it is reasonable to compare the effects of the 'Proposed Development' with the effects of the '2016 Consented Development' in addition to the current 'Baseline Condition'. When the 'Proposed Development' is assessed against the '2016 Consented Development', a further 14 rooms will fail to satisfy the BRE Guidelines.

When these 14 rooms are examined further, 12 rooms experience marginal alterations between 0.1 - 0.2% ADF. The remaining two rooms experience a minor reduction of 0.3%. The latter two rooms are considered to serve bedrooms, where there is a lesser expectation for daylight.

Of the 107 rooms which already fall short of the ADF methodology within the '2016 Consented Development', 45 rooms will experience no further reductions within the 'Proposed Development'. 50 rooms will experience a marginal 0.1% ADF reduction, 9 rooms will experience a 0.2% ADF reduction and the remaining 3 rooms will experience a minor reduction of 0.3% ADF.

Sunlight

'Existing Baseline'

This is the on-ground today position. In this baseline scenario, all 176 rooms assessed would meet the APSH recommendations set out within the BRE Guidelines.

'Proposed Development'

When the 'Proposed Development' is assessed, 121 of the 176 rooms would meet the BRE recommendations.

'2016 Consented Development'

When the '2016 Consented Development' is assessed, 144 of the 176 rooms would meet the BRE recommendations.

As per the above, it is reasonable to compare the effects of the 'Proposed Development' against the '2016 Consented Development' as well as against the current 'Baseline Condition'. When the 'Proposed Development' is assessed against the '2016 Consented Development', a further 23 rooms will fail to satisfy the BRE Guidelines for sunlight assessment.

When these 23 rooms are examined further, 13 rooms will experience the required annual probable sunlight hours (APSH) of 25% but fall short due to winter probable sunlight hours (WPSH). Furthermore, the remaining 10 rooms will experience at least 18% APSH which is considered good for a dense central London location.

Of the 32 rooms which already fall short of the sunlight criteria within the '2016 Consented Development';

- 3 rooms will experience a marginal 1% increase in APSH;
- 2 rooms will experience no further change in APSH;
- 9 rooms will experience a retained APSH above 26% but experience 3% WPSH;
- 9 rooms will experience a retained APSH above 20%;
- 7 rooms will experience percentage reductions between 5%-18%; and
- 2 rooms will experience percentage reductions of 24%.

Conclusions

The purpose of this letter is to provide some additional context for the daylight and sunlight impacts that have been reported within the ES Addendum. In reviewing the analysis, the following scenarios have been considered (where applicable):

- Existing Baseline
- Existing Vs 'Proposed Development' and
- Existing Vs '2016 Consented Development' (Planning Ref: 16/00149/FULEIA)

The 'Existing Baseline' is the current 'on the ground' position prior to any redevelopment of the existing 2-3 Finsbury Avenue site. It does however assume that OCP has been fully completed. Unsurprisingly, in this assessment scenario the ADF (daylight) assessment illustrates that 580 of the 620 rooms analysed will satisfy the BRE recommendations. Equally, when the same baseline is assessed against APSH (sunlight), all 176 rooms will adhere to the targets set out within the BRE.

It is accepted that the primary assessment to be undertaken should be that of the 'Proposed Development' against the 'Existing Baseline'. The ES Addendum explains that there will be a 'Major Adverse Effect' on the daylight and sunlight to OCP.

Notwithstanding the above, it is a material consideration that the principle of the '2016 Consented Development' has already been established and so it is pertinent to appreciate and understand the extent to which further effects (if any) on daylight and sunlight may impact OCP as a result of the new development that is now being proposed compared to the development previously granted planning permission. A summary of these findings is presented below;

Daylight

- In relation to VSC, 68 additional windows will experience transgressions from the BRE Guidelines. When the actual percentage change in VSC is reviewed, the vast majority of apertures will experience a marginal VSC change of 0-5%. In the instances where the change is higher than this value, the windows serve mostly open plan L/K/D's located on the western portion of the site facing elevation, where there are several windows and a second (unobstructed) elevation which continues to experience good daylight. Furthermore, from the 23rd storey of the building upwards, the retained values of VSC will be at least 15%, which is widely considered to be an acceptable level of daylight for a central London location, particularly those within designated Opportunity Areas where planning policy seeks to optimise development densities and outputs.
- Whilst it is accepted that the 'Proposed Development' will cause further reductions in NSL compared to the '2016 Consented Development', there are only two additional rooms which would experience reductions beyond the BRE Guidelines. Moreover, when these two rooms are examined further, one of the rooms (Room 279) only marginally trips into this category, with a 20.4% change (against a 20% BRE target criteria).
- When assessed against the ADF methodology, 14 additional rooms demonstrate transgressions beyond the BRE Guidelines compared to the '2016 Consented Development'. Of these 14 rooms, 12 rooms will experience a marginal 0.1% - 0.2% change and the remaining two rooms will experience a minor 0.3% reduction. The latter two rooms serve bedrooms where there is a lesser expectation for daylight.

Sunlight

- An additional 23 rooms will fall short of BRE recommendations for sunlight assessment compared to the '2016 Consented Development'. 13 of these rooms will retain the required 25% APSH and will only fall short of guidance due to WPSH. The remaining 10 rooms will experience at least 18% APSH, with 3% WPSH. Such retained probable sunlight hours should be considered good for a dense urban locality, such as that of the application site.

Overall, the conclusion within the relevant Environmental Statements for both the 'Proposed Development' and the '2016 Consented Development' is that of a 'Major Adverse Effect.' Notwithstanding this, when the Proposed Development is compared against the Consented Development, the daylight and sunlight impacts are not considered to be dissimilar to those already approved, given the nature of the small reductions noted.

Yours sincerely,

Stephen Friel
Senior Partner

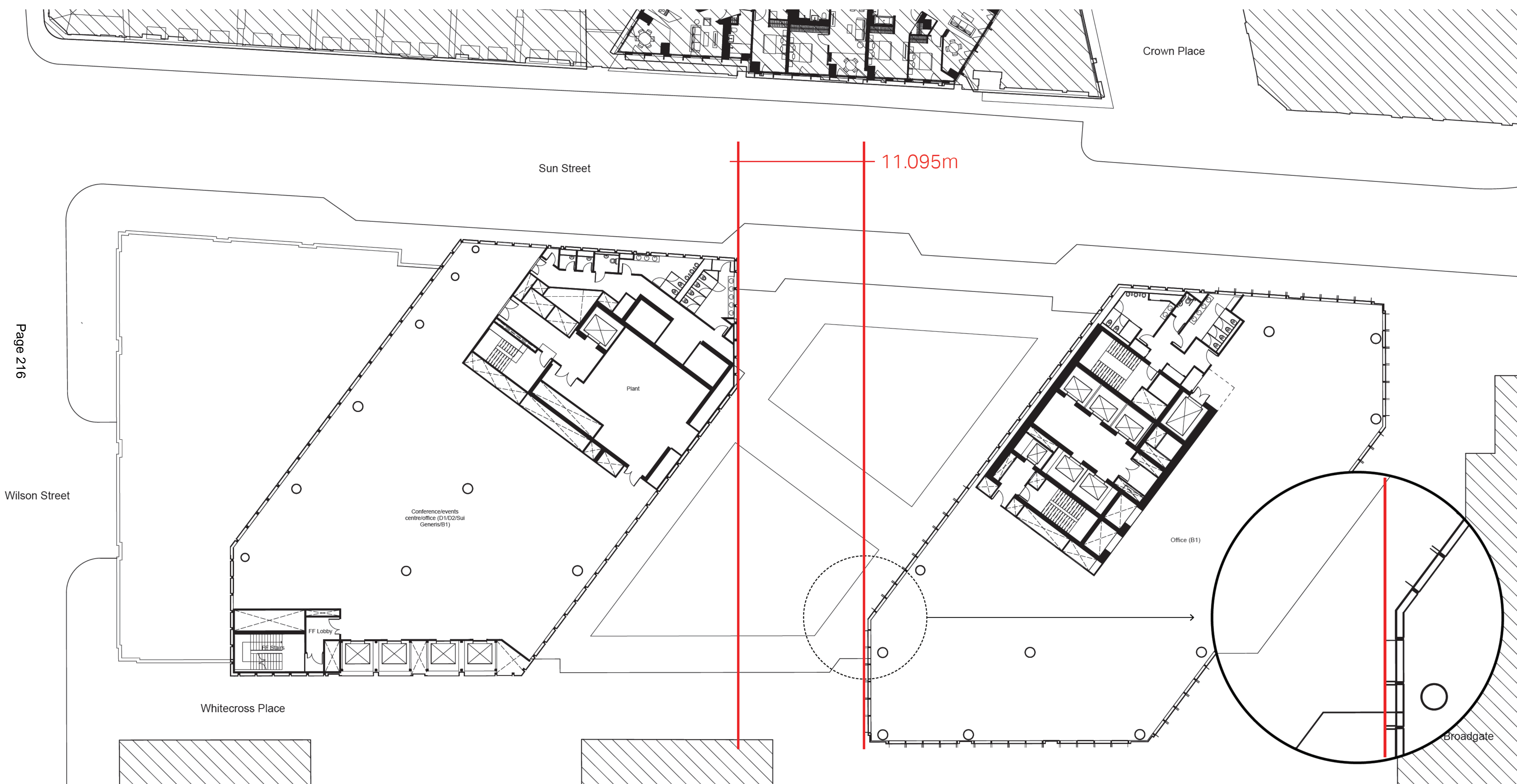




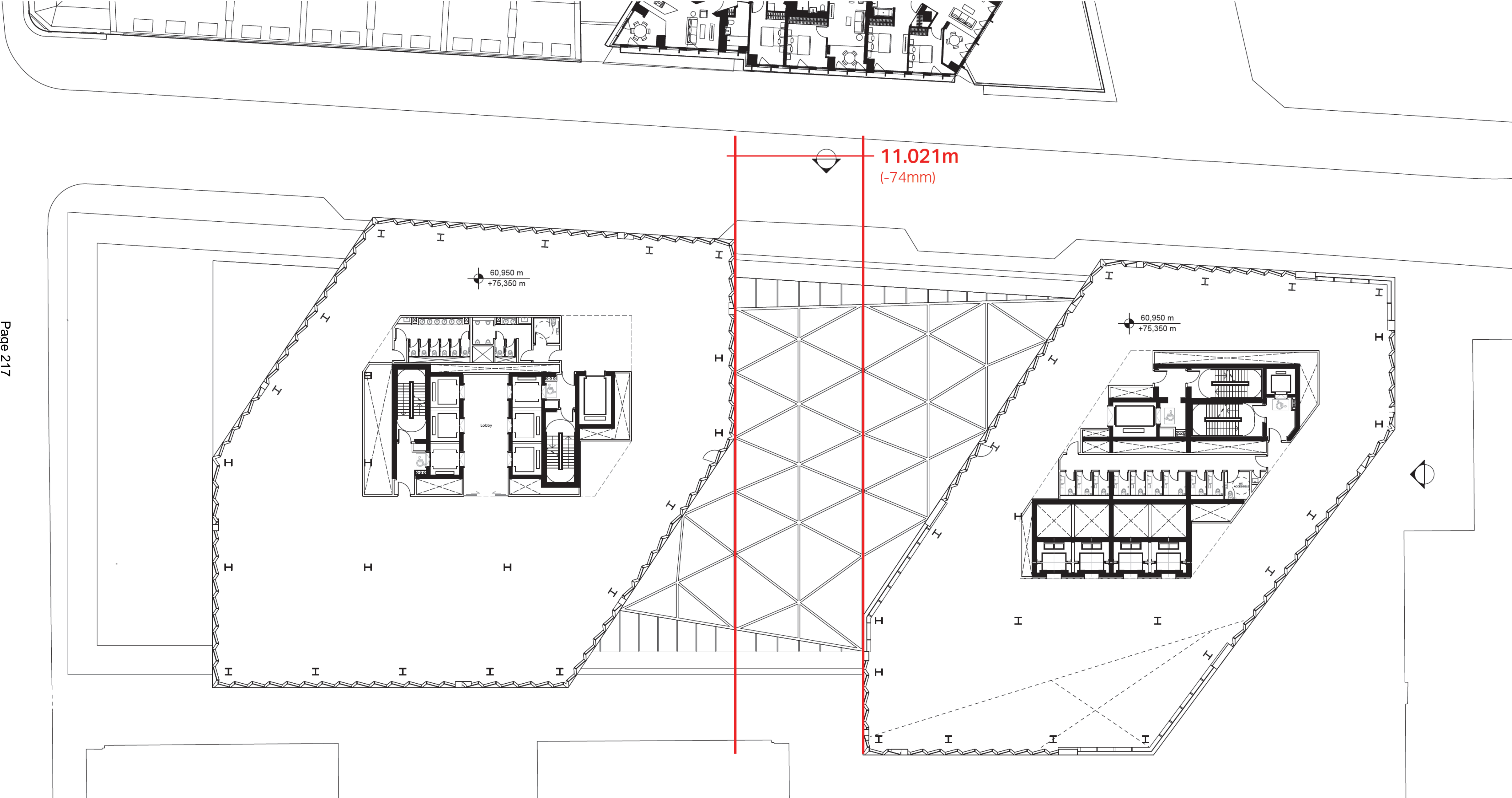
ANNEX 2 –

DRAWINGS ILLUSTRATING THE GAP BETWEEN THE TOWERS

CONSENTED



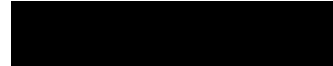
PROPOSED





ANNEX 3 –

TAVERNOR CONSULTANCY REBUTTAL TO TOWNSCAPE, HERITAGE AND VISUAL IMPACT COMMENTS



2 Finsbury Avenue, London, EC2M 2PA – Planning Application Ref: 20/00869/FULEIA

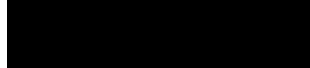
Response to Citydesigner's comments within letter of objection from Forsters LLP (dated 11 Jan 2021) submitted on behalf of AMTD London Development Co Limited, the owners of One Crown Place

Introduction

1.0 This rebuttal by the Tavernor Consultancy has been prepared in response to the specific objections relating to townscape, heritage and visual impact that are raised by Citydesigner in Section 4 and Appendix 2 of the objection letter. Our response focuses on the views and heritage assets that Citydesigner allege would be harmed by the Proposed Development: LVMF views 8A.1 and 9A.1 in relation to the setting of St Paul's Cathedral, and an incidental view 7 of St Paul's Cathedral; and the visual impact on the setting of a listed building and unlisted buildings of merit within the Sun Street Conservation Area, and views in relation to the Finsbury Circus Conservation Area, and Bunhill Field and Finsbury Square Conservation Area.

LVMF view 8A.1 (Westminster Pier) and LVMF view 9A.1 (Richmond Park – King Henry VIII's Mound)

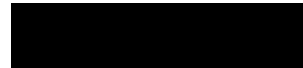
1.1 **Citydesigner objections:** Citydesigner acknowledge that the Proposed Development has been designed in relation to the LVMF view constraints. However, Citydesigner comment, *"The views from Westminster Pier and Richmond Park, however, seem to be pushing unprecedented boundaries, where the proposal becomes the new definition of 'sky edge' to the right and left of the dome respectively, very close to replacing the traditional edge, in the case of the former [Westminster Pier] i.e. the Downstream Shell Building (The White House)."* For



LVMF 8A.1, Citydesigner acknowledge that *“the development is not visible from this specific LVMF view point”* but comment that a broader viewing place should be tested from a position slightly to the left to further explore visibility.

Citydesigner also comment that in the Richmond Park view *“the canyon effect is intensified”* and that the Proposed Development would appear as a *“bigger hard line”* in front of the Broadgate Tower which Citydesigner describe as creating a *“shadow line behind the trees”*.

- 1.2 **Tavernor response:** The Proposed Development has been carefully designed through a long process of detailed visual testing and analysis to ensure that the proposal would not adversely impact on the visibility of St Paul’s Cathedral from these fixed LVMF viewing positions. Whilst it is acknowledged that many townscape views are experienced kinetically and that the visibility of a landmark or the composition of any view may alter as one moves slightly away from a viewing position, it should be noted that LVMF views 8A.1 and 9A.1 are protected Linear Views of St Paul’s Cathedral. These views are, by definition, *“narrow, linear views to a defined object”* (London Plan Policy 7.11), with a ‘linear view’ further described in the London Plan ‘Publication’ version (December 2020) as *“A view in which key landmarks are seen through narrow gaps between buildings or landscaping”*. Linear views are experienced from fixed and established viewing positions/ assessment points, and therefore movement slightly to the left or right of this viewing position is not relevant to the assessment of the impact on this specific LVMF view.
- 1.3 In regard to LVMF 8A.1 from Westminster Pier, the Proposed Development has been carefully designed to respond to the parameters set by this specific LVMF view; the Western Tower would be screened from view by the dome and peristyle of St Paul’s Cathedral and the Eastern Tower by the Whitehouse building to the right. It therefore accords with the LVMF parameters and satisfies London Plan Policy 7.11 and Policy HC4 within the new London Plan ‘Publication’ version (December 2020).
- 1.4 From LVMF 9A.1 (Richmond Park), the Eastern Tower of the Proposed Development would be located well to the left of St Paul’s Cathedral and in line with the silhouette of the existing Broadgate Tower further south. It would not encroach any further towards St Paul’s Cathedral in this view than the Broadgate Tower. During the summer months the Proposed Development would be entirely concealed



by the trees of the avenue. During the winter months there may be some slight visibility of the proposed Eastern Tower, but this would be negligible and visible at a considerable distance. It would not detract from the focal point of the view: St Paul's Cathedral.

- 1.5 We do not agree that the Proposed Development would be visible as a *"bigger hard line"* in LVMF 9A.1, or that it would be detrimental to the setting of St Paul's Cathedral. The neutral colouration of the Proposed Development would ensure that any visual impact would be negligible, and if noticed at all it would be understood as part of and would reinforce the visual frame of the view. It would leave the significance of St Paul's in this view unharmed.
- 1.6 The LVMF Visual Management Guidance for View 9A.1 states that: *"Trees should be pruned in order to preserve the existing narrow view of St Paul's Cathedral, while also obscuring the existing tall buildings in the City of London."* (LVMF SPG, 2012, para 177), and therefore that vegetation in the foreground of the view should be managed to ensure the prominence of the Cathedral is maintained.

View 7 and 7T: Waterloo Bridge: downstream – alongside National Theatre, Telephoto

- 1.7 **Citydesigner objection:** Citydesigner comment that the Proposed Development would cause *"an unacceptable backdrop to the dome much more obtrusively to the already constructed group, which stay clear of the dome, and more obtrusively so than the consented scheme for this site."*, further arguing that: *"Not only does it challenge the supremacy of the cathedral's dome, it exacerbates it by its unsympathetic angular planes."* Citydesigner conclude that this impact *"equates to 'less than substantial harm' at the highest level and could never be balanced by public benefits."*
- 1.8 **Tavernor response:** Citydesigner's comments focus upon the telephoto version of this view. However, as Citydesigner will be aware, the telephoto view is not representative of the standard viewer's experience of this view, which is illustrated appropriately, according to industry standards, in ES Volume 2 (pages 54-55) by use of a standard lens. The telephoto view is provided in addition to the appropriate photographic view in the TVIA only to provide greater clarity – as, in fact, the



relationship between the dome of the cathedral and the Proposed Development will not be clearly evident from this view location and distance.

- 1.9 Also, Citydesigner incorrectly comment that the existing group of tall buildings in the background of St Paul's Cathedral "*stay clear of the dome*". As shown in the 'existing' view in ES Volume 2 (pages 54 and 56), the Broadgate Tower is clearly visible in the background behind part of the dome of St Paul's Cathedral.
- 1.10 The Proposed Development would screen the Broadgate Tower and, whilst appearing taller, it would remain beneath the base of the Cathedral's lantern and it would be in line with the Broadgate Tower and would thus not encroach further into the backdrop of the dome. The proposed muted light colour palette articulated by elegant triangular folds and the well-defined vertical emphasis of the proposed tower would provide an elegant modern contrast to the grey leadwork of the Cathedral dome in its foreground, without appearing visually dominant. The Proposed Development would appear in relation to the existing modern tall buildings in the Cathedral's backdrop and distinctly separate from it.
- 1.11 We believe the Proposed Development would improve on the presence of the existing Broadgate Tower because of the subtle colour contrast. The Proposed Development has been carefully conceived and designed so that it is visible as a distinctly separate and background element in the view, leaving the silhouette of the Cathedral's dome more visually distinct than it is presently. We strongly disagree that the Proposed Development would result in less than substantial harm to St Paul's Cathedral. Indeed, we believe the current view would be enhanced.
- 1.12 It should be emphasised that view 7 is an incidental view and does not carry the weight of the relevant LVMF views from Waterloo Bridge. We note that Citydesigner does not allege any harm to the LVMF views from Waterloo Bridge.

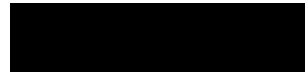
Sun Street Conservation Area

- 1.13 **Citydesigner objection:** Citydesigner describe the Proposed Development in relation to Sun Street as a "*continuous wall*" and that this is "*a dramatically changed setting and one which will overwhelm the 19th century Sun Street terrace, which are locally listed buildings, and the listed Flying Horse Pub on the west corner.*"



Citydesigner further comment that *“In pure streetscape terms, this will not be a pleasant street for users.”*

- 1.14 **Tavernor response:** The base of the Proposed Development has been carefully designed to provide a human scale to Sun Street. At ground floor level the transparent glazing and light-coloured metal window frames would result in a light and open base to the building which would redefine and reactivate the character of the street corner and would draw visitors towards the building. Its rectilinear glazed ground floor elevation would provide a positive street junction building, which would mediate between the greater scale and mass of the Proposed Development beyond, and the lower scale of the traditional brick buildings of the Sun Street Conservation Area. This coupled with the light colouration, transparency and simple modern character of the ground floor would ensure that the historic buildings within the Conservation Area are not over-shadowed by the increase in scale and massing within their setting and that their contribution to the streetscape remains prominent. The architectural detailing and new visual permeability along the street would greatly enhance the pedestrian experience of Sun Street.
- 1.15 The dynamic angled form of the proposed canopy along Sun Street would emphasise human scale and activity – which would become a significant aspect of this locality with the visual and physical permeability into the uses around the base of the Proposed Development. Above the canopy the large transparent glazing of the first floor will highlight the publicly accessible ‘Open Learning Hub’ function within the building and would indicate a clear destination to encourage pedestrian movement into the building, whilst also providing a visual distinction from the massing above and thus further reinforcing the human scale.
- 1.16 The height of the first floor would be similar to the historic terrace on the opposite side of Sun Street thus responding to the scale of the opposite corner to ensure that the Proposed Development does not appear overbearing. Furthermore, given the presence of the existing tall buildings within the OCP development which lie within the boundary of the Sun Street Conservation Area itself and adjacent to the locally listed terrace, we do not agree that the Proposed Development would *“dramatically change”* the setting of these heritage assets, nor result in any harm to their significance. We believe the street experience and relationship with the listed and unlisted buildings of merit along Sun Street would be enhanced.



Finsbury Circus Conservation Area

- 1.17 **Citydesigner objection:** In regard to the axial entrance to Finsbury Circus from the south side, Citydesigner comment that the Proposed Development “*draws undue attention away from this 'gateway' to the Circus. While it is already the case that tall buildings are visible from various viewpoints around the Circus, none are as formal or as dominant. This is an imposition on the introductory views of the set-piece Circus townscape.*”
- 1.18 **Tavernor response:** The Proposed Development would be visible in views from the southern entrance to Finsbury Circus, rising above the Circus buildings. Whilst it would appear closer to Finsbury Circus and taller than OCP, it would be visible as a secondary background element within the view and as a distinct and separate group with OCP, whilst complementing the other distant tall buildings seen to the southeast when advancing from this viewing position around the Circus. The Proposed Development would draw the eye through the space without diminishing the sense of enclosure or withdrawing from the horizontality and visual prominence of the Circus buildings in the foreground. The Proposed Development would not detract from the quality of the view, the viewer’s experience or the established sense of enclosure and it would not harm the significance of the heritage assets. It would form a high-quality addition to the background skyline, urban layering and wider setting of Finsbury Circus which is already defined by tall buildings.

Bunhill Field and Finsbury Square Conservation Area

- 1.19 **Citydesigner objection:** “*In views from Finsbury Square the building will present as a very large lumpen scale, with its west elevation and combination of large triangular forms, cumulatively overpowering the southern half of the Square. While it is recognised as a 'modern' square, the public enjoyment of the space will be diminished by the over bulky and dominant nature of the proposal.*”
- 1.20 **Tavernor response:** The vertical emphasis of the Proposed Development would act as a strong counterpoint to the horizontal character of the foreground buildings surrounding the Square, ensuring and reinforcing the visual prominence and



hierarchy of the Square and its surrounding buildings, as opposed to “*overpowering*” them. Views throughout Finsbury Square in all directions are defined by tall buildings which form the backdrop to the Square and define its setting. The dynamic architectural design of the Proposed Development would contribute positively to the modern character of the Square’s setting, marking the northern gateway into the City (and the Broadgate Campus) and enhancing the point at which the Borough boundaries of the City, Hackney and Islington meet.

- 1.21 The Proposed Development is set-back from Finsbury Square and the foreground buildings would remain visually prominent and it would therefore not appear as “*over bulky and dominant*”. The podium roof terrace of the proposed Western Tower would be visible broadly in line with the roofline of 33 Finsbury Square. This would add significant urban greening and visual interest to the view, whilst also responding successfully to the roofline of the foreground buildings. The high-quality and dynamic architectural design of the Proposed Development, together with the urban greening at terrace level, would enhance the overall character of the view and the public enjoyment of Finsbury Square.

Final Conclusions regarding the specific objections relating to townscape, heritage and visual impact that are raised by Citydesigner

- 1.22 In conclusion, we do not accept that the Proposed Development would harm LVMF views 8A.1 and 9A.1 in relation to the setting of St Paul’s Cathedral, the incidental TVIA view 7 of St Paul’s Cathedral, the visual impact on the setting of a listed building and unlisted buildings of merit within the Sun Street Conservation Area, nor the views in relation to the Finsbury Circus Conservation Area, and Bunhill Field and Finsbury Square Conservation Area. We strongly believe that the Proposed Development is a very skilful response to the specific constraints and opportunities of the Site and locality, which would be enhanced generally and the relevant heritage assets left unharmed.

Tavernor Consultancy
20 January 2021

GREATER **LONDON** AUTHORITY

Good Growth

Liam Hart
Senior Planning Officer
Development Division
Department of the Built Environment
City of London
PO Box 270, Guildhall
London EC2P 2EJ

Our ref: 2020/6825/S1
Your ref: 20/00869/FULEIA
Date: 25 January 2021

By Email

Dear Liam

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

2-3 Finsbury Avenue, London EC2M 2PF

Local Planning Authority reference: 20/00869/FULEIA

I refer to the copy of the above planning application, which was received from you on 25 November 2020. On 25 January 2021 the Mayor considered a report on this proposal, reference 2020/6825/S1. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

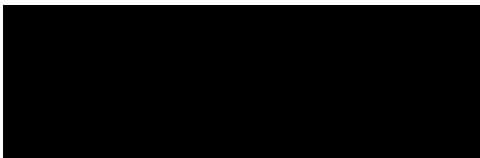
The Mayor considers that the application does not yet comply with the London Plan and the Publication London Plan for the reasons set out in paragraph 62 of the above-mentioned report; but that the possible remedies set out in that report could address these deficiencies.

The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations. The environmental information made available to date has been taken into consideration in formulating these comments.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged; or direct the Council under Article 6 to refuse the application; or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. You should therefore send the Mayor a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is Emily Hindle, email **v_EmilyHindle@tfl.gov.uk**.

Yours sincerely



John Finlayson
Head of Development Management

cc Unmesh Desai, London Assembly Constituency Member
Andrew Boff, Chair of London Assembly Planning Committee
National Planning Casework Unit, MHCLG
Lucinda Turner, TfL
Mike Worthington, DP9 Ltd, 100 Pall Mall, London SW1Y 5NQ

2-3 Finsbury Avenue

Local Planning Authority: City of London
local planning authority reference: 20/00869/FULEIA

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of the existing buildings and construction of a new building arranged over three basement levels, ground and 37 upper floors to provide an office-led, mixed use development comprising 106,615 sq.m. (GIA) of commercial floorspace including office (Class E), drinking establishment uses (Sui Generis), learning and non-residential institutions uses (Class F1); and the creation of a new pedestrian route through the site at ground floor level, hard and soft landscaping works and outdoor seating.

The applicant

The applicant is **Bluebutton Properties UK Limited** and the architect is **3XN Architects**.

Strategic issues summary

Principle of development: Given the proposal's contribution to the strategic functions of the CAZ and provision of publicly accessible space within the building, the principle of development is strongly supported in strategic planning terms in line with London Plan Policies 2.10, 2.11 and 7.7 and Publication London Plan Policies D9, SD4 and SD5, subject to the public's access to the "Open Learning Hub" being robustly secured in the Section 106 agreement (paragraphs 16-20).

Heritage and urban design: The approach to design is broadly supported, with well activated frontages, improved permeability across the Broadgate Campus and height and massing that reflects the emerging cluster of tall buildings around Bishopsgate. The less than substantial harm that would be caused to historic assets would be outweighed by the public benefits of the scheme (paragraphs 21-39).

Transport: The new pedestrian route should be publicly accessible at all times and secured via the Section 106 agreement, short-stay cycle parking increased and clarification provided in terms of Blue Badge parking. Contributions toward the proposed TfL Cycleway and cycle hire are sought; and, a cycle promotion plan, full delivery and servicing plan and construction logistics plan should be secured by condition (paragraphs 40-53).

Sustainable development: Additional information with respect to connecting to the Citigen network and the provision of photo voltaic is required; the urban greening proposed off-site across the Broadgate Campus should be robustly secured by the Corporation; and, further information on the circular economy is required (paragraphs 54-58).

Recommendation

That City Corporation be advised that whilst the proposal is strongly supported in principle, the application does not currently fully comply with the London Plan and Publication London Plan for the reasons set out in paragraph 62. Where the associated concerns within this report are addressed, the application may comply with the London Plan and Publication London Plan.

Context

1. On 25 November 2020, the Mayor of London received documents from City Corporation notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Corporation with a statement setting out whether he considers that the application complies with the London Plan and Publication London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
2. The application is referable under the following Categories of the Schedule to the Order 2008:
 - **Category 1B 1(a):** *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings - in the City of London and with a total floorspace of more than 100,000 square metres”*; and,
 - **Category 1C 1(b):** *“Development which comprises or includes the erection of a building of... more than 150 metres high and is in the City of London”*.
3. Once City Corporation has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or, allow the Corporation to determine it itself.
4. The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has been taken into account in the consideration of this case.
5. The Mayor of London's statement on this case will be made available on the GLA website: www.london.gov.uk.

Site description

6. The 0.49-hectare application site is in the Central Activities Zone (CAZ) and comprises two 1980's commercial office buildings located at the northern end of Finsbury Avenue Square within the Broadgate Estate. The site is also immediately adjacent to the administrative boundaries of the London Boroughs of Hackney and Islington.
7. The site is bounded by Finsbury Avenue Square and 1 Finsbury Avenue to the south, Sun Street to the north and Wilson Street to the west. Finsbury Pavement is the closest part of the Strategic Road Network, and Bishopsgate (A10) lies approximately 400 metres to the east.
8. In terms of nearby heritage assets, the adjacent 1 Finsbury Avenue is Grade II listed with Sun Street Conservation Area opposite the site and the Grade II listed Flying Horse Public House on the north eastern corner of Sun Street and Wilson Street.
9. Liverpool Street Station is within 200 metres of the site and is served by Central, Circle, Hammersmith & City and Metropolitan lines, TfL Rail and national rail

services. Moorgate station is also within 400 metres of the site and provides access to the underground and national rail services. Docklands Light Railway and Waterloo & City line services are within walking distance at Bank station. Liverpool Street will be served by Crossrail, with an additional entrance at Moorgate. There are bus stops on Liverpool Street, Bishopsgate, Finsbury Pavement, Appold Street, Moorgate, Eldon Street and Finsbury Square, providing access to a wide range of bus services. The site therefore achieves a public transport access level (PTAL) of 6b, which represents the highest level of connectivity. A cycle hire docking station is located opposite the site at the junction of Sun Street and Crown Place, where Cycle Superhighway 1 terminates and joins a local east – west cycle route.

Details of this proposal

10. The proposal involves the demolition of the existing buildings and the redevelopment of the site by erection of a building (ground plus 37 storeys, with 3 basement levels), to provide:

- 83,301 sq.m. (GIA) of office floorspace (Class E);
- 4,309 sq.m. (GIA) of commercial, business and service uses (Class E);
- 1,075 sq.m. (GIA) of flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis);
- 2,194 sq.m. (GIA) of learning and non-residential institutions uses (Class F1); and,
- 15,736 sq.m. (GIA) of ancillary plant, back of house and storage.

Case history

11. GLA officers held pre-application discussions with the applicant on this scheme in July and September 2020 covering issues in relation to principle of development, heritage and urban design, transport, energy, flood risk, sustainable drainage, urban greening and circular economy. The advice notes issued by the GLA indicated that the office-led scheme in the Central Activities Zone would be supported, subject to robustly securing the details and management of the publicly accessible space. Any future planning application also needed to address the issues raised during the pre-application process on tall buildings, heritage and urban design, environment and transport with relevant policies.

12. Prior to this proposal, GLA planning officers met with the applicant team and planning officers from City Corporation to discuss similar proposals for the site in September 2015. A formal application was subsequently received in March 2016 and the former Deputy Mayor, acting under delegated authority, issued the initial consultation response to City Corporation in April 2016. This application sought the demolition of existing buildings and construction of a part 36, part 20, part 13, part 8 storey building to provide office accommodation; flexible retail uses; cafe/restaurant; events space and a publicly accessible roof terrace and associated landscaping (total floor area 85,378 sq.m. GIA). The City Corporation resolved to grant consent in October 2016 and notified the Mayor of London of this decision in August 2017. The Mayor of London on 4 September 2017 advised the Corporation that he was content for it to determine the case itself, subject to any action that the Secretary of State may take. The application was granted consent by the Corporation on 29 March 2018.

Strategic planning issues and relevant policies and guidance

13. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2015 City of London Local Plan, and the 2016 London Plan (Consolidated with Alterations since 2011).

14. The following are relevant material considerations:

- National Planning Policy Framework and National Planning Practice Guidance;
- The Report of the Examination in Public of the draft London Plan was published in October 2019, and the Intend to publish London Plan version (December 2019) was subsequently submitted to the Secretary of State. On the 13th March and 10th December 2020, the Secretary of State issued the Mayor with directions under Section 337 of the Greater London Authority Act 1999. On 21st December 2020 the Mayor submitted to the Secretary of State his Publication London Plan with amendments designed to address these directions. This is the most up to date version of the Mayor's London Plan and should be taken into account as a material consideration on the basis described in the NPPF; and,
- Draft City Plan 2036 Proposed Submission (August 2020).

15. The relevant issues and corresponding policies are as follows:

- | | |
|-----------------------------|---|
| • Principle of development | <i>London Plan; Central Activities Zone SPG; London Plan; Culture and Night-Time Economy SPG;</i> |
| • Heritage and urban design | <i>London Plan; Character and Context SPG;</i> |
| • Strategic views | <i>London Plan; LVMF SPG;</i> |
| • Inclusive access | <i>London Plan; Accessible London: achieving an inclusive environment SPG;</i> |
| • Sustainable development | <i>London Plan; Sustainable Design and Construction SPG; Mayor's Environment Strategy; and,</i> |
| • Transport and parking | <i>London Plan; the Mayor's Transport Strategy.</i> |

Principle of development

16. London Plan Policies 2.10 and 2.11 and Policies SD4 and SD5 of the Publication London Plan support the provision of office and retail uses in the Central Activities Zone (CAZ). In addition, London Plan Policy 7.7 and Publication London Plan Policy D9 require tall buildings to incorporate free to enter publicly accessible areas.

17. The site is currently occupied by a building providing 22,462 sq.m. (GIA) of commercial floorspace comprising 21,839 sq.m. (GIA) of office and 623 sq.m. (GIA) of retail. The proposed development would deliver 90,879 sq.m. (GIA) of modern commercial floorspace, including office and non-residential institution uses, which represents uplift of approximately 68,400 sq.m. (GIA). An additional 15,736 sq.m. (GIA) of floorspace is proposed to cover ancillary plant, storage and back of house operations.

18. Unlike the consented scheme, publicly accessible space is not proposed as a viewing area on the upper floor. The proposal opts to employ a novel approach to delivering publicly accessible space via the provision of a highly visible “Open Learning Hub” at ground, first and second floor levels, which dominates the corner of Wilson Street and Sun Street. Outfitted with flexible floorplates, it is envisaged that this space would be used by a diverse range of learning providers, from local non-profit organisations to national institutions and global brands, to deliver formal and informal learning environments geared towards local communities within the City of London (and adjacent boroughs) as well as city workers.
19. Policy D9 of the Publication London Plan states that free-to-enter public space should normally be provided at the top of a prominent tall building, to afford wider views across London. However, in view of the building’s location within the City of London, where there are a number of alternative free-to-enter public spaces at the top of buildings, plus the unique proposition for the public space in this instance, and the prominent location at street level for the proposed community learning hub, officers are of the view that this could provide greater public benefit than a viewing gallery in this instance. This approach to providing publicly accessible space in the building is therefore supported in this case, subject to the details of public access, including access hours and free-of-charge access to the public and a management plan, being fully set out and robustly secured in the Section 106 agreement in order to ensure that the space is fully open and welcoming to the community. These public benefits should be permanently secured.
20. In view of the proposed development’s contribution to the strategic functions of the CAZ and provision of publicly accessible space within the building, the principle of development is strongly supported in strategic planning terms in line with London Plan Policies 2.10, 2.11 and 7.7 and Publication London Plan Policies D9, SD4 and SD5, subject to the public’s access to the “Open Learning Hub” being robustly secured in the Section 106 agreement.

Heritage and urban design

Heritage

21. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “*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*”. The NPPF states that when considering the impact of the proposal 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. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
22. As set out in paragraph 8 of this report, there are designated heritage assets within the vicinity of the site. The proposal would also be visible from other nearby conservation areas, including the South Shoreditch Conservation Area and the Bunhill Conservation Area. The applicant has submitted a Townscape, Heritage and Visual Impact Assessment (THVIA) in the Environmental Statement Volume 2, which considers the proposal’s impact on heritage assets.

23. Regarding the adjacent 1 Finsbury Avenue, it is recognised that nos. 2-3 Finsbury Avenue make a contribution to the significance of this listed asset given the similarities in terms of design and materiality and for being the work of the same architectural studio, though the buildings are not of high enough design quality to be listed in their own right. The proposed development would clearly alter the existing setting of the listed building. However, it is not considered that the impact would harm its significance, given that the building's significance is derived from its architectural features and quality rather than its setting, which is already dominated by tall and large modern buildings within the City of London.
24. Like the extant scheme the proposed new building would be physically separate from the listed building. The lowest element of the new building would sit to the west and would be viewed in the street frontage adjacent to 1 Finsbury Avenue. Viewpoint 26 (Wilson Street, south – position 1) in the TVHIA demonstrates that the part of the proposed building fronting Wilson Street would be similar in height to the adjacent 1 Finsbury Avenue and the proposal's materiality and colouration would provide a contrasting backdrop for the listed building. This makes 1 Finsbury Avenue, which sits between the proposal and 12 Wilson Street, easily discernible as its architectural elements would be better revealed.
25. In terms of the impact on the nearby listed buildings, conservation areas and the wider historic setting (which is audited within the submitted townscape heritage and visual impact assessment), it is acknowledged that the building would alter the setting of the buildings in the immediate vicinity though it is not considered that the existing building contributes to the historic significance of the setting. The proposal would be seen in conjunction with historic buildings and heritage assets in longer townscape and strategic views, most notably it would be seen prominently in views from Finsbury Square, and would appear above the roofline of listed buildings in Finsbury Circus, which are within the Finsbury Circus Conservation Area. Given that the proposed building would be seen in the background of heritage assets in these views and taking into consideration the existing and emerging tall buildings context that are also visible in these views, any harm caused to the significance or appreciation of the abovementioned historic assets would be less than substantial harm.
26. The NPPF at paragraph 196 makes clear that 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. In keeping with the guidance contained in the NPPF, London Plan Policy 7.8 and Policy HC1 of the Publication London Plan state that development should conserve heritage assets and avoid harm.
27. Having carefully considered the townscape, built heritage and visual impact assessment, and having had special regard to the desirability of preserving the setting of listed buildings, GLA officers are of the view that the less than substantial harm identified in the above previous paragraph in relation to the listed buildings in Finsbury Circus would be clearly outweighed by the public benefits of the scheme, namely the provision of modern office and other commercial floorspace, publicly accessible floorspace targeting nearby residents and city workers and new pedestrian routes leading to improved pedestrian permeability in the vicinity that collectively would contribute to the broader objectives of the CAZ and by extension

London's status as world class city. The proposal would therefore address the requirements of the policies set out above.

Urban design

28. The proposal meets the definition of a tall building as set out Policy D9 of the Publication London Plan, which also makes clear that tall buildings should only be developed in locations identified in local plans as being suitable for such buildings. Policy CS14 of the City Local Plan and Draft City Plan Policy S12 identify areas within the City of London that are considered inappropriate for new tall buildings. The application site does not fall within any of the identified areas and is therefore considered to be a location where a tall building is acceptable in principle, subject to the highest standards of architecture and urban design, as prescribed by Publication London Plan Policy D9 and London Plan Policy 7.7.
29. The height and massing of the proposal is broadly supported. Forming part of an emerging cluster of tall buildings around Bishopsgate, the scheme would appear as a simple, refined expressive form from most views. The taller elements broadly align with the scale of emerging development near to the site, including the 33-storey Crown Place, 50-storey Principal Place and 46-storey Bavaria House. Similar to the consented scheme, the positioning of the tallest element on Finsbury Avenue Square would serve to denote this area of the Broadgate Estate with the potential to contribute towards local way-finding.
30. In terms of layout, the scheme responds positively to its immediate context and exhibits high levels of active frontage, with commercial and business uses, the Open Learning Hub and entrances provided at the ground floor. The proposed development would also significantly improve permeability across the Broadgate Campus, providing easy links to existing and future transport services and public spaces that are nearby.
31. The improved permeability mentioned above involves the creation of a new public route from Finsbury Avenue to Sun Street. The pedestrian network around the building is therefore expected to see increased flows of movement; and, as such, further improvements to the public realm and opportunities for urban greening around the building have been considered. More detailed comments and analysis of this consideration is set out under healthy streets and urban greening later in this report.
32. The façade design, which is influenced by performance and usability of spaces, is supported. The sustainability-driven, circular economy approach to materials is also supported and the façade materials would complement the building's context. The Corporation's planning officers should seek to secure a high quality of design through conditions linked to facade details and additional material specification; and the officers should also consider securing the retention of the architect throughout the build project via the Section 106 to ensure continuity and quality of design within the Broadgate Estate.

London View Management Framework (LVMF)

33. Notwithstanding the site's suitability for a tall building, the development has the potential to impact on strategic views of St. Paul's Cathedral, particularly those from Westminster Pier (Linear View 8A.1), King Henry's Mound (Linear View 9A.1), which the site sits between, as well as the River Prospect from Waterloo Bridge

(River Prospect 15B.2). A wide range of verified view studies are set out in the accompanying THVIA to demonstrate the potential impact on the relevant strategic views, including rendered views of the proposal from LVMF views 15B.1 & 2; and wirelines from LVMF views 8A.1; 9A.1; 10A.1; 11B.2; 13A.1; 13B.1; 16B.1 & 2; 17B.1 & 2.

34. When viewed from the River Prospect 15B.2, the tower will appear in the emerging cluster of tall buildings to the west of St Paul's Cathedral. While the proposals would marginally increase the scale of development closest to the St Paul's this will not negatively impact on the existing clear sky background or the current composition of the view. The dome and western towers remain prominent in the river prospect and therefore the proposals are not considered to adversely affect this strategic view.
35. The tower would not be visible from Linear View 8A.1 from Westminster Pier, thus maintaining the visual frame around the strategic landmark. With regard to King Henry's Mound (Linear View 9A.1), it is also demonstrated that the elements of the proposed building visible in this view would appear as part of the emerging cluster of tall buildings around Bishopsgate and would not detract from the viewer's ability to recognise and appreciate the Cathedral. The proposed building would not be visible in views towards and from the Tower of London World Heritage Site.
36. In relation to River Prospect 11B.2, the THVIA includes an aligned view which looks north-east and captures the existing view from London Bridge towards King William Street (not the LVMF downstream view). In this view, the Grade II* and Grade II listed Fishmonger's Hall and Adelaide House respectively are visible in the middle ground and 68 King William Street, with its dome, in the background. Tall buildings in Bishopsgate are prominent in the view to the right. The proposed building would appear in the background to the left of 68 King William Street; however, this building and the silhouette of its dome would remain perceptible and its contribution to the termination point of this view would remain.
37. The visualisations presented in the THVIA demonstrate that the proposals are compliant with the LVMF and London Plan Policy 7.12. and Publication London Plan Policy HC4.

Fire safety

38. The application is accompanied by a fire safety statement prepared by suitably qualified personnel at OFR Fire and Risk Consultants, 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. This accords with Policy D12 of the Publication London Plan and the measures contained within the statement should be secured via planning condition.

Inclusive access

39. London Plan Policy 7.2 and Policy D5 of the Publication London Plan seek to ensure that proposals achieve the highest standards of accessible and inclusive design. Access routes, entry points, and movement within the building and across the site have been designed to be accessible in line with Publication London Plan Policy D5 and London Plan Policy 7.2. Accessible WC facilities would also be provided in appropriate numbers and locations and the proposed showers at basement would also include accessible shower rooms. A non-gendered shower

and WC is also proposed at basement level and the provision of gender neutral facilities is under consideration. The Corporation should ensure that the surface materials used across the public realm are durable, slip resistant and conducive to wheelchair users and people with walking aids.

Transport

Trip generation and public transport impacts

40. In line with Publication London Plan Policy T4, the applicant has undertaken a trip generation assessment which demonstrates that the proposed scheme is expected to create a minor increase in trips when compared to the existing building and previously consented scheme. In terms of impact on the underground network, an assessment of impact on the station capacity is ordinarily required. Overall, however, it is expected that the increase in demand can be absorbed via active travel and public transport.

Healthy streets and Vision zero

41. The extension of the proposed footway widening along Sun Street and covered publicly accessible pedestrian route through the site between Finsbury Avenue Square and Sun Street would provide additional pedestrian capacity within the Broadgate Campus. This is strongly supported in accordance with Publication London Plan Policies D8, T1, T2 and T3. Access to the new pedestrian route should be available to the public at all times of the day in perpetuity and this should be secured in the S106 agreement.
42. A growth assumption of 18% has been used to assess the pedestrian comfort levels on the surrounding footways. The applicant should provide further justification on this and further explanation of how exactly it has been used within the PCLs' calculation. Notwithstanding, the PCL analysis submitted shows scores of at least B+ expected on local footways in the future baseline 'with proposed development' scenario, which is welcomed. The ATZ Assessment includes key walking routes from the site to local transport stops and stations. The routes assessed, however, do not include the junction of South Place, Eldon Street and Wilson Street. As the junction and adjacent area has been identified as being in need of public realm and safety improvements by the Crossrail Liverpool Street Urban Integration Design Study 2011, crossing facilities and general walking conditions at the junction should be improved in order to support the proposed development and footways widened if possible.
43. A Stage 1 road safety audit (RSA) has been undertaken, which is welcomed. The proposed removal of parking bays should be secured by condition or in the Section 278 agreement. All highway works proposed, secured and eventually delivered should also follow the design guidance in the TfL Streets toolkit and the new TfL cycle route quality criteria.

44. The proposed highway works are supported in accordance with the Mayor's Transport Strategy and Vision Zero Action Plan.

Cycling

45. A cycling promotion plan has been provided in place of a travel plan; this is supported and should be secured by condition and discharged in consultation with TfL. Given the expected increase in demand for TfL Cycle Hire in the local area, a

Section 106 contribution of £220,000 towards the delivery of a new cycle hire station is requested. Similarly, a financial contribution to assist with the timely delivery of a future TfL Cycleway that is proposed to directly serve the site is sought in line with Publication London Plan Policy T5.

Parking

46. The development would be car free; this is welcomed. The applicant should, however, clarify and provide information on the provision of Blue Badge parking.
47. The long-stay cycle parking proposed would meet the minimum standards of the Publication London Plan, which is welcomed. In terms of short-stay cycle parking, only 42 of the 156 spaces required to meet the minimum standards are proposed, with 20 to be provided in the public realm in accordance with the London Cycling Design Standards (LCDS). Additional short-stay cycle parking could be provided across the Broadgate Campus and the applicant should therefore work with City Corporation to ensure compliance with Policy T5. This should be resolved prior to the Mayor's final determination at Stage II and secured as appropriate.
48. All cycle parking should be designed and laid out in accordance with the LCDS. Where two-tier racks are provided, they should have a machinal or pneumatically assisted system for accessing the upper level and the rack itself must allow for double locking. The proposed access to cycle parking is supported; however, the lift should be capable of accommodating adapted cycles for disabled people and reflect the size requirements laid out in the LCDS. The proposed access controls and cycling welfare facilities, including showers and lockers, are supported in accordance with Publication London Plan Policies T1 and T5.

Deliveries and servicing

49. A framework delivery and servicing plan (DSP) has been submitted. To ensure compliance with Policy T7 of the Publication London Plan, a detailed DSP (prepared in line with TfL's latest guidance) is required and should be secured by condition. The proposed access and egress for servicing vehicles is acceptable in line with Policy T7; and the focus on the use of an off-site consolidation centre is strongly supported and should be used wherever possible. The online delivery booking system proposed should be implemented from the outset and the provision of electric vehicle charging points and cargo cycle spaces (within the servicing area) is welcomed.

Construction

50. The application is accompanied by an outline construction logistics plan (CLP); therefore, a full construction logistics plan (CLP) should be submitted in line with TfL guidance. This full CLP should commit to ensuring that all construction vehicles serving the site are part of TfL's Freight Operator Recognition Scheme (FORS). Additionally, in view of the timed traffic restrictions that are temporarily in force along the A10 as part of the Streetspace for London programme, further discussion and consultation with TfL is required prior to the approval of this CLP.
51. The proposed temporary zebra crossing between Wilson Street and Whitecross Place is welcomed and safe routes for walking that are fully accessible for people of all ages and abilities should be provided around the site throughout construction.

52. The applicant should also ensure that all construction vehicle movements are safe and support the Mayor's Vision Zero approach, including the Direct Vision Standard and HGV safety permit for HGVs. Regarding the proposed use of a tower crane, TfL should be consulted on the planned access routes and timing.
53. A staff travel plan will be prepared, which is welcomed. This should be prepared in consultation with TfL

Sustainable development

Energy strategy

54. The applicant has submitted an energy assessment in accordance with London Plan Policy 5.2 and Publication London Plan Policy SI2. An on-site reduction of 491 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, which is equivalent to an overall saving of 47%. The energy strategy is generally compliant with policies; however, the applicant is required to submit a whole lifecycle carbon assessment and additional information with respect to connecting to the Citigen network and the provision of photo voltaic. Full details of the outstanding issues relating to energy have been provided directly to the applicant and the Corporation.

Urban greening

55. Urban greening should be a fundamental element of site and building design, in line with London Plan Policy 5.10 and Publication London Plan Policies G1 and G5. The proposed development includes greening measures such as tree and flower-rich perennial planting and a green wall and achieves an Urban Greening Factor (UGF) score of 0.1. This score is below the 0.3 prescribed under Policy G5 of the Publication London Plan for non-residential developments. A strategy involving the improvement of greening across the entire Broadgate Campus, which is within the ownership of the applicant, has therefore been adopted to address the on-site shortfall. Recognising the urban setting of the site and the inherent constraints, this approach is acceptable subject to the Corporation robustly securing the off-site greening measures.

Sustainable drainage and flood risk

56. As the site is less than 1 hectare in size, is located in Flood Zone 1 and does not incorporate a change of use to a higher vulnerability class, a flood risk assessment (FRA) is not required. In terms of surface water management, rainwater harvesting using sub-surface storage tanks is primary measure proposed along with controlled rainwater discharge to a nearby combined sewer. The rainwater harvested is to be re-used to serve the WCs in the building. Given the highly urbanised character of the location and little to no opportunities for green roofs, raingardens etc, this approach is acceptable in line with London Plan Policy 5.13 and Policy SI3 of the Publication London Plan.
57. Regarding water efficiency, the sustainability statement states that the development would achieve a water reduction of at least 50% through the utilisation of efficient water saving fixtures, fittings and appliances, low-water irrigation system and water metering. This reduction equates to 4 points under the BREEAM water consumption credit and complies with the requirements of Policy 5.15 of the London Plan and Policy SI5 of the Publication London Plan.

Circular economy

58. In accordance with Policy SI7 of the Publication London Plan a circular economy statement has been submitted with the application, which is welcomed. The statement is broadly supported; however, the applicant should demonstrate a commitment to achieving targets for reusing/recycling/recovering, provide a notification of the likely destination of all waste streams (beyond the Materials Recycling Facility) and submit a written confirmation that the destination landfill(s) has/ have the capacity to receive waste. Full details of the outstanding issues relating to the circular economy have been provided directly to the applicant and the Corporation.

Local planning authority's position

59. City Corporation planning officers are currently assessing the application. The application is expected to be considered at a planning committee meeting in February 2020.

Legal considerations

60. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Corporation must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Corporation under Article 6 of the Order to refuse the application; or, issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (and any connected application). There is no obligation at this stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

61. There are no financial considerations at this stage.

Conclusion

62. London Plan and Publication London policies on Central Activities Zone, London View Management Framework, tall buildings, heritage, urban and inclusive design, transport and sustainable development are relevant to this application. Whilst the principle of the development is strongly supported, the application does not fully comply with the London Plan and Publication London Plan. The following changes might, however, lead to the application becoming compliant with the London Plan and Publication London Plan:

- **Principle of development:** Given the proposal's contribution to the strategic functions of the CAZ and provision of publicly accessible space within the building, the principle of development is strongly supported in strategic planning terms in line with London Plan Policies 2.10, 2.11 and 7.7 and Publication London Plan Policies D9, SD4 and SD5, subject to the public's access to the "Open Learning Hub" being robustly secured in the Section 106 agreement.

- **Heritage and urban design:** The approach to design is broadly supported, with well activated frontages, improved permeability across the Broadgate Campus and height and massing that reflects the emerging cluster of tall buildings around Bishopsgate. The less than substantial harm that would be caused to historic assets would be outweighed by the public benefits of the scheme.
- **Transport:** The new pedestrian route should be publicly accessible at all times and secured via the Section 106 agreement, short-stay cycle parking increased and clarification provided in terms of Blue Badge parking. Contributions toward the proposed TfL Cycleway and cycle hire are sought; and, a cycle promotion plan, full delivery and servicing plan and construction logistics plan should be secured by condition.
- **Sustainable development:** Additional information with respect to connecting to the Citigen network and the provision of photo voltaic is required; the urban greening proposed off-site across the Broadgate Campus should be robustly secured by the Corporation; and, further information on the circular economy is required.

For further information, contact GLA Planning Unit (Development Management Team):

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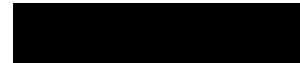
**2 Finsbury Avenue, London, EC2M 2PA – Planning Application Ref: 20/00869/FULEIA
Tavernor Consultancy Response to the London Borough of Hackney’s objection
(dated 14 Jan 2021)**

Introduction

- 1.0 This rebuttal by the Tavernor Consultancy has been prepared in response to the specific objections relating to townscape, heritage and visual impact that are raised by the London Borough of Hackney (LB Hackney) in their letter to the City of London Corporation dated 14 January 2021. Our response focuses on the heritage assets that LB Hackney allege would be harmed by the Proposed Development: Sun Street Conservation Area, Grade II listed Flying Horse public house and the locally listed buildings at 5-15 Sun Street.

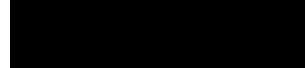
Townscape and Heritage Objections

- 1.1 **LB Hackney objection:** *“The additional bulk, height and scale of the proposed buildings would lead to increased visual dominance over the buildings to the North, and the area in general. This would be particularly harmful to the locally listed buildings at 5-15 Sun Street, the grade II listed Flying Horse PH, and the Sun Street Conservation Area. The proposed development is considered to be visually obtrusive and harmful to the setting of designated and non-designated heritage assets nearby.”*
- 1.2 **Tavernor response:** The Sun Street Conservation Area has been significantly redeveloped in recent times and is now largely characterised by the modern tall buildings of One Crown Place, which includes buildings of 28 and 33-storeys high.



This development has dramatically transformed the character and appearance of the Conservation Area itself, firmly grounding the historic buildings (including the grade II listed Flying Horse PH and the locally listed buildings at 5-15 Sun Street) within a tall buildings context.

- 1.3 The base of the Proposed Development at 2 Finsbury Avenue has been carefully designed to provide a human scale to Sun Street. At ground floor level the transparent glazing and light-coloured metal window frames would result in a light and open base to the building which would redefine and reactivate the character of the street corner and would draw visitors towards the building. Its rectilinear glazed ground floor elevation would provide a positive street junction building, which would mediate between the greater scale and mass of the Proposed Development beyond, and the lower scale of the traditional brick buildings of the Sun Street Conservation Area. This coupled with the light colouration, transparency and simple modern character of the ground floor would ensure that the historic buildings within the Conservation Area are not over-shadowed by the increase in scale and massing within their setting and that their contribution to the streetscape remains prominent. The architectural detailing and new visual permeability along the street would greatly enhance the pedestrian experience of Sun Street.
- 1.3 The dynamic angled form of the proposed canopy along Sun Street would emphasise human scale and activity – which would become a significant aspect of the locality with the visual and physical permeability into the uses around the base of the Proposed Development. Above the canopy the large transparent glazing of the first floor will highlight the publicly accessible 'Open Learning Hub' within the building and would indicate a clear destination to encourage pedestrian movement into the building, whilst also providing a visual distinction from the massing above and thus further reinforcing the human scale.
- 1.4 The height of the proposed first floor would be similar to the historic terrace on the opposite side of Sun Street thus responding to the scale of the opposite corner to ensure that the Proposed Development does not appear overbearing. The proposed taller Eastern Tower would be set-back from the junction and situated further east along Sun Street, closer to One Crown Place, and thus responding to the new tall buildings scale which One Crown Place has introduced to the Conservation Area and immediate townscape. The Proposed Development would have a clear vertical



emphasis which would relate positively to the vertical divisions between the terraced properties across Sun Street. The warm but light colouration of the cladding would respond positively to its surroundings, providing a high-quality and appropriate transition between the bricks of the historic buildings in the foreground and the rich terracotta tones and dark glazing of One Crown Place.

- 1.5 Furthermore, given the presence of the existing tall buildings within the OCP development which lie within the boundary of the Sun Street Conservation Area itself and adjacent to the locally listed terrace, we do not agree that the Proposed Development would *“be visually obtrusive and harmful to the setting of designated and non-designated heritage assets nearby”*. We believe the street experience and relationship with the listed and unlisted buildings of merit along Sun Street would be enhanced. The Proposed Development would not adversely impact on any elements of setting that contribute to the heritage significance of the Sun Street Conservation Area, Grade II listed Flying Horse PH, or the terrace of locally listed buildings. As such, it would have no effect on the heritage significance of these heritage assets, or an ability to appreciate their heritage significance, resulting in no harm.

Final Conclusions regarding the specific objections relating to townscape, heritage and visual impact that are raised by Citydesigner

- 1.6 In conclusion, we do not accept that the Proposed Development would harm the setting or heritage significance of a listed building and unlisted buildings of merit within the Sun Street Conservation Area. We strongly believe that the Proposed Development is a very skilful response to the specific constraints and opportunities of the Site and locality, which would be enhanced generally and the relevant heritage assets left unharmed.

Tavernor Consultancy
20 January 2021

Comments for Planning Application 20/00869/FULEIA

Application Summary

Application Number: 20/00869/FULEIA

Address: 2-3 Finsbury Avenue London EC2M 2PF

Proposal: Demolition of the existing buildings and construction of a new building arranged over three basement levels, ground and 37 upper floors to provide an office-led, mixed use development comprising commercial, business and service uses (Class E), flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); and learning and non-residential institutions uses (Class F1); creation of a new pedestrian route through the site at ground floor level; hard and soft landscaping works; outdoor seating associated with ground level uses and other works incidental to the development.[cr](The development would provide 85,009sq.m GEA of office floorspace (Class E); 4,397sq.m GEA of commercial, business and service uses (Class E); 1,097sq.m of flexible commercial, business and service uses /drinking establishment uses (Class E/Sui Generis); 2,239sq.m GEA of learning and non-residential institutions uses (Class F1); and 16,058sq.m of ancillary plant, back of house and storage; total floorspace 108,800sq.m GEA; overall height 170.290m AOD).[cr]The application is accompanied by an Environmental Statement which is available for inspection with the planning application. Electronic copies of the ES can also be issued by Trium Environmental Consulting LLP; for further details contact hello@triumenv.co.uk or Tel: +44 (0) 203 887 7118.[cr]FURTHER INFORMATION RECEIVED: ES Addendum (relating to daylight, sunlight, overshadowing, light pollution and solar glare).

Case Officer: Liam Hart

Customer Details

Name: Mr Alessio Sancetta

Address: Flat 1, 12A Finsbury Square London

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other
- Residential Amenity

Comment:The proposal to build a high rise building will change the historical character of Finsbury square as the building will stand out at the back from the rest, being out of proportion.

High rise buildings make surrounding streets unbearably windy. This will be come an issue with the proposed plan.

Committee(s)	Dated:
Planning and Transportation Committee	24 February 2021
Subject: Anonymisation of Members in Minutes	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	N/A
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	£N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Town Clerk and Chief Executive	For Decision
Report author: Gemma Stokley, Senior Committee and Member Services Officer	

Summary

At their meeting held virtually on 15 December 2020 and, again, on 5 January 2021, Members of the Planning and Transportation Committee asked that a report on the naming of Members in minutes of this Committee be brought to them for their consideration with a view to potentially taking a recommendation, that minutes of meetings clearly identify which Member has spoken (and potentially how they have voted) on a particular item, to the Policy and Resources Committee.

Recommendation

That, taking into account the existing house style in respect of the production of minutes and the ongoing work around the Governance Review and the recommendation therein with regard to the minutes of Court of Common Council and Committee meetings of the City Corporation, Members are recommended to maintain the status quo and the anonymisation of Member contributions and votes in the minutes of this Committee.

Main Report

Background

1. In 2010/11, the City of London Corporation undertook a comprehensive Governance Review. The outcomes of this Review were put to the Policy and Resources Committee and, subsequently, the Court of Common Council in March 2011 where, with regard to the minuting of meetings, it was resolved that “ *Committee reports, minutes and papers shall be concise and to the point* ”. The Working Party tasked with bringing forward recommendations on the Governance Review also considered, specifically, the matter of “ *recording in the minutes of a meeting the names or initials of Members who raised an issue* ” but decided against adopting this approach.

2. At the Planning and Transportation Committee meeting held virtually on 15 December 2020, a Member proposed that, for reasons of transparency, the contributions of, and votes taken by Members at meetings of the Planning and Transportation Committee, should no longer be anonymised within the minutes of the Committee's meetings.
3. Following debate, the Committee decided that the Town Clerk should be asked to prepare a report on this matter so as to allow proper consideration of the relevant matters, noting the outcomes of the Governance Review in 2010/11 and current house-style
4. At the Planning and Transportation Committee meeting held virtually on 5 January 2021, Members again debated this issue where it was suggested that a decision ought to be taken without awaiting the previously requested Officer report. At this point, the Committee were advised that this decision could not be taken unilaterally as the matter potentially had wider governance implications and therefore sat within the terms of reference of the Policy and Resources Committee. The terms of reference of the Policy and Resources Committee state that it is responsible for the *"review and co-ordination of the governance of the City of London Corporation including its Committees, Standing Orders and Outside Bodies Scheme, reporting as necessary to the Court of Common Council, together with the City Corporation's overall organisation and administration"*.
5. Upon receiving this advice, a Member proposed a motion suggesting that, for the sake of transparency, a recommendation should be immediately put to the Policy and Resources Committee requesting that the practice of anonymising Members' contributions and votes in the minutes of meetings of the Planning and Transportation Committee cease. The Motion was seconded, voted upon, but not carried with the majority of the Committee still wishing to consider an Officer's report on the matter before proceeding.
6. To that end, this report, outlining the current position, practice elsewhere and future options has been produced for Members' consideration.

Current Position

7. It is current practice across all City of London Corporation committees and sub-committees (currently in excess of 135) that Members' contributions, with the exception of the Chair and Deputy Chair, are anonymised within the minutes of meetings. This is in accordance with a decision taken by the Policy and Resources Committee and, subsequently, the Court of Common Council in March 2011.
8. Corporately, it is felt that the naming of individual Members in minutes would go against the organisation's ethos of consensual decision making. The purpose of minutes is essentially to record the decisions taken and not to provide a verbatim record of all contributions that are made at a meeting. It is generally acknowledged that minutes should be precise, concise and brief. In the majority of Committees, discussions are therefore summarised or presented in bullet point form. On some occasions, such as where an officer

recommendation on a planning application is not agreed, it is, however, generally accepted that Planning and Transportation Committee minutes ought to be sufficiently detailed, , to ensure that the reasons for decisions on planning applications is met. (Where the recommendation is followed case law has established that the decision-maker can generally be taken to have adopted the reasoning in the report). .

9. There is provision under Standing Order 38 for a Member to request that their contribution be attributed to them by name if dissenting from a majority decision. However, this Standing Order recognises that decisions are intended to represent the view of the majority of those Members present and eligible to vote.
10. With regard to transparency, at present all City Corporation meetings are held virtually and are livestreamed via the City Corporation's You Tube channel with the recorded livestream retained for up to one year in accordance with the current retention policy. The livestreaming and recording of meetings means that the contributions of all are visible both in real-time and thereafter and that the way in which individual Members vote on applications is fully transparent in the same way that it always has been to any external parties/the general public wishing to physically attend public meetings. This activity is set out as a clear operational change in the Corporate and Members Services element of the Town Clerk's business plan which was considered and approved by both the Policy & Resources and the Establishment Committee at their January meetings. For reasons of transparency and inclusion it is something that we have already accepted will be retained and the Key Performance Indicator relating to this going forward is to enhance transparency even further by increasing the public viewing numbers at committees.

Practice Elsewhere

11. A survey was conducted by the Town Clerk following the meeting of the Planning and Transportation Committee on 15 December 2020 to establish what practices are in operation across London authorities. Of the 32 London Boroughs surveyed, 22 of these currently adopt the same approach as the City of London and anonymise the comments made by elected Members (councillors) in the minutes of their Planning Committees or their equivalent. Amongst those boroughs researched there was further discrepancy in terms of whether minutes and/or votes were anonymised – for example, there were some that anonymised minutes but not the way in which Members (councillors) had voted and also some who named Councillors within the body of their minutes but then anonymised votes cast. Some boroughs only specify how Members (councillors) have voted if they vote contrary to the Officer recommendations. That being said, the majority of other London boroughs do currently anonymise both the contributions and the votes of their Members (councillors). This is certainly true of six of the City's neighbouring boroughs (Camden, Islington, Lambeth, Southwark, Tower Hamlets and Westminster). Our seventh neighbouring borough, Hackney, anonymise Member (councillor) contributions but do record names against voting.

Making the case for the Planning and Transportation Committee

12. Whilst some Members have argued that a case may be made for distinguishing the minutes of this Committee on the basis that it is quasi-judicial advice previously received from the Comptroller and City Solicitor has stated that this is not the case. The requirements applicable to minutes of planning decisions are included in paragraph 8, above, and are not such as to require detailed minutes or recorded votes.
13. With regards to other quasi-judicial bodies, minutes of the City Corporation's Licensing Committee and Licensing Sub-Committee (Hearings) are also anonymised at present as are minutes of the Standards Committee and its various sub-committees (Dispensations, Assessment and Hearing).

Governance Review Recommendations

14. The thoughts offered with regard to Court of Common Council and committee minutes in the recently undertaken Governance Review are that there is scope for streamlining minutes throughout the organisation. It notes that, should all meetings continue to be webcasted/recorded then the recommendation is that minutes should adopt *"the style of the Cabinet Office, focusing on decisions and recording discussion as economically as possible"*. If comments are to be attributed to individual Members then minutes will, by definition, get longer and there will inevitably be elements of repetition which would clearly contradict this recommendation.
15. As Members will be aware, this and other aspects of the Governance Review are yet to be formally considered by the Court of Common Council but, should it be the view of this Committee that a special case ought to be made for no longer anonymising the minutes of the Planning and Transportation Committee or indeed any other committees, then the most appropriate place to do so would be through this process and via the informal sessions being hosted by the Deputy Chairman of the Policy and Resources Committee. This would avoid the risk of duplication or inconsistency

Options

16. Members are asked to consider the following two options:
 - (i) That this committee make representations at this stage to the relevant committee that the minutes no longer anonymise all verbal contributions and votes of Members. The terms of reference of the Policy and Resources Committee set out that it is responsible for the *"review and co-ordination of the governance of the City of London Corporation including its Committees, Standing Orders and Outside Bodies Scheme, reporting as necessary to the Court of Common Council, together with the City Corporation's overall organisation and administration"*. With this in mind, and the fact that any decision taken with regard to the minutes of this Committee would have a wider impact in terms of governance/administration and the practice adopted by other Corporation bodies, the matter would need to be considered by the Policy and Resources Committee. Should this Committee therefore feel that it is appropriate now to no longer anonymise the contributions and/or votes of Members in the minutes of their meetings for reasons of transparency, a

recommendation setting out the rationale for such a change be submitted to a future meeting of the Policy and Resources Committee for consideration and/or a collective representation of this Committee be made to the Resource Allocation Sub Committee which, having considered the views expressed by individual Members at the consultation sessions and the recommendations of the Governance Review, is tasked with taking the formal recommendation forward for consideration by its Grand Committee (again, the Policy and Resources Committee).

(ii) That this Committee takes the view that the status quo in terms of house-style (i.e. the current anonymisation of minutes/votes by Members) ought to be maintained for now by this Committee as on balance there is no immediate imperative to change this process and in any event this matter is best considered more fully and in its proper context by the wider membership as part of the ongoing Governance Review.

Conclusion

17. The anonymisation of Member contributions and votes within committee and sub-committee minutes is the adopted and long-standing practice within the City Corporation. Research carried out by the Town Clerk's department suggest that this same approach is currently adopted by the majority of other London Boroughs with regard to their Planning Committees or equivalent.
18. Given this, and taking into account the Governance Review recommendation concerning the production of minutes of meetings of the Court of Common Council and its Committees which is yet to be considered by the wider Court, it is recommended that the status quo in terms of minute production and the anonymisation of Member contributions/votes at meetings be maintained for the Planning and Transportation Committee for the time being.

Gemma Stokley

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Agenda Item 6

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Committees: Corporate Projects Board - for decision Project Sub Committee – for decision Planning and Transportation Committee - for decision	Dates: Delegated Authority 23 February 2021 24 February 2021
Subject: Car Parks – Fire Remedial Works (CS Ref – 044/21) Unique Project Identifier: <i>PV ID: 12260</i>	Gateway 2: Project Proposal Regular
Report of: City Surveyor Report Author: Jessica Lees	For Decision
PUBLIC	

Recommendations

1. Next steps and requested decisions	<p>Project Description: <i>This project will carry out essential fire door replacements at Baynard House and London Wall Car Park, and ventilation replacement at Tower Hill.</i></p> <p>Next Gateway: Gateway 3/4 - Options Appraisal (Regular)</p> <p>Next Steps: <i>To get a detailed survey to provide options at gateway 3/4</i></p> <p>Funding Source: City Fund Reserve</p> <p>'In principle' funding of up to £1,032,000 was approved by Resource Allocation Sub and Policy and Resources Committees in December 2019 as part of the 2020/21 annual capital bid round of which £669,000 has been utilised for the Baynard House Car Park – Ventilation and Smoke Clearance Project (Project ID – 12195)</p> <p>Requested Decisions:</p> <ol style="list-style-type: none">1. That a budget of £30,000 is approved to carry out detailed surveys to reach next gateway.
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	<ol style="list-style-type: none"> 2. To note the total estimated cost of the project of £300,000 (excluding risk). 3. To note that there is a Costed Risk of £60,000 (post-mitigation). 4. To note that the total estimated cost of the project of £360,000 (including risk). 5. To note that 'in principle' central funding from City Fund reserves was agreed as part of the 2020/21 annual capital bids, with draw down subject to the further approval of the Resource Allocation Sub and Policy and Resources Committees. 			
2. Resource requirements to reach next Gateway	Item	Reason	Funds/ Source Funding of	Cost (£)
	Consultant services engineer	To carry out surveys	City Fund Reserves	£15,000
	Fire consultant	To carry out fire compartment/ fire door survey	City Fund Reserves	£5,000
	R&D asbestos survey	Survey to locate and identify all asbestos-containing materials (ACMs)	City Fund Reserves	£3,500
	Other	Planning/ building control	City Fund Reserve	£3,500
	Staff costs	Project management	City Fund Reserve	£3,000
	Total			£30,000
3. Governance arrangements	<ul style="list-style-type: none"> • Planning and Transportation • Senior Responsible Officer - Ian Hughes, Deputy Director, Transportation and Public Realm 			

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	<ul style="list-style-type: none"> • Project Manager to be allocated once the gateway 2 report has been approved • A project board is not required as this is a regular project and works are not considered complex or to impact on a high number of stakeholders • The project will be progressed by the City Surveyor's Department (CSD) in conjunction with the Department of Built Environment.
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Project Summary

4. Context	<p>4.1 Most recent fire risk assessments for Tower Hill, London Wall and Baynard House car parks have identified several fire risks where fabric and mechanical and electrical remedial actions are required to be carried out.</p> <p>4.2 Each car park contains several electrical vehicle charge points, which are deemed higher risk with recent guidance on installation of fast, rapid and super vehicle charging units it is essential that fire actions are addressed to ensure the safety of each car park.</p> <p>4.3 The work identified is in line with the forward maintenance plan for the property.</p> <p>4.4 If the work is not carried out then the car parks are at risk of closure.</p>
5. Brief description of project	<p>5.1 The project will replace fire doors where required at both Baynard House and London Wall Car Parks. These works are currently not covered by existing projects.</p> <p>5.2 The project will also replace the ventilation at Tower Hill Car Park which is near the end of its economic repair.</p>
6. Consequences if project not approved	<p>6.1 If deferred, sites will continue to be an increased risk that a fire would have significant consequences. Given the public awareness of the Grenfell Tower fire as well as the King's Dock car park fire next to the Echo Arena in Liverpool in 2017, there is a public expectation that local authorities are doing all they can to mitigate fire risk in their buildings</p>

	<p>6.2 The current installations have been identified as actions on the car park risk assessments which links into the car parks life care plans.</p> <p>6.3 Current H&S issues identified would remain including poor ventilation at Tower Hill Car Park exposing the City to the risk of legal challenges by not providing a safe environment.</p> <p>6.4 Local authorities are required to ensure their premises are fundamentally safe and fit for purpose. The review of the Echo Arena fire highlighted the implications of a fire spreading rapidly from vehicle to vehicle & floor to floor, accelerated by the failure of plastic fuel tanks. This re-emphasised the need for effective sprinkler systems, ventilation and fire management procedures to underpin an integrated risk management plan.</p> <p>6.5 If the car parks were closed due to not meeting the required standards identified, the City could lose a projected £1,920,000 per annum based upon 2021/22 budgeted income.</p>
7. SMART project objectives	<p><i>What is the project required to achieve? Highlight a few objectives. These may be derived from your measures of success as described in your Project Briefing.</i></p> <ul style="list-style-type: none"> - <i>To ensure that there is a compliant ventilation system, fit for purpose with acceptable levels of carbon monoxide and other pollutants present</i> - <i>This project aligns to two key themes within DBE's Business Plan, namely:</i> <ul style="list-style-type: none"> • <i>Creating a welcoming seven-day City that is inclusive, safe, clean and easy to move around</i> • <i>Improving the quality and safety of the environment for businesses, workers, residents and visitors</i> <p><i>Safe off-street facilities, whether for public parking, consolidation or other uses, remain a key element of the Transport Strategy</i></p>
8. Key benefits	<ul style="list-style-type: none"> - <i>To reduce maintenance charges incurred</i> - <i>To provide a compliant building and removal of risk from risk registers</i> - <i>To provide a safe environment for staff, contractors and the general public.</i>
9. Project category	1. Health and safety

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10. Project priority	A. Essential
11. Notable exclusions	<p>11.1 <i>Baynard House and London Wall ventilation, fire alarm and sprinklers which are covered by other capital projects already within the gateway process.</i></p> <p>11.2 <i>Minories Car Park has been excluded from the scope at gateway 2 due to funding however we are exploring ways to carry out the necessary assessment of Minories which may lead to a further capital bid this year.</i></p>

Options Appraisal

12. Overview of options	<p><u>Numbered list format</u></p> <p><i>Option1 – Closure of the car park due to not meeting the required standards identified and high risk to the public</i></p> <p><i>Option 2 Refurbishment of the existing ventilation, replace and repair fire doors where applicable</i></p> <p><i>Option 3 – Replace the ventilation system in its entirety and replace all fire doors that require repair as well as replacement</i></p>
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Project Planning

13. Delivery period and key dates	<p>Overall project: <i>Six months from start work on site/ estimated completion date October 2022.</i></p> <p>The project briefing previously estimated a completion date of between June and August 2021, this was on the basis that the project would start on site between May – July 2020. Due to Covid-19 and a review of project scope as other projects have superseded some of the works identified in the original project brief, the start on site date is now estimated May 2022 with an estimated completion date of October 2022.</p> <p>Key dates:</p> <table border="1"> <tr> <td>Gateway 2 approval</td><td>March 2021</td></tr> <tr> <td>Produce brief for the survey works</td><td>April 2021</td></tr> <tr> <td>Tender consultancy service</td><td>May 2021</td></tr> </table>	Gateway 2 approval	March 2021	Produce brief for the survey works	April 2021	Tender consultancy service	May 2021
Gateway 2 approval	March 2021						
Produce brief for the survey works	April 2021						
Tender consultancy service	May 2021						

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	Appoint consultant for survey and design	June 2021
	Undertake asbestos R&D survey	June 2021
	Gateway 3 - 4 report for approval	September 2021
	Finalise tender documents	October 2021
	Tender project	November 2021
	Tender return	December 2021
	Gateway 5 report for approval	February 2022
	Place order with contractor	March 2022
	Start work on site	May 2022
	Project completion	October 2022
	Gateway 6 outcome report for approval	April 2023
	<p>Other works dates to coordinate: <i>these works are likely to coincide with the London Wall Car Park ventilation, electrical and fire alarm project. We do not envisage works to impact upon one another.</i></p>	
14. Risk implications	<p>Overall project risk: Low</p> <p><i>Project risk is low as at early stages of the gateway process.</i></p> <p>The overall project risk may change once detailed surveys are carried out as part of the gateway 2.</p> <p>Please note the current total costed risk (post-mitigation) for the project of £60,000</p> <p>Further information available within the Risk Register (Appendix 2).</p> <p>We are closely monitoring the state of these facilities to ensure the delay to the intended programme does not materially affect their safety and risk to the public.</p>	

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15. Stakeholders and consultees	15.1 Department of Built Environment (DBE) – Highways 15.2 DBE District Surveyors –Gordon Roy 15.3 Terence Short – Fire Officer, CSD 15.4 DBE parking contractor – SABA
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Resource Implications

16. Total estimated cost	Likely cost range (excluding risk): £280,000 - £300,000 Likely cost range (including risk): £340,000 - £363,000							
17. Funding strategy	Choose 1: All funding fully guaranteed	Choose 1: Internal - Funded wholly by City's own resource						
	<table><tr><th>Funds/Sources of Funding</th><th>Cost (£)</th></tr><tr><td>City Fund Reserves*</td><td>£363,000</td></tr><tr><td>Total</td><td></td></tr></table>		Funds/Sources of Funding	Cost (£)	City Fund Reserves*	£363,000	Total	
	Funds/Sources of Funding	Cost (£)						
	City Fund Reserves*	£363,000						
	Total							
<i>*'In principle' funding of £1.032m was approved by Resource Allocation Sub and Policy and Resources Committees in December 2019 as part of the 2020/21 annual capital bid round. Of this sum, £669,000 has already been allocated for the Baynard House Car Park works agreed under a separate gateway report, leaving £363,000 for this scheme to be funded from the On-Street Parking Reserve.</i>								
18. Investment appraisal	Annual loss of income if the Car Parks were to close is £1,920,000 (based on 2021/22 budgeted income)							
19. Procurement strategy/route to market	<i>The procurement of the Consultants will be run in line with the City of London's procurement code and liaising with the City Procurement Team if necessary.</i> <i>The works for this project proposed at the next gateway, will at this time be run via the Intermediate Works Framework as a competition to all parties through City Procurement.</i>							
20. Legal implications	<i>We have a legal duty of care to ensure that the car parks are safely managed and maintained from a fire risk perspective.</i>							

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21. Corporate property implications	<i>This project aligns with the Corporate Property Asset Management Strategy 2020-2025 to ensure that operational assets are maintained in good, safe and statutory compliant condition.</i>
22. Traffic implications	<i>Parking bays will need to temporarily be closed off to enable plant replacement above</i>
23. Sustainability and energy implications	None
24. IS implications	None
25. Equality Impact Assessment	<ul style="list-style-type: none"> <i>An equality impact assessment will not be undertaken</i>
26. Data Protection Impact Assessment	<ul style="list-style-type: none"> <i>The risk to personal data is less than high or non-applicable and a data protection impact assessment will not be undertaken</i>

Appendices

Appendix 1	Project Briefing – Fire Safety in Public Car Parks
Appendix 2	Risk Register

Contact

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Email Address	jessica.lees@cityoflondon.gov.uk
Telephone Number	07872114059

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Project Briefing

Project identifier			
[1a] Unique Project Identifier		[1b] Departmental Reference Number	
[2] Core Project Name	Fire Safety in Public Car Parks		
[3] Programme Affiliation <i>(if applicable)</i>	Affiliated to projects put forward by: <ul style="list-style-type: none"> City Surveyor (London Wall Car Park Ventilation, Lighting and Fire Alarm Project) Markets & Consumer Protection (Fire Safety in Smithfield Car Park) 		

Ownership	
[4] Chief Officer has signed off on this document	Carolyn Dwyer, Director of the Built Environment
[5] Senior Responsible Officer	Ian Hughes, Assistant Director (Highways), DBE
[6] Project Manager	Karyn Burnham, Deputy Head of FM, City Surveyor's

Description and purpose
[7] Project Description
Various works at Baynard House, London Wall, Minories & Tower Hill car parks replacing ventilation equipment, fire doors, sprinkler systems & emergency lighting.
[8] Definition of Need: What is the problem we are trying to solve or opportunity we are trying to realise (i.e. the reasons why we should make a change)?
<p>A major review of fire safety in the car parks managed by DBE & Markets Dept has resulted in a series of safety-related recommendations, with a number of items over & above the standard cyclical works programme budget.</p> <p>As a result, these works are essential to ensuring the risk of fire in these facilities is mitigated. DBE, Markets Dept and City Surveyors are working together to deliver three connected projects to address fire risk, with parallel bids being made of £150k at Smithfield (Markets) and a separate £1.2m bid for major works in London Wall (being made by City Surveyors) which will also include carbon monoxide detection systems.</p> <p>If deferred, these systems will potentially reach the point of critical failure & increase the risk that a fire would have significant consequences. Given the public awareness of the Grenfell Tower fire as well as the King's Dock car park fire next to the Echo Area in Liverpool in 2017, there is a public expectation that local authorities are doing all they can to mitigate fire risk in their buildings</p> <p>Local authorities are required to ensure their premises are fundamentally safe and fit for purpose. The review of the Echo Area fire highlighted the implications of a fire spreading rapidly from vehicle to vehicle & floor to floor, accelerated by the failure of plastic fuel tanks. This re-emphasised the need for effective sprinkler systems, ventilation and fire management procedures to underpin an integrated risk management plan.</p> <p>The largest single item in DBE's proposals is for fire ventilation works at Baynard House car park (c£500k). This work, when delivered, will have the additional benefit of facilitating the installation of electric vehicle charging points at that car park. Given this secondary benefit, DBE is seeking to</p>

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accelerate this element of these works through a separate capital bid, but it is included here for completeness should that accelerated bid not be approved.					
[9] What is the link to the City of London Corporate plan outcomes?					
[1] People are safe and feel safe. [2] People enjoy good health and wellbeing. [5] Businesses are trusted and socially and environmentally responsible. [9] Our spaces are secure, resilient and well-maintained. [10] Our physical spaces have clean air, land and water and support a thriving and sustainable natural environment.					
[10] What is the link to the departmental business plan objectives?					
This project aligns to two key themes within DBE's Business Plan, namely: <ul style="list-style-type: none"> • Creating a welcoming seven-day City that is inclusive, safe, clean and easy to move around • Improving the quality and safety of the environment for businesses, workers, residents and visitors Safe off-street facilities, whether for public parking, consolidation or other uses, remain a key element of the Transport Strategy, and works at Baynard House car park are essential to delivering rapid electric vehicle charging in accordance with both the Transport and Air Quality Strategies.					
[11] Note all which apply:					
Officer: Project developed from Officer initiation	Y	Member: Project developed from Member initiation	N	Corporate: Project developed as a large scale Corporate initiative	N
Mandatory: Compliance with legislation, policy and audit	Y	Sustainability: Essential for business continuity	Y	Improvement: New opportunity/ idea that leads to improvement	N

Project Benchmarking:
[12] What are the top 3 measures of success which will indicate that the project has achieved its aims?
1) Increased fire safety in the car parks with the installation of new fire doors, sprinkler systems, ventilation and emergency lighting
2) Compliant and fit for purpose ventilation systems will ensure acceptable levels of carbon monoxide and other pollutants
3) The City's public car parks can remain open for use by the public instead of being closed for safety reasons.
[13] Will this project have any measurable legacy benefits/outcome that we will need to track after the end of the 'delivery' phase? If so, what are they and how will you track them? (E.g. cost savings, quality etc.)
Maintenance of new systems will be regularly checked through fire safety inspections & audits, with records kept on the City Surveyor's MICAD system.
[14] What is the expected delivery cost of this project (range values)[£]?
Lower Range estimate: £800k Upper Range estimate: £1m
[15] Total anticipated on-going revenue commitment post-delivery (lifecycle costs)[£]:
On-going servicing and repairs will be covered by the City Surveyor's existing Building, Repairs & Maintenance budget, with replacement scheduled in the Forward Maintenance Plan and bids made for funding through the Cyclical Works Programme.
[16] What are the expected sources of funding for this project?

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On-Street Parking Account (car park maintenance is one of the ring fenced areas where on-street parking income can be used)
[17] What is the expected delivery timeframe for this project (range values)? Are there any deadlines which must be met (e.g. statutory obligations)?
Lower Range estimate: May 2020 to June 2021
Upper Range estimate: July 2020 to August 2021

Project Impact:	
[18] Will this project generate public or media impact and response which the City of London will need to manage? Will this be a high-profile activity with public and media momentum?	
No	
[19] Who has been actively consulted to develop this project to this stage? <(Add additional internal or external stakeholders where required) >	
Chamberlains: Finance	Officer Name: Dipti Patel, Simon Owen
Chamberlains: Procurement	Officer Name:
IT	Officer Name:
HR	Officer Name:
Communications	Officer Name:
Corporate Property	Officer Name: Warren Back
External	
City Surveyors	Karyn Burnham
Markets & CP	Mark Sherlock
[20] Is this project being delivered internally on behalf of another department? If not ignore this question. If so: Please note the Client supplier departments. Who will be the Officer responsible for the designing of the project? If the supplier department will take over the day-to-day responsibility for the project, when will this occur in its design and delivery?	
Client	Department: DBE
Supplier	Department: City Surveyor's Dept
Supplier	Department:
Project Design Manager	Department: City Surveyor's Dept
Design/Delivery handover to Supplier	Project will be designed, managed & delivered by the City Surveyor's Dept

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City of London: Projects Procedure Corporate Risks Register

Project Name:			Car Park Fire Remedial Works					PM's overall risk rating: Low			CRP requested this gateway				Average unmitigated risk		7.3		Open Risks		6		
Unique project identifier:			PV12345					Total estimated cost (exc risk): £ 300,000			Total CRP used to date		£ -		Average mitigated		5.0		Closed Risks		0		
General risk classification											Mitigation actions					Ownership & Action					Comment(s)		
Risk ID	Gateway	Category	Description of the Risk	Risk Impact Description	Likelihood Classification pre-mitigation	Impact Classification pre-mitigation	Risk score	Costed impact pre-mitigation (£)	Costed Risk Provision requested Y/N	Confidence in the estimation	Mitigating actions	Mitigation cost (£)	Likelihood Classification post-mitigation	Impact Classification post-mitigation	Costed impact post-mitigation (£)	Post-Mitigation risk score	CRP used to date	Use of CRP	Date raised	Named Departmental Risk Manager/Coordinator	Risk owner (Named Officer or External Party)	Date Closed OR/Realised & moved to Issues	
R1	2	(2) Financial	More asbestos has been identified by the R&D survey	Cost of removal/ encapsulating of asbestos is more costly than estimate provided	Possible	Serious	6	£50,000.00	N	C – Uncomfortable	Commission a detailed asbestos survey and remove all asbetos identified in the report	£3,500.00	Unlikely	Serious	£20,000.00	4	£0.00		09/02/21	Ian Hughes	Carmel McGowan		
R2	5	(1) Compliance/Regulatory	Building regulations for fire safety and ventilation are updated after gateway 3/4 but before gateway 5	Changes to design and scope of work will delay start of project	Likely	Serious	8	£80,000.00	N	C – Uncomfortable	Continuous engagement with the Fire officer and bluilding Control	£3,500.00	possible	Serious	£20,000.00	6	£0.00		09/02/21	Ian Hughes	Carmel McGowan		
R3	4	(5) H&S/Wellbeing	Failure to complete the project	Health & Safety Risks and non Compliances are not addressed	Possible	major	12	£0.00	N		Submit gateway 3 - 4 report for approval	£0.00	Unlikely	major	£0.00	8	£0.00		09/02/21	Ian Hughes	Neil Hawkins		
R4	4	(3) Reputation	The car park contractor refuses to operate from the car park due to the poor condition	Lack of income from car park	unlikely	serious	4	£0.00	N		Replace M&E and fabric as required	£0.00	Rare	Serious	£0.00	2	£0.00		09/02/21	Ian Hughes	Carmel McGowan		
R5	4	(2) Financial	Extensive changes to scope of works	Risk of cost increase as design is developed	Possible	Serious	6	£200,000.00	N		Appoint design team to undertake survey and develop design	£15,000.00	Unlikely	Serious	£20,000.00	4	£0.00		09/02/21	Ian Hughes	Carmel McGowan		
R6	4	(1) Compliance/Regulatory	Decision is made to install rapid EV chargers	Risk design does not meet requirements	Likely	Serious	8	£500,000.00	N		Consult with DBE and any adaptions to be incorporated within EV project	£0.00	Possible	Serious	£0.00	6	£0.00		09/02/21	Ian Hughes	Neil Hawkins		
R7								£0.00				£0.00			£0.00		£0.00						
R8								£0.00				£0.00			£0.00		£0.00						
R9								£0.00				£0.00			£0.00		£0.00						
R10								£0.00				£0.00			£0.00		£0.00						
R11								£0.00				£0.00			£0.00		£0.00						
R12								£0.00				£0.00			£0.00		£0.00						
R13								£0.00				£0.00			£0.00		£0.00						
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R23								£0.00				£0.00			£0.00		£0.00						
R24								£0.00				£0.00			£0.00		£0.00						
R25								£0.00				£0.00			£0.00		£0.00						
R26								£0.00				£0.00			£0.00		£0.00						
R27								£0.00				£0.00			£0.00		£0.00						
R28								£0.00				£0.00			£0.00		£0.00						
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R30								£0.00				£0.00			£0.00		£0.00						
R31								£0.00				£0.00			£0.00		£0.00						
R32								£0.00				£0.00			£0.00		£0.00						
R33								£0.00				£0.00			£0.00		£0.00						
R34								£0.00				£0.00			£0.00		£0.00						
R35								£0.00				£0.00			£0.00		£0.00						
R36								£0.00				£0.00			£0.00		£0.00						
R37								£0.00				£0.00			£0.00		£0.00						
R38								£0.00				£0.00			£0.00		£0.00						
R39								£0.00				£0.00			£0.00		£0.00						
R40								£0.00				£0.00			£0.00		£0.00						
R41								£0.00				£0.00			£0.00		£0.00						
R42								£0.00				£0.00			£0.00		£0.00						
R43								£0.00				£0.00			£0.00		£0.00						
R44								£0.00				£0.00			£0.00		£0.00						
R45								£0.00				£0.00			£0.00		£0.00						
R46								£0.00				£0.00			£0.00		£0.00						
R47								£0.00				£0.00			£0.00		£0.00						
R48								£0.00				£0.00			£0.00		£0.00						
R49								£0.00				£0.00			£0.00		£0.00						
R50								£0.00				£0.00			£0.00		£0.00						
R51								£0.00				£0.00			£0.00		£0.00						
R52								£0.00				£0.00			£0.00		£0.00						
R53								£0.00				£0.00			£0.00		£0.00						
R54								£0.00				£0.00			£0.00		£0.00						
R55								£0.00				£0.00			£0.00		£0.00						
R56								£0.00				£0.00			£0.00		£0.00						
R57								£0.00				£0.00			£0.00		£0.00						
R58								£0.00				£0.00			£0.00		£0.00						
R59								£0.00				£0.00			£0.00		£0.00						
R60								£0.00				£0.00			£0.00		£0.00						
R61								£0.00				£0.00			£0.00		£0.00						
R62								£0.00				£0.00			£0.00		£0.00						
R63								£0.00				£0.00			£0.00		£0.00						
R64								£0.00				£0.00			£0.00		£0.00						
R65								£0.00				£0.00			£0.00		£0.00						
R66								£0.00				£0.00			£0.00		£0.00						
R67								£0.00				£0.00			£0.00		£0.00						
R68								£0.00				£0.00			£0.00		£0.00						
R69								£0.00				£0.00			£0.00		£0.00						
R70								£0.00				£0.00			£0.00		£0.00						

R75								£0.00				£0.00			£0.00		£0.00						
R76								£0.00				£0.00			£0.00		£0.00						
R77								£0.00				£0.00			£0.00		£0.00						
R78								£0.00				£0.00			£0.00		£0.00						
R79								£0.00				£0.00			£0.00		£0.00						
R80								£0.00				£0.00			£0.00		£0.00						
R81								£0.00				£0.00			£0.00		£0.00						
R82								£0.00				£0.00			£0.00		£0.00						
R83								£0.00				£0.00			£0.00		£0.00						
R84								£0.00				£0.00			£0.00		£0.00						
R85								£0.00				£0.00			£0.00		£0.00						
R86								£0.00				£0.00			£0.00		£0.00						
R87								£0.00				£0.00			£0.00		£0.00						
R88								£0.00				£0.00			£0.00		£0.00						
R89								£0.00				£0.00			£0.00		£0.00						
R90								£0.00				£0.00			£0.00		£0.00						
R91								£0.00				£0.00			£0.00		£0.00						
R92								£0.00				£0.00			£0.00		£0.00						
R93								£0.00				£0.00			£0.00		£0.00						
R94								£0.00				£0.00			£0.00		£0.00						
R95								£0.00				£0.00			£0.00		£0.00						
R96								£0.00				£0.00			£0.00		£0.00						
R97								£0.00				£0.00			£0.00		£0.00						
R98								£0.00				£0.00			£0.00		£0.00						
R99								£0.00				£0.00			£0.00		£0.00						
R100								£0.00				£0.00			£0.00		£0.00						

Committee(s): Planning & Transportation Committee	Date(s): 24 February 2021
Subject: 2020/21 Business Plan Update Q3	Public
Report of: Director of the Built Environment	For Information
Report author: Elisabeth Hannah	

Summary

This report sets out the progress made during Q3 of the 2020/21 Departmental Business Plan. This report continues to build on our approach to share high level data, awards and results as infographics in Appendix 1.

At the end of December 2020, the Department of Built Environment was £270k (3.1%) underspent against the local risk budget to date of £8.694m, over all the services managed by the Built Environment within the Planning & Transportation Committee. Appendix 2 sets out the detailed position for the individual services covered by this Committee.

Overall the Department of Built Environment is currently forecasting a year end overspend of £354k (2.9%) for City Fund and Bridge House Estate services.

Main Report

Background

1. The 2019/20 Business Plan of the Department of the Built Environment was approved by this committee on 28 January 2020.

COVID-19

2. The Department continues to support the City's Public Services Silver Group, with a remit including Planning and Construction, Highways and Transportation and Cleansing. With a focus on recovery, the group work closely with the Gold group and are contributing key data to the weekly dashboards.
3. Measures to enable the safe return of the City's workforce and support COVID-19 recovery are being delivered in phases, with the roll out of "Temporary plus" measures were completed by in November 2020. These measures replace the initial barriers and cones with more robust materials that are easier for street users to understand.

Current Position

4. Appendix 1 shows our infographic approach to presenting departmental high-level data, awards and results. The work of the department continues to support City of London's Corporate Plan.
5. Members feedback continues to shape these reports to provide valuable key strategic updates to Members. Significant work is being done with the support of the Town Clerk's team to better align with the Corporate Performance Framework (CPF) and create a dashboard approach to the monitoring and measuring of our workstreams.

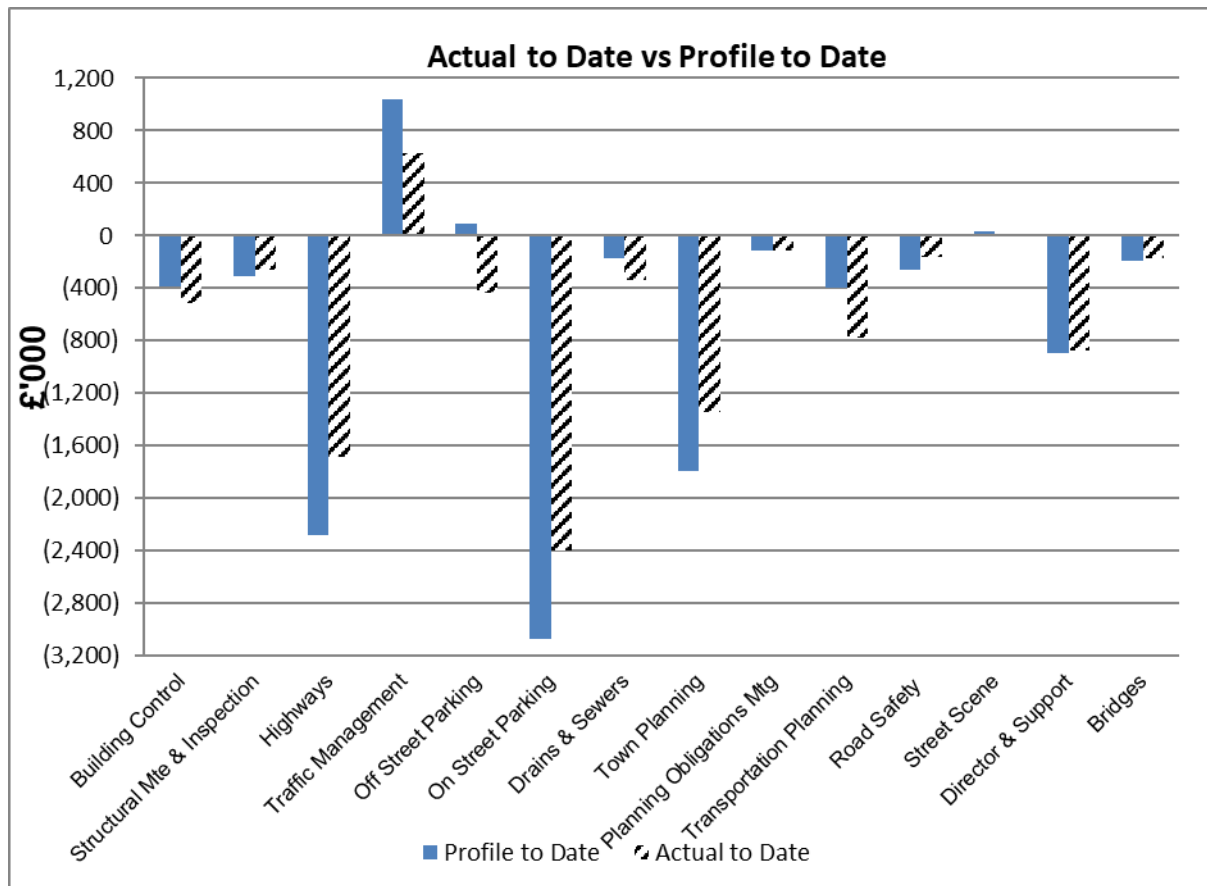
Staff Development

6. Rasin Khayaguli, a business administration apprentice in DBE has won Apprentice of the Year at the Institute of Couriers national awards. During his time at the City, he has been working alongside colleagues ensuring transport Fleet management and safety. Rasin was part of the International Future Fleet Forum, engaged and listen to transport professionals from all around the world and made a great impression from his eagerness to learn and wanting knowledge of the industry. In 2019 he even took part in the Lord Mayor's Show, walking the route in a recyclable cloak.
7. This February 2021 to celebrate National Apprentice Week Rasin will be speaking at TFL, clean air transport round table alongside industry experts.
8. The DBE apprentices continue to have success with their reverse mentoring / skill sharing scheme. The aim of this scheme is to promote and use their

strengths within the organisation and to aid the development of their professional skills, networking and communications skills. If Members would like to speak with one of the DBE apprentices, please contact me.

Detailed Finance Information

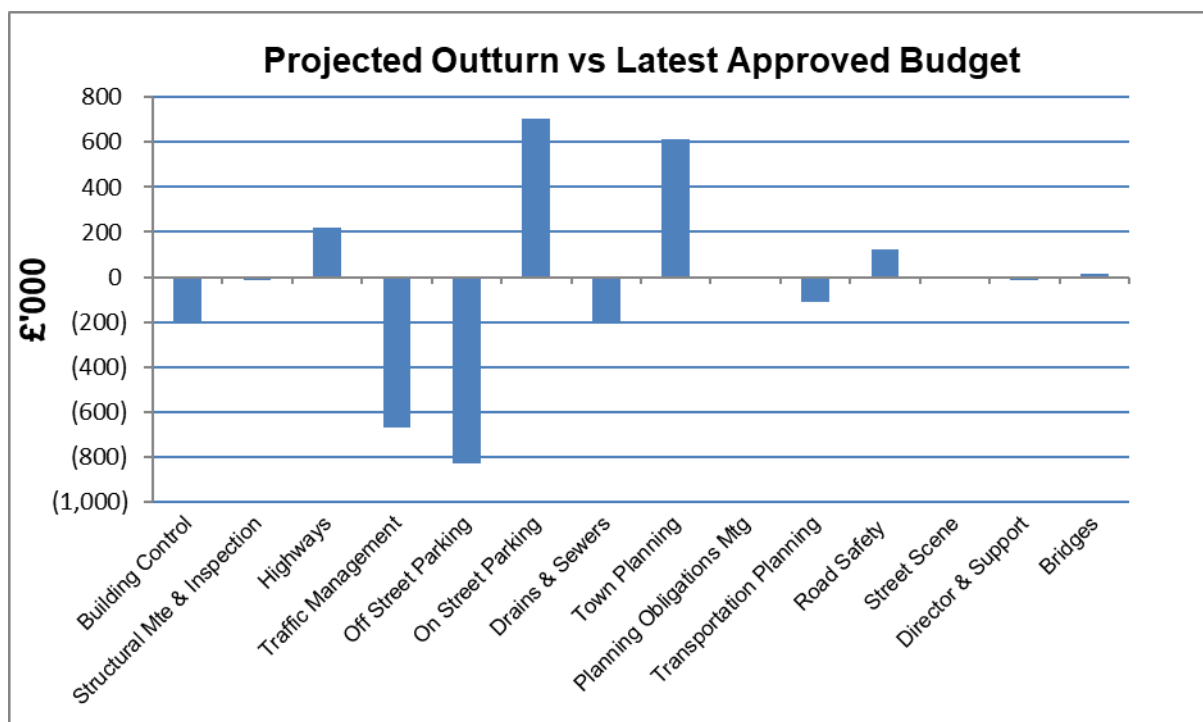
9. The end of December 2020 monitoring position for the Department of Built Environment services within Planning & Transportation Committee is provided at Appendix 2. This shows a net underspend to date for the Department of £270k (3.1%) against the overall local risk budget to date of £8.694m for 2020/21.



Notes:

1. Graph shows the actual local risk net position against the profiled budget to date for each Division.
2. A position above the baseline shows overall net income.
3. A position below the baseline shows overall net expenditure.
4. DBE total actual to date net exp of £8,424k is £270k under the profiled budget to date of £8,694k.

10. Overall the Department of Built Environment is currently forecasting a year end overspend position of £354k (7.6%) for City Fund and Bridge House Estate services.



Notes:

1. Zero is the baseline latest approved budget for each Division of Service.
 2. Graph shows projected outturn position against the latest approved budget.
 3. A variance above the baseline is favourable ie either additional income or reduced expenditure.
 4. A variance below the baseline is unfavourable is additional expenditure or reduced income.
 5. Overall the Department is forecasting an overspend of £354k at year end.
-
11. The reasons for the significant budget variations are detailed in Appendix 2, which sets out a detailed financial analysis of each individual Division of Service reporting to this Committee, for the services the Department of Built Environment manages.
 12. The better than budget position at the end of December 2020 is mainly due to reduced variable On-Street Parking enforcement costs and reduced Highways maintenance costs due to reduced and deferred activity as a result of COVID-19, increased income from Planning Application Fees and Planning Performance Agreements, and staffing savings due to vacancies held throughout the Department.
 13. These underspends to date are partly offset by reductions in income streams across the department due to the impact of COVID-19; and under recovery of staff costs recharged to capital projects due to reduced activity as a result of COVID-19 together with current staff vacancies within the Department.
 14. The Department of Built Environment anticipates that the budget position will significantly worsen by year end, to an overspend of £354k, due to the ongoing impact of COVID-19 on income streams across the department and projected under-recovery of staff costs recharged to capital projects. Additional overspends are expected due to the costs of the Tulip Inquiry, and increased recruitment and advertising costs. These overspends are anticipated to be partly offset by staffing savings due to vacancies, reduced contractor costs particularly for On-Street

Parking enforcement, and additional income from Planning Application Fees and Planning Performance Agreements.

15. The department is continuing to review all opportunities to further reduce the projected overspend for your Committee. The department is also currently projecting an underspend on services within Port Health and Environmental Services Committee which will reduce the overspend for the Department as a whole to nil.

Appendices

- Appendix 1 – Infographic
- Appendix 2 – Finance Report

Background Papers

DBE Business Plan 2020/21
Q3 Transport Strategy Update

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Jenny Pitcairn
Group Accountant

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E: jenny.pitcairn@cityoflondon.gov.uk

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Won Fleet Electrification Strategy of the Year at the **Evie Awards** for the transition to Zero emissions

Won award for **Contribution to Sustainable Transport**
at the **London Transport Awards**



Rasin Khayaguli won **Transport Apprentice of the year**
at the **2020 National Courier Awards**



CON29 property
searches returned
within only
4.76 days



an improvement
from **7.6** days

Greening Cheapside delivered:
22 new trees



Planning applications determined
within agreed timescales:



100% - Major
(Target 100%)

85% - Minor
(Target 65%)

94% - Other
(Target 75%)



Building Control
performing at **100%**

Carbon usage down
53% lower than 2018



Delivery & Service
Plan approved for
60 London Wall



GIS services at
95.4% availability



Pedestrian Priority
and **pavement widening**
locations in place to support
safe social-distancing



Contribute to
a **flourishing**
society

Shape
outstanding
environments

Department of
the Built Environment

Support a
thriving
economy

Street lighting
energy usage down
36% since 2018



5G deployment
in final stages
of discussion



Fibre optic broadband has
been completed
10 of **12** housing
estates in the City



Staff Development:
One new apprentice

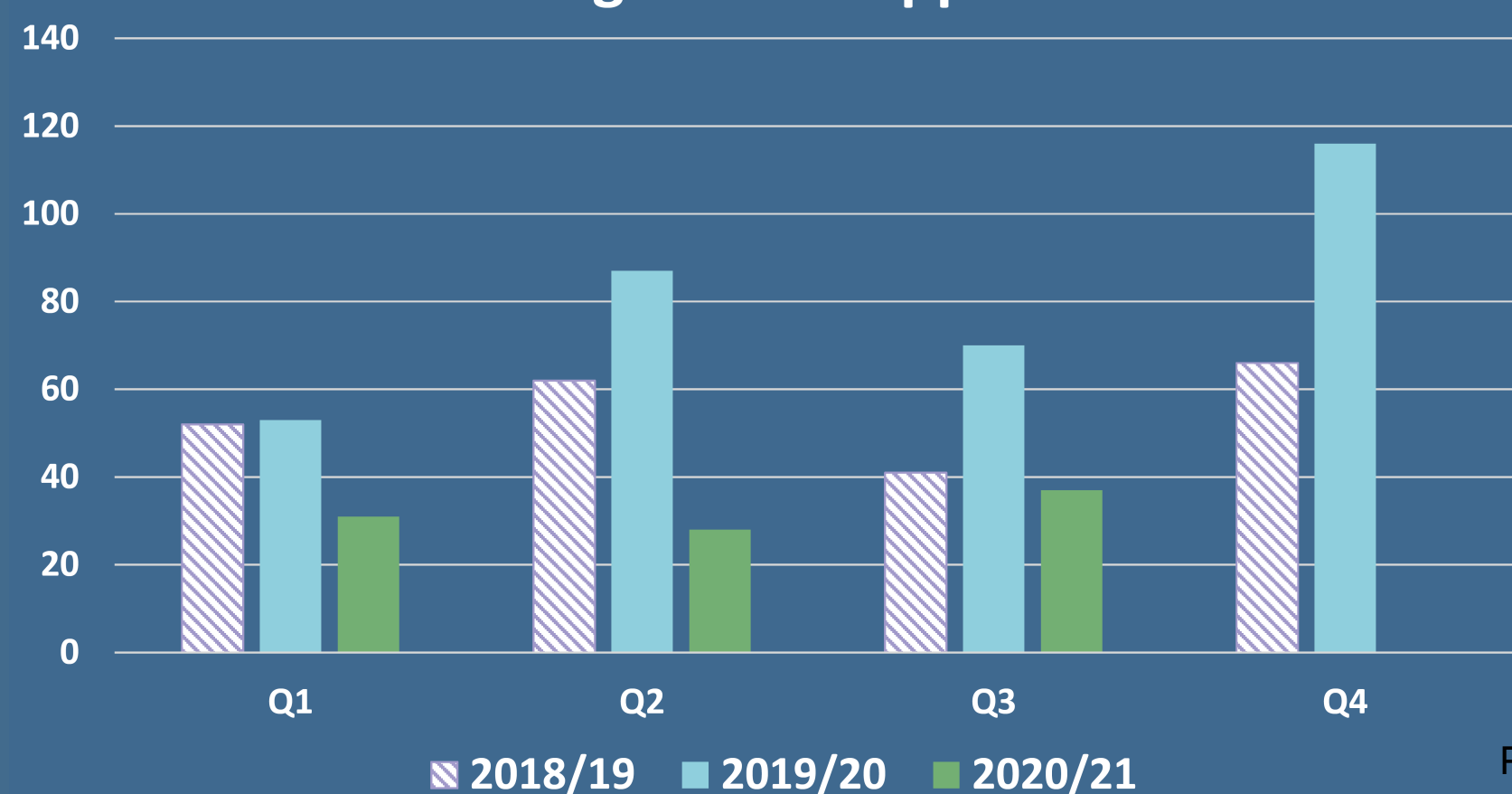


The City of London
continues to support TFL
messaging on safe travel

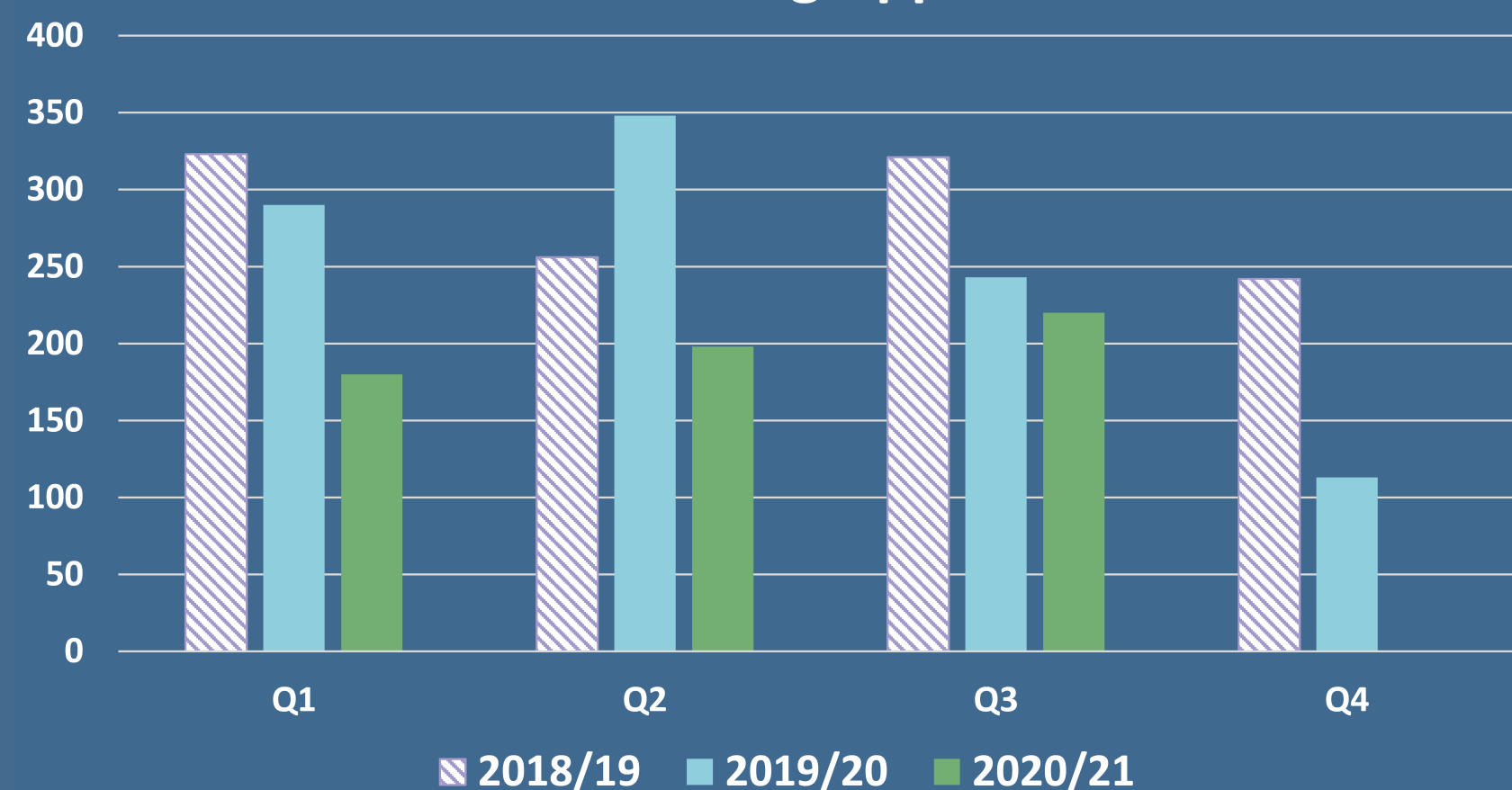


City of London
Street Accessibility Standard
scheduled for completion in **Q4**

Building Control Applications



Valid Planning Applications



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Department of Built Environment Local Risk Revenue Budget - 1st April to 31st December 2020
(Expenditure and unfavourable variances are shown in brackets)

Appendix 2

	Latest Approved Budget 2020/21 £'000	Budget to Date (Apr-Dec)			Actual to Date (Apr-Dec)			Variance Apr-Dec £'000	Forecast for the Year 2020/21			Notes
		Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000		LAB £'000	Forecast Outturn £'000	Over / (Under) £'000	
<u>Planning & Transportation (City Fund)</u>												
Building Control	(431)	(1,164)	778	(386)	(1,120)	602	(518)	(132)	(431)	(629)	(198)	1
Structural Maintenance & Inspection	(520)	(418)	106	(312)	(353)	93	(260)	52	(520)	(532)	(12)	
Highways	(3,124)	(3,425)	1,147	(2,278)	(2,644)	956	(1,688)	590	(3,124)	(2,906)	218	2
Traffic Management	1,427	(706)	1,745	1,039	(728)	1,352	624	(415)	1,427	757	(670)	3
Off Street Parking	431	(2,152)	2,248	96	(1,939)	1,506	(433)	(529)	431	(395)	(826)	4
On Street Parking	(4,207)	(3,069)	0	(3,069)	(2,398)	2	(2,396)	673	(4,207)	(3,506)	701	5
Drains & Sewers	(241)	(451)	276	(175)	(435)	100	(335)	(160)	(241)	(444)	(203)	6
Recoverable Works	0	(800)	800	0	(526)	526	0	0	0	0	0	
Contingency	(114)	0	0	0	0	0	0	0	(114)	(100)	14	7
Town Planning	(2,850)	(2,630)	841	(1,789)	(2,462)	1,123	(1,339)	450	(2,850)	(2,239)	611	8
Planning Obligations Monitoring	0	(116)	0	(116)	(112)	0	(112)	4	0	0	0	
Transportation Planning	(612)	(2,234)	1,841	(393)	(1,905)	1,130	(775)	(382)	(612)	(725)	(113)	9
Road Safety	(384)	(269)	7	(262)	(164)	1	(163)	99	(384)	(261)	123	10
Street Scene	(70)	(252)	289	37	(286)	296	10	(27)	(70)	(70)	0	
Director & Support	(1,214)	(894)	0	(894)	(876)	3	(873)	21	(1,214)	(1,229)	(15)	
	(11,909)	(18,580)	10,078	(8,502)	(15,948)	7,690	(8,258)	244	(11,909)	(12,279)	(370)	
<u>Planning & Transportation (BHE)</u>												
London Bridge	(85)	(60)	0	(60)	(44)	0	(44)	16	(85)	(75)	10	
Blackfriars Bridge	(59)	(36)	0	(36)	(32)	0	(32)	4	(59)	(56)	3	
Southwark Bridge	(51)	(37)	0	(37)	(34)	0	(34)	3	(51)	(48)	3	
Millennium Bridge	0	0	0	0	4	0	4	4	0	0	0	
Bridges General	(80)	(59)	0	(59)	(60)	0	(60)	(1)	(80)	(80)	0	
	(275)	(192)	0	(192)	(166)	0	(166)	26	(275)	(259)	16	
TOTAL PLANNING & TRANSPORTATION CTTEE	(12,184)	(18,772)	10,078	(8,694)	(16,114)	7,690	(8,424)	270	(12,184)	(12,538)	(354)	

Notes:

- 1. Building Control** - projected overspend mainly due to shortfall in Building Control Fee income as a result of COVID-19, partly offset by salary underspends.
- 2. Highways** - the underspend to date is due mainly to reduced repairs and maintenance works as a result of COVID-19 and staff vacancies. The projected year end underspend is mainly as a result of salary underspends due to staff vacancies, energy cost savings and a one-off reduction in repairs and maintenance works, which are partly offset by shortfall in capital project fees.
- 3. Traffic Management** - projected overspend is due to a shortfall in hoardings & scaffoldings fees and road closure income as a result of COVID-19.
- 4. Off Street Parking** - projected overspend due to effects of COVID-19 on car park income. This has been partly offset by reduced variable management contract costs, reduced energy costs and vacancies.
- 5. On Street Parking** - projected underspend due to reduced variable enforcement contract costs due to the effects of COVID-19, reduced maintenance costs due to the removal of pay and display machines, salary and other running expenses underspends.
- 6. Drains & Sewers** - projected overspend is due mainly to reduced income from pipe subway openings and reduced administration charges from recoverable works as a result of COVID-19.
- 7. Contingency** - projected overspend includes 2019/20 DBE overspend carry forward £221k and £100k Climate Action Strategy funding, mostly offset by the budget adjustment of £310k to DBE as part of the 2020/21 budget re-setting exercise.
- 8. Town Planning** - projected underspend is mainly due to staff vacancies, additional income from Planning Application Fees and Planning Performance Agreements, and one-off costs no longer required, offset by Tulip Inquiry costs £190K and increased recruitment and advertising costs.
- 9. Transportation Planning** - projected overspend is mainly due to under recovery of staff costs from capital projects due to staff vacancies, delays in works on chargeable projects due to the pandemic and pause on TfL LIP funded projects. This is partly offset with salary savings due to vacant posts.

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Committees: Audit and Risk Management	Dated: 13 01 2021
Port Health and Environmental Services Committee	20 01 2021
Planning and Transportation	24.02.2021
Subject: Deep Dive: CR21 Air Quality	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	2 and 11
Does this proposal require extra revenue and/or capital spending?	No
Report of Jon Avern	For Information
Report author: Ruth Calderwood Air Quality Manager, Markets and Consumer Protection Dept.	

Summary

Air quality is currently an amber corporate risk, with a risk score of 12. It was initially designated a red corporate risk; however, the risk has been reduced. This is due to ongoing improvements in air quality together with the wide range of action that has been and continues to be taken by the City Corporation to mitigate the risk. The risk reflects the potential impact on the health of residents, workers and visitors to the Square Mile. It also reflects the potential reputational and financial risk to the City of London Corporation. The target is to achieve a risk score of 6.

Extensive air quality monitoring across the Square Mile demonstrates that air quality is improving. There has been a particularly marked improvement in the area of the Square Mile that meets the health-based targets for nitrogen dioxide (a product of fuel combustion). This has gone from very small patches of the Square Mile in 2016 to 30% in 2018, increasing to 67% in 2019. The impact of the response to the COVID19 pandemic led to a further reduction in nitrogen dioxide across the City during 2020. Overall, levels of nitrogen dioxide were 35 – 40% lower than in 2019, with particulate matter, PM₁₀, being around 10% lower over the same period. Once activity starts to return to near normal, levels of air pollution will increase.

Air quality targets and obligations were set out in European Directives. Now the United Kingdom has left the European Union, the government has published an Environment Bill to enact the provisions into domestic law. The Bill includes proposals for new air quality targets for fine particles PM_{2.5}, and for an additional air pollutant, which is yet to be defined. The targets are likely to be influenced by World Health Organisation Guidelines, which are tighter than those set in European Directives. The Environment Bill also includes proposals for passing more responsibility for improving air quality to local government than exists under current legislation. This renewed responsibility could pose a challenge for the City

Corporation due to its size and location. A significant proportion of the pollutant PM_{2.5} measured within the Square Mile is not generated within its boundary.

Whilst increasing the obligation on local government to achieve air quality targets, the Environment Bill does not include adequate provisions for the powers that local authorities may need to reduce air pollution to an acceptable level in their area. The City Corporation has therefore developed proposals for an Emission Reduction (Local Authorities in London) Bill. The Bill, which has the support of London Councils, proposes adoptive powers for all London local authorities to reduce emissions of pollutants from a wide range of combustion plant used for heating and electricity generation. The Bill was introduced to the House of Lords as a Private Member's Bill on Monday 13th January 2020. The provisions of the Bill are being used to influence the contents of the Environment Bill as it passes through parliament.

Ongoing research into poor air quality has led to it being linked to an increasing range of diseases. Academic papers have been published suggesting a link between exposure to PM_{2.5} and the impact of COVID19 on health. However, these papers have not been peer reviewed and should be treated with caution. On December 16th, 2020, a Coroner ruled that exposure to air pollution contributed to the death of a London child. It is the first time that air pollution has been explicitly linked to a named individual's death in the United Kingdom. During 2021, close attention will be paid to the air quality risk. It is likely to evolve due to the Coroner's ruling, change in statutory obligations and ongoing research into the health effects of air pollution, which includes the forthcoming changes to World Health Organisation Air Quality Guidelines.

The City Corporation is exceeding its current statutory duty to improve air quality and is widely regarded as demonstrating leadership in this area. Air quality, particularly nitrogen dioxide, is improving year on year. However, the City Corporation must not become complacent. In order to adequately deal with the air quality risk, the City Corporation needs to remain agile and proactive in its approach and must continue to deliver a high-quality influential programme that will serve to fulfil all statutory obligations and minimise the risk of air pollution to public health.

Recommendation

Members are asked to:

- Note the report.

Main Report

Background

1. Being located at the heart of London, the Square Mile experiences some of the highest levels of air pollution in the country. Local air pollution is affected by

emissions of pollutants from both within the Square Mile, and beyond its boundary. It is also affected by the weather and the size, shape and proximity of buildings, which can act to trap pollution. The pollutants of concern are nitrogen dioxide, which is a colourless, odourless gas that is a product of fuel combustion, and fine particulate matter (PM₁₀ and PM_{2.5}), which comes from a variety of sources.

2. Air quality is currently an amber corporate risk with a risk score of 12, see Appendix 1. It was initially designated a red corporate risk, but the risk has been reduced due to ongoing improvements in air quality and the wide range of action being taken by the City Corporation to further mitigate the risk. The risk reflects the potential impact on the health of residents, workers and visitors to the Square Mile. It also reflects the potential reputational and financial risk to the City of London Corporation as an organisation. The target is a risk score of 6.
3. The impact of air pollution on health is both acute and chronic. Research into the health impacts is ongoing and it is being linked to an increasingly wide range of diseases. The main health impact is cardiovascular and cardiopulmonary disease, lung cancer and respiratory disease. It also affects lung development in children. Short term pollution episodes can lead to an increase in hospital admissions for vulnerable people. Exposure to current levels of air pollution in central London over the long term has been shown to reduce life expectancy across the whole population.
4. On December 16th, 2020, a Coroner ruled that exposure to air pollution contributed to the death of a London child. The cause of death is cited as acute respiratory failure, severe asthma and air pollution exposure. It is the first time that air pollution has been explicitly linked to a named individual's death. The Coroner has asked for submissions to be made to him by mid-January 2021 so he can prepare a 'prevention of future deaths report'. This report is likely to be relevant to the City Corporation exercising its local authority responsibilities for air quality and public health. Once further information is available, consideration will be given to the potential impact of the verdict, and associated reports, on the air quality risk.
5. Academic research papers have been published showing a potential link between exposure to air pollution, particularly fine particle matter, and the impact of COVID19 on health. However, the research is in its early stages and the papers have not yet been peer reviewed, so an element of caution is required when considering the findings. Officers will continue to follow this research closely.

Statutory Duty

6. Responsibility for improving air quality lies with local, regional and national government. To date, the statutory responsibility of local government in London has been to assist the government and Mayor of London with action to ensure that levels of air pollution are lower than limits set in European Union (EU) Directives.

7. Air quality in the UK meets the EU air quality limits for all pollutants except nitrogen dioxide (NO₂). Levels of fine particles (PM₁₀ and PM_{2.5}) in the Square Mile meet current EU limits, though they are higher than World Health Organisation (WHO) Guidelines. Table 1 shows the difference between EU limits and WHO guidelines for nitrogen dioxide and fine particles.
8. The current responsibility for controlling levels of PM_{2.5} lies with national, not local, government. This is because it is classed as a 'regional pollutant' over which local authorities have very little control. Particulate matter can stay in the air for a very long time and move around with the wind. Local authorities have a statutory obligation under the Health and Social Care Act 2012 to improve the public health of their population. One of the indicators used to assess performance with obligations under this legislation is exposure of the population to PM_{2.5} particle pollution.
9. As levels of air pollution do not meet health-based limits in the Square Mile, the City Corporation has an obligation to produce an Air Quality Action Plan. Under current duties, the Plan must outline action that will be taken to assist the government in its obligation to improve air quality, and to help people reduce their exposure to the highest levels of air pollution.
10. The City Corporation's Action Plan has been incorporated into an Air Quality Strategy. The latest Air Quality Strategy was published in September 2019. The aims of the strategy are to:
 - a. fulfil statutory obligations for London Local Air Quality Management and improving public health
 - b. ensure that air quality in over 90% of the Square Mile meets the health-based Limit Values and World Health Organisation Guidelines for nitrogen dioxide by the beginning of 2025
 - c. support the Mayor of London to meet World Health Organisation Guidelines for particulate matter (PM₁₀ and PM_{2.5}) by 2030
11. There are 65 actions in the strategy that focus on air quality monitoring, collaborative action, demonstrating leadership, reducing emissions and raising awareness.
12. Progress with actions, together with the most recent air quality data, is reported to the Mayor of London and government each year. These are statutory reports that are presented to the Port Health & Environmental Services Committee. The latest report was presented on 21st July 2020. A summary report, which includes air quality data over seven years up to and including 2019, is attached to this report as Appendix 2.
13. The government is drawing environmental law post Brexit through the Environment Bill. This should receive Royal Assent in spring 2021. The Bill sets out a requirement for a legally binding domestic air quality target, with an additional specific target for PM_{2.5}. The World Health Organisation has set air quality guidelines for different pollutants. These are currently being reviewed with

the outcome expected in 2022. The WHO guidelines are likely to be tightened and will influence the air quality targets proposed in the Environment Bill.

14. The Bill also includes provisions to reform *Local Air Quality Management*, which provides the framework for local authority statutory obligations. Local authority's obligations for improving air quality in the Environment Bill are more binding than at present as they require local authorities to prepare a Plan to ensure that air quality standards and targets are *met and maintained*. This increased statutory obligation could pose a challenge for the City Corporation as much of the pollution, particularly PM_{2.5}, measured in the Square Mile originates from outside its boundary. It is therefore not within the direct control of the City Corporation.
15. The Environment Bill proposes to amend aspects of the Clean Air Act 1993 to enable simplified enforcement of Smoke Control Areas. It does not however include proposals for additional powers to deal with the full range of combustion plant found in urban areas that are used to generate heat or electricity (boilers, generators and combined heat and power plant). The City Corporation has attempted to address this through its own Emission Reduction (Local Authorities in London) Private Members Bill, This Bill, which has the support of London Councils, proposes adoptive powers for all London local authorities to reduce emissions of pollutants from a wide range of combustion plant used for heating and electricity generation. The Bill was introduced to the House of Lords as a Private Member's Bill on Monday 13th January 2020.
16. The proposals in the Emission Reduction (Local Authorities in London) Private Members Bill are being used to influence the contents of the Environment Bill as it passes through Parliament. In March 2020, a submission was made to the Public Bill Committee promoting the benefits of the contents of the Emission Reduction (Local Authorities in London) Bill. The contents of the Bill will also be tabled when the Environment Bill is presented to the House of Lords in the New Year.

Levels of air pollution in the Square Mile

17. The City Corporation runs an extensive network of air quality monitors. The amount of air pollution in the City of London at any given time is influenced by a range of factors. The main factor affecting day to day levels of air pollution is the weather.
18. Given that weather patterns have a strong influence on air pollution, annual average data is assessed to see if air pollution is improving over time. The data collected demonstrates a clear pattern of improvement over the past few years. Table 1 shows the concentrations of pollutants measured at specific sites. This data has been extrapolated using a computer model to show that the area of the Square Mile that meets the EU and WHO health-based target for nitrogen dioxide. In 2016 only small patches of the City met the annual average nitrogen dioxide target. This increased to 30% in 2018 and 67% in 2019.

19. The reduction in activity associated with the COVID 19 pandemic has led to further improvements in air quality, albeit short term. Overall, levels of nitrogen dioxide were 35 – 40% lower in the Square Mile in 2020 than in 2019, with a marked reduction being seen during the first lockdown. Particulate matter was around 10% lower in 2020 than 2019. Once activity starts to return to near normal, levels of pollution will increase.
20. In March 2020, an experimental traffic order was applied to Beech Street to restrict through traffic to zero emission vehicles. This, along with the impact of the COVID19 pandemic on activity in London, led to a reduction in nitrogen dioxide in Beech Street itself by over 50% when compared to 2019. PM₁₀ reduced by 18% in Beech Street over the same period. This significant reduction in both pollutants was expected as Beech Street is a covered road and any pollution emitted in the street is unable to disperse easily. Consequently, removing traffic emissions from Beech Street has a greater impact on air pollution in that street than a similar scheme would have on other roads in the City.
21. Although levels of fine particles (PM₁₀ and PM_{2.5}) are also falling across the Square Mile, the overall reduction is not as dramatic as for nitrogen dioxide. This is because particulate matter is made up of many sources, some of which travel very long distances and stay in the air for a long time.

Location	Pollutant	EU Limit value	WHO Guideline	Annual average 2018 (µg/m ³)	Annual average 2019 (µg/m ³)	Annual average 2020* (µg/m ³)
Aldgate School formerly Sir John Cass Foundation Primary School (background)	Nitrogen dioxide	40	40	32	33	22
	PM ₁₀	40	20	21	19	17
	PM _{2.5}	25	10	12	12	12
Upper Thames Street (roadside)	Nitrogen dioxide	40	40	87	74	43
	PM ₁₀	40	20	32	27	24
Beech Street (roadside)	Nitrogen dioxide	40	40	69	62	28
	PM ₁₀	40	20	25	22	18
Farringdon Street (roadside)	PM _{2.5}	25	10	16	14	12

Table 1

*Data for 2020 is provisional

Risk Mitigation

22. In order to reduce the risk associated with poor air quality in the Square Mile, the City Corporation needs to demonstrate that, at a minimum, it is fulfilling its statutory obligation and that it has taken, and will continue to take, a wide range of action to bring about improvements to air quality. The City Corporation must also ensure that it takes necessary steps to protect the health of residents, workers and visitors to the City through the provision of appropriate information and robust and reliable data.
23. Actions to demonstrate risk mitigation are detailed in the 2019 Air Quality Strategy. Recent examples include:
- a. Reducing emissions of air pollution from its own fleet, buildings and activities.
 - b. Increasing the number of pedestrianised and pedestrian priority streets.
 - c. A zero-emission street pilot.
 - d. Working with Barts Health NHS Trust to reduce emissions of air pollution from the energy centre
 - e. Developing and disseminating guidance on minimising emissions from combustion plant in buildings
 - f. Developing and disseminating guidance on minimising emissions from food premises
 - g. Hosting best practice events for all London Boroughs
 - h. Working with a range of partners to reduce emissions of air pollutants from the Thames river vessels
 - i. Working with City businesses to encourage emission reduction from their activities
 - j. Jointly leading a London Borough wide idling engine programme with the London Borough of Camden, supported by the Mayor of London
 - k. Working with City schools and nurseries to develop tailored action plans to improve local air quality.
 - l. Updating the free smart phone App, CityAir, which provides high pollution alerts and helps users avoid areas of poor air quality.
24. The City Corporation is recognised as the lead local authority for air quality policy across London. Officers are regularly called upon to provide expertise as part of various regional and national working groups that influence air quality policy and research.
25. There are some issues that make air quality improvements challenging in the Square Mile. For example, due to its location, the Square Mile is heavily influenced by pollution generated across London and the south east. This is recognised by the range of leadership and collaborative work undertaken by the City Corporation, such as the development of the Emission Reduction (Local Authorities in London) Private Member's Bill which would provide adoptive powers for all London Boroughs and the City Corporation.
26. There is an additional potential risk with the availability and interpretation of data. The high level of interest in air pollution has led to relatively low-cost air quality monitoring devices becoming widely available. However, measuring air quality accurately is not straight forward and requires the use of certified equipment that is subject to regular calibration, audits and a rigorous data validation process. The new generation of air

quality monitors are uncertified and, when tested against certified equipment, are often shown to be inaccurate, unprecise and the data drifts over time. The City Corporation's latest Air Quality Strategy recognises the role that the authority must play in providing robust and reliable data. The strategy includes an action to test new equipment whenever possible. The Air Quality Manager is also part of a national working group considering certification schemes for the new low-cost sensors.

Corporate & Strategic Implications

Strategic implications

27. The work on air quality directly supports two Corporate Plan outcomes:

No. 2. People enjoy good health and wellbeing

No. 11. We have clean air, land and water

28. Improving air quality is overseen by Port Health and Environmental Services Committee and is a priority for the Health and Wellbeing Board. It is also of interest to the Planning and Transportation and Streets and Walkways Committees.

29. Improving air quality is firmly embedded into a range of corporate policies and strategies such as the Transport Strategy, draft City Plan, Responsible Business Strategy and Procurement Strategy. In 2020 the City Corporation published a Climate Action Strategy. Steps taken to deliver the outcomes of this strategy, such as moving a greater use of renewable energy, will lead to further air quality improvements locally.

Financial implications

30. The Air Quality Team local risk budget in 2020/21 is £388,000. As part of the 12% savings required to remain within the Department's resource envelope following the introduction of the Target Operating Model, there may need to be a reduction in the non-staffing element of the budget for 2021/21. Although the details have not yet been confirmed, it is anticipated that the 65 actions contained within the air quality strategy can still be delivered from existing resources. External funding and grants to support projects and programmes in the Square Mile and across London are sought wherever possible.

Resource implications

31. A small team of 4 officers deliver the City Corporation's air quality programme. The team collaborates very closely with other City departments. The Air Quality Team is part of the Consumer Protection side of the current Department of Markets & Consumer Protection, which under the Target Operating Model, will be incorporated

into the new Environment Department. At this time, it is not envisaged that the Target Operating Model will have an impact on the Air Quality Team's staffing resource.

Legal implications

32. The City Corporation has a statutory duty to measure air quality and develop and implement an action plan to improve air quality where targets are not met. The Environment Bill, which is currently passing through parliament, contains proposals to place increased responsibility on local authorities to meet air quality targets. Due consideration will be given to the implications of this increased statutory obligation once the Bill receives Royal Assent.
33. Consideration will also be given to the potential legal implications of the recent Coroner's ruling on the death of a London Child that died from acute respiratory failure, severe asthma and air pollution exposure.

Risk implications

34. During 2021, close attention will be paid to the air quality risk. It is likely to evolve due to the Coroner's ruling cited in paragraph 33 and the change in statutory obligations cited in paragraph 32. The outcome of the ongoing research into the health effects of air pollution, which includes any association with the impact of COVID19 on health, together with the forthcoming changes to World Health Organisation Air Quality Guidelines, will also be considered.

Equalities implications

35. A 'test of relevance equalities analysis' was undertaken for the 2019 Air Quality Strategy. Action to improve air quality has a positive impact on all sections of the population. The benefit is greatest for children and the elderly as they are more susceptible to the health impacts of air pollution. There is also a positive impact on individuals whose lives are affected by asthma and other respiratory and cardiovascular conditions.

Security implications

36. None

Conclusion

37. Air quality is currently an amber corporate risk with a risk score of 12. It was initially designated a red corporate risk; however, the risk has been reduced. This is due to ongoing improvements in air quality, together with the wide range of action that has been, and continues to be, taken by the City Corporation to further mitigate the risk. The target is a risk score of 6.

38. During 2021, close attention will be paid to the air quality risk. It is likely to evolve due to the recent Coroner's ruling on the death of a London child that died from acute respiratory failure, severe asthma and air pollution exposure. It will also be influenced by the change in statutory obligations and ongoing research into the health effects of air pollution, which includes any association with the impact of COVID19 on health, and changes to World Health Organisation Air Quality Guidelines.

39. Air quality in the City is improving. There is, however, some way to go before the air will be classed as 'healthy to breathe' at all locations. Given the issues cited above, the City Corporation must not become complacent. It must continue to deliver a high-quality influential programme that will serve to fulfil all statutory obligations and minimise the risk of air pollution to public health.

Appendices

- Appendix 1 – Risk and Progress Summary for CR21: Air Quality
- Appendix 2 – Air Quality Annual Status Summary Report 2020

Background Papers

- Deep Dive Reports to Audit and Risk Management Committee on Air Quality
14 June 2016, 6 November 2018, 28 January 2019
- City of London Air Quality Strategy 2019 – 2025
- City of London Annual Status Report 2020
- Emission Reduction (Local Authorities in London) Bill 2019

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CR21 AIR QUALITY RISK- Detailed risk register with Flight path

Report Author: Paul Dudley

Generated on: 18 December 2020



Rows are sorted by Risk Score

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Flight path (Assessment history since creation date)
P006 285 CR21 Air Quality 07-Oct-2015 Ruth Calderwood	Cause: Levels of air pollution in the City, specifically nitrogen dioxide and fine particles, impact on the health of residents, workers and visitors. The City Corporation has a statutory duty to take action to improve local air quality. Event: The City of London Corporation is insufficiently proactive and resourced, and does not have the right level of competent staff, to be able to fulfil statutory obligations, as a minimum, in order to lower levels of air pollution and reduce the impact of existing air pollution on the health of residents, workers and visitors. Effect: The City Corporation does not fulfil statutory obligations and air pollution remains a problem, impacting on health. Potential for legal action against the Corporation for failure to deliver obligations and protect health. Adverse effect on ability to deliver outcomes 2 and 11 of the Corporate Plan	 Likelihood	12	Air pollution has reduced substantially during 2020 which is largely due to the decline in activity associated with the response to the COVID 19 pandemic. This is likely to be temporary, so no change has been made to the risk rating at this stage. During 2021, close attention will be paid to the air quality risk. It is likely to evolve due to: a recent Coroner's ruling that air pollution was a contributory factor in the death of a London child; forthcoming change in statutory obligations and ongoing research into the health effects of air pollution, which includes the changes to World Health Organisation Air Quality Guidelines 18 Dec 2020	 Likelihood	6	31-Dec-2024	

Action no, Title,	Action description	Latest Note	Action owner	Latest Note Date	Due Date
CR21 001h Publish annual report of air quality data	Develop baseline model for compliance assessment and publish annual report of air quality data	Baseline model for compliance assessment has been developed. Area of the Square Mile that met the nitrogen dioxide targets in 2019 was 67%, up from 30% in 2018	Ruth Calderwo od	15-Dec-2020	31-Dec-2025
CR21 001i Compliant vehicles	100% of vehicles owned or leased by the CoL are electric or hybrid by 2025	There are 7 electric cars, 4 electric vans and 1 electric minibus in the Corporate Fleet	Ruth Calderwo od	07-Dec-2020	31-Dec-2025
CR21 001j Develop Private Members Bill	Develop and support an Emission Reduction Private Members Bill for London local authorities	The contents of the Emission Reduction (Local Authorities in London) Bill will be used to influence the Environment Bill as it passes through the House of Lords, early 2021. A submission was made to the Public Bill scrutiny committee for the Environment Bill	Ruth Calderwo od	15-Dec-2020	31-Dec-2021
CR211 Compliance with NO2 target	Assess percentage compliance rate with NO2 target	67% compliance in 2019	Ruth Calderwo od	07-Dec-2020	31-Dec-2024

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Appendix 2

Air Quality Annual Status Summary Report for 2019

1. Air Quality Monitoring

Nitrogen Dioxide (NO₂)

Nitrogen dioxide is measured at three locations using continuous (or automatic) analysers: Sir John Cass's Foundation Primary School (now known as the Aldgate School), Beech Street and Upper Thames Street. In 2019, it was also measured at a further 110 locations using low-cost diffusion tubes.

Air quality in the City has gradually been improving year on year. In 2019 there was a significant drop in annual average concentrations of nitrogen dioxide at roadside when compared to 2018. In Upper Thames Street NO₂ reduced by 14µg/m³ (16%) and in Beech Street it reduced by 7µg/m³ (10%). Despite this improvement, levels of nitrogen dioxide along many busy roads remain above the annual EU limit and World Health Organisation Guideline of 40 µg/m³.

Background concentrations stayed at similar levels, well below the EU limit with Sir John Cass's Foundation Primary School measuring an annual average of 33µg/m³ in 2019. The hourly EU limit for nitrogen dioxide was met at all three sites for the first time since monitoring began.

Small particles PM₁₀

PM₁₀ is measured at three locations using continuous (automatic) analysers: Sir John Cass's Foundation Primary School, Beech Street and Upper Thames Street. Levels of PM₁₀ are influenced by weather conditions. In 2019, levels of PM₁₀ decreased at all sites when compared to 2018. The largest decrease was 5µg/m³ along Upper Thames Street. All sites are below the annual and daily EU limit values, but above World Health Organisation Guidelines.

Fine particles PM_{2.5}

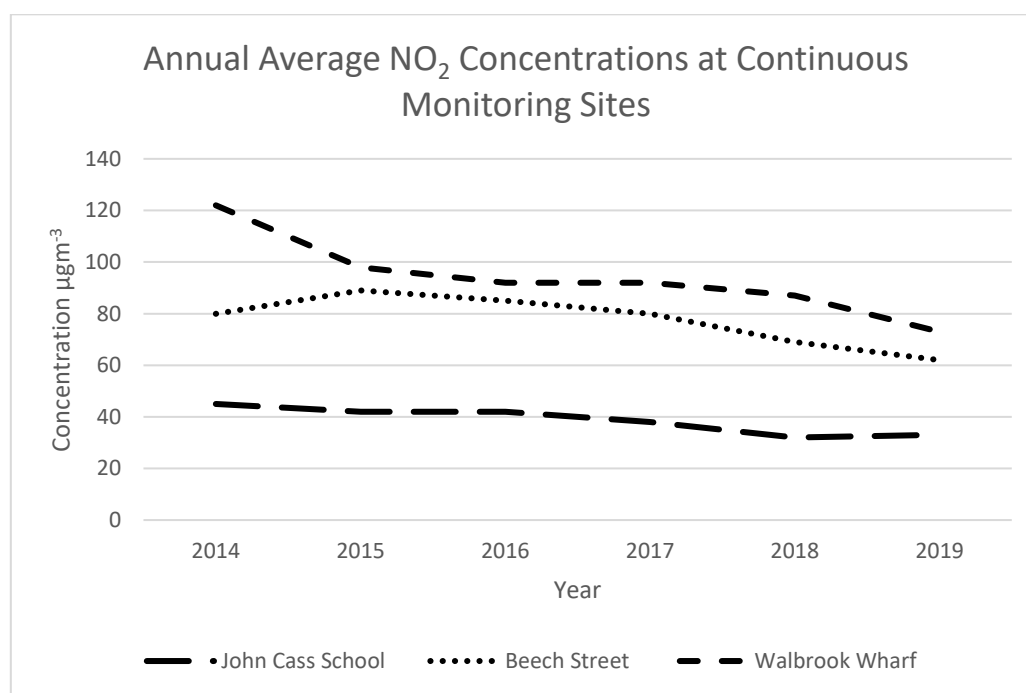
PM_{2.5} is measured at two locations, Farringdon Street and Sir John Cass's Foundation Primary School, using continuous (automatic) analysers. Concentrations are similar at both sites as it is a regional pollutant and strongly influenced by weather conditions. In 2019 there was a slight decrease in concentration at the roadside site (Farringdon) and levels stayed the same at the background site (John Cass). Both sites are below the annual and daily EU limit value but above World Health Organisation Guidelines.

2. Nitrogen Dioxide Data

The EU Limit Value and World Health Organisation Guideline is an annual mean of $40\mu\text{g}/\text{m}^3$

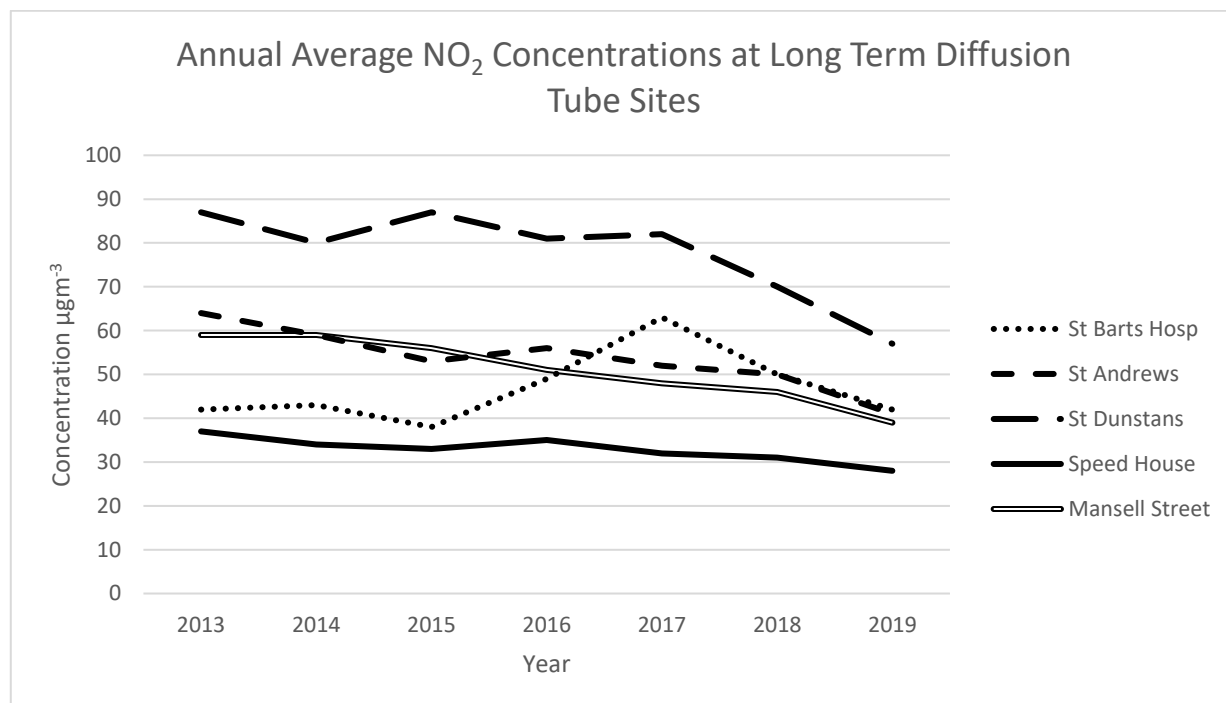
Long term continuous analysers

Site	Site type	Annual Mean ($\mu\text{g}/\text{m}^3$)						
		2013	2014	2015	2016	2017	2018	2019
John Cass's Foundation Primary School	Urban Background	47	45	42	42	38	32	33
Beech St	Roadside	81	80	89	85	80	69	62
Walbrook Wharf	Roadside	122	122	98	92	92	87	73



Long term diffusion tube sites

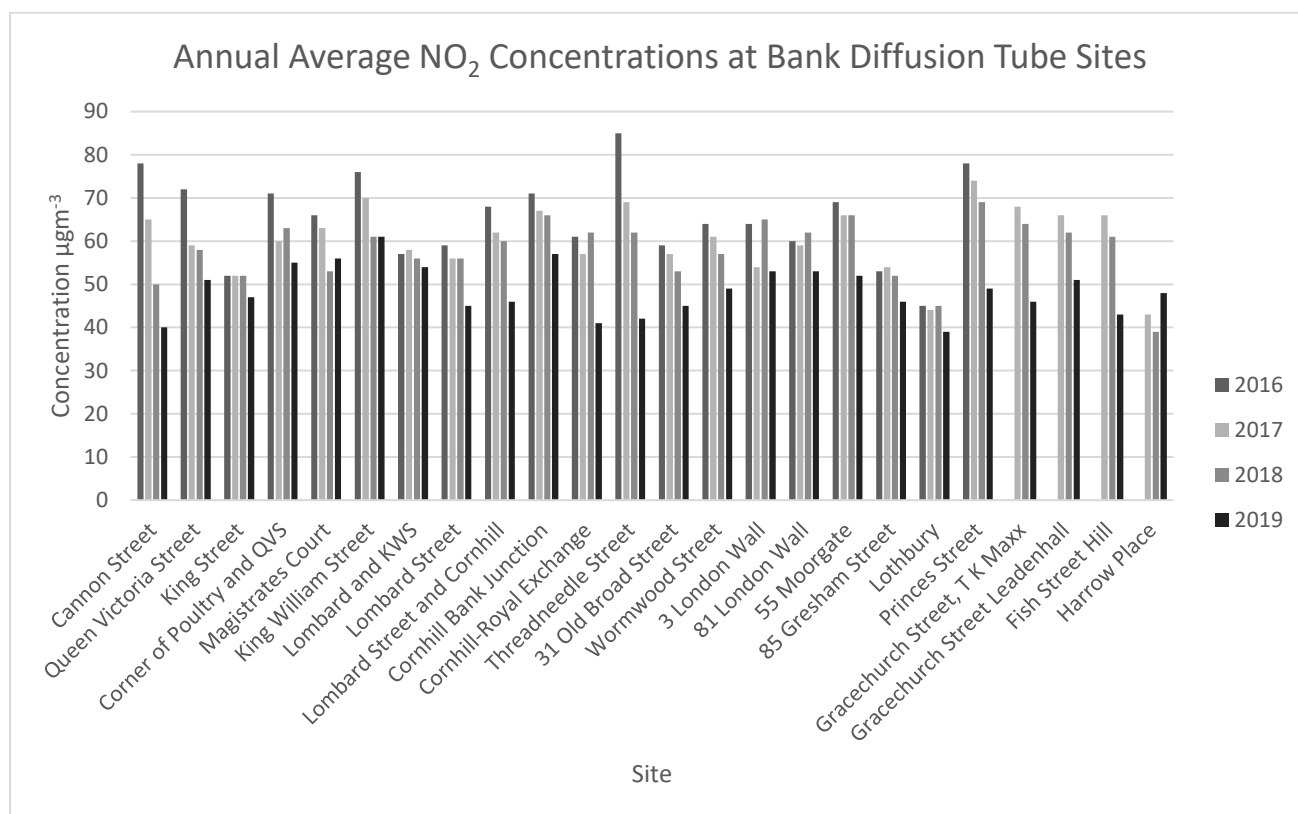
Site	Site type	Annual Mean ($\mu\text{g}/\text{m}^3$)						
		2013	2014	2015	2016	2017	2018	2019
St Bartholomew's Hospital Courtyard	Urban Background	42	43	38	49	63	50	42
St. Andrew's Church, Queen Victoria St	Roadside	64	59	53	56	52	50	41
Fleet Street	Roadside	87	80	87	81	82	70	57
Speed House, Barbican Estate	Urban Background	37	34	33	35	32	31	28
Guinness Trust Estate, Mansell St	Roadside	59	59	56	51	48	46	39



Diffusion tube sites measuring the impact of the Bank on Safety traffic scheme

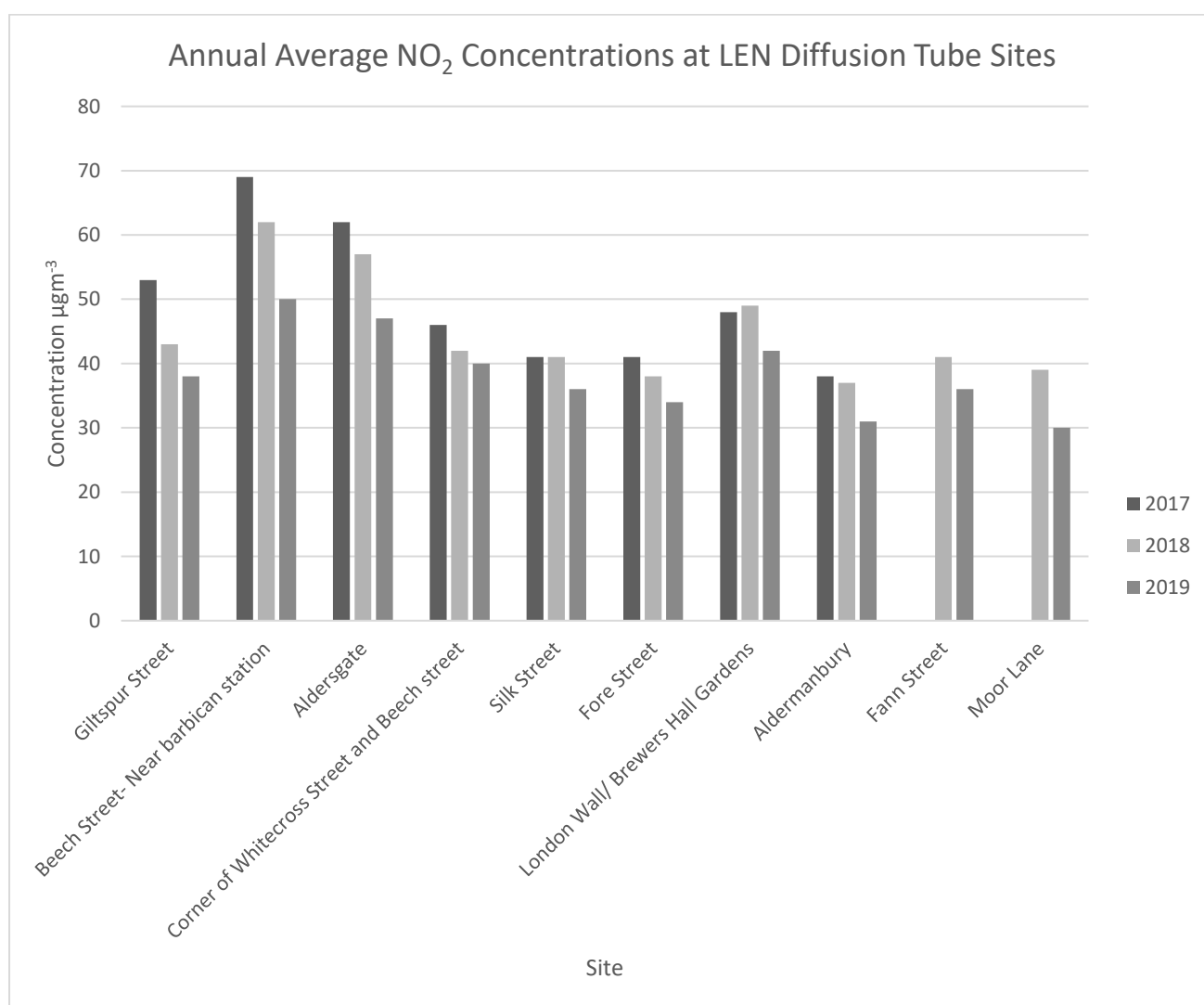
Site	Annual Mean ($\mu\text{g}/\text{m}^3$)			
	2016	2017	2018	2019
Cannon Street	78	65	50	40
Queen Victoria Street	72	59	58	51
King Street	52	52	52	47
Corner of Poultry and QVS	71	60	63	55
Magistrates Court	66	63	53	56

King William Street	76	70	61	61
Lombard and KWS	57	58	56	54
Lombard Street	59	56	56	45
Lombard Street and Cornhill	68	62	60	46
Cornhill Bank Junction	71	67	66	57
Cornhill-Royal Exchange	61	57	62	41
Threadneedle Street	85	69	62	42
31 Old Broad Street	59	57	53	45
Wormwood Street	64	61	57	49
3 London Wall	64	54	65	53
81 London Wall	60	59	62	53
55 Moorgate	69	66	66	52
85 Gresham Street	53	54	52	46
Lothbury	45	44	45	39
Princes Street	78	74	69	49
Gracechurch Street, T K Maxx	-	68	64	46
Gracechurch Street Leadenhall	-	66	62	51
Fish Street Hill	-	66	61	43
Harrow Place	-	43	39	48



Diffusion tube sites measuring the impact of the Low Emission Neighbourhood

Site	Annual Mean ($\mu\text{g}/\text{m}^3$)		
	2017	2018	2019
Giltspur Street	53	43	38
Beech Street- Near barbican station	69	62	50
Aldersgate	62	57	47
Corner of Whitecross Street and Beech street	46	42	40
Silk Street	41	41	36
Fore Street	41	38	34
London Wall/ Brewers Hall Gardens	48	49	42
Aldermanbury	38	37	31
Fann Street	-	41	36
Moor Lane	-	39	30

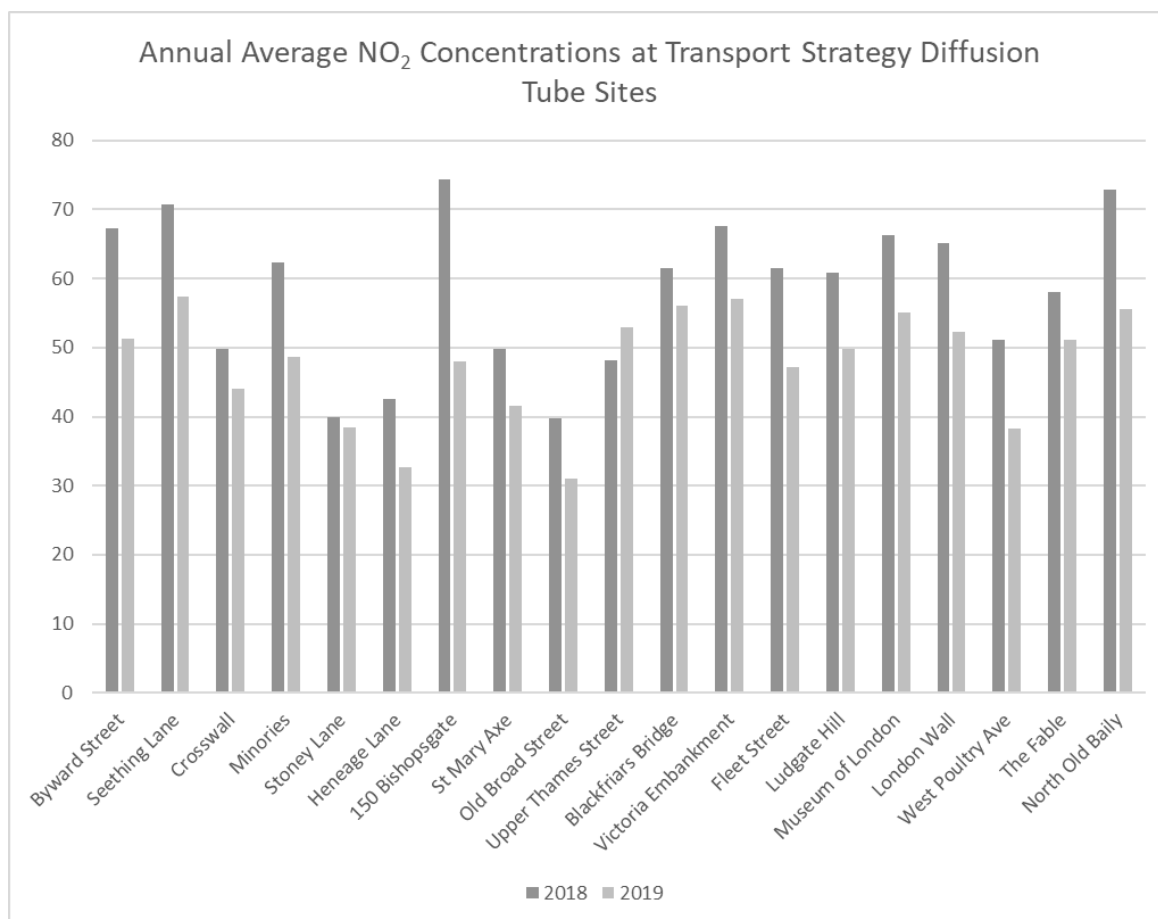


Diffusion tube sites - other

Site	Annual Mean ($\mu\text{g}/\text{m}^3$)	
	2018	2019
Sir John Cass School Front playground	40	37
Southwark Bridge	41	35
London Bridge	37	35
Liverpool Street	71	52
Fenchurch Avenue	36	35
Fetter Lane	56	44
St Mary at Hill's Churchyard	33	31
St Pauls	41	39
Whittington Gardens	42	37
Goodmans Yard	-	44

Diffusion tube sites to support the Transport Strategy

Site	Annual Mean ($\mu\text{g}/\text{m}^3$)	
	2018	2019
Byward Street	67	51
Seething Lane	71	57
Crosswall	50	44
Minories	62	49
Stoney Lane	40	39
Heneage Lane	42	33
150 Bishopsgate	74	48
St Mary Axe	50	42
Old Broad Street	40	31
Upper Thames Street	48	53
Blackfriars Bridge	62	56
Victoria Embankment	68	57
Fleet Street	62	47
Ludgate Hill	61	50
Museum of London	66	55
London Wall	65	52
West Poultry Ave	51	38
The Fable	58	51
North Old Baily	73	56



Diffusion tube sites to support the Beech Street Zero Emissions Street Project

Site	Annual Mean (µg/m³)
	2019
Aldersgate Street	47
Bunhill Row/Chiswell Street	40
Moore Lane/Ropemaker Street	34
Moorgate	52
London Wall/ Moorgate	52
London Wall	49
Wood Street	29

Diffusion tube sites to support the St Pauls Gyratory Project

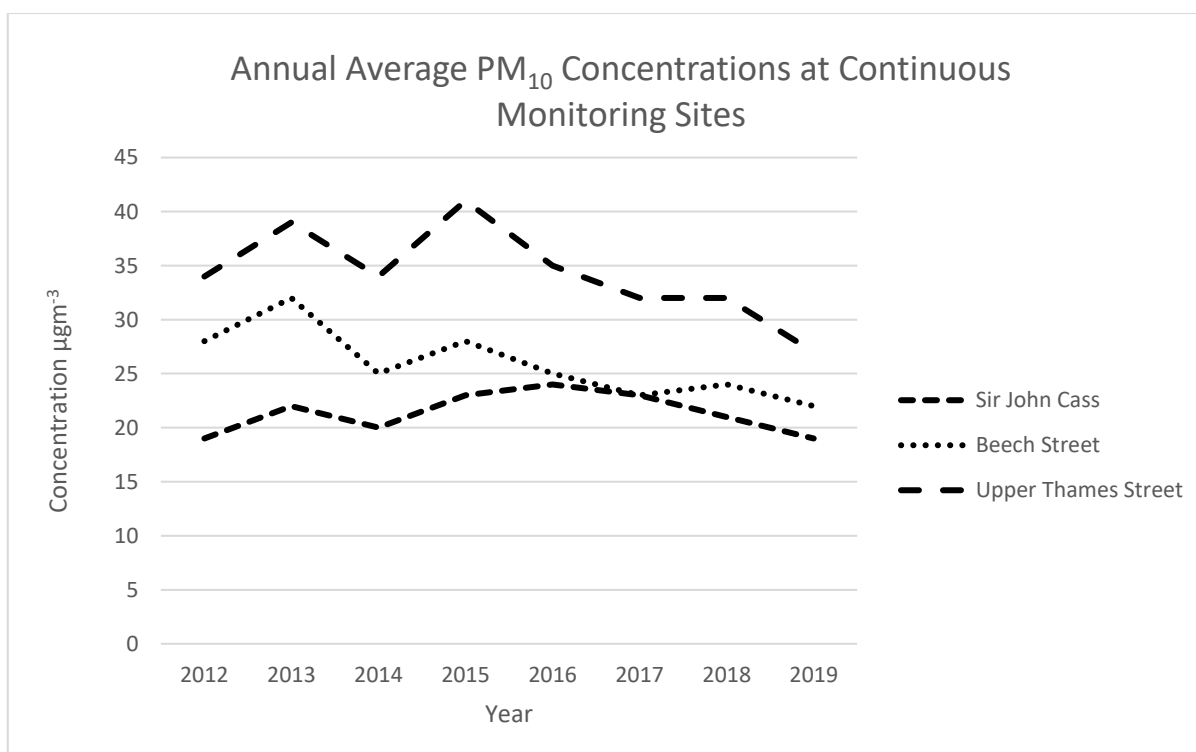
Site	Annual Mean (µg/m³)
	2019
Montague Street	49
King Edward St/Angel St	48
Angel St	45

Angel Street/St Martins le Grand	44
Cheapside (underground entrance)	42
Cheapside/Foster Lane	45
New Change	50
Cheapside	48
Newgate/Warwick Lane	51
Newside, Warwick Lane	55
King Edward Street/Newgate	59

3. PM₁₀ Data

The annual average EU limit value is 40µg/m³, World Health Organisation Guideline is 20µg/m³

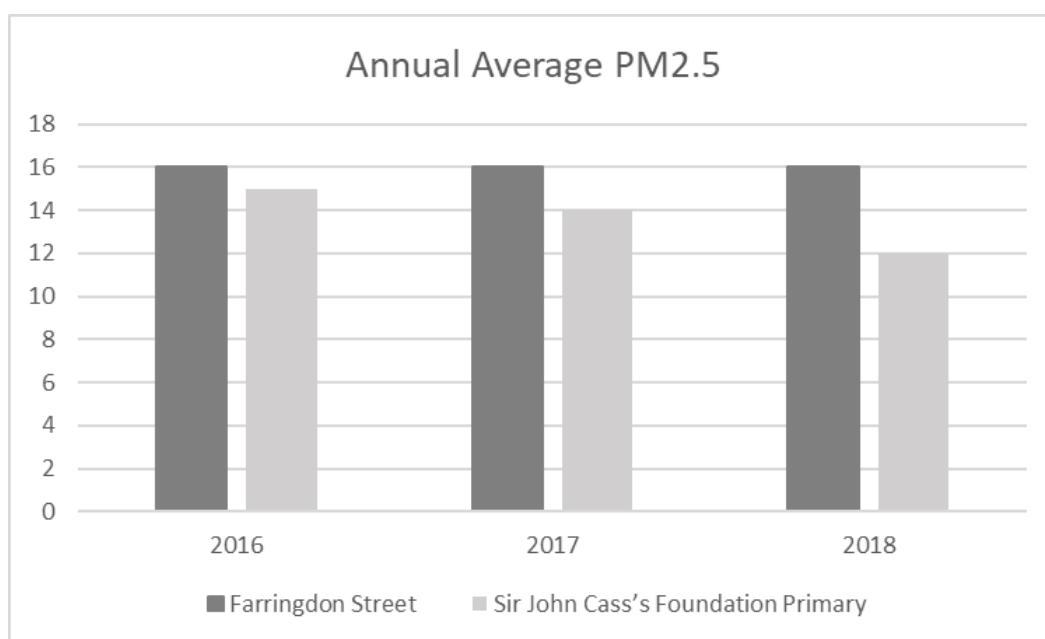
Site	Annual Mean (µg/m ³)						
	2013	2014	2015	2016	2017	2018	2019
John Cass's Foundation Primary School	22	20	23	24	23	21	19
Beech St	32	25	28	25	23	24	22
Upper Thames St	39	34	41	35	32	32	27



4. PM_{2.5} Data

The annual average EU limit value is 25µg/m³, World Health Organisation Guideline is 10µg/m³

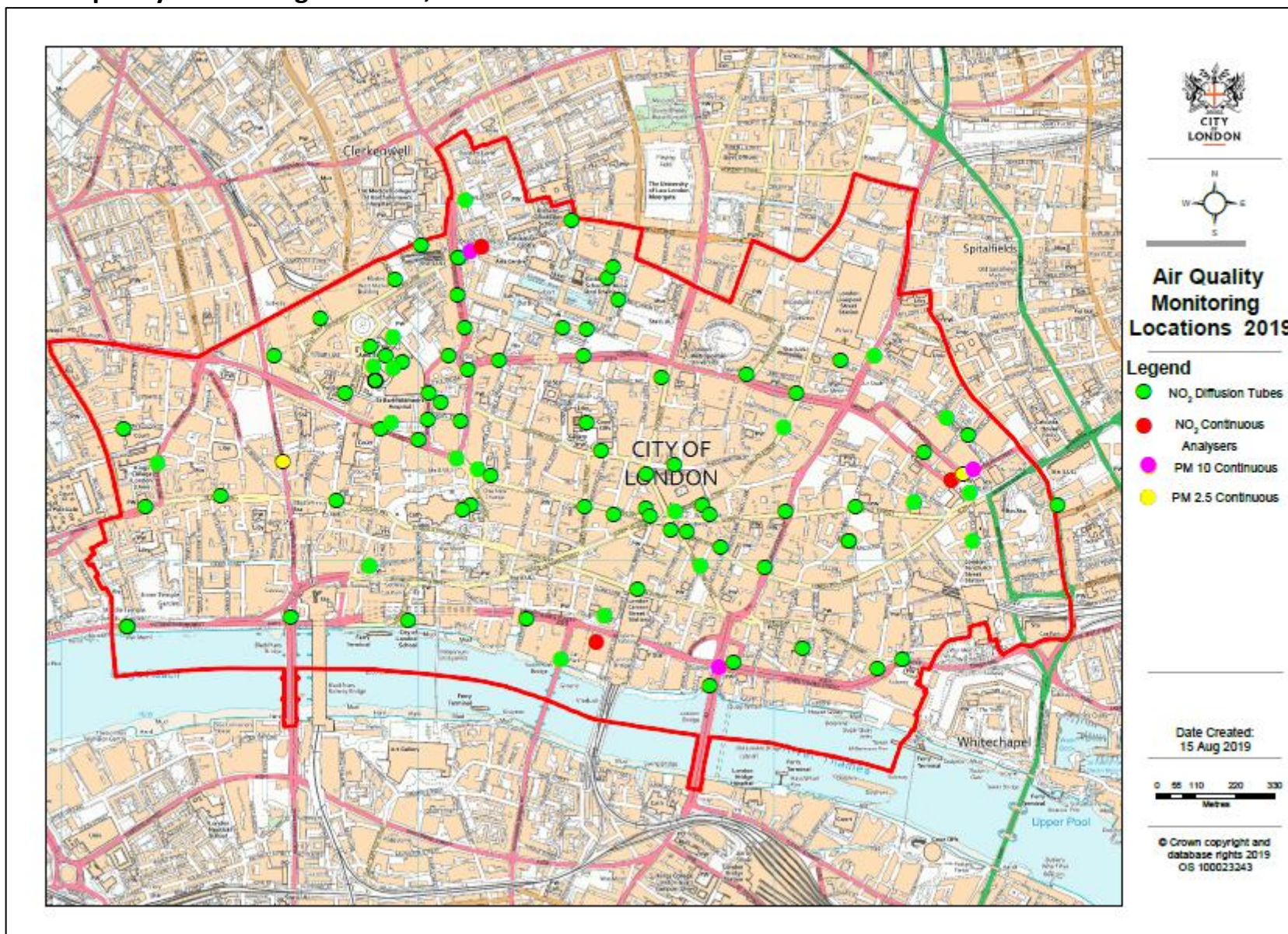
Site	Annual Mean (µg/m ³)			
	2016	2017	2018	2019
Farringdon Street	16	16	16	14
Sir John Cass's Foundation Primary	15	14	12	12



5. Monitoring locations

Air quality monitoring locations are reviewed annually. There are a number of core monitoring sites that are maintained. Other sites are added and removed according to the needs of research projects, planned programmes and local investigations or concerns. Locations where monitoring took place during 2019 are shown in Figure 1 overleaf.

Figure 1: Air quality monitoring locations, 2019



PLANNING AND TRANSPORTATION COMMITTEE – OUTSTANDING ACTIONS

Item	Date	Action/ Responsible Officer	Progress Update and Date to be progressed/completed
1	18 March 2019 2 April 2019 30 April 2019 24 May 2019 18 June 2019 9 July 2019 30 July 2019 10 Sept 2019 1 Oct 2019 22 Oct 2019 5 Nov 2019 12 Dec 2019 28 Jan 2020 18 Feb 2020 6 March 2020 2 June 2020 23 June 2020 14 July 2020 8 Sept 2020 6 Oct 2020 27 Oct 2020 17 Nov 2020 15 Dec 2020 5 Jan 2021 26 Jan 2021 16 Feb 2021	<p><u>Daylight/Sunlight – Alternative Guidelines</u></p> <p>Chief Planning Officer and Development Director</p> <p>A Member argued that the Committee should separate out the desire for Member training and the desire for alternative guidelines on daylight/sunlight, and requested that a report be brought to Committee setting out how the City of London Corporation might go about creating alternative guidelines, including timescales, if Members were so minded and the legal implications of this.</p>	<p>UPDATE: (27 Oct 2020) : Officers reported that British Standards had published guidance on this last year but that the BRE guidelines were still awaited. Officers were now set to meet with the BRE to understand their intended timeline for this and intended to align the City's work with this.</p> <p>With regard to the associated Member Training request on this matter, Officers were now looking at the BRE webinars and how Officers could work with these and would update Members on this matter at the 15 December 2020 meeting of this Committee.</p> <p>To be completed: Summer 2021.</p>
2	18 June 2019 9 July 2019	<u>Construction Works</u>	<p>UPDATE: (27 Oct 2020): Officers stated that it was very difficult for the planning system to control the</p>

	30 July 2019 10 Sept 2019 1 Oct 2019 22 Oct 2019 5 Nov 2019 12 Dec 2019 28 Jan 2020 18 Feb 2020 6 March 2020 2 June 2020 23 June 2020 14 July 2020 8 Sept 2020 6 Oct 2020 27 Oct 2020 17 Nov 2020 15 Dec 2020 5 Jan 2021 26 Jan 2021 16 Feb 2021	<p style="text-align: center;">Chief Planning Officer and Development Director</p> <p>A Member referred to the many construction sites within her Ward that were causing noise/disturbance issues. She asked if officers could look at how this matter might be improved and more effectively controlled and questioned whether any restrictions could be placed on construction when applications were first approved/granted consent.</p> <p>The Chair reiterated that Members had also requested, at the last meeting of this Committee, that Officers consider what powers, if any, might be used with regard to construction time periods and how construction in any given area might 'dovetail'.</p>	<p>start dates on construction sites, particularly in the current circumstances. There was, however, a Code of Construction which allowed Officers to deal with the cumulative impact of the number of construction sites due to come on stream and they would continue to manage any issues in this way. Members were also informed that a Development Liaison Manager had now been recruited and one of the key roles for the postholder was to provide an overview of forthcoming schemes with a view to coordinating these in terms of implementation.</p> <p>FURTHER UPDATE: (16 Feb 2021) – A Member chased progress on this action given the ongoing cumulative impact of construction works on residents in the City, particularly during national lockdown periods whilst they were confined to their homes. The Interim Chief Planning Officer and Development Director undertook to refocus efforts on this in the coming months with a view to reporting back to the Committee thereafter.</p> <p>To be completed: Summer 2021</p>
3	6 March 2020 2 June 2020 23 June 2020 14 July 2020 8 Sept 2020 6 Oct 2020 27 Oct 2020 17 Nov 2020 15 Dec 2020 5 Jan 2021 26 Jan 2021	<p style="text-align: center;"><u>Member Training</u></p> <p style="text-align: center;">Chief Planning Officer and Development Director / Director of the Built Environment</p> <p>A Member questioned whether there would be further training provided on Daylight/Sunlight and other relevant planning matters going forward. She stated that she was aware that other local authorities offered more extensive training and induction for Planning Committee members and</p>	<p>UPDATE: (17 November 2020): Members were of the view that more formal training should be offered by the Department to any newly appointed members of the Committee in line with the principles of the Planning Protocol.</p> <p>To be completed: Training offering for new Members to be considered in early 2021 with a view to implementing this for the new municipal year.</p>

	16 Feb 2021	<p>also requested that those sitting on the Planning Committee signed dispensations stating that they had received adequate training.</p> <p>The Chair asked that the relevant Chief Officers consider how best to take this forward. He also highlighted that the request from the Town Clerk to all Ward Deputies seeking their nominations on to Ward Committees states that Members of the Planning & Transportation Committee are expected to undertake regular training.</p>	<p>UPDATE: (15 December 2021) – Officers to look at incorporating a demonstration of recently developed Virtual Reality (VR) Software into forthcoming Member training sessions.</p>
4	23 June 2020 14 July 2020 8 Sept 2020 6 Oct 2020 27 Oct 2020 17 Nov 2021 15 Dec 2021 5 Jan 2021 26 Jan 2021 16 Feb 2021	<p><u>Barbican and Golden Lane Conservation Area SPD</u></p> <p>Interim Chief Planning Officer and Development Director</p> <p>A Member highlighted that a Conservation Management Plan was still awaited for this area in the form of a Supplementary Planning Document. He added that this was originally approved by this Committee in October 2018 and that he had requested an update on progress on several occasions since. He asked that this also now be included within the list of Outstanding Actions so that it was not lost sight of entirely.</p>	<p>UPDATE: (17 Nov 2020): It was reported that the SPD would now be going to the next meetings of the Barbican Centre Board, the Barbican Residential Cttee and the Barbican Estate Residents Consultation Cttee for their input before coming to this Cttee in February 2021. Golden Lane and Tudor Rose Court residents would also be consulted on the document prior to it being presented to this Committee</p> <p>To be completed: SPD to Committee in March 2021.</p>
5.	15 Dec 2021 5 Jan 2021 26 Jan 2021 16 Feb 2021	<p><u>Anonymisation of Members in Committee Minutes</u></p> <p>Town Clerk</p>	<p>The Town Clerk undertook to provide the Committee with a report on the pros and cons of this suggestion and also to look into practice across other local authorities. It was also suggested that this matter would need to be brought to the attention of the Policy and</p>

		A Member requested that the minutes of this Committee should no longer anonymise Members and should, instead, record the names of those making comments and also record how individual Members had voted where rollcall votes were taken.	Resources Committee in due course given that it went against the convention set down by them some time ago for all Corporation Committees. To be completed: Report to Committee by February 2021.
6.	5 Jan 2021 26 Jan 2021 16 Feb 2021	<u>Changes/access to Public Highways</u> Interim Chief Planning Officer and Development Director A Member spoke to state that she felt that providing Members with a sense, graphically, of what cumulative changes had happened to public highways as a result of approved planning applications would be beneficial – particularly at a time when space for pedestrians was arguably more important than ever.	The Chair suggested that, as this was a hybrid of both highways and planning functions, Officers should give further consideration to the proposal and suggest how best it might be responded to. To be completed: Officers to look into this matter and update Committee in the first quarter of 2021.
7.	5 Jan 2021 26 Jan 2021 16 Feb 2021	<u>Whole Life Carbon Guidelines</u> Interim Chief Planning Officer and Development Director A Member questioned whether consideration could be given to developing guidance on Whole Life Carbon that could be adopted as a planning advice note in the same way that guidance on Thermal Comfort had been developed.	The Chair asked that the Interim Chief Planning Officer and Development Director respond to the Member on this point and consider how best to bring the matter back to the Committee. To be completed: Officers to look into this matter and update Committee in the first quarter of 2021.

PLANNING AND TRANSPORTATION COMMITTEE REPORT 30/01/2021 – 10/02/2021

Code	Name	Time OOS	Availability
0916	Glass South Tower SC6459244	0 00:00	100.00%
0927	Minories Car Park North East SC6458797	0 00:00	100.00%
0928	Minories Car Park South West SC6458798	0 00:00	100.00%
0931	Baynard House Car Park SC6458796	0 00:00	100.00%
0944	London Wall Down Escalator SC6458958	0 00:00	100.00%
0945	London Wall Up Escalator SC6458959	0 00:00	100.00%
0976	Pilgrim Street SC6458969	0 00:00	100.00%
0978	Atlantic House SC6458966	0 00:00	100.00%
7345	Speed House Public Lift SC6459146	0 00:00	100.00%
7730	Wood Street Public Lift SC6458970	0 00:00	100.00%
7921	Little Britain SC6458967	0 00:00	100.00%
7960	London Wall West SC6458965	0 00:00	100.00%
7963	London Wall East SC6458964	0 00:00	100.00%
7997	33 King Williams Street SC6462850	0 00:00	100.00%
7998	Tower Place Public Lift SC6458962	0 00:00	100.00%
7999	Tower Place Scenic Lift SC6458963	0 00:00	100.00%
7740	Moor House SC6458968	0 01:46	99.26%
7964	Blackfriars Bridge SC6462771	0 04:40	98.06%
0924	Duchess Walk Public Lift LIFT CL24	0 09:11	96.17%
0929	Millenium Bridge Inclinator SC6459245	9 23:13	0.32%

Points to Note:

- There are 17 Public Lifts/Escalators in the City of London estate. The report below contains details of the only lift which was not working for less than 95% of the time.
- The report was created on 10th February 2021 and subsequently since this time the public lifts or escalators may have experienced further breakdowns which will be conveyed in the next report.

PLANNING AND TRANSPORTATION COMMITTEE REPORT 30/01/2021 – 10/02/2021

15th.

Location	Status as of 10/02/2021	% of time in service Between 30/01/2021 and 10/02/2021	Number of times reported Between 30/01/2021 and 10/02/2021	Period Not in Use Between 30/01/2021 and 10/02/2021	Comments Where the service is less than 95%
Millennium Bridge Inclinor SC6459245 <div style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 304</div>	Out of service	0.32%	1	239 hours	Engineer attended and found a fault with the control panel caused by vandalism, parts required and currently out of service whilst these are received and fitted. The adverse weather conditions have delayed the repair by one week with an expected return to service now scheduled for commencing the 15 th February 2021.

Committee(s)	Dated:
Planning and Transportation	24 th February 2021
Subject: Delegated decisions of the Chief Planning Officer and Development Director	Public
Report of: Chief Planning Officer and Development Director	For Information

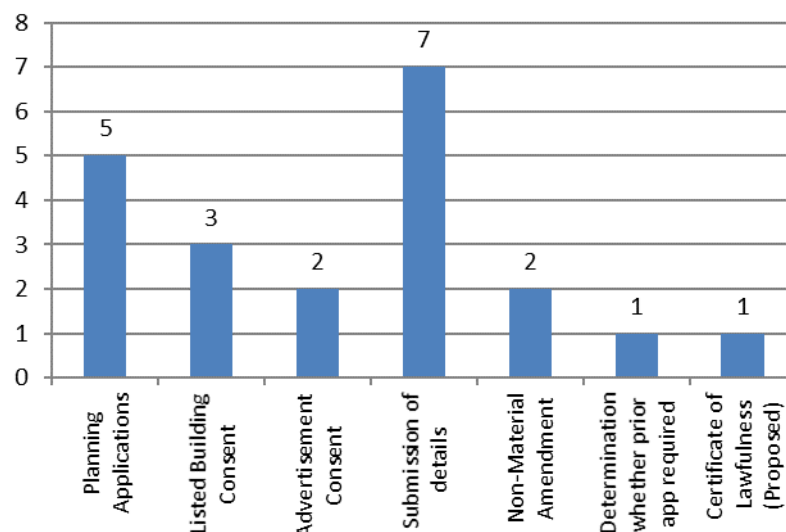
Summary

Pursuant to the instructions of your Committee, I attach for your information a list detailing development and advertisement applications determined by the Chief Planning Officer and Development Director or those so authorised under their delegated powers since my report to the last meeting.

In the time since the last report to Planning & Transportation Committee Twenty One (21) matters have been dealt with under delegated powers.

Seven (7) relate to conditions of previously approved schemes, Two (2) applications for Non-Material Amendments, Three (3) applications for Listed Building Consent, Two (2) applications for advertisement Consent. One (1) Determination whether prior application required, and One (1) Certificate of Lawfulness for Proposed Development. Five (5) Full applications and 16 sq.m floorspace created.

Breakdown of applications dealt with under delegated powers



Any questions of detail arising from these reports can be sent to plans@cityoflondon.gov.uk.

Details of Decisions

Registered Plan Number & Ward	Address	Proposal	Decision & Date of Decision	Applicant/ Agent
20/00942/NMA Aldersgate	Thomas More Car Park Barbican London EC2Y 8BT	Non-material amendment under Section 96A of the Town and Country Planning Act 1990 to planning permission 19/01045/FULL dated 28.01.2020 to change to aluminium frames for windows and doors, and the omission of the plant area with associated equipment and screen.	Approved 04.02.2021	City of London Corporation
20/00806/FULL Bishopsgate	158 - 164 Bishopsgate London EC2M 4LN	Installation of an LED Traffic Light System above the main store entrance for a temporary period of 12 months.	Approved 04.02.2021	Tesco
20/00807/LBC Bishopsgate	158 - 164 Bishopsgate London EC2M 4LN	Installation of an LED Traffic Light System above the main store entrance for a temporary period of 12 months.	Approved 04.02.2021	Tesco
20/00855/FULL Bishopsgate	100 Liverpool Street & 8-12 Broadgate London EC2M 2RH	Installation of sliding door system in southern facade to Level 10 terrace; installation of a new stair and lift enclosure to provide access to Level 11 terrace; and new hard and soft landscaping at Level 11 terrace.	Approved 02.02.2021	Bluebutton Properties UK Limited

20/00927/MDC Bishopsgate	100 Liverpool Street & 8-12 Broadgate London EC2M 2RH	Submission of details pursuant to condition 20 of planning permission 17/0276/FULL (dated 5 June 2017), for a post-construction BREEAM assessment.	Approved 02.02.2021	Bluebutton Properties UK Ltd
20/00964/FULL Bishopsgate	10 Exchange Square London EC2A 2BR	Installation of balustrade and handrail to the existing flat roof at level 11 to create a roof terrace to the existing office.	Approved 02.02.2021	Western Asset Management
20/00983/DPAR Bishopsgate	55 Old Broad Street London EC2M 1RX	Determination under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) as to whether prior approval is required for the installation upgrade of telecommunications equipment and associated works at roof level.	Prior Approval Given 05.02.2021	EE Ltd & Hutchison UK Ltd
20/00906/ADVT Bread Street	25 Cannon Street London EC4M 5TA	Installation and display of nine advertising hoardings with security lighting measuring (i) 2.4m high by 19m wide (ii) 3m high by 6m wide (iii) 3m high by 22m wide (iv) 2.4m high by 23m wide (v) 2.4m high by 10m wide (vi) 2.4m high by 11m wide (vii) 2.4m high by 16m wide (viii) 2.4m high by 4m wide (ix) 2.4m high by 50m wide all situated at ground floor level.	Approved 09.02.2021	25 Cannon Street Limited

21/00048/PODC Bread Street	Christchurch Court 10 - 15 Newgate Street London EC1A 7HD	Submission of the Highways Schedule of Condition Survey pursuant to Schedule 3 Paragraph 5.1 of the Section 106 Agreement dated 22 December 2020 (Planning Application Reference 20/00179/FULL).	Approved 04.02.2021	Shiying Property London Limited
20/00950/PODC Broad Street	60 London Wall London EC2M 5TQ	Submission of the carbon dioxide emissions assessment of the completed development and calculation of the Carbon Offsetting contribution pursuant to Schedule 3 Paragraph 11 of the Section 106 Agreement dated 27 April 2017 (Planning Application Reference 16/00776/FULMAJ).	Approved 04.02.2021	CSHV 60 London Wall S.A.R.L.
20/00582/LBC Castle Baynard	Northcliffe House 26-30 Tudor Street, 16-22 Bouverie Street London EC4Y 0AY	Internal and external refurbishment works comprising the retention and cleaning of the existing facades, modifications to the secondary entrance at the corner of Bouverie Street and Tudor Street, and the rationalisation of internal floorplates (ii) extension of the building at sixth and seventh floor level to create additional B1 office floorspace (iii) the provision of landscaped roof terraces at levels, five, six, and seven (v) Installation of a new	Approved 04.02.2021	DWS Grundbesitz GmbH

		entrance fronting Tudor Street (vi) demolition of mansard roof of 26 Tudor Street and erection of replacement mansard roof.		
20/00889/ADVT Cheap	8 Frederick's Place London EC2R 8AB	Installation and display of one non-illuminated projecting sign measuring 0.6m by 0.6m at a height above ground of 3.27m.	Approved 02.02.2021	The Mercers' Company
20/00890/LBC Cheap	8 Frederick's Place London EC2R 8AB	Installation of a projecting sign.	Approved 02.02.2021	The Mercers' Company
20/00902/FULL Cheap	Becket House 36 Old Jewry London EC2R 8DD	Installation of a new cantilevered terrace with three new glazed access doors at third floor level with integrated planters and trellis. Replacement of external door to fifth floor and new glazed door and window to sixth floor.	Approved 04.02.2021	The Mercers' Company
20/01016/CLOPD Cheap	81 Newgate Street London EC1A 7AJ	Application for a Certificate of Lawful Development for the proposed partial infilling of the existing atrium.	Grant Certificate of Lawful Development 04.02.2021	NG Devco Limited
20/00948/FULL Coleman Street	3 Copthall Avenue London EC2R 7BH	Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary condition 5 (approved drawings) of planning permission 20/00268/FULL dated 21 May 2020, to allow	Approved 09.02.2021	KanAm Grund KVG MbH For of Funding Leading

		for an additional door at 5th floor level on the north elevation, for access to the consented terrace.		
20/00645/MDC Cripplegate	Former Richard Cloudesley School Golden Lane Estate London EC1Y 0TZ	Submission of a SuDS and Drainage Management and Maintenance Strategy pursuant to condition 39 of planning permission 17/00770/FULL dated 19th July 2018.	Approved 02.02.2021	ISg
20/00118/MDC Farringdon Within	Site Bounded By 34-38, 39-41, 45-47 & 57B Little Britain & 20, 25, 47, 48-50, 51-53, 59, 60, 61, 61A & 62 Bartholomew Close London EC1	Submission of a verification report in relation to contaminated land for Phase 3 of the development known as Barts Square, pursuant to the part discharge of condition 9 of planning permission dated 16.03.2017 (16/00165/FULMAJ).	Approved 04.02.2021	Barts Square First Limited
20/00648/LDC Farringdon Within	16 Old Bailey London EC4M 7EG	Submission of samples and particulars of materials and details of the proposed bird deterrent proposed on the 16 Old Bailey facade pursuant to condition 2(a) (in part) of listed building consent dated 8th October 2018 (18/00137/FULL).	Approved 02.02.2021	Capital Treasure Investments Limited
20/00651/MDC Farringdon Within	16 Old Bailey London EC4M 7EG	Submission of samples and particulars of materials and details of the proposed bird deterrent proposed on the 16 Old Bailey facade pursuant to condition 6(a) (in part)	Approved 02.02.2021	Capital Treasures Limited

		of planning permission dated 8th October 2018 (18/00137/FULL).		
20/00831/NMA Portsoken	15-16 Minories And 62 Aldgate High Street London EC3N 1AL	Non-material amendment under S96A of the Town and Country Planning Act 1990 (as amended) to planning permission 15/01067/FULL dated 19.08.2016 to allow for alterations to the residential building including fenestration changes, the addition of a ground floor terrace, and use of a flat roof at level 15 as a residential terrace.	Approved 09.02.2021	4C Hotels

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Committee(s)	Dated:
Planning and Transportation	24 th February 2021
Subject: Valid planning applications received by Department of the Built Environment	Public
Report of: Chief Planning Officer and Development Director	For Information

Summary

Pursuant to the instructions of your Committee, I attach for your information a list detailing development applications received by the Department of the Built Environment since my report to the last meeting.

Any questions of detail arising from these reports can be sent to plans@cityoflondon.gov.uk.

Details of Valid Applications

Application Number & Ward	Address	Proposal	Date of Validation	Applicant/ Agent
21/00052/FULL Bishopsgate	Exchange House, 12 Primrose Street, London, EC2A 2EG	Creation of external terrace at roof level including demountable pergola structure, external seating and works to facilitate access.	03/02/2021	Bluebutton Properties UK Limited
21/00053/FULL Bridge And Bridge Without	20 Fenchurch Street, London, EC3M 3BY	(i) External alterations and extension to ground floor of existing retail unit (within use class 'E' cafe/restaurant and 'sui generis' drinking establishment), including the construction of external canopy and terrace to first floor of unit (46sq.m); and (ii) Provision of covered visitor canopy to western side of tower.	25/01/2021	20 Fenchurch Street Limited Partnership

21/00046/FULL Farringdon Without	6 Bream's Buildings, London, EC4A 1HP	Application under Section 73 of the Town and Country Planning Act to vary condition 19 (approved plans) of planning permission 15/00971/FULL dated 10/03/2016 to enable minor material amendments to include: proposed rear extension in its current location to a height of 2500mm above the mansard roof; provide a roof terrace and other minor associated changes.	21/01/2021	Aviv Property Development Ltd.
21/00050/FULL Vintry	Vintners Place, 68 Upper Thames Street, London, EC4V 3BJ	Alterations at seventh floor roof level comprising: (i) lowering of sills of two windows in western facade of Thames House to create door openings providing access from adjoining lift core and means of escape to stair core; (ii) installation of glass canopy over refuge area; (iii) consolidation of existing plant behind new 2 metre plant enclosure; (iv) creation of new rooftop amenity terrace incorporating new seating, planting and 1100mm balustrades and removal of existing BMU track; and (v) creation of means of escape across roof with new stair to the sixth floor terrace.	22/01/2021	Vintners Propco SARL