

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	29 January 2019
<b>Subject:</b> 1-2 Broadgate London EC2M 2QS Demolition of the existing buildings and construction of a building arranged over two basement levels, lower ground, upper ground and 12 upper floors plus rooftop plant to provide flexible retail, leisure and mixed retail/leisure uses (Class A1/A3/A4/D2/Sui Generis) at lower levels (Basement to 2nd floor), restaurant (Class A3) at 7th floor level and office (Class B1) at upper floor levels (3rd to 12th floor); hard and soft landscaping works; outdoor seating associated with ground level retail and other works incidental to the development. (78,020sq.m GEA)	<b>Public</b>
<b>Ward:</b> Bishopsgate	<b>For Decision</b>
<b>Registered No:</b> 18/01065/FULEIA	<b>Registered on:</b> 11 October 2018
<b>Conservation Area:</b>	<b>Listed Building:</b> No

### Summary

The site is part of the Broadgate Estate and is situated immediately to the west of Broadgate Circle and to the east of Finsbury Avenue and north of Eldon Street. To the north is Exchange Square, to the east is the 'Fulcrum' and 100 Liverpool Street which is currently under construction and will be completed in early 2020.

The site is 0.7 hectares. It was built in the late 1980's as part of Phase 1-4 of the Broadgate development. 1-2 Broadgate are two separate buildings capable of use as a single entity. From the exterior, they read as a single building. The site is close to the proposed entrance to the Elizabeth line station.

The proposal, which is accompanied by an Environmental Statement, seeks to redevelop the building for office, retail and leisure use. A single building would be constructed. The new building would comprise of two basements, lower ground, upper ground and twelve upper floors with roof top plant. The highest part of the building would be 74.5m AOD. The proposal would provide new step-free pedestrian routes from Liverpool Street station through to

Finsbury Avenue Square and Eldon Street via a new 'L-shaped' retail arcade. This would improve permeability and legibility both within and around the Broadgate Campus at a key location in proximity to Liverpool Street and Moorgate Stations.

The site is subject to a Certificate of Immunity from listing issued on 11th October 2018 under the Planning (Listed Buildings and Conservation Areas) Act 1990. The issuing of the certificate confirms the Secretary of State does not intend to list the building for a period of 5 years.

One objection has been received from The Twentieth Century Society. They consider that the existing building is of historic and architectural interest as the only remaining building from the early phases of the Broadgate development as well as considering that the proposed building is unsympathetic to the character of the remaining elements of the Broadgate landscaping and public realm and the setting of 1 Finsbury Avenue (Listed Grade II).

The Mayor of London has been consulted and has issued a Stage One response which is supportive except for outstanding strategic planning issues that will need to be resolved before the application is referred back at Stage Two.

The scheme would provide an employment led mixed use development which would support the economic policies of the London Plan, and Local Plan in a highly accessible location.

The proposed building is considered to enhance the street scene compared to the existing building. It would have a strong sense of architectural integrity.

The proposals are considered not to have a detrimental impact on the settings of listed buildings, and conservation areas in the vicinity.

The proposal overall is to be welcomed subject to conditions and to a Section 106 and CIL agreement being entered into to cover the matters set out in the report.

### **Recommendation**

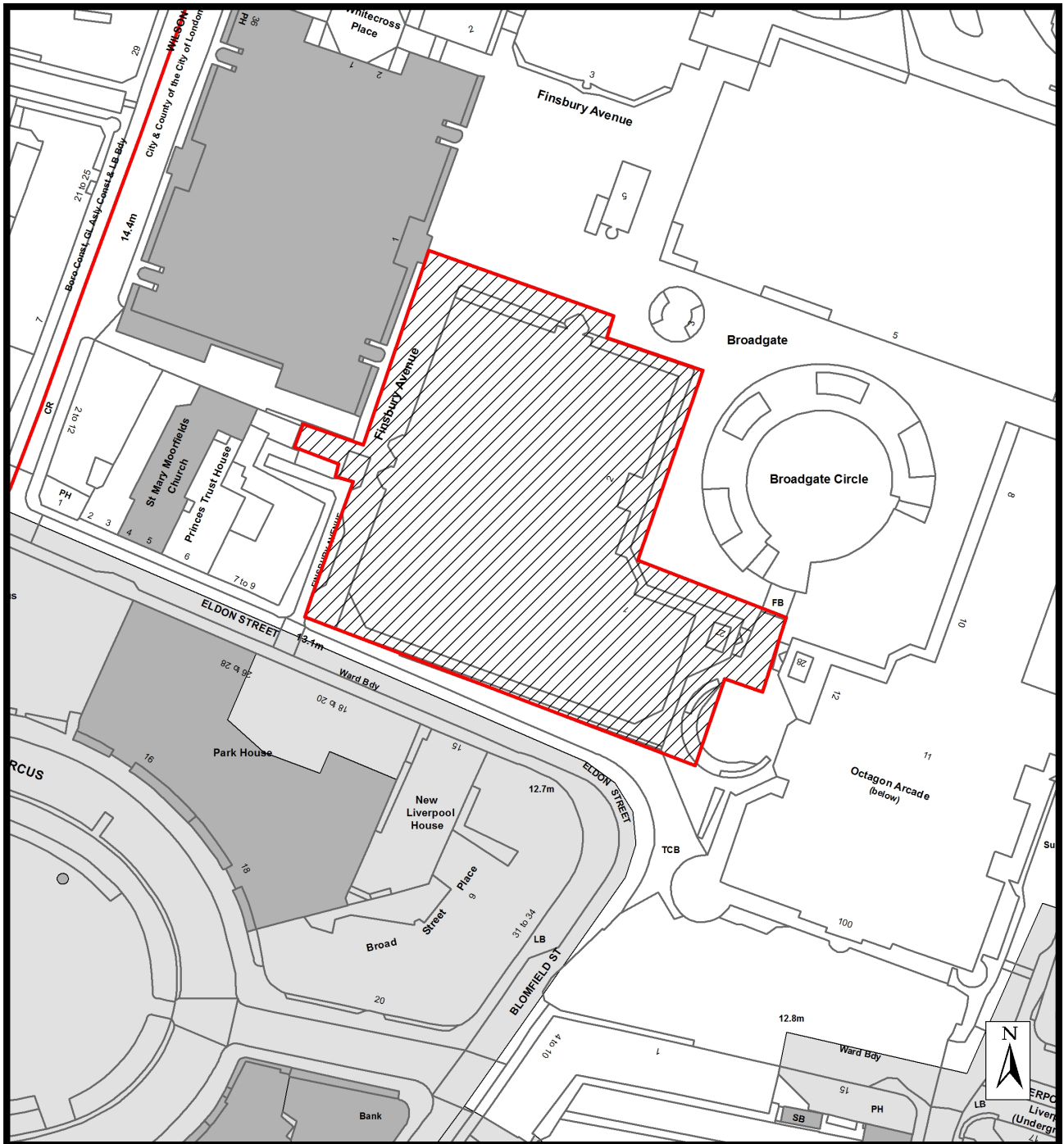
(1) That you authorise the Chief Planning Officer to determine the above application for the above proposal in accordance with the details set out in the attached schedule subject to:

(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 Highway Act 1980 in respect of those matters set out in the report, the decision notice not to be issued until the Section 106 obligations have been executed;

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

# Site Location Plan



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ADDRESS:

1-2 Broadgate

CASE No.

18/01065/FULEIA

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



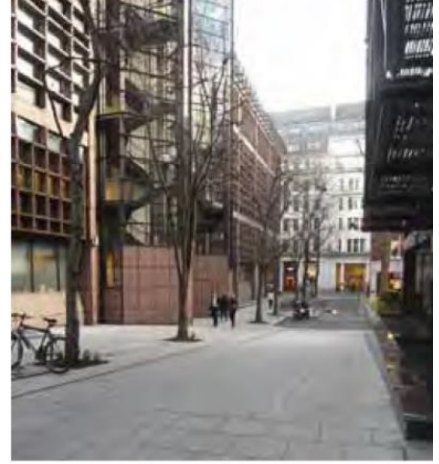
DEPARTMENT OF THE BUILT ENVIRONMENT



1-2 Broadgate (left) and 100 Liverpool Street (right) framing the Fulcrum, prior to work commencing on 100 Liverpool Street



View east along Eldon Street



View south along Finsbury Avenue



One Broadgate entrance from Broadgate Circle



1-2 Broadgate from Finsbury Avenue Square

## **Main Report**

### **Environmental Statement**

1. The application is for EIA development and is accompanied by an Environmental Statement (ES). The ES is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. This is to ensure that the importance of the predicted effects and the scope for reducing them are properly understood by the public and the competent authority before it makes its decision.
2. The Local Planning Authority must take the Environmental Statement into consideration in reaching its decision as well as comments made by the consultation bodies and any representations from members of the public about environmental issues as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
3. The duties imposed by regulation 26 of the EIA Regulations require the local planning authority to undertake the following steps:
  - a. To examine the environmental information;
  - b. To reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account the examination referred to at (a) above, and where appropriate, their own supplementary examination;
  - c. To integrate that conclusion into the decision as to whether planning permission is to be granted; and
  - d. If planning permission or subsequent consent is to be granted, consider whether it is appropriate to impose monitoring measures.
4. The local planning authority must not grant planning permission unless satisfied that the reasoned conclusion referred to at paragraph 3(b) above is up to date.

The draft statement attached to this report at Appendix A sets out the conclusions reached on the matters identified in regulation 26. It is the view of the officers that the 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 before your Committee.
6. The Environmental Statement is available in the Members' Room, along with the application, drawings, relevant policy documents and the representations received in respect of the application.

## **Site**

7. The site is part of the Broadgate Estate and is situated immediately to the west of Broadgate Circle and to the east of Finsbury Avenue and north of Eldon Street. To the north is Finsbury Avenue Square, to the east is the 'Fulcrum' and 100 Liverpool Street, currently under construction and will be completed in early 2020.
8. The site is 0.7 hectares. The present building was built in the late 1980's as part of Phase 1-4 of the Broadgate development. 1-2 Broadgate can be regarded as two separate buildings, or as a single entity: the intention was that the buildings could be let separately or to a single tenant. From the exterior, they read as a single building.
9. The existing buildings have basement, lower ground, ground and seven upper storeys (54.7 AOD).
10. The existing buildings provides 40,484sq.m (GEA) of office (Class B1) floorspace, 311sq.m of retail (Class A1 and A3) floorspace comprising two units at lower ground and ground level and 1,423sq.m of gym (Class D2) floorspace at lower ground level.
11. There are conservation areas close to the site, Finsbury Circus to the west, New Broad Street to the south and Bishopsgate to the east. Listed buildings in the vicinity include Liverpool Street Station (Grade II) to the east, 1 Finsbury Avenue (Grade II) to the north-west, the Great Eastern Hotel (Grade II) to the east, 76-80 Old Broad Street to the south-east, Park House and Garden House (Grade II) to the south and St Mary Moorfields (Grade II) to the west.
12. The site lies partly in the background of Protected View 9A.1, King Henry VIII's Mound, of the Mayor's London View Management Framework (LVMF).
13. The site is close to the eastern entrance of the Elizabeth line station on Liverpool Street.

## **Relevant Planning History**

14. The site is subject to a Certificate of Immunity from listing, issued on 11<sup>th</sup> October 2018 under the Planning (Listed Buildings and Conservation Areas) Act 1990. The certificate confirms the Secretary of State does not intend to list the building for a period of 5 years.
15. A previous Certificate of Immunity from listing for the whole of Phase 1-4 was granted in 2013.

## **Proposal**

16. The proposal seeks to demolish the existing buildings. A single building would be constructed which would comprise of two basements, lower ground, upper ground and twelve upper floors with roof top plant. The highest part of the building would be 74.5m AOD.
17. The proposed floorspace of the building would be 74,178sq.m of which 44,889sq.m would be office (Class B1). The retail & leisure (Class A1/A3/A4/D2/Sui generis) floorspace would be 21,351sq.m. The

applicant seeks flexibility for a mixed retail and leisure use to be located within certain areas of the lower floors of the development. In the Basement (02), on the Lower Ground Floor, and on Levels 1 and 2 a total of 11,247sq.m of floorspace is proposed (Class A1/A3/A4/D2/Sui generis). On the Upper Ground Floor and Lower Ground Floor a total of 7,112sq.m of floorspace is proposed (A1/A3/A4). In the Basement (01) and Lower Ground Floor a total of 2,029sq.m is proposed (Class D2/Sui generis) and in the Lobby of the Lower Ground Floor and Level 7 a total of 963sq.m is proposed (Class A3).

18. The Retail Statement sets out the proposed minimum/maximum floorspace within each category. A minimum of 6,000sq.m of shop (Class A1) floorspace is proposed to ensure that there would be a core retail offer within the proposed development. Minimum floorspace areas are proposed for restaurant, drinking establishment, leisure and competitive socialising (Class A3, A4, D2 and Sui generis) to provide flexibility to switch between these uses, while ensuring an appropriate mix across the whole development. [All floorspace figures GIA].
19. The proposal would provide new step-free pedestrian routes from Liverpool Street station through to Finsbury Avenue Square and Eldon Street via a new 'L-shaped' retail arcade. This would greatly improve permeability and legibility both within and around the Broadgate Campus at a key location in proximity to Liverpool Street and Moorgate Stations.

### **Consultations**

20. The views of other City of London departments have been taken into account in the preparation of this redevelopment scheme and some detailed matters remain to be dealt with by condition and Section 106 agreement.
21. The Mayor of London supports the land use principles and design. He raises points which he wanted addressed before the application is referred back to him at stage two referral. These issues include carbon reductions, including the maximisation of the use of photovoltaics; heat pumps; efficiency of the boiler; connection to the district heating network; size and layout of the energy centre; energy efficiency measures; cycle hire memberships for all employees of the first occupiers of the land uses proposed; increased short-stay cycle parking; a full construction logistics plan and seeks further discussions with respect to the Broadgate Campus/Liverpool Street public space masterplan and a wayfinding strategy.
22. Historic England advises that they do not wish to comment on this proposal.
23. The Royal Borough of Kensington and Chelsea, London Borough of Richmond upon Thames, London Borough of Lambeth, London Borough of Hammersmith & Fulham and London Borough of Southwark have no objection to the proposal.



24. The City of Westminster does not wish to comment on the proposal.
25. The London Borough of Tower Hamlets has no objection to the proposal. They have raised some points regarding the EIA which have been addressed by the applicant.
26. The Environment Agency have no comment on the application.
27. Natural England have no objection to the proposal.
28. Crossrail confirm that do not wish to make any comments on the application.
29. Thames Water has made detailed comments on waste water and water supply infrastructure capacity, surface water drainage and sewers. They state that they *“have identified an inability of the existing water Sunetwork infrastructure to accommodate the needs of this development proposal”* and recommend a condition to determine whether the water supply and infrastructure has sufficient capacity to cope with additional demand. Conditions and informatives are included on the schedule.
30. The Twentieth Century Society object to the scheme. They state, *“1-2 Broadgate is the only remaining building from the early phases of the Broadgate development that has not been demolished or substantially altered. These earlier phases of development were built between 1985 and 1987, and designed by Group 2 at Arup Associates, led by Peter Foggo. Foggo’s team also completed the masterplan for the entire scheme, with the later phases 5-12 being designed by Chicago based practice Skidmore, Owings and Merrill. Broadgate was internationally acclaimed upon completion and has been described as England’s most important post-war commercial development.*

*In 2011 English Heritage considered all of the buildings constructed in phases 1-4 of the Broadgate development to be worthy of listing at Grade II\* in recognition of its outstanding quality and more than special architectural and historic interest. (This recommendation was not adopted by the Secretary of State). Erosion of the legibility of Broadgate as a group has resulted in a lessening of the remaining buildings’ architectural and historic interest, however the Society still considers 1-2 Broadgate to be a non-designated heritage asset, and the wider complex including landscaping and public art to be an area of historic character. Broadgate has been praised as being a successful development of the 1980s office boom period, a character of building which is rapidly being lost in the City of London.*

*The above proposals seek consent to demolish 1-2 Broadgate, which the Society is opposed to in light of the building’s historic and architectural interest. We also consider the proposed new building to be unsympathetic to the character of the remaining elements of Broadgate landscaping and public realm, including the Broadgate Circle and Fulcrum Sculpture by Richard Serra. Broadgate was widely celebrated for its unprecedented provision of public space and leisure facilities within a speculative office development, and for the numerous commissions for new public artworks.*

*Broadgate's designer Peter Foggo was also responsible for 1 Finsbury Avenue, located adjacent to the site. Designed and built earlier than Broadgate, the relationship between these two buildings reflects the level of prosperity and resulting development of the fringes of the City of London during the late 1970s and 80s. 1 Finsbury Avenue is listed at Grade II and we consider the proposed new building to be harmful to the setting of this listed building.*

*The Society considers 1-2 Broadgate to be a non-designated heritage asset worthy of preservation. Its historical significance is part of the history of the City of London's development in the post-war era. Broadgate has been widely celebrated for the quality of its design and has served as inspiration for many similar projects nationwide and further afield. We object to the demolition of 1-2 Broadgate and to the harm proposed by the new building to the character of the wider Broadgate development, and to the setting of 1 Finsbury Avenue". These issues are considered later in this report.*

### **Policy Context**

31. The development plan consists of the London Plan and the Local Plan.
32. The Mayor of London has prepared a draft new London Plan which is a material consideration to be taken into account. The London Plan, draft London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report. Relatively little weight should be afforded to the draft Local Plan as it is at an early stage prior to adoption.
33. There is relevant Mayoral supplementary planning guidance in respect of Sustainable Design and Construction, London View Management Framework, Accessible London, Control of Dust and Emissions during Construction and Demolition, and Use of Planning Obligations in the funding of Crossrail and the Mayoral CIL and City CIL.
34. Government Guidance is contained in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

### **Considerations**

35. The Corporation, in determining the planning application has the following main statutory duties to perform:-
36. To have regard to the provisions of the development plan, so far as material to the application, any local finance considerations so far as material to the application, and other material considerations. (Section 70(2) Town & Country Planning Act 1990);
37. 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);
38. To pay special attention to the desirability of preserving or enhancing the character or appearance of the Finsbury Circus Conservation Area and the Bishopsgate Conservation Area (S 72(1) Planning, Listed Buildings and Conservation Areas Act 1990), which adjoin the site;

39. In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990); in this case the duty is to have special regard to the desirability of preserving the settings of listed buildings.
40. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings.
41. 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.' For decision-making this means 'approving development proposals that accord with an up-to-date development plan without delay...'

#### **Principal Issues**

42. The principal issues in considering this application are:
  - The economic benefits of the scheme;
  - Impact on retail;
  - Impact on the public realm including provision;
  - The appropriateness of the bulk, massing and design of the proposals;
  - The impact of the proposals on the London skyline including on views in the London Views Management Framework;
  - The impact of the proposal on heritage assets;
  - Servicing, Transport and impact on public highways;
  - The impact of the proposal on nearby buildings and spaces, including environmental impacts such as daylight and sunlight, wind microclimate, solar glare and energy and sustainability; and
  - The extent to which the proposals comply with Government policy advice (NPPF) and with the relevant policies of the Development Plan.

#### **Economic Issues and Need for the Development**

43. 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 J45 billion in economic output (as measured by Gross Value Added), equivalent to 13% of London's output and 3% of total UK output. The City is a significant and growing centre of employment, providing employment for over 450,000 people.

44. 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 still provide a significant competitive advantage.
45. Alongside changes in the mix of businesses operating in the City, the City's workspaces are becoming more flexible and able to respond to changing occupier needs. Offices are increasingly being managed in a way which encourages flexible and collaborative working and provides a greater range of complementary facilities to meet workforce needs. There is increasing demand for smaller floor plates and tenant spaces, reflecting this trend and the fact that a majority of businesses in the City are classed as Small and Medium Sized Enterprises (SMEs).
46. The National Planning Policy Framework establishes a presumption in favour of sustainable development and places significant weight on ensuring that the planning system supports sustainable economic growth, creating jobs and prosperity.
47. The City of London lies within the Central Activities Zone (CAZ), which is London's geographic, economic and administrative core and contains London's largest concentration of financial and business services. 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.
48. The London Plan projects future employment growth across London, projecting an increase in City employment of 151,000 between 2011 and 2036, a growth of 35.6%. 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.
49. 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.

50. The proposed development would result in an additional 4405sq.m GIA of additional high office (Class B1) floorspace and increased supporting uses.
51. Increasing the office and retail & leisure floorspace would complement the core business function of the City. Enhanced and extended office accommodation in this highly accessible location would complement the core business function of the City by taking advantage of the substantial public transport improvements created by Crossrail, which would accord with Local Plan policy CS5, North of the City Key City Places strategy.

#### Retail and Other Uses

52. The retail & leisure (Class A1/A3/A4/D2/Sui generis) floorspace would be 21,351sq.m and allocated as set out in the proposal section.
53. The site is not within a designated Principal Shopping Centre (PSC), although the Eldon Street frontage lies opposite part of the Liverpool Street PSC and the Moorgate PSC is also nearby. It is therefore in an edge-of-centre location for the purposes of the sequential approach set out in the NPPF, London Plan Policy 4.7 and Local Plan Policy CS20. The site is also part of a Retail Link, which connects the PSC's and where a mix of retail uses is encouraged, as set out in Local Plan Policy DM 20.2.
54. Given the edge-of-centre location, the applicant has undertaken a sequential assessment and a retail impact assessment. The sequential assessment found that any retail units currently available within the Liverpool Street and Moorgate PSCs are small, with a maximum size of approximately 200sq.m and are therefore not suitable or viable for the retail element of the proposed development. While there are other development sites in these PSCs, they are not considered to be available because the sites are under construction and are not being marketed.
55. The Retail Statement states that the retail within the proposed development would be generally complementary to the City's existing retail offer and would not directly compete with the type of retailing found in the existing PSCs. Accordingly, the retail impact assessment identifies a low level of trade diversion from the City's PSC's, ranging from 0.4% from Leadenhall Market up to 2.6% from Cheapside. It indicates that a very high proportion of trade draw (90%) would come from a multitude of other centres across the South East and East Anglia, thereby diluting the impact on any one centre. This reflects the accessibility of the site to a range of commuters and visitors, particularly via Liverpool Street Station.
56. The cumulative impact of the proposed development, together with other retail schemes in the vicinity, is forecast to comprise around 16% trade diversion from Liverpool Street PSC and 13% from Moorgate PSC. However, given that the site is adjacent to these PSCs, it is likely that there would also be a beneficial impact on existing retailers who

may gain new trade if the proposed development attracts a wider catchment population.

57. It is relevant to note that the draft Local Plan (November 2018) proposes to combine the Liverpool Street and Moorgate PSCs into a single PSC making the application site central within the new combined PSC. While the draft Local Plan carries relatively little weight at this stage, it is a material consideration in the determination of applications.
58. Part of the evidence base for the draft Local Plan was a 2017 Retail Needs Assessment, which identified significant retail demand in Moorgate/Liverpool Street due to the improved connectivity arising from the Elizabeth Line, the increase in the local workforce and proximity to attractions such as Old Spitalfields Market. The proposed development would make an important contribution towards meeting the forecast need for 44,500sq.m of additional retail floorspace up to 2036 in a combined Moorgate/Liverpool Street PSC.
59. It is welcome that the development proposals would increase permeability and legibility through the site and into the wider Broadgate campus and 100 Liverpool Street development to the east.
60. It is considered that the scheme provides a very accessible new retail offer which does not result in the loss of offices and increases the attractiveness of the commercial City to occupiers. It complies with the sequential and retail impact tests set out in adopted retail policies, would not have any significant adverse impact on existing retail centres and is in line with the emerging Local Plan.

#### Design Approach

61. The buildings that constitute the Broadgate Estate are incrementally being re-designed resulting in a series of architecturally complementary individuals rather than a single campus architectural approach. This is welcomed and results in a richer, more diverse architectural grain more integrated in to its wider setting but respectful of the original masterplan layout for Broadgate.
62. The design for 1-2 Broadgate is different from recent schemes.
63. The design approach of 1-2 Broadgate is of a dynamic stacked and interlocking composition of horizontal blocks cascading down in scale and stepping away from the south, east and north elevations to reduce the apparent visual bulk of the building. The stacked block concept is enhanced by the rich and dynamic use of colour for each horizontal slice with earthy and autumnal hues becoming lighter in colour on the upper storeys. The result is an eye-catching, vibrant and convincing architectural statement. To create a calm backdrop to St Paul's in the view from King Henry VIII's mound in Richmond Park, the upper storeys are of a subdued grey.
64. The provision of recessed loggias, balconies, set-backs and deep window reveals provide depth and modelling reducing the apparent bulk of the building and visual interest in street level views. In addition, the building line of the Eldon Street elevation is stepped in three planes

which in oblique street level views reflects the tighter urban grain of buildings along Eldon Street. In this respect the building is considered to relate appropriately to its setting. The larger openings of the lower three retail storeys are successful in visually anchoring the building creating a strong hierarchy of base, middle and top. The new pedestrian routes through the shopping mall are conveyed successfully architecturally.

65. Further modelling is provided by the extruded metal coloured fins providing a rich texture and grain. The bold use of colour is considered appropriate to the building's setting and reflects the rich diversity of colours on buildings in the immediate area.
66. The roof level plant is screened from upper level views by horizontal louvres resulting in an appropriate visual termination to the building.
67. The roofs provide roof terraces with planting with greenery cascading over the sides so as to be appreciated from street level.
68. In comparison with the inactive, inward looking office facades of the existing building, the scheme provides retail frontages on all elevations creating vibrancy which would transform the area resulting in substantial enhancement of the public realm.
69. The existing building is a large island block with permeability whereas the proposed scheme provides new generously scaled east-west and north-south routes (including in to Liverpool Street station) at lower ground and ground floor levels enlivened by retail frontages. This would represent a substantial enhancement to the urban grain and permeability of the area.

#### Public Realm

70. The new routes are provided through vibrant shopping frontages substantially improve pedestrian permeability and enhance connectivity increasing pedestrian choice and the quality of the public realm within Broadgate and its relationship to its wider townscape.
71. The west elevation of Finsbury Avenue would be marginally narrower by 1.5m which is not considered harmful to the character of the Broadgate Estate or to impede pedestrian movement. This would involve the replacement of the existing eleven trees with mature specimens and uniformity of paving materials to create a more coherent linear avenue character. This is not considered to harm the character of Finsbury Avenue especially as the Broadgate Estate is characterised by narrow approaches between surrounding streets and the public spaces of the Estate.
72. The Finsbury Avenue pocket park would be re-landscaped with six new trees and a green living wall at the western end. The landscaping scheme would provide an area of tranquillity emphasizing the Pegasus statue as a focal point.
73. To mitigate the level changes of the pedestrian ramp along Eldon Street, new planters would provide welcomed soft at a height not to obstruct views into the retail units.

74. The public realm provided by the development would enhance the character of the plan form of Broadgate which is identified as an Undesignated Heritage Asset.

#### Height and Bulk

75. The scheme rises to a height of 74.5m AOD similar to 5 Broadgate, Exchange House and 201 Bishopsgate. 100 Liverpool Street is 10 metres lower. In this respect the height is generally appropriate to Broadgate and in key London wide views such as from Gabriel's Wharf on the Southbank and King Henry's VIII's Mound in Richmond minimising its impact in views of St Pauls Cathedral.
76. The building steps back at upper levels to reduce its apparent bulk from surrounding street level views. The building steps down towards the east to align with the height of 100 Liverpool Street as well as to protect sunlight reaching Broadgate Circle. The upper storeys are set back to create a more appropriate shoulder height to Eldon Street and to protect sunlight reaching Finsbury Avenue Square to its north.

#### Twentieth Century Society

77. The Twentieth Century Society has objected on the grounds that they consider that the existing building is of historic and architectural interest as the only remaining building from the early phases of the Broadgate development as well as considering that the proposed building is unsympathetic to the character of the remaining elements of the Broadgate landscaping and public realm including the setting of the 1 Finsbury Avenue (Listed Grade II).
78. The site is subject to a Certificate of Immunity from listing.
79. The existing is a large inward-looking building with no pedestrian permeability and very few retail units to enliven the public realm. The existing building contributes little to the surrounding area. The replacement building is of a convincing and high-quality design, offering significant wider public benefits that enhance the character, appearance and function of the Broadgate Estate, the surrounding area as well as the plan form of the Estate which is identified as an undesignated heritage asset.

#### Setting of Listed Buildings

80. The impact of the proposal on surrounding listed buildings have been assessed and no harm to their setting was found. A number of listed buildings are located in close proximity of the site.

##### Roman Catholic Church of St Mary Moorfields

81. This mid terraced listed (Grade II) building lies to the west of the site. In the key view's eastwards, 100 Liverpool Street presents a prominent backdrop in views of the listed building. The proposed development would be of a similar scale and height, albeit closer to the Church. However, the impact is not considered to harm the setting of the listed building given the diverse contrast in building heights and character in the surrounding area.



### 1 Finsbury Avenue

82. This recently listed (Grade II) building is to the north west of the site framing the western side of Finsbury Avenue Square. The scheme would frame the southern side of the square and would be a prominent neighbour. Although of significant scale, the scheme would not harm the setting of the listed building which would stand its ground alongside the proposed scheme.

### Park House and Garden House

83. These listed (Grade II) buildings are located on the opposite side of Eldon Street and form part of the northern side of Finsbury Circus in a terrace of fairly uniform height. The proposal would not harm the setting of these listed buildings. The backdrop of the Eldon Street elevation of these listed buildings in views to the east is characterised by the larger scale of 100 Liverpool Street. Albeit located closer to the listed Eldon Street elevation, the proposal would not visually overwhelm or harm the setting of the listed building.

### Setting of Conservation Areas

84. The site is in close proximity to a number of conservation areas both within the City and the London Boroughs of Islington and Hackney.

#### Finsbury Circus Conservation Area

This Conservation Area is located directly to the south of the site. The upper storeys would be visible above the skyline of the buildings framing the north east side of the Circus. In this view the scheme would be seen against a backdrop of the taller permitted developments of 2-3 Finsbury Avenue tower and the consented towers in Hackney. The mature plane trees framing the Circus would significantly screen the building in street level views in both summer and winter. Given the backdrop of new developments and the mature tree canopy the proposal is not considered to harm the character and appearance of the Finsbury Circus Conservation Area.

#### New Broad Street Conservation Area

85. This Conservation Area lies to the south east of the site. The main impact is the effect on the view's northwards along Blomfield Street on the western side of the Conservation Area. In this view, the proposal would be visible in the foreground of 5 Broadgate and would serve to calm the visual prominence of 5 Broadgate and create a richer urban grain. The proposal is not considered to harm the character and appearance of the Conservation Area.

#### Bishopsgate Conservation Area

86. This Conservation Area is located to the east of the site. In key views westward from the western end of the Bishopsgate Conservation Area on Liverpool Street, the scheme would be largely obscured by the similar scaled 100 Liverpool Street development and would not adversely affect the character and appearance of this Conservation Area.

### Other Conservation Areas

87. The impact of the scheme on other Conservation Areas is considered minimal. By reason of its distance and height it would be wholly or largely concealed in views from Bank Conservation Area in the City, Sun Street Conservation Area in London Borough of Hackney or from the Bunhill and Finsbury Square Conservation Area in the London Borough of Islington.

### Non-designated Heritage Assets

88. The building forms part of Broadgate Estate built pursuant to a Masterplan of the 1980's and combined extensive public spaces framed by large office buildings. The City of London in its determination of the 5 Broadgate development (10/00904/FULEIA) in 2010 identified the Broadgate Estate as an Undesignated Heritage Asset by reason of its plan form. The enduring legacy of the original Masterplan lies in the inter-relationship of public spaces between the buildings and the considered location of public art and sculpture rather than most of its individual buildings. In particular there is a relationship between the principal car free spaces of Broadgate Circle, Finsbury Avenue Square, Exchange Square and the Octagon and the network of pedestrian routes which link these spaces and interconnect with the surrounding areas.
89. The proposed development essentially follows the line of the existing building. The new pedestrian routes proposed build upon and enhance the essential qualities of the plan form of Broadgate. The stepped massing of the building is intended to protect sunlight levels entering Broadgate Circle, the Fulcrum space and Finsbury Avenue Square and the slightly narrower width of Finsbury Avenue resulting from the extended footprint westwards of the scheme is in the spirit of the distinctive character of Broadgate of intimately scaled pedestrian routes opening on to Squares and Circles. The public realm and landscaping enhancements provided by the scheme strengthen the distinctive qualities of the plan form of Broadgate. The proposal is considered to enhance and reinforce the status of Broadgate as an undesignated heritage asset.

### Public Art

90. As part of the development it would be necessary to relocate the existing 'Rush Hour' sculpture from its current position within Finsbury Avenue Square. The sculpture is required to be relocated due to the colonnade line along the northern elevation conflicting with the current location of the sculpture.
91. It is proposed for the sculpture to be relocated to an alternative location within the Broadgate campus, with a final location yet to be determined. It is proposed that a planning obligation within the Section 106 agreement would require details of its removal, storage and relocation back onto the Estate prior to occupation.
92. As part of the re-modelling works proposed to the Pocket Park, the 'Bellerophon Taming Pegasus' would be repositioned to increase the

prominence of the sculpture and ensure it better relates to the space. The sculpture would be placed upon a new plinth made of matching granite and physically connected to the seating in the park to enhance the sense of place.

#### Fire Brigade Commemorative Plaque

93. An existing plaque located on the southwest elevation of the building is to be removed and re-integrated within the development. The plaque was installed in 2012 in memory of three members of the London Fire Brigade who lost their lives fighting a fire near the Site in 1951, formerly The Old Warehouse, part of Broad Street Station Goods Depot. The re-instatement of the plaque could be secured by condition.

#### London View Management Framework

94. 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. The LVMF provides Mayoral 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. London Plan policy requires that development should not cause adverse impacts on World Heritage Sites or their settings and that new development should not harm and where possible should make a positive contribution to the characteristics and composition of strategic views and their landmark elements.
95. The site falls within the King Henry VIII's Mound, Richmond Protected Vista of the LVMF and impacts on a number of the identified Assessment Points. These have been assessed and the impact on the following assessed points in particular:
- King Henry VIII's Mound, Richmond Park (9A)
96. This view focusses on St Paul's Cathedral and though it is located some ten miles away is considered to be a unique view of the Cathedral. The view is experienced from a single Assessment point (9A.1) and a Protected Vista is included from that point.
97. From this viewpoint the scheme would be visible in the foreground of 5 Broadgate as a backdrop in the existing built forms of the western towers of the Cathedral. The scheme would be no higher than 5 Broadgate and would not erode any open sky in the view. The scheme would have a finer grained facade texture than 5 Broadgate and would diminish the bulk and visual impact of 5 Broadgate in the view.
98. The proposal is considered to accord with the guidance for this view (para 176 of the LVMF). The proposal would exceed the threshold plane (52.1m AOD) of the Wider Setting Consultation Area of the Protected Vista. However, for reasons outlined in the preceding paragraph it would be viewed against the existing built form (5

Broadgate) and would preserve or enhance the viewer's ability to recognise and appreciate the dome of the Cathedral.

Hungerford Footbridges (17B.1, 17B.2)

99. The view focuses on St Paul's Cathedral and there are two Assessment Points with a kinetic one between both Assessment points.
100. The upper storey of the proposed development would just be visible on the skyline between City Tower and the Unilever House roof extension to the left of the northern western tower of the Cathedral. The proposal would result in a very small amount of sky being encroached above the existing building in the view but no higher than either Unilever House or City Point. The extent of sky being encroached upon is considered to have a negligible impact on the setting of the Cathedral. It would not detract from the Cathedral as a Strategically Important Landmark (SIL).
101. The proposal is considered to be in accordance with the guidance for this view (paras 304 to 305 of the LVMF). In particular, the setting of St Paul's Cathedral is preserved, and the development accords with the existing characteristics and composition of the view.

Other LVMF views

102. The proposed development when compared with the scale of towers in the immediate area is relatively modest in height and as such would be concealed in views from Waterloo Bridge (15B); Gabriel's Wharf (16B.1); Tower Bridge (10A); City Hall (25A) and London Bridge (11B) and would not adversely affect other LVMF views.

Other Local Views (non LVMF)

103. There are a number of other local views which have been assessed, some of which are discussed in the paragraphs relating to the impact on nearby Conservation Areas.
104. In the case of the impact on Finsbury Square, the proposal would be seen in the foreground of the existing and permitted towers of the City cluster. The views to the south from Finsbury Square would be transformed in the future as other permitted towers in the City and adjoining London Boroughs are constructed. Therefore, the proposal would not harm the quality of these views.
105. The scheme would result in a strong visual backdrop to both Broadgate Circle and Finsbury Avenue Square as well as a backdrop framing the Fulcrum sculpture. In all of these views, the development would appropriately frame these spaces and features and would not harm their settings or the character of the Broadgate Estate.
106. The scheme would be concealed in key views from the Honourable Artillery Company grounds or from Bunhill Fields.

St. Paul's Cathedral and the Tower of London World Heritage Site

107. The proposal would not harm views of or the setting or significance of St. Paul's Cathedral. The proposal does not fall within the St. Paul's

Heights policy area and would not adversely affect key views of the Cathedral or harm the setting or significance of the St. Paul's Conservation Area.

108. The proposal would be concealed in key identified views of the Tower of London World Heritage Site by virtue of the cluster of tall towers to the south east. In this respect the Outstanding Universal Value of the World Heritage Site would not be harmed.
109. The GLA has confirmed that the proposal would accord with the London Plan and LVMF and none of the relevant boroughs have commented.

#### Overshadowing & Solar Glare

110. The Environmental Statement assesses the potential impact on overshadowing and solar glare using British Research Establishment (BRE) guidelines.
111. Using a three-dimensional (3D) computer model of the site and its surrounding context, the baseline levels of shadow for the existing situation have been analysed and compared to the levels of shadow to the surrounding public realm areas (Finsbury Avenue Square and Broadgate Circle) with the development in place. The assessment has been undertaken for the 21st March (Spring Equinox), 21st June (Summer Solstice) and 21st December (Winter Solstice).
112. The assessment identifies that as the site is located in a very dense urban context, where taller densely positioned buildings already exist, the obstruction angles between properties are in excess of 39.4° and as a result, the sunlight availability on 21st March is limited due to the lower height of the sun at this time of year.
113. The development would not give rise to any noticeable additional overshadowing within Broadgate Circle throughout the spring and summer months. The largest recorded change in the area that receives at least 2 hours of direct sun is on the 21st March. The proposed development causes less than a 10% reduction from the former value and so a BRE adherent position is achieved.
114. As existing, Finsbury Avenue Square does not satisfy the recommendations of the BRE Guidelines which requires 50% of its area to receive at least 2 hours of sunlight on 21st March. This is not unusual in very dense urban environments as the sun does not rise above 39.4°. As such, even relatively modest buildings, particularly in the context of the City of London, obstruct the access of sunlight to open spaces.
115. The 21st April, 21st May and 21st June sun on ground assessments demonstrate that between 60-79% of Finsbury Avenue Square would receive at least two hours of sunlight during the spring and summer months. This indicates that large areas of the square would continue to receive good sunlight amenity at the times of year when people are more likely to seek to sit and dwell in direct sunlight.

116. The transient shadow drawings demonstrate that Finsbury Avenue Square currently receives sunlight to the majority of its area between 11am- 4pm on the 21st June. The same is achieved with the development in place albeit. There would be no material reduction in sunlight at this time of year.
117. The transient shadow analysis for December demonstrates there is no perceptible effect to Finsbury Avenue Square which is to be expected given the low trajectory of the sun at this time of year. The March assessment demonstrates there is a reduction in sunlight for a 2-hour period, which occurs between 12-2pm.
118. There is an effect to Finsbury Avenue Square at the Spring Equinox however, further assessments have illustrated that this effect is short lived. By April 21st, over 60% of the space would continue to receive at least 2 hours of sunlight which increases to 79% during the height of summer.
119. An assessment of solar glare has been undertaken at two different positions along Eldon Street. The overall conclusion is that the limited glare effects that could result are negligible adverse and not significant.
120. The development does not result in any significant impacts in relation to overshadowing or solar glare and is therefore in accordance with policy.

#### Sustainability & Energy

121. The applicant has submitted an Energy Strategy and a Sustainability Statement including a BREEAM New Construction 2014 pre-assessment.
122. The applicant has provided evidence to show that this development was registered under the BREEAM 2014 criteria on 20<sup>th</sup> March 2018 – three days before the final BREEAM 2014 registration deadline of 23<sup>rd</sup> March 2018. Assessment against the 2018 criteria for the City's priorities: energy, water, pollution and materials has been provided. This shows a number of credits which are "difficult" or "unachievable". All possible efforts should be made to attain the "difficult" credits in particular those associated with air quality.
123. The development is on target to achieve a BREEAM rating of "Excellent" for the office element and "Very Good" for the retail/leisure element. A condition is added to the schedule requiring a post construction BREEAM assessment and confirmation of the development's final performance against BREEAM new construction 2018 criteria for the City's priorities of energy, water and pollution.
124. It is proposed that photovoltaic panels and a water heat pump (WSHP) are integrated into the design. The WSHP would upgrade waste heat from offices for re-use by the retail/leisure elements via energy efficient heat exchangers.
125. The Energy Strategy is currently predicting a 19.57% reduction in carbon dioxide over the 2013 Building Regulations. The non-office

elements which make up approximately 30% of the total net internal area of the development are to be finished as shell only. As a result, the energy efficiency improvements on fit-out items have been limited to Building Regulations compliance only. This has the effect of reducing the overall carbon dioxide reduction for the whole Development. When excluding the non-office elements, the Development achieves a carbon reduction of 28.10% relative to 2013 Building Regulations. This would result in a short fall of 15.3% carbon emission savings. This falls short of the London Plan target of 35% improvement over 2013 Building Regulations.

126. The GLA have commented that the proposed carbon dioxide savings fall short of the target set out in London Plan Policy 5.2 and draft London Plan SI2. They recommend that the applicant should consider the scope for additional measures aimed at achieving further carbon reductions including the maximisation of the use of photovoltaics. They would require further information in relation to the heat pumps; efficiency of the boiler; connection to the district heating network; size and layout of the energy centre and energy efficiency measures.
127. Further improvements are expected to be achieved as part of the fit-out of the non-office elements, resulting in a greater overall reduction in carbon dioxide emissions for the final occupied Development. It is therefore proposed for an updated Energy Strategy to be submitted via the Section 106 agreement to identify and record any further improvements that can be achieved to carbon dioxide reduction.
128. If the on-site carbon emission reduction has not been achieved, the shortfall would need to be offset either by implementation of carbon reduction measures elsewhere or through payment of a carbon offsetting contribution as part of the Section 106 agreement.
129. The sustainability statement addresses climate change adaptation and sustainable design, in particular low and zero carbon technology, climate change resilience, air quality, light pollution, land contamination, conserving water resources, sustainable drainage, waste management, green roof terraces, urban greening and biodiversity. The proposed range of climate change adaptation and sustainable design measures are considered to be acceptable.

#### Wind Microclimate

130. The potential wind effects of the development have been assessed. A wind tunnel assessment has been undertaken to assess the effect of the development on the wind microclimate including a cumulative assessment of any impacts with other surrounding developments in place.
131. The assessment identifies that wind conditions with the development in place would range from 'sitting' to 'standing' based on the Lawson Comfort Criteria. The development does not create any wind conditions that are unsuitable for the surrounding public realm, with the overall effect of the development determined as negligible.

132. The assessment identified that some of the external terraces located at Levels 8,10 and 12 would experience 'standing' conditions during the Summer season. For these areas to be comfortable to be used for outdoor seating and as external amenity for the offices then some additional screening is required to be installed on the terraces.
133. It is proposed that four screens be positioned on the terraces in the locations identified within the wind assessment. These screens would be a minimum of 1.5m wide and 3m tall to provide sufficient screening and would be designed to form items of furniture integrated into the overall design of the terraces.
134. The report concludes the wind effects around the site would be suitable for the stated activity.

#### Transport, Servicing & Parking

135. The site records the highest possible Public Transport Accessibility Level (PTAL) of 6b.
136. No car parking is proposed.
137. A total of 743 long stay cycle parking spaces would be accommodated within the proposed development. This includes 617 office (Class B1) use long stay cycle parking spaces and 126 spaces for the shop (Class A1) uses. The provision comprises:
  - Office (Class B1) provision: 602 cycle spaces provided by two tier cycle stackers and 34 accessible cycle spaces, totalling 636 spaces;
  - Shared lobby cycle parking provision: 33 lockers for folding bicycles;
  - Shop (Class A1) provision: 64 cycle spaces provided by two tier cycle stackers, 4 accessible cycle spaces, 6 lockers for folding bikes, totalling 74 spaces.
138. The adopted London Plan requires 625 long stay spaces and the draft London Plan requires 724 long stay spaces, therefore the provision of 743 spaces exceeds both.
139. The adopted London Plan would require 253 short stay parking spaces which is not possible due to the curtilage of the building and the heavy pedestrian flows, it is not suitable or desirable to provide more short stay spaces in the public realm around the development.
140. Ten additional short stay cycle parking spaces would be provided on Finsbury Avenue where there is a suitable space which would not impede pedestrian flow. The existing 26 spaces provided here would be retained as part of the scheme.
141. Showers, changing facilities, lockers and drying facilities are included within the proposals.
142. The basement allows cyclists and other workers who use the changing facilities provided in this development to access the office space from the basement using the lifts, which ensures that travelling to work using an active mode of travel is quick and convenient.



143. The development would lead to a predicted hourly increase in the AM peak of 506 pedestrians and it is expected that almost half the uplift (228) would be from people using the Elizabeth line.
144. At the narrowest point on Eldon Street, an increase in pedestrians is expected. The predicted increase is 273 trips in the AM peak and 286 in the PM peak, which is considered acceptable.
145. The proposals include an improvement to the existing ramped access at the corner of Finsbury Avenue and Eldon Street that would be widened from 2.0 metres to 3.5 metres, which is welcomed.
146. A survey of pedestrian movements was undertaken using TfL's Pedestrian Comfort Level Assessment (PCL). The site is already a busy pedestrian location with a PCL score D in the busiest locations. This scheme does not improve the area to a PCL score of A or B, but it is expected to improve the current conditions from a D to a C in some locations.
147. The pedestrian analysis incorporates other approved new developments and it is considered that a thorough investigation has been completed.
148. The Section 278 would provide for improvements to the footway and it is recommended that widening the footway on Eldon Street is explored.
149. Multiple entrances to the building are provided, which would help to relieve any pedestrian congestion around the building entrances.
150. Construction traffic would have to access the site via Eldon Street and a management plan would be required. It is estimated that the earliest start would be Q2 2020 and would be a 4-year demolition and rebuild (earliest occupation Q1 2024).
151. Servicing is proposed to use the existing Broadgate gyratory accessed from Broad Lane and this arrangement is considered satisfactory.
152. A total of six loading bays are provided, which comprises two 10 metre bays, two 8 metre bays and two 6 metre bays
153. The site has a very good, off street basement 'gyratory' facility with plenty of capacity to service the building from the loading bays. A delivery and servicing plan (DSP) would be secured as part of the Section 106 agreement. The DSP would be reviewed and assessed annually (and then as agreed in the Section 106) by the City Transport Planners, where opportunities to consolidate deliveries would be noted and implemented where possible.
154. The waste storage and collection facilities comply with the requirements of the Communities Facilities Manager.

#### Stopping up/Dedication of land as public highway

155. No stopping up or dedication of land as public highway is required for this development.

## Access

156. The development would achieve a good level of inclusive design with step free circulation and level entrances. Revolving doors with adjacent power assisted pass doors are proposed for the office entrances. Level access would be provided to the retail & leisure uses.
157. A platform lift would be located to the west of the existing steps adjacent to the Fulcrum sculpture. This would provide step-free access to the upper ground level.
158. No parking spaces for sole use by people with disabilities are proposed. The only location an accessible parking space could be provided would be at basement level within the wider gyratory serving the whole of Broadgate South. As this area is shared with the delivery and servicing vehicles for the building, a route from any parking space could not be provided at this level without utilising back of house servicing routes. As the nearby public transport and sustainable transport modes are all fully accessible, as well as there being two existing accessible parking spaces on Eldon Street (in front of the building) that the lack of a parking space is considered acceptable in this instance.

## Archaeology

159. The site is in an area of archaeological potential situated just to the north of the Roman and medieval City Wall. It is in the Upper Walbrook Valley and there is potential for Roman remains, including burials and evidence of land reclamation, environmental remains associated with the Walbrook river and post medieval structures.
160. An Historic Environment Assessment setting out the archaeological potential and impact of the proposed building has been submitted with the application.
161. The construction of existing and previous basements and building foundations on the site will have affected the extent of survival of remains. Archaeological potential is highest outside the existing building basement, with moderate and low potential elsewhere. The existing building has a basement which covers most of the site. There is also evidence of a basement and foundations of a previous building on the site. The proposed building would have a deeper basement which would extend across the entire site and remove any surviving archaeological remains.
162. Archaeological evaluation is proposed which would confirm the findings of the archaeological assessment, provide more information on archaeological survival and help design an appropriate mitigation strategy.
163. Conditions are recommended to cover archaeological evaluation, a programme of archaeological work and foundation design.

## **Planning Obligations and Community Infrastructure Levy**

### **CIL and Planning Obligations**

164. The development would require planning obligations in a Section 106 agreement to mitigate the impact of the proposal and make it acceptable in planning terms and to contribute to the improvement of the City's environment and facilities. It would also result in payment of the Community Infrastructure Levy (CIL) to help fund the provision of infrastructure in the City of London.
165. These contributions would be in accordance with Supplementary Planning Documents (SPDs) adopted by the Mayor of London and the City.
166. The planning obligations and CIL contributions are set out below.

#### **Mayoral CIL and planning obligations**

<b>Liability in accordance with the Mayor of London's policies</b>	<b>Contribution</b>	<b>Forwarded to the Mayor</b>	<b>City's charge for administration and monitoring</b>
Mayoral Community Infrastructure Levy payable	J1,637,150	J1,571,664	J65,486
Mayoral planning obligation net liability*	J1,579,820	J1,579,820	J3,500
<b>Total liability in accordance with the Mayor of London's policies</b>	<b>J3,216,970</b>	<b>J3,151,484</b>	<b>J68,986</b>

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

#### **City CIL and S106 Planning Obligations**

<b>Liability in accordance with the City of London's policies</b>	<b>Contribution</b>	<b>Available for allocation</b>	<b>Retained for administration and monitoring</b>
City CIL	<b>J2,455,725</b>	<b>J2,332,939</b>	<b>J122,786</b>
City Planning Obligation Affordable Housing	<b>J654,860</b>	<b>J648,311</b>	<b>J6,549</b>
City Planning Obligation Local, Training, Skills and Job Brokerage	<b>J98,229</b>	<b>J97,247</b>	<b>J982</b>
Carbon Reduction Shortfall (as designed) Estimate*	<b>J538,380</b>	<b>J538,380</b>	<b>J0</b>

Evaluation and Design S278	<b>J50,000</b>	<b>J50,000</b>	<b>J0</b>
City Planning Obligation Monitoring Charge	<b>J3,250</b>	<b>0</b>	<b>J3,250</b>
<b>Total liability in accordance with the City of London's policies</b>	<b>J3,800,444</b>	<b>J3,666,877</b>	<b>J133,567</b>

\*carbon shortfall to be confirmed on completion subject to carbon reduction of the as built development.

#### City's Planning Obligations

167. 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
- Delivery and servicing management plan
- Travel plan
- Local training, skills and job brokerage strategy (construction)
- Local procurement
- Carbon Offsetting
- Utility connections
- Public access through routes and retail areas
- S278 agreement and evaluation and design
- Pocket park works and access arrangements
- Start-up - incubator accommodation
- Cycle hire membership
- Relocation of public art

168. I request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations as necessary.

#### Monitoring and Administrative Costs

169. 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.

170. 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

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

#### Conclusion

172. The proposal is in substantial compliance with the development plan policies that relate to it.
173. The proposal supports the strategic objective of the Corporation to promote the City as the leading international financial and business centre. It would provide an employment led mixed use development which supports the economic policies of the London Plan and City of London Local Plan and would provide an increase in high quality floor space as well as a range of retail facilities in a highly accessible location.
174. The proposed building is considered to make a more positive contribution to the street scene than the existing building. It would result in a building with a strong sense of architectural integrity when compared with the existing inward looking office facades.
175. The proposals do not have a detrimental impact on the setting of listed buildings, Conservation Areas and non-designated heritage assets in the vicinity or on the LVMF views.
176. It is concluded that the scheme should be granted subject to conditions and to a Section 106 agreement being entered into to cover the matters set out in the report.

## **Background Papers**

### Internal

Memo - Air Quality Officer 21/11/2018

Memo - Lead Local Flood Authority 13/11/2018

Memo - Department of Markets and Consumer Protection 29/10/2018

### External

Letter - Historic England 2/11/2018

Letter - London Borough of Tower Hamlets 22/11/2018

Letter - The Royal Borough of Kensington and Chelsea 20/11/2018

Letter - London Borough of Richmond upon Thames 20/11/2018

Letter - London Borough of Lambeth 8/11/2018

Letter - City of Westminster 24/10/2018

Email - Thames Water 7/11/2018

Design & Access Statement – October 2018

Environmental Statement Non -Technical Summary - October 2018

Environmental Statement Volume 1: Main Report – October 2018

Environmental Statement Volume 2: Townscape, Built Heritage and Visual Impact Assessment – October 2018

Environmental Statement Volume 3: Technical Appendices – October 2018

Energy Statement – October 2018

Sustainability Statement – October 2018

Planning Statement - October 2018

Statement of Community Involvement - October 2018

Retail Statement - October 2018

Transport Assessment - October 2018

Existing Plans – (00) P001 Rev P01; (00)\_P011 Rev P01; (00)\_P012 Rev P01; (00)\_P013 Rev P01; (00)\_P014 Rev P01; (00)\_P015 Rev P01; (00)\_P016 Rev P01; (00)\_P017 Rev P01; (00)\_P018 Rev P01; (00)\_P019 Rev P01; (00)\_P020 Rev P01; (00)\_P021 Rev P01; (00)\_P201 Rev P01; (00)\_P202 Rev P01; (00)\_P203 Rev P01; (00)\_P204 Rev P01; (12)\_P021 Rev P01; (12)\_P201 Rev P01.

Letter - London Borough of Hammersmith 30/10/2018

Letter with officers' report – Mayor of London 3/12/2018

Water Memo: Stage 1 consultation GLA 16/11/2018

Energy Memo: Stage 1 consultation GLA 16/11/2018

Email – Crossrail 29/10/2018

Letter – Thames Water 6/11/2018

Email – DP9 6/12/2018 & 1 8/12/2018

Letter – Hilson Moran rec'd 11/12/2018

Letter - Environment Agency 13/11/2018

Letter – Twentieth Century Society 14/11/2018

Letter – Natural England 7/11/2018

Letter – London Borough of Southwark 13/12/2018

Annex 7 Updated Historic Environment Assessment - MOLA September 2018

Addendum and attached drawings 8 January 2019; Concept Site Investigations, Factual Report, November 2018.

## **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 and as summarised in the Conclusions section of the report.



## **Appendix B**

### **London Plan Policies**

The London Plan is part of the development plan for the City. As such the London Plan is a material consideration to which the City of London Corporation must have regard in exercising its development control powers.

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

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

Policy 2.11 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 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 4.7 Support a strong, partnership approach to assessing need and bringing forward capacity for retail, commercial, culture and leisure development in town centres.

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 5.6 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 5.11 Major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible.

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

Policy 6.1 The Mayor will work with all relevant partners to encourage the closer integration of transport and development.

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

Policy 6.5 Contributions will be sought from developments likely to add to, or create, congestion on London's rail network that Crossrail is intended to mitigate.

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 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 7.6 Buildings and structures should:

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

Policy 7.7 Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an

unacceptably harmful impact on their surroundings. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria set out in this policy.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Policy 7.10 Development in World Heritage Sites and their settings, including any buffer zones, should conserve, promote, make sustainable use of and enhance their authenticity, integrity and significance and Outstanding Universal Value.

Policy 7.11 Development will be assessed for its impact on the designated view if it falls within the foreground, middle ground or background of that view.

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 7.13 Development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire, flood and related hazards.

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

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 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.

#### ***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.

***CS5 Meet challenges facing North of City***

To ensure that the City benefits from the substantial public transport improvements planned in the north of the City, realising the potential for rejuvenation and "eco design" to complement the sustainable transport infrastructure.

***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.

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

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

***CS15 Creation of sustainable development***

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

***CS16 Improving transport and travel***

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

***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.

### ***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.

### ***DM1.5 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.

### ***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.

### ***DM10.3 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.

### ***DM10.8 Access and inclusive design***

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

a) inclusive and safe for of all who wish to use it, regardless of disability, age, gender, ethnicity, faith or economic circumstance;

b) convenient and welcoming with no disabling barriers, ensuring that everyone can experience independence without undue effort, separation or special treatment;

c) responsive to the needs of all users who visit, work or live in the City, whilst recognising that one solution might not work for all.

### ***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.

### ***DM15.6 Air quality***

1. Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.
2. Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.
3. Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for Sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NOx).
4. Developers will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.
5. Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.
6. Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest building in the development in order to ensure maximum dispersion of pollutants.

### ***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.

### ***DM16.3 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

#### ***DM18.1 Development in Flood Risk Area***

1. Where development is proposed within the City Flood Risk Area evidence must be presented to demonstrate that:

- a) the site is suitable for the intended use (see table 18.1), in accordance with Environment Agency and Lead Local Flood Authority advice;
- b) the benefits of the development outweigh the flood risk to future occupants;
- c) the development will be safe for occupants and visitors and will not compromise the safety of other premises or increase the risk of flooding elsewhere.

2. Development proposals, including change of use, must be accompanied by a site-specific flood risk assessment for:

- a) all sites within the City Flood Risk Area as shown on the Policies Map; and
- b) all major development elsewhere in the City.

3. Site specific flood risk assessments must address the risk of flooding from all sources and take account of the City of London Strategic Flood Risk Assessment. Necessary mitigation measures must be designed into and integrated with the development and may be required to provide protection from flooding for properties beyond the site boundaries, where feasible and viable.

4. Where development is within the City Flood Risk Area, the most vulnerable uses must be located in those parts of the development which are at least risk. Safe access and egress routes must be identified.

5. For minor development outside the City Flood Risk Area, an appropriate flood risk statement may be included in the Design and Access Statement.

6. Flood resistant and resilient designs which reduce the impact of flooding and enable efficient recovery and business continuity will be encouraged.

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

1. The design of the surface water drainage system should be integrated into the design of proposed buildings or landscaping, where feasible and practical, and should follow the SuDS management train (Fig T) and London Plan drainage hierarchy.

2. SuDS designs must take account of the City's archaeological heritage, complex underground utilities, transport infrastructure and other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.

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

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

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

### ***DM20.2 Retail links***

To encourage the provision and resist the loss of retail frontage and floorspace within the Retail Links. A mix of shops and other retail uses will be encouraged in the Links, ensuring that the location and balance of uses does not adversely affect the function of the Link, any nearby PSC or their surrounding areas.

### ***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.

### ***CS12 Conserve or enhance heritage assets***

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

#### ***DM12.4 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.

## SCHEDULE

APPLICATION: 18/01065/FULEIA

### 1-2 Broadgate London EC2M 2QS

**Demolition of the existing buildings and construction of a building arranged over two basement levels, lower ground, upper ground and 12 upper floors plus rooftop plant to provide flexible retail, leisure and mixed retail/leisure uses (Class A1/A3/A4/D2/Sui Generis) at lower levels (Basement to 2nd floor), restaurant (Class A3) at 7th floor level and office (Class B1) at upper floor levels (3rd to 12th floor); hard and soft landscaping works; outdoor seating associated with ground level retail and other works incidental to the development. (78,020sq.m GEA)**

## 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 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.

- 3 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.
- 4 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.

- 5 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.
- 6 Unless otherwise agreed in writing with the Local Planning Authority, archaeological evaluation shall be carried out in accordance with the Written Scheme of Investigation for Evaluation, MOLA, dated October 2018.  
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.
- 7 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.
- 8 No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.



Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

- 9 No construction shall take place within 5m of the water main. Information 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 have the potential to impact on local underground water utility infrastructure.
- 10 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.
- 11 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: rainwater harvesting systems, attenuation systems, 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 7.2 l/s from no more than three distinct outfalls, provision should be made for an attenuation volume capacity capable of achieving this, which should be no less than 390m<sup>3</sup>;  
(b) Full details of measures to be taken to prevent flooding (of the site or caused by the site) during the course of the construction works.  
(c) Evidence that Thames Water have been consulted and consider the proposed discharge rate to be satisfactory.  
REASON: To improve sustainability, reduce flood risk and reduce water runoff rates in accordance with the following policy of the Local Plan: DM18.1, DM18.2 and DM18.3.

- 12 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, its 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.
- 13 Prior to any plant being commissioned and installed in or on the building an Air Quality Report shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail how the finished development will minimise emissions and exposure to air pollution during its operational phase and will comply with the City of London Air Quality Supplementary Planning Document and any submitted and approved Air Quality Assessment. The measures detailed in the report shall thereafter be maintained in accordance with the approved report(s) for the life of the installation on the building.  
REASONS: In order to ensure the proposed development does not have a detrimental impact on air quality, reduces exposure to poor air quality and in accordance with the following policies: Local Plan policy DM15.6 and London Plan policy 7.14B.
- 14 The pass doors shown adjacent to or near to the office entrances 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 people with mobility disabilities are not discriminated against and to comply with the following policy of the Local Plan: DM10.8.
- 15 Provision shall be made for disabled people to obtain access to the offices and to each retail unit via their respective principal entrances without the need to negotiate steps and shall be maintained for the life of the building.  
REASON: To ensure that disabled people are able to use the building in accordance with the following policy of the Local Plan: DM10.8.
- 16 The refuse collection and storage facilities shown on the drawings hereby approved shall be provided and maintained throughout the life of the building for the use of all the occupiers.  
REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1.

- 17 Permanently installed pedal cycle storage and lockers shall be provided and maintained on the site throughout the life of the building sufficient to accommodate a minimum of 743 pedal cycles. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.  
REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.
- 18 Changing facilities and showers shall be provided adjacent to the bicycle parking areas and maintained throughout the life of the building for the use of occupiers of the building in accordance with the approved plans.  
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
- 19 One shower for every ten long stay cycle parking spaces must be provided and maintained throughout the life of the building.  
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
- 20 One locker per one long stay cycle parking space (743) must be provided and maintained throughout the life of the building.  
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
- 21 The development shall incorporate such measures as are necessary within the site to resist structural damage 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.
- 22 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.

- 23 Details of a Delivery and Servicing Management demonstrating the arrangements for control of the arrival and departure of vehicles servicing the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The building facilities shall thereafter be operated in accordance with the approved Delivery and Servicing Management (or any amended Delivery and Servicing Management that may be approved from time to time by the Local Planning Authority) for the life of the building.

REASON: To ensure that the development does not have an adverse impact on the free flow of traffic in surrounding streets in accordance with the following policy of the Local Plan: DM16.1.

- 24 A post construction BREEAM assessment demonstrating that a target rating of 'Excellent' has been achieved (or such other target rating as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an 'Excellent' rating) and confirmation of the development's final performance against BREEAM new construction 2018 criteria for the City's priorities of energy, water and pollution shall be submitted as soon as practicable after practical completion.

REASON: To demonstrate that carbon emissions have been minimised and that the development is sustainable in accordance with the following policy of the Local Plan: CS15, DM15.1, DM15.2.

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

(a) particulars and samples of the materials to be used on all external faces of the building including external ground and upper level surfaces;

(b) details of the proposed new facade(s) including typical details of the fenestration and entrances;

(c) details of a typical bay of the development;

(e) details of the ground floor office and retail entrances;

(f) details of soffits, hand rails and balustrades;

(g) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level

(h) details of the integration of cleaning equipment, cradles and the garaging thereof;

(l) details of all ground level surfaces including materials to be used;

(j) details of external surfaces within the site boundary including hard and soft landscaping;

(k) details of the planting on the roof terraces.

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.

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

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

- 27 No doors, gates or windows at ground floor level shall open over the public highway.

REASON: In the interests of public safety

- 28 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.

- 29 Unless otherwise agreed by the Local Planning Authority all servicing must take place within the internal servicing area. No deliveries must be made from the public highway.

REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Local Plan: DM16.5.

- 30 No cooking shall take place within any Class A1, A3 or A4 unit 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.

- 31 (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.

- 32 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.
- 33 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 Class A use. 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 Class A use takes place.  
REASON: In order to protect commercial amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7.
- 34 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

- 35 No live or recorded music shall be played that it can be heard outside the premises or within other premises in the building.  
REASON: To safeguard the amenity of the adjoining premises and the area in general in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 36 The proposed office development sharing a party element with non-office premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR40 is not exceeded in the proposed office premises due to noise from the neighbouring non-office premises and shall be permanently maintained thereafter.  
A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan: DM15.7.
- 37 The roof terraces shall not be used or accessed between the hours of 22.00 on one day and 08.00 on the following day other than in the case of emergency.  
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 38 No amplified or other music shall be played on the 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.
- 39 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.
- 40 All Parish Markers and commemorative plaques on the existing building shall be carefully removed prior to demolition commencing, stored for the duration of building works, reinstated and retained for the life of the building on the new building in accordance with detailed specifications including fixing details which shall be submitted to and

approved in writing by the Local Planning Authority prior to commencement of the works affected thereby.

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

- 41 The total floorspace areas for the following uses hereby approved within the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification shall be limited to a maximum:
- a. Class A3: 4,400sq.m
  - b. Class A4: 2,200sq.m
  - c. Class D2: 3,300sq.m
  - d. Mixed retail/leisure (Sui Generis): 2,200sq.m

REASON: To maintain the vibrancy of the retail link in accordance with the following policy of the Local Plan: DM20.2.

- 42 No less than 6,000 square metres (net internal area) of floorspace shall be used for the purposes that would fall within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

REASON: To maintain the vibrancy of the retail link in accordance with the following policy of the Local Plan: DM20.2.

- 43 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: (00)\_P110 Rev P01; (00)\_P111 Rev P01; (00)\_P112 Rev P01; (00)\_P113 Rev P02; (00)\_P114 Rev P01; (00)\_P115 Rev P01; (00)\_P116 Rev P01; (00)\_P117 Rev P01; (00)\_P118 Rev P01; (00)\_P119 Rev P01; (00)\_P120 Rev P01; (00)\_P121 Rev P01; (00)\_P122 Rev P01; (00)\_P123 Rev P01; (00)\_P124 Rev P01; (00)\_P125 Rev P01; (00)\_P126 Rev P01; (00)\_P127 Rev P01; (00)\_P211 Rev P01; (00)\_P212 Rev P01; (00)\_P213 Rev P01; (00)\_P214 Rev P01; (00)\_P301 Rev P01; (00)\_P302 Rev P01; (00)\_P303 Rev P01; (00)\_P304 Rev P01; (20)\_P401 Rev P01; (20)\_P402 Rev P01; (20)\_P403 Rev P01; L-S-001-18169-GA01 Rev PL02; L-S-002-18169-GA02 Rev PL01; L-S-010-18169-PH10 Rev PL02; L-S-050-18169-PTR50 Rev PL01; L-DE-401-18169-D01 Rev PL01; L-DE-402-18169-D02 Rev PL01; Written Scheme of Investigation for Evaluation - October 2018.

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



## INFORMATIVES

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

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

a full pre application advice service has been offered;

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

- 2 Thames Water advises that:

### Waste Comments

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing a positive pumped device (or equivalent reflecting technological advances) to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. Fitting only a non-return valve could result in flooding to the property should there be prolonged surcharge in the public sewer. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. 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

02035779483 or by emailing  
wwriskmanagement@thameswater.co.uk. Application forms should  
be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)

The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our 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](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our 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](mailto:developer.services@thameswater.co.uk)

- 3 The Markets and Consumer Protection Department ( ) 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 and compliance with the Construction (Design and Management) Regulations 2007; the Environmental Services Department 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 (including the Offices, Shops and Railway Premises Act 1963); 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.

- 4 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](http://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) 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.

#### 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<sub>x</sub> emission rate of <40mg/kWh in accordance with the City of London Air Quality Strategy 2011.

(g) All gas Combined Heat and Power plant should be low NO<sub>x</sub> 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 2011.

(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.

- 5 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.

6 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.

7 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.

8 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) Declaration, alteration and discontinuance of City and Riverside Walkways.

(g) The provision of City Walkway drainage facilities and maintenance arrangements thereof.

(h) Connections to the local sewerage and surface water system.

(i) Carriageway crossovers.

(j) 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".

9 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) Employment agencies:

Employment Agencies Licensing Office  
Department of Employment  
Exchange House  
60 Exchange Road

Watford, Herts WD1 7HH

(d) Inflammable materials (e.g., petroleum)

London Fire Brigade, Petroleum Department  
5-6 City Forum  
City Road  
London EC1N 2NY

(e) 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

(f) Works in proximity to the line of the CrossRail project:

Cross London Rail Links Limited  
Portland House  
Bressenden Place  
London, SW1E 5BH

(g) Works affecting railway operational land and structures:

Planning Surveyor  
Railtrack  
355 Euston Road  
London NW1 3AG

- 10 The provisions of Part 3, Class V, of Schedule 2 to the Town & Country Planning (General Permitted Development) Order 2015 will permit changes of use between office (B1), retail (A1/A3/A4), leisure (D2) and sui generis uses in the areas shown on the approved drawings for a period of ten years from the date of this permission.