

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

### Summary

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

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

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

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

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

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

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

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

An Environmental Statement accompanies the scheme.

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

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

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

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

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

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

Historic Royal Palaces do not object to the proposed development.

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

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

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

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

Leadenhall Market Conservation Areas would be unharmed.

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

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

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

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

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

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

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

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

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

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

1. The proposals would result in a minor alteration to the listed gates which would be restored to their original proportions and composition and restored resulting in a minor enhancement to their special interest/heritage significance.
2. The proposals would preserve and enhance the special interest and heritage significance of the gates, subject to detail reserved for condition, in accordance with Local Plan Policies CS 12, DM 12.1 and DM 12.3, draft City Plan Policies S11 and HE1, London Plan Policy 7.8 and ITP London Plan Policy HC 1 and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

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

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

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

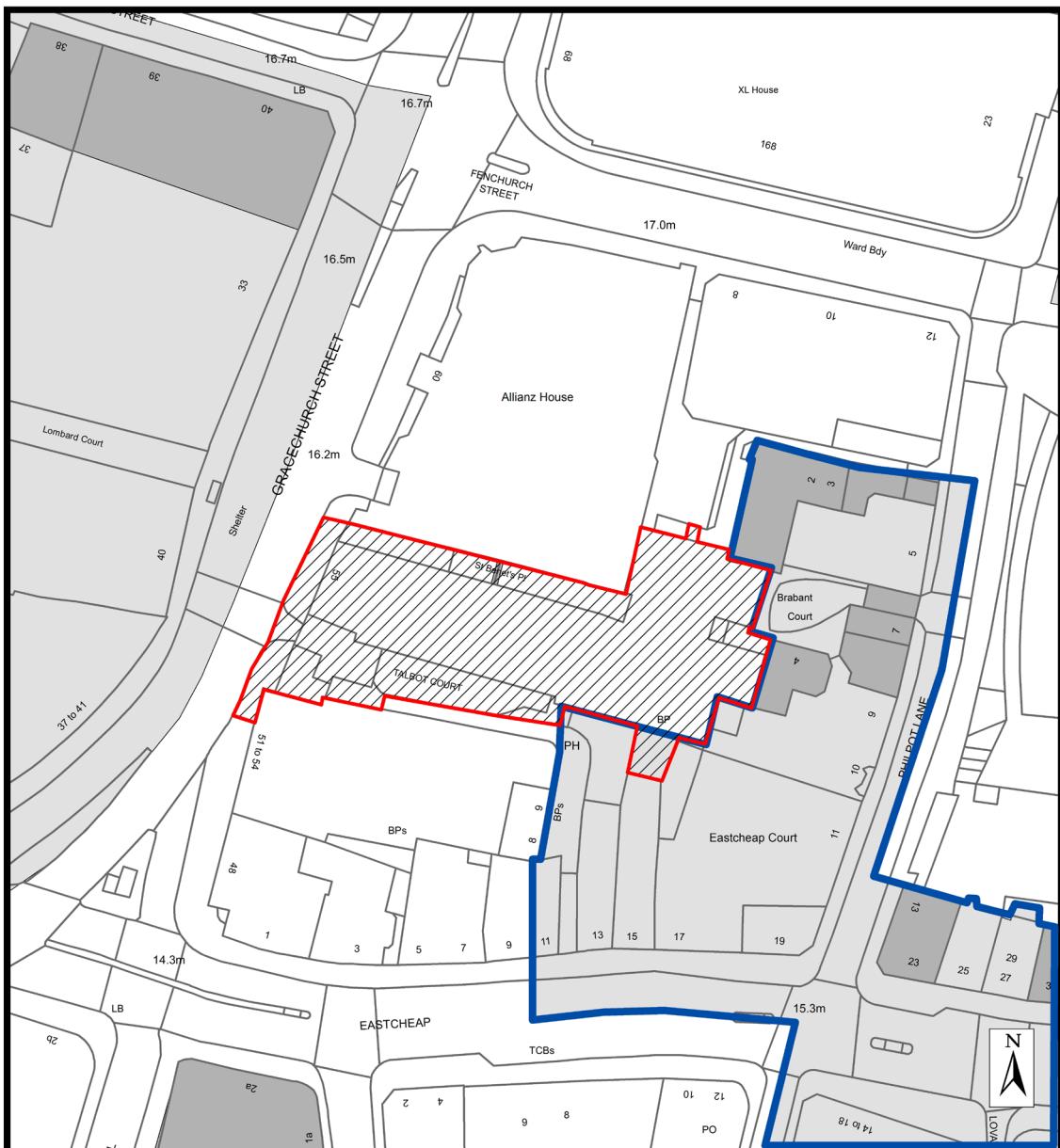
The listed building application is recommended to you subject to the relevant conditions being applied.

### **Recommendation**

- (1) That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule subject to
  - (a) planning obligations and other agreements being entered into under Section 106 of the Town & Country Planning Act 1990 and Section 278 of the Highway Act 1980 in respect of those matters set out in the report, the decision notice not to be issued until the Section 106 obligations have been executed;
- (2) That you agree in principle that the land affected by the building which are currently public highway and land over which the public have right of access may be stopped up to enable the development to proceed and, upon receipt of the formal application, officers be instructed to proceed with arrangements for advertising and making of a Stopping-up Order for the various areas under the delegation arrangements approved by the Court of Common Council.

- (3) That your Officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.
- (4) That your Officers be authorised to provide the information required by regulations 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and to inform the public and the Secretary of State as required by regulation 30 of those regulations.

# Site Location Plan



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ADDRESS:  
55 Gracechurch Street, London EC3V 0EE

CASE No.  
20/00671/FULEIA



SITE LOCATION



EASTCHEAP CONSERVATION AREA



LISTED BUILDINGS



CONSERVATION AREA BOUNDARY



CITY OF LONDON BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT

Gracechurch Street approach from the south



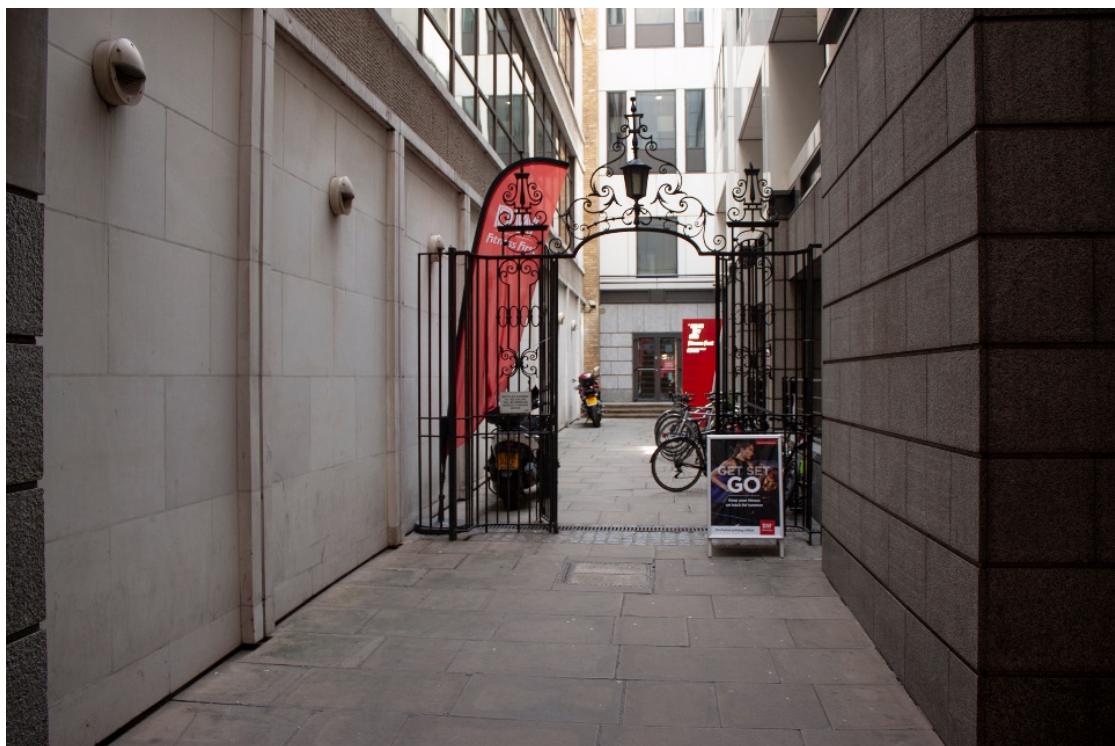
Gracechurch Street



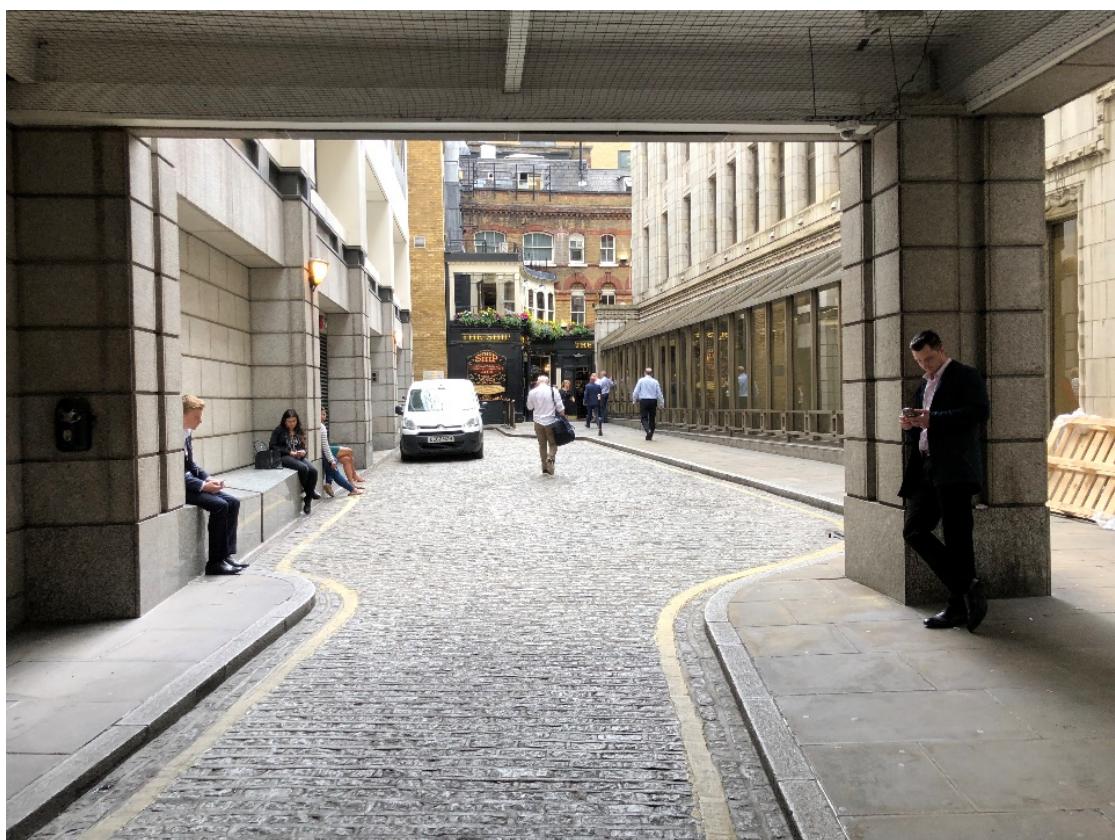
Gracechurch Street from the north



## St Benet's Place and St Benet's Place Gates



Talbot Court looking east from Gracechurch Street



Talbot Court – looking east toward Gracechurch Street



Brabant Court elevation



Brabant Court and Brabant Court Gates



Part of site (lightwell) falling within Eastcheap Conservation Area



2-3 Philpot lane – chimney and fire escape



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



North elevation from northern courtyard (outside site)



## 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 above is up to date. A reasoned conclusion is to be taken to be up to date if, in the opinion of the relevant planning authority, it addresses the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development. The draft statement attached to this report at Appendix A and the content of this report set out the conclusions reached on the matters identified in regulation 26. It is the view of the officers that the reasoned conclusions address the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development and that reasoned conclusions set out in the statement are up to date.
5. Representations made by anybody required by the EIA Regulations to be invited to make representations and any representations duly made by any other person about the environmental effects of the

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

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

### **Site and surroundings**

8. The site is located towards the southern end of Gracechurch Street, on its eastern side. It is bounded by Gracechurch Street to the west, St Benet's Place and a private courtyard to the north, Brabant Court to the east and Talbot Court to the south.
9. The site includes grade II listed iron gates across St Benet's Place.
10. The site also includes a chimney stack on the southern flank wall of 2-3 Philpot Lane, a grade II listed building.
11. The existing Portland Stone clad building dates from the 1990s. It is 8 storeys high with 2 basements and comprises 9143 sqm (gea) offices and 1302 sq.m (gea) gym/fitness club in the basement. (Total 10,445 sq.m.).
12. The building's Gracechurch Street frontage bridges over the access to the historic alleyway of St Benet's Place to the north (part public highway) and to Talbot Court to the south. (public highway with through access to Eastcheap).
13. Residential properties at 4 Brabant Court and 9B Eastcheap lie to the east and south of the site.
14. The site is immediately abutted to the east by the Eastcheap Conservation Area; a small parcel of land which is a courtyard located in the site falls within the Conservation Area.
15. Immediately to the west on the opposite side of Gracechurch Street is the Bank Conservation Area and some distance to the north is the Leadenhall Market Conservation Area.
16. There are a number of listed buildings in the immediate vicinity of the site. These include:
  - St Benet's Place gates (included in the site)
  - 2-3 Philpot Lane adjoining to the north (Grade II)
  - 7-8 Philpot Lane across Brabant Court to the east (Grade II\*)
  - 4 Brabant Court immediately joining to the east (Grade II)
  - The Monument (Grade I and a Scheduled Monument) lies about 120m to the south.

17. Other listed buildings in close proximity include 38 and 39-40 Lombard Street (Grade II), 27 Clements Lane (Grade II) and St Clements's Church (Grade I) all in the Bank Conservation Area; 23 Eastcheap (Grade II), 31-35 Eastcheap (Grade II\*) and St Margaret Patten's Church (Grade I) in the Eastcheap Conservation Area and 2a Eastcheap (Grade II).
18. Gracechurch Street forms part of the Transport for London Road Network for which Transport for London is the highway authority.

### **Proposals**

19. The following applications have been made:

20/00671/FULEIA

Planning permission for:

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

20/00743/LBC

Listed Building Consent for:

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

20/00769/LBC

Listed Building Consent for:

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

20. This report deals with the application for planning permission (20/00671/FULEIA) and the two separate applications for Listed Building Consent (20/00743/LBC and 20/00769/LBC)
21. The scheme provides 38,063 sq.m gea floorspace comprising:
  - 34,004 sq.m of office floorspace
  - 2456 sq.m of retail
  - 1603 sq.m of publicly accessible garden terrace and ancillary area.
22. The maximum height of the proposed development would be 146.05m AOD and incorporates a distinct 6 storey podium building with a two-

- part rectilinear 25 storey (including 2 roof plant levels) tower element above. The public garden terrace with walkway mezzanine is proposed at the top of the podium building.
- 23. The scheme provides a significant increase in office and retail floorspace on the site, with the aim of creating an open and permeable publicly accessible ground and first floor with a variety of retail uses, with flexible Grade A office floorspace above.
  - 24. The main entrance would be from Gracechurch Street giving entry to a large open ground floor with escalators ascending to the 2<sup>nd</sup> and 3<sup>rd</sup> floor office receptions. The southern frontage to Talbot Court would contain large openings to the ground floor providing further public access and active frontage.
  - 25. New pedestrian public routes are proposed in the building providing 24 hour access from Gracechurch Street and Talbot Court through to Brabant Court and providing for the potential of a new north-south route to the courtyard to the north (outside the applicant's demise) in the future.
  - 26. An historic alley along St Benet's Place through to Brabant Court would be reinstated, providing an east – west connection from Gracechurch Street to Brabant Court and Philpot Lane beyond.
  - 27. The publicly accessible spaces at ground and first floor would be interspersed with flexible commercial units designed for a range of occupiers and are able to be reconfigured over time to suit demand.
  - 28. The proposed garden terrace at level 6 and mezzanine would be accessed via two dedicated lifts within the ground floor plane with access/egress from both within the building and from St Benet's Place. The external garden terrace would be adjoined by an ancillary internal space which would provide a small ancillary retail outlet, and a generous space for related and ancillary cultural and community outreach activities.
  - 29. The scheme would incorporate extensive urban greening including planting and mature trees on the garden terrace and an extensive living wall reaching from the ground floor in St Benet's Place up to the soffit of the 8<sup>th</sup> floor, together with planting on the south elevation, a mature tree in a ground level courtyard and 2 trees at a non-accessible level 2 terrace.
  - 30. Off street servicing would take place from the basement, accessed out of hours by two vehicle lifts which during the daytime would form part of the unobstructed ground floor plane and public realm within the site. This innovative solution combats the issue of dead frontage and ground floor space often experienced with service yard entrances.
  - 31. The development would have three basement levels: Basement 1 would accommodate the delivery and servicing requirements of the site including two servicing bays, a refuse storage area, goods storage area and goods lifts to the upper floors and plant. Basement 2 and Basement 3 mezzanine would accommodate long stay cycle spaces,

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

## **Consultations**

32. The Applicants have submitted a Statement of Community Involvement outlining their engagement with stakeholders including an online Public Exhibition which was held between 6<sup>th</sup> and 17<sup>th</sup> July 2020. The website received circa 2044 views and 23 feedback forms were completed. In summary 70% respondents supported the proposals, 17% were neutral and 13% were opposed. Positive comments were received in respect of the building's design, the increased permeability and pedestrian routes and the environmental credentials of the building. More negative comments related to potential over-development, the façade treatment, the form of the top of the building, and stated a preference for a rooftop bar or restaurant rather than a public garden in order to diversify and improve the night-time offer.
33. The applicants have also directly engaged with The Aldgate School to discuss how the publicly accessible spaces, in particular the garden terrace and associated space, can be made relevant to the pupils at the school and provide outreach opportunities for the pupils and other local children.
34. The views of other City of London departments have been taken into account in the preparation of this redevelopment scheme and some detailed matters remain to be dealt with under conditions and the Section 106 agreement.
35. Following receipt of the applications they have been advertised on site and in the press and have been consulted upon twice, including under regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Copies of all received letters and e-mails making representations are attached in full and appended to this report. A summary of the representations received, and the consultation responses is set out in the table below.
36. The applicants have provided a detailed response to matters raised in consultee and third-party responses. The applicant's response is attached in full and appended to this report.

### **Consultation responses**

Historic England	Historic England objects to the application stating that while it does not have objections to the principle of redeveloping the site it expresses serious concerns about the harm that the proposals would cause to highly significant heritage assets. These include Tower Bridge, the Tower of London, the Monument and the Church of St Mary Woolnoth. In outline these concerns are as follows:
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- Tower Bridge: looking upstream towards Tower Bridge, with the City Cluster beyond, the existing building at No. 20 Fenchurch Street is prominently visible in the backdrop of Tower Bridge, framed by the Grade I listed bridge's iconic form. The proposed new development would add considerable additional built form to this framed view and further reduce the amount of clear sky within the space between the two towers and upper and lower decks of the bridge that allows the unique form of the bridge to be appreciated and understood. The result is that the new proposals would add some harm to the considerable harm already caused by the presence of No. 20 Fenchurch Street to the significance of Tower Bridge through development within its setting.
- Tower of London: Historic England identifies minor harm to views from within the Tower of London where the development would appear alongside 20 Fenchurch Street increasing the amount of new development encroaching into the Inner Ward. They advise that given the status of the Tower as a World Heritage Site, preserving its significance must be given the greatest possible weight.
- Historic England express particular concern about the impact of the proposals on the significance of the Monument when viewed from the Church of St Magnus the Martyr, stating that the significance of the Monument is particularly evident in this view (on the historic approach from the Old London Bridge) with the prominent classical column appearing unchallenged by modern development in its backdrop. The new proposal would appear in the backdrop of the Monument, rising to the level of the viewing platform. It would cause marked harm to the significance of the Grade I listed building and scheduled monument by encroaching upon its setting and reducing its intended prominence from this important view leading into the City from the South.
- Church of St Mary Woolnoth. The proposals would impact on its setting in the view from Bank Junction by encroaching on the clear sky behind the silhouette of the towers of the Grade I listed church, thereby causing a degree of harm.

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

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

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

London City Airport	The proposals do not conflict with current safeguarding criteria and so there is no objection.
National Air Traffic Services (NATS)	The proposals do not conflict with current safeguarding criteria and so there is no objection.
London Borough of Southwark	<p>The London Borough of Southwark has objected to the planning application as follows:</p> <ul style="list-style-type: none"> <li>“The proposed development, due to its alignment and its substantial scale, would combine with the Walkie Talkie in a number of views from the Southwark River Walk and would interact substantially with the Grade I Listed Tower Bridge when viewed from the riverside at Butlers Wharf. It is considered that the interaction in View 10 is likely to cause harm to this view adding to the visual clutter and extending the tall buildings cluster at the City further to the west.</li> <li>In Views 11 and 12 from the River Walk the proposed development would be isolated from its neighbour and more prominent in the river view, rising sheer behind on the river frontage. Its simple, rectangular design appears more stark in these views and detracts from this sensitive river setting. The proposal appears to mark a new south-west edge to the City Cluster and appears to rise abruptly from a well-established street-scene. As a consequence, its relationship to the City cluster appears unresolved.</li> </ul> <p>The harm which the development would cause to these important river views must be recognised. The proposal should be substantially amended to reduce its scale in order avoid its harmful visual impact on the setting of Tower Bridge and its river frontage setting.”</p> <p><b>Response to Comments:</b> consideration of the impacts identified in LB Southwark's response are contained in the following sections of the report: the Building's Form and Relationship to the Eastern Cluster and Heritage – Heritage Assets.</p>

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

**Letters of representation – 4 letters of objection received from the owners/occupiers of 3 adjoining sites**

Freehold owners of 51-54 Gracechurch Street and 8-9 Talbot Court	<p>Objection on the following grounds:</p> <ul style="list-style-type: none"> <li>• Excessive bulk, height and massing, outside the designated Eastern Cluster of the Local Plan which would create an overbearing relationship with neighbouring buildings;</li> <li>• Significant adverse impact on daylight to neighbouring buildings, harmful to the health and well-being of occupiers</li> <li>• Adverse effects on Talbot Court and highway safety due to servicing arrangements and use of bollards</li> <li>• Adverse environmental effects during construction</li> </ul> <p><b>Response to Comments:</b> consideration of these impacts are contained in the following sections of the report: The Building's Form and relationship to Eastern Cluster; Design Approach; Transport, Servicing, Parking and Impact on Public Highways; Environmental impact of proposals on the surrounding area.</p>
Freeholder owners of 10 Philpot Lane	<p>The freeholder owners of 10 Philpot Lane have submitted a detailed objection and accompanying Heritage/Townscape Report to the proposals regarding the potentially adverse effect on both 10 Philpot Lane and the wider City of London. In summary the grounds of objection contained in the letter (and elaborated in the Heritage report) cover the following matters:</p> <p>Impact on Heritage Assets and Townscape  The proposal is contrary to a number of policies including Local Plan Policy CS14 and would cause at least less than substantial harm to the character of a range of heritage assets by virtue of its height, form and design. The grounds of objection are summarised below:</p>

- The proposal falls below the requirement in respect of tall buildings for world class architecture and represents a missed opportunity to enhance the skyline;
- It does not take account of the character of the surroundings, notably the prevailing scale of development in the three adjacent Conservation Areas and the townscape on Gracechurch Street
- It creates an uncharacteristic and substantial protrusion in a City block which is in an area of low/mid-rise courtyard character
- It affects the quality of townscape views from the street and high levels from the Monument
- It would cause harm to the significance to a number of heritage assets including Grade I Church of St Mary Woolnoth, Grade I Church of St Magnus the Martyr, the Grade I Monument and the Grade II\* 7-8 Philpot Lane;
- It would cause harm to the character and setting of the Eastcheap Conservation Area, the Leadenhall Market and Bank Conservation Area and building within them, including Grade II 4 Brabant Court, Grade II 2-3 Philpot Lane.

**Response to Comments:** consideration of these impacts are contained in the following sections of the report: The Building's Form and relationship to Eastern Cluster; Design Approach; Designated Heritage Assets; Adequacy of the Environmental Assessment

- The Environmental Statement refers to uses defined under the categories of the Town and Country Planning (Use Classes) Order 1987. The description of development refers to the same types of uses but as defined under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which would potentially allow for a significantly different range of uses. Therefore, it is stated that the City of London need to determine that the Environmental Statement and all other documents adequately assess the proposed development.

**Response to Comments:** Addressing this point, the planning application was validated on 1 September 2020 and the uses within the description of development are as defined under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which came into force that day. The application clearly defines the specific uses within each Use Class and the quantum of

such uses, and these do not differ from those contained and assessed in the ES.

Conditions are recommended to be imposed which restrict the uses and quantum of those uses, to those assessed within the Environmental Statement

It is concluded that the ES is suitable to adequately assess the proposed development.

#### Transport and Servicing

- Congestion of the pedestrian network would be made worse and concerns are raised regarding the proposed relocation of the bus stop outside the development on Gracechurch Street.
- The vehicle service lifts and basement service area are restricted in size which may result in service vehicles unloading on-street in Talbot Court resulting in congestion and highway safety issues. In addition, there is little resilience built in in the event of mechanical failure.
- Queries around the methodology of the trip generation assessment and a Healthy Street Checklist assessment

**Response to comments:** consideration of these impacts are contained in the following sections of the report: Transport, Servicing, Parking and Impact on public highways.

#### Wind Impacts

- Queries are raised regarding the methodology of the wind tunnel and CFD assessments.

**Response to comments:** Addressing this point, information responding to these queries was submitted and reconsulted upon in December 2020. The consideration of the Wind Impact Assessments are contained in the following section later in the report: Environmental Impacts of Proposals on Surrounding Area

#### Daylight and Sunlight Impacts

- The impact on daylight and sunlight to 10 Philpot Lane has not been assessed in the application and will be detrimentally affected by a significant adverse impact.

**Response to comments:** Consideration of these impacts are contained in the following section of the report: Environmental Impact of Proposals on Surrounding Area

Freeholder owners of 10 Philpot Lane.	<p><b>A further letter of objection following 2<sup>nd</sup> round of consultation December 2020</b></p> <p>The freehold owners of 10 Philpot Lane have submitted a second letter of objection and an accompanying review of the Heritage and Townscape issues. In summary the grounds of objection are as follows:</p> <p>It is not considered that the amended scheme materially addresses the heritage and townscape objections previously raised and as summarised above in respect of:</p> <ul style="list-style-type: none"> <li>• the requirement for world class architecture and enhancement of the skyline</li> <li>• detrimental relationship of the proposal with the Monument in views from Gracechurch Street</li> <li>• detrimental impact on the setting of St Mary Woolnoth</li> <li>• detrimental impact on St Magnus the Martyr due to impact upon view of the Monument</li> <li>• detrimental impact on the Monument and on views from the Monument</li> <li>• detrimental impact on Eastcheap Conservation Area</li> <li>• harm caused to the Grade II listed 2-3 Philpot Lane by removal of chimney stack</li> <li>• that the site is inappropriate for a 'tall building' under Local Plan policy CS14</li> <li>• that the Heritage and Townscape Visual Impact Assessment does not fully assess the harm to heritage assets of the highest significance</li> <li>• that public benefits from the Proposal do not outweigh the less than substantial harm to the heritage assets.</li> </ul> <p><b>Response to comments:</b> Consideration of these matters are contained in the following sections of this report: The Building's Form and relationship to Eastern Cluster; Design Approach; Designated Heritage Assets; Assessment of Public benefits.</p>
Freehold owners of 2-3 & 5 Philpot Lane	<p>A letter of objection accompanied by a Heritage Report has been received on behalf of Store Property Investments, the freehold owners of 2-3 and 5 Philpot Lane. In summary the grounds of objection contained the letter (and elaborated in the Heritage Report) cover the following matters:</p> <p><b>Principle of Development and Design</b></p> <ul style="list-style-type: none"> <li>• That a tall building in this location is unacceptable due to the building's spatial location, impact on skyline, historic skyline features, amenity of neighbouring buildings and lack of high quality public realm contrary to Local Plan policy CS14,</li> </ul>

draft Local Plan policy S12, Draft Publication London Plan D9,

- That the building due to its height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings resulting in significant adverse impacts to the amenity of occupiers contrary to policies CS8 and DM10.1 of the Local Plan, policies S8 and D2 of the draft Local Plan and policies D3, D4, D5, and D8 of the Draft Publication London Plan.

**Response to comments:** The consideration of these impacts are contained in the following sections of the report: The Building's Form and relationship to Eastern Cluster; Design Approach; Designated Heritage Assets; Heritage

- That the impact of the proposals on nearby listed buildings has not been properly assessed
- The proposals would harm the significance and setting of 2-3 Philpot Lane and 4 Brabant Court
- The removal of the chimney stack would result in the loss of historic fabric and evidential value
- That the proposal adversely impacts on the Eastcheap Conservation Area by virtue of its dominance and overbearing nature.
- Contrary to Local Plan policies CS12 and DM12.1, draft Local Plan policies S11 and HE1.

**Response to comments:** consideration of these impacts are contained in the following sections later in the report: Designated Heritage Assets

#### Daylight and Sunlight

- A daylight and sunlight assessment of the impact on 2-3 & 5 Philpot Lane, which in apart-hotel use should be regarded as a sensitive property has not been carried out.
- An overshadowing assessment in respect of the courtyard to the north of the development has not been carried out.
- Contrary to Local Plan policies DM10.1 and DM10.7 and draft Local Plan policies D2 and D8

#### **Response to comments:**

An overshadowing assessment to the northern courtyard has been carried out and submitted, and reconsulted upon in December 2020. Consideration of these impacts are contained in the flowing sections of the report: Environmental Impacts of proposals on surrounding areas

	<p><b>Microclimate</b></p> <ul style="list-style-type: none"> <li>• That the impact of the wind microclimate on the entrance and external amenity space has not been adequately tested</li> <li>• Contrary to Local Plan policy DM10.1 and policy DE2 and S8 of the emerging Local Plan.</li> </ul> <p><b>Response to comments:</b> consideration of these impacts are contained in the following sections later in the report: Environmental Impacts of proposals on surrounding areas</p> <p><b>Impact on Viability of the hotel use</b></p> <ul style="list-style-type: none"> <li>• The detrimental impact of the development in terms of amenity, wind and daylight and sunlight would affect the viability of the hotel use.</li> <li>• Contrary to Local Plan policy CS11, draft Local Plan policy S6 and policy of E10 of draft London Plan</li> </ul> <p><b>Response to comments:</b> consideration of these impacts are contained in the following sections later in the report: Environmental Impacts of proposals on surrounding areas</p> <p><b>Other matters</b></p> <ul style="list-style-type: none"> <li>• The application proposes the demolition of the listed chimney stack which forms part of 2-3 Philpot Lane, to which the owners would not consent.</li> <li>• 2-3 Philpot Lane have a right of fire escape over the existing property at 55 Gracechurch which has not been addressed or replaced in the proposed scheme.</li> <li>• The Outline Construction Environmental Management Plan does not adequately address impacts of demolition and construction on neighbouring buildings, including dust, noise, scaffolding.</li> <li>• No meaningful consultation has taken place between the applicants and the owners of 2-3 Philpot Lane. Related works which fall within the owners' demise would not be agreed to.</li> </ul> <p><b>Response to comments:</b> In addressing these points as relevant to planning, the applicants advise that the historic means of escape route from 2-3 Philpot Lane has been abandoned and is no longer accessible. (It would appear that the door in the flank wall of 2-3 Philpot Lane to the staircase is infilled.) However, the applicants advise that an alternative route from the previous access point in 2-3 Philpot Lane could be re-provided in the new development.</p>
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	<p>The applicants advise that discussions are on-going between owners outside the planning process.</p> <p>A CEMP would be required for submission and approval by condition and would need to comply with the City's Code of Practice for Deconstruction and Construction Sites.</p> <p>The objectors have confirmed, following the <b>December 2020</b> consultation, that their objections still stand.</p>
Operators of the apart-hotel at 2-3 Philpot Lane	<p>A letter of objection, accompanied by the same Heritage Report as detailed above has been received on behalf of City Apartments, the operators of the apart hotel at 2-3 Philpot Lane. The grounds of objection are as above with the following additional considerations:</p> <p><b>Amenity Impacts</b></p> <ul style="list-style-type: none"> <li>• Loss of privacy and noise to the occupants of the apart hotel caused by the increased activity in Brabant Court, potential activity in the courtyard to the north and during construction.</li> </ul> <p><b>Response to comments:</b> Addressing this point, Brabant Court is public highway and therefore can be freely accessed by members of the public. The reinstatement of the historic route through the site to Brabant Court and Philpot Lane would result in greater pedestrian activity in Brabant Court. In the past the Court has been underused and there has been evidence of mis-use due to lack of surveillance. The proposals are considered to provide the public benefit of the reinstated route and provide some vibrancy to this eastern edge of the development site.</p> <p>In respect of the private courtyard to the north, this is outside the demise of the application; within the development site, the proposals provide for a public route which could potentially link to the courtyard should this be possible to achieve in the future.</p> <p><b>Heritage Impacts</b></p> <ul style="list-style-type: none"> <li>• The proposed development would detract from the significance of 2-3 Philpot Lane and likely damage its economic viability which would impact on the property's on-going and long-term conservation as a heritage asset.</li> </ul> <p><b>Response to comments:</b> consideration of these impacts are contained in the following sections later in the report: Heritage - Designated Heritage Assets.</p> <p>The objectors have confirmed, following the <b>December 2020</b> consultation, that their objections still stand.</p>
The Aldgate School	A representation supporting the proposals has been submitted as follows:

	<p>The school would like to show support for the planning application at 55 Gracechurch Street. It will provide a number of positive benefits to our school community and their education:</p> <ul style="list-style-type: none"> <li>• Provision of new pedestrian routes which are away from traffic providing clean air as our children walk to the new building.</li> <li>• Provision of a new public space for our school community to use just 10 minutes from the school</li> <li>• A place for the local community to gather benefitting their wellbeing</li> <li>• A new garden area on the upper floor providing a green canopy for the community to sit in; away from traffic and providing a sanctuary.</li> <li>• An educational space for the children to learn in and have lessons in; in particular in relation to plants and how they are affected by climate change and also the historic streets in which the building is situated.</li> </ul>
Owners of 60 Gracechurch Street	<p>A letter of objection on the following grounds:</p> <ul style="list-style-type: none"> <li>• that the Proposal would have a significant adverse impact on the amenities of the occupiers of 60 Gracechurch Street contrary to Local Plan policy CS14, London policy 7.6, Publication London Plan D9 and draft City Plan 2036 S12 with particular reference to daylight and sunlight, which has not been assessed and overlooking from the garden terrace.</li> <li>• That the proposal would have the potential to blight the future development potential of 60 Gracechurch Street, which is included in the emerging City Cluster and identified as a Renewal Opportunity Site.</li> <li>• That the development site is not appropriate for a tall building and would be discordant with the scale and character of the area.</li> <li>• That the application does not adequately assess the cumulative impact of the development of 55 and 70 Gracechurch Street on 60 Gracechurch Street.</li> <li>• Adverse impact on designated heritage assets</li> </ul> <p><b>Response to comments:</b> consideration of these impacts are contained in the following sections of the report: Proposed uses; : The Building's Form and relationship to Eastern Cluster; Design Approach; Designated Heritage Assets; Environmental Impact of proposals on surrounding area.</p>

## **Policy Context**

37. The development plan consists of the London Plan and the City of London Local Plan. The Mayor of London and the City of London have prepared draft plans which are material considerations to be taken into account in the determination of the applications.
38. The Draft London Plan is at an advanced stage. It takes forward many of the policy positions of the existing plan whilst strengthening and adding to others. On the 13th March 2020 the Secretary of State directed the Mayor not to adopt the Plan due to it not satisfactorily addressing a number of national policies in respect of housing ambition, small sites, industrial land and aviation. Following an exchange of correspondence and further directions issued by the Secretary of State on 10<sup>th</sup> December 2020, the Mayor approved the 'Publication London Plan' which is intended to address the Secretary of State's directions of 13<sup>th</sup> March 2020 and 10<sup>th</sup> December 2020. On 21<sup>st</sup> December 2020 the Mayor sent the Publication London Plan to the Secretary of State for his consideration. It has passed through the Examination in Public and is expected to be published in early 2021, so is to be afforded some significant weight as a material consideration.
39. In relation to this scheme the draft Publication London Plan continues to support a mixed-use office scheme in the Central Activities Zone (CAZ). The changes that are most relevant to this scheme are those that encourage good growth, enhance climate change, good design and sustainability requirements and further support requirements for public access and routes through sites.
40. The draft City Plan 2036 was agreed by the Court of Common Council in May 2020 for pre-submission, Regulation 19, consultation. The Plan is therefore a material consideration in the determination of planning applications. As the plan has not yet reached the regulation 19 stage, it can only be afforded limited weight. Regulation 19 consultation has been paused until early 2021 to enable the City Corporation to update policies in light of changes to the Use Class Order. These changes have been agreed by the Planning & Transportation and Policy & Resources Committee and will be considered by Court of Common Council in January 2021. However, the fundamental principles in relation to this application remain unchanged.
41. The London Plan and Local Plan policies and supplementary planning guidance documents that are most relevant to the consideration of this case are set out in Appendix B to this report.
42. Government Guidance is contained in the National Planning Policy Framework (NPPF) 2019 and the Planning Practice Guidance (PPG) which is amended from time to time.
43. In respect of sustainable development, the NPPF states at paragraph 10 that 'at the heart of the Framework is a presumption in favour of sustainable development.' At paragraph 11(c ) the NPPF states that

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

44. Paragraph 48 states that local planning authorities may give weight to relevant policies in emerging plans according to:
  - a) the stage of preparation of the emerging plan (the more advanced its preparation the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)
45. It states at paragraph 8 that achieving sustainable development has three overarching objectives, being economic, social and environmental.
46. Chapter 9 of the NPPF seeks to promote sustainable transport. Paragraph 103 states that “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health”.
47. Paragraph 111 states that “All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed”.
48. Chapter 12 of the NPPF seeks to achieve well designed places. Paragraph 124 advises that “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.
49. Paragraph 127 sets out how good design should be achieved including ensuring developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible and which promote health and wellbeing.
50. Paragraph 131 sets out that great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

51. Chapter 14 of the NPPF relates to climate change, flooding and coastal change. Paragraph 151 states that new developments should increase the use and supply of renewable and low carbon energy and heat through measures including renewable and low carbon energy sources and identifying opportunities to draw energy supply from decentralised supply systems.
52. Chapter 16 of the NPPF relates to conserving and enhancing the historic environment. Paragraph 190 of the NPPF advises that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
53. Paragraph 192 of the NPPF advises, "In determining applications, local planning authorities should take account of:
  - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness."
54. Paragraph 193 of the NPPF advises "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
55. Paragraph 194 of the NPPF states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
  - a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."
56. Paragraph 196 of the NPPF states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." When carrying out that balancing exercise in a case where there is harm to the significance of a listed building, considerable

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

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

### **Considerations**

58. The Corporation, in determining the planning application has the following main statutory duties to perform:-
- to have regard to the provisions of the development plan, so far as material to the application and to any other material considerations. (Section 70 Town & Country Planning Act 1990);
  - to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
59. In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas )Act 1990).
60. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
61. In exercising planning functions with respect to buildings or land in a conservation area, there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. (S 72(1) Planning, Listed Buildings and Conservation Areas Act 1990); (a small part of the application site is within the Eastcheap Conservation Area, engaging this duty in relation to that conservation area).
62. In considering the planning application before you, account has to be taken of the documents accompanying the application, the environmental information including the Environmental Statement, the further information, any other information, and consultation responses,

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

- 63 There are policies in the Development Plan which support the proposal and others which do not. It is necessary to assess all the policies and proposals in the plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.
- 64 The principal issues in considering this application are:
- The extent to which the proposals comply with Government policy advice (NPPF) and with the relevant policies of the Development Plan;
  - The economic benefits of the proposal
  - The appropriateness of the proposed uses
  - The appropriateness of the bulk, massing and design of the proposals
  - The impact of the proposal on the Tower of London World Heritage Site
  - The impact on strategic views in the Local Views Management Framework and on local townscape views
  - The impact of the proposal on other designated heritage assets, including the listed gates at St Benet's Place (Grade II) and 2-3 Philpot Lane (Grade II).
  - The proposed public realm benefits and cultural/community offer
  - Transport, servicing, cycle parking provision and impact on highways
  - The impact of the proposed development on the amenity of nearby residential occupiers, including noise, overlooking, daylight, sunlight and light pollution.
  - The environmental impacts of the proposal including wind microclimate, flood risk, air quality, building resource efficiency, energy consumption and sustainability.

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

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

- output and 4% of total UK output. The City is a significant and growing centre of employment, providing employment for over 520,000 people
- 66 The City is the home of many of the world's leading markets. It has world class banking, insurance and maritime industries supported by world class legal, accountancy and other professional services and a growing cluster of technology, media and telecommunications (TMT) businesses. These office-based economic activities have clustered in or near the City to benefit from the economies of scale and in recognition that physical proximity to business customers and rivals can provide a significant competitive advantage.
- 67 Alongside changes in the mix of businesses operating in the City, the City's workspaces are becoming more flexible and able to respond to changing occupier needs. Offices are increasingly being managed in a way which encourages flexible and collaborative working and provides a greater range of complementary facilities to meet workforce needs. There is increasing demand for smaller floor plates and tenant spaces, reflecting this trend and the fact that a majority of businesses in the City are classed as Small and Medium Sized Enterprises (SMEs).
- 68 The National Planning Policy Framework establishes a presumption in favour of sustainable development and advises that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It also states that planning decisions should recognise and address the specific locational requirements of different sectors.
- 69 The City lies wholly within London's Central Activity Zone (CAZ) where the London Plan promotes further economic and employment growth. The GLA projects (GLA 2017 London Labour Market Projections and 2017 London Office Policy Review), that City of London employment will grow by 116,000 from 2016 to 2036, of which approximately 103,000 employees are estimated to be office based. London's rapidly growing population will create the demand for more employment and for the space required to accommodate it.
- 70 The London Plan 2016 strongly supports the renewal of office sites within the CAZ to meet long term demand for offices and support London's continuing function as a World City. The Plan recognises the City of London as a strategic priority and stresses the need 'to sustain and enhance it as a strategically important, globally-oriented financial and business services centre' (policy 2.10). CAZ policy and wider London Plan policy acknowledge the need to sustain the City's cluster of economic activity and policies 2.11 and 4.3 provide for exemptions from mixed use development in the City in order to achieve this aim.
- 71 The London Plan projects future employment growth across London, projecting an increase in City employment of 116,000 between 2016 and 2036, a growth of 22%. Further office floorspace would be required in the City to deliver this scale of growth and contribute to the maintenance of London's World City Status.

- 72 Emerging London Plan policy E1 supports the improvement of the quality, flexibility and adaptability of office space of different sizes.
- 73 Strategic Objective 1 in the City of London Local Plan 2015 is to maintain the City's position as the world's leading international financial and business centre. Policy CS1 aims to increase the City's office floorspace by 1,150,000sq.m gross during the period 2011-2026, to provide for an expected growth in workforce of 55,000. The Local Plan, policy DM1.2 further encourages the provision of large office schemes, while DM1.3 encourages the provision of space suitable for SMEs. The Local Plan recognises the benefits that can accrue from a concentration of economic activity and seeks to strengthen the cluster of office activity.
- 74 The draft City Plan 2036 policy S4 (Offices) states that the City will facilitate significant growth in office development through increasing stock by a minimum of 2,000,000sqm during the period 2016-2036. This floorspace should be adaptable and flexible. Policy OF1 (Office Development) requires offices to be of an outstanding design and an exemplar of sustainability.
- 75 The application site is located outside the area identified as the Eastern Cluster in the Local Plan 2015.
- 76 The draft City Plan 2036 identifies the City Cluster area (Figure 33 of the draft Plan). This area has been extended from the area identified as the Eastern Cluster in the adopted 2015 Local Plan, to include Renewal Opportunity Sites to the north west and south west of the existing Eastern Cluster Area. The application site lies within the Renewal Opportunity Site area identified to the south west of the Cluster and within the expanded City Cluster area.
- 77 The Cluster Policy area is defined by an illustrative diagram in the adopted and emerging Plan. The area is intended to be a general strategic area where tall buildings can be delivered on appropriate sites. As outlined at para 2.7 of the Local Plan and paras 3.55 and 7.13 of the draft City Plan 2036 the boundary as shown in the diagrams is indicative and not prescriptive.
- 78 Para 3.4.4 of the draft City Plan 2036 identifies the City Cluster as a key area of change where office and employment growth will be accommodated by a cluster of tall buildings, complemented by retail, leisure, cultural and educational facilities, ground floor animation, additional greening, high quality public realm and improved pedestrian movement and permeability.
- 79 Objection has been raised by the owner of 60 Gracechurch Street immediately to the north that the Proposal would prejudice development opportunities for that site. There is no evidence of this. Office development is encouraged across the City and the issue of future prejudice if applied elsewhere would seriously impact on the ability of any development to come forward.
- 80 Despite the short term uncertainty about the pace and scale of future growth in the City following the immediate impact of Covid-19, the

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

### Proposed uses

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

### Provision of Office Accommodation

- 82 Strategic Policy CS1 of the City of London Local Plan 2015 and policy 4.2 of the London Plan seeks to ensure that there is sufficient office space to meet demand and encourages the supply of a range of office accommodation to meet the varied needs of City occupiers. Policy DM 1.3 seeks to promote small and medium sized businesses in the City by encouraging new accommodation suitable for small and medium sized businesses and office designs which are flexible and adaptable to allow for sub-division to meet the needs of such businesses. Similar policy objectives are carried forward into Policies S4 and OF1 of the draft City Plan 2036 and policy E1 of the Draft Publication London Plan.
- 83 The proposed development would provide 34,004 sqm GEA of office floorspace (an increase of 23,559sq.m. over existing) comprising well designed, flexible office accommodation in an attractive and sustainable building, further consolidating the nationally significant cluster of economic activity in the City and contributing to its attractiveness as a world leading international financial and business centre. This amount of floorspace would contribute towards meeting the aims of the London Plan for the CAZ and supports the aims of Local Plan policy CS1 and draft City Plan 2036 policy S4.
- 84 The proposed development would provide flexible floorplates of approximately 770 sqm which would be suited to a variety of occupiers. The floorplate size offers organisations of around 100 employees the opportunity to occupy a full floorplate while there is flexibility to expand over multiple floors with potential for vertical connections between

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

- 85 The main office receptions are at 2<sup>nd</sup> and 3<sup>rd</sup> floor levels accessed predominantly by escalators ascending from the Gracechurch Street frontage through open floorplans. From here double stacked lifts travel to the remaining office floors of the podium and tower where column free office floors have been designed to maximise flexibility.
- 86 Primary centralised building services plant equipment is located within the three level basement and the two storey plant room at the top of the eastern section of the building. In addition to this each office floor would be served by a decentralised floor by floor heating and cooling system utilising a modular plant room with direct connection to the façade for external air. This eliminates the need for most centralised plant and for air ducts running through the building and gives independence, operational resilience and control to the occupants of each floor.
- 87 A range of office floorspace is required to meet the future needs of the City's office occupiers, including provision for incubator, start-ups and co-working space such as proposed in the podium building. The S106 agreement would include an obligation to make specific and identified provision within the development appropriate for such occupiers.

### Proposed Retail

- 88 The application proposes a highly permeable ground floor, 'The Exchange', allowing public access through the site with eight different size retail units edging clear pedestrian routes into and through the site from Gracechurch Street, Talbot Court and Brabant Court. These would have frontages to Gracechurch Street, Talbot Court and Brabant Court as well as to 'The Exchange'. Lifts and escalators also provide access to an open and clearly visible first floor accommodating further retail provision. The proposed retail uses are for a flexible mix of shops, cafes and restaurants (Class E), drinking establishments and take away (sui generis) to ensure that the building can respond to market demand. The applicants indicate that they expect no more than 50% of the retail space to be food and beverage
- 89 The site is not located in a Principal Shopping Centre (PSC) or Retail Link as identified in the Local Plan, although the Gracechurch Street frontage is included in a Retail Link under the draft City Plan 2036. The Eastcheap/Monument area has been identified in the draft City Plan 2036 as a priority area for the delivery of new retail floorspace,

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

- 90 The development would provide 2456sqm of retail floorspace. While major retail developments are encouraged to locate in PSCs, sites on the edges of PSCs and on identified Retail Links are recognised as appropriate for additional retail development. The proposed retail component of the scheme and creation of active frontages would enhance the public interest and vitality of the street frontages on Gracechurch Street and Talbot Court, and increase the permeability into the building and up to the first floor. A condition is recommended to secure the retail uses falling within Class E and *sui generis* as proposed, and to prevent the change to any other use within Class E.
- 91 The proposed increase in retail provision on the site and variety in unit sizes accords with Local Plan polices CS20 and DM20.4, and draft City Plan 2036 policies S5 and RE2. The mix of uses would provide a complementary use to the offices on the upper floors in accordance with Policy DM1.5 as well as provision for other workers, visitors and residents of the City in accordance with draft City Plan 2036 Policy OF1.

#### Loss of private gym

- 92 The existing basement level gym (1302sq.m in area) is not proposed to be replaced in the development.
- 93 Policy DM19.3 of the Local Plan resists the loss of public sports and recreation facilities, but the explanatory text, paragraph 3.19.18 recognises that it is not always necessary to protect against the loss of private gyms. Policy HL7 of the emerging City Plan 2036 seeks to protect existing facilities but does not distinguish between public and private facilities. Loss of facilities may be permitted where services can be provided from other facilities. The draft Plan explanatory text further indicates that the loss of private facilities such as gyms will be permitted where the replacement uses meet other objectives in the Plan. No information has been provided on the demand for the gym facility within the existing building, or evidence for the continuing need for this facility. However, both the adopted Local Plan and the draft Local Plan recognise that the market demand for private gyms is fluid and facilities cannot always be protected from a change of use. The proposed development will result in an increase in retail floorspace within the building and that floorspace will be more beneficially located at ground and first floor level, making it more accessible and providing an active use within a Retail Link, in accordance with draft Local Plan policy RE2. The provision of additional retail floorspace is considered to provide sufficient justification for the loss of the existing private gym facilities.

### Proposed Publicly accessible garden terrace

- 94 The proposed garden terrace together with ancillary internal space measures 1573 sq.m in area at 6<sup>th</sup> floor and ‘treetop walkway’ level. The provision of the publicly accessible landscaped garden and viewing terrace presents fully inclusive new amenity space, urban greenery and biodiversity, and the creation of interesting new viewpoints of the City at the proposed mid-height level, and is in accordance with Local Plan policy DM 10.3 and draft City Plan 2036 policies S8, S14 and DE5.
- 95 The terrace would have a dedicated, prominent and celebrated arrival experience, via a welcome centre at ground floor, accessed from within the development and two dedicated public lifts addressing the main courtyard at the heart of the development. It would be free of charge, without the need to pre-book, secured via a Management Plan. Security would be dealt with in a discreet and appropriate manner to ensure as safe and seamless arrival experience as possible.
- 96 The terrace would include an ancillary internal space, including a small ancillary retail facility, and would be used for cultural and related activities engaging with a wide demographic in the City, ensuring a socially and economically inclusive offer. Details of proposed uses and ideas for engagement are included in the submitted Cultural Plan (see Cultural Strategy later in this report) and would be secured by a Cultural Implementation Strategy.
- 97 The Garden terrace would be open to the public all year round (with the exception of Christmas, Boxing Day, New Year’s Day if required), and during the hours of 10am to 7pm or nautical dusk, whichever is the later. Outside of public hours the terrace could be used for events, as outlined in a Cultural Implementation Strategy. An Access Management Plan would be secured by S106 agreement including details of public access arrangements, hours of opening and security provision.
- 98 An objection has been received from the adjoining owner of 60 Gracechurch Street, the office building to the north, that the proposal would result in overlooking of the office premises from the public terrace. Much of the northern edge of the proposed terrace is taken up by the core so there are only limited areas where there are views between the Proposal site and 60 Gracechurch Street. At the western end, the main garden (level 6) would be one storey below the level of adjoining windows overlooking the site and the treetop walkway (level 6M) would be over 10m away from the nearest windows. At the eastern end of the terrace, the closest point would be a small peripheral area at level 6 which would be 4.5 m away from office windows to the north. This compares with the existing situation, where there are windows in the north elevation of the current building which are 4.2m away from the office windows to the north. It is considered that the areas of potential overlooking would be very limited, and the proposed terrace would be planted with trees and shrubs providing further visual screening. The proposals would not conflict with Policy CS10 and Policy DM10.3 of the Local Plan.

## **The Building's Form and Relationship to the Eastern Cluster**

### **Principle of a Tall Building:**

- 99 The proposal is defined a tall building under the adopted Local Plan (CS 14, para 3.14.1) and draft City Plan 2036 (S12(1), 75m AOD>).
- 100 The proposal is located a little to the south of the southern edge of the 'Eastern Cluster' Policy Area in the adopted Local Plan (Policy CS7, Figure G). In the draft City Plan 2036, the proposal is located on the edge of the revised 'City Cluster' Policy Area (emerging Policy S21, Figure 33), which extends the Cluster to the south incorporating 20 Fenchurch Street and the area to its west, thus drawing 20 Fenchurch Street in to a singular City Cluster. The emerging City Cluster identifies two Renewal Opportunity Sites, one of which, in part, applies to the application site, and seeks *tall buildings on appropriate sites*.
- 101 The Cluster Policy area is defined by an illustrative diagram in the adopted and emerging Plan. The area is intended to be a general strategic area where tall buildings can be delivered on appropriate sites. As outlined at paras 3.5.5 and 7.1.3 of the draft City Plan 2036 the boundary as shown in the diagrams is indicative and not prescriptive.
- 102 Most of the site is not in an area identified as 'inappropriate for a tall buildings' in either Plan. Local Plan Policy CS14 and draft City Plan 2036 Policy S12 indicate that planning permission should be refused for tall buildings in conservation areas. A small (currently) non-public lightwell wholly enclosed within the dense urban block between Gracechurch Street and Eastcheap is included in both the site boundary and the Eastcheap Conservation Area. It is proposed to transform this area into a semi-public retail terrace with a new northern elevation from which it would be accessed and include tree planting. Other than associated works and partial infilling to deliver level access, the part in the Conservation Area would not accommodate the tall building element. In terms of the principle of a tall building, the proposed tall building would be adjacent to but located outside the Conservation Area, and is therefore considered not to fall within an area which is inappropriate for tall buildings as referred to in Local Plan Policy CS 14(2) and draft City Plan 2036 Policy S12(6).
- 103 The tall building element is not located in an area deemed as inappropriate under Policies CS 14 (Figure N) and S21 (Figure 33), and is to be assessed against the criteria set out in CS 14(3) and S12(2-6), and the wider provisions of the Development Plan.

## Skyline Impact and Relationship with the Cluster

- 104 The proposal would be read as part of the emerging City Cluster, defining the south western edge. The height and form of the proposal has been amended following extensive pre-application discussions to ensure a sensitive relationship with the Cluster, wider London skyline, historic skyline features, local views and the significance of strategic heritage assets, in particular the Monument.
- 105 The proposal has been designed with the future evolution and consolidation of the Cluster in mind. In strategic London-wide and riparian views the proposal would subdue the somewhat assertive bulk of 20 Fenchurch Street as an outlier from the Cluster. The proposed elegant double-volume orthogonal form, composed, sleek and slender silhouette and composition, would counterbalance 20 Fenchurch Street, subduing its singular impact and assertiveness on the skyline.
- 106 Given the siting and height of the proposal, to the north and west of 20 Fenchurch Street, and the manner in which the scheme steps down twice away from it, it would in most views, in particular the important riparian views, allow 20 Fenchurch Street to demarcate the southern edge of the Cluster thus allowing an appreciation of its leaning, curving façade. The simple, calm rectilinear form would provide a foil complementing the geometry of 20 Fenchurch Street. The matt white steel stripes offer a familial relationship with 20 Fenchurch Street, without mimicking it, a common trait of the Cluster. The stepped profile allows a reading of the Sky Garden in important views, retaining its visual presence as an elevated public space in views.
- 107 In terms of the wider relationship with the Cluster, the proposal relates appropriately to the character of the developing cluster stepping down southwards towards the river from an apex at 22 Bishopsgate/1 Undersholt. Such an approach to the future form of the Cluster has been informed by a 3D modelling evidence to ensure the Cluster can develop and consolidate, whilst respecting heritage.
- 108 By way of comparison, the proposal is of a more modest height compared with other existing and consented tall buildings in the Cluster (in descending AOD height order):
- 1 Undersholt: 304.9m
  - 22 Bishopsgate: 294.94m
  - 122 Leadenhall Street: 239.40m
  - Bishopsgate (former Heron Tower): 217.80m
  - 52-54 Lime Street 206.50m
  - Tower 42: 199.60m
  - ‘The Gherkin’ (30 St Mary Axe): 195m
  - 20 Fenchurch Street: 160m
  - 50 Fenchurch Street 149.6m

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

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

### **Design Approach: Architecture, Urban Design and Public Realm**

- 110 It is considered that the proposal would comprise architecture of the highest quality. It would have outstanding sustainability credentials, is attractive and contextual at numerous scales and would enhance existing and create new high-quality public realm appropriate to the character of this part of the City.
- 111 The proposed architecture distinguishes itself through the thoughtful, contextual articulation of the constituent parts, delivering a coherent, well-proportioned building with a strong overall sense of architectural integrity. On a challenging site it works successfully at various scales and is designed to incorporate two primary elements - the tower and a podium block.
- 112 The podium block would be a distinguished response to a sensitive and diverse immediate context. It presents well-proportioned, well-detailed facades to Gracechurch Street, Talbot Court, St Benet's Place, the northern courtyard and Brabant Court which respond to their distinctive architectural and spatial characters - to scale, structure, urban grain, proportions, materiality, interests and intangibilities.
- 113 On Brabant Court a high-quality traditional brick podium would respond to the height and scale of those defining Georgian (/neo-Georgian) buildings enclosing the courtyard, the architectural treatment reflecting a sense of traditional craftsmanship whilst echoing the deeper history and age of the courtyard. The limited fenestration would reinforce the calm, quiet and more restrained character of this traditional domestic courtyard, both day and night.
- 114 The podium façade on Talbot Court, at five storeys, is of an appropriate scale and would comprise a mixture of pre-cast and pigmented concrete on a traditional regular masonry grid, enlivened with modular elements layered in, including enamelled metal balconies, living green wall screens, a vitrine and wind panels, providing interest at a proportionate human scale, whilst echoing the character of the warehouses which once defined this part of the site and the wider Eastcheap Conservation Area. Of particular interest will be the

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

- 115 The elevation to Gracechurch Street would comprise a deep masonry grid of, in part, ultra-thin concrete reutilising recycled Portland Stone, the rhythm of the bays reflecting the historic plots and urban grain. To soften the scale the grid would consist of a sophisticated glazing system containing Juliet balconies off the innovation spaces behind and further integration of greening via a variety of planting. The courtyard to the north would comprise of a return of the diaper pattern on Brabant Court, this time in recess and in pre-cast, alongside etched image panels of a human scale as part of a commissioned art piece, providing a degree of dynamism to this quiet courtyard. The scale and height make a response to the pre-eminent scale set by the adjacent 2-3 Philpot Lane, whilst the wrapping of the architectural treatment into the entrance alley give a sense of three-dimension and scaling proportionate to the more modest scale of the courtyard.
- 116 At a wider level, the site lends itself to the slender tower form and silhouette. This comprises a well-proportioned orthogonal double-volume of two slender oblongs in dynamic juxtaposition set perpendicular to one another. This would create an attractive form of complementary shapes which will appear dynamic as light falls throughout the day and from different angles. It is an elegant response to an unusually shaped site, with the tiered massing stepping down from, and providing a counterbalance to 20 Fenchurch Street.
- 117 The proposed tower successfully combines the various, complex demands of tall building architecture in a simple, calm and composed manner. The open transparency of the lightweight closed cavity glazed sides contrast with the sleek striped fronts and would allow impressive views from the workspaces, prevent solar gain and hide utilitarian back of house elements. The darker coloured louvre 'seam' giving distinction to the two volumes harvests fresh air into the floorplates offering 100% free cooling whenever the outside temperature is 20° (approx. 90% of the time). In close level views, the part recycled ultra-matte steel stripes adopt variegated profiled forms to reduce wind impact and create various light and shade and a sense of movement.
- 118 The stripes would return over a roof which would be in part glazed and open to create the impression of a lightweight crown on the skyline. The building maintenance unit and roof plant, rather than hidden, would be architecturally integrated as a celebrated 'engine room' in illuminated vibrant colour. In all, the tower is a proportionate response to the periphery of the Cluster, of sleek and slender complementary form.

- 119 The podium would deliver a series of welcoming, open, permeable, convenient, comfortable and legible public routes encouraging pedestrian movement. It would also maximise the amount of public open space, whilst building on the best townscape traditions of the City through a series of courts, alleys and informal and semi-formal open spaces.
- 120 The scheme would repair an intricate network of spaces and movement corridors east-west through the dense urban block between Gracechurch Street and Philpot Lane, easing pressure on these principal streets and offering greater pedestrian choice. It would extend the network of human-scale courts and alleys which give the City a distinct character. This would offer a largely traffic-free alternative between Fenchurch Street Station and Gracechurch Street (and beyond), removing pressure on Fenchurch Street. It provides a similar opportunity to be part of a future north-south route between the River, Eastcheap, Fenchurch Street and the heart of the Cluster. It does this in a manner of compression and release, with an animated and attractive sequence of spaces. From Gracechurch Street the arrival experience would comprise a spacious public open forum 19m high, allowing dramatic views through the diversity of programmed and curated experiences of the podium. This spatial drama and urban theatre would be in contrast to the generous but more intimate formal courtyard off-Talbot Court with 5m floor-to-ceilings and then again with the smaller alleys and courts which would provide access to the calm and tranquil courtyards to the north and east, in an attractive marked contrast.
- 121 All elevations of the building facing the public realm optimise active frontage, which is functional, attractive, porous and provides good levels of passive surveillance with the appropriate incorporation of signage and lighting. These create convincing distinctions between semi-private and public and have a clear hierarchy and which delivers public seating alongside significant retail frontage with vitrines for curated cultural display and information. The frontages reflect the use and functional character of the various spaces, respecting the calm and restrained character of those more domestic courtyards, which allow tranquil, less intense break out spaces, in contrast to the more active and vibrant spaces. Vibrant mixed-use would be achieved through a diverse range of units, suitable for small scale and independent occupiers, including a dynamically curated first floor for larger scale destination retail complementing the smaller units.
- 122 The public realm would accommodate various uses both day and night, with an innovative approach to servicing which would transform the main courtyard space at the heart of the proposal from a servicing bay by night to a public open space surrounded by active uses and capable of hosting cultural curation by day. York Stone and the specified City

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

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

#### Public Garden Terrace

- 124 Local Plan policy DM10.3 and draft City Plan 2036 policies S8, S14 and DE5 seeks the delivery of high quality, publicly accessible roof gardens and terraces. Public access to tall buildings within the City is important in creating an inclusive City.
- 125 A public garden is proposed at a mid-range level on the top of the podium, and would be secured in perpetuity, providing a valuable retreat in the dense Cluster for all.
- 126 The garden itself would comprise three complementary parts - a wild garden providing an important contribution to the biodiversity of the site, a viewing platform tree canopy walk and a mixed-use outreach and learning centre with attendant retail. This would offer a unique, varied user experience, day and night, with an outreach to a more diverse demographic which would enhance the social and economic inclusiveness of the City. The overarching narrative is around the present and future role of the urban garden as a sustainable resource. The final occupier and curator would deliver an engagement and business strategy seeking to embed knowledge sharing, including with an educational outreach for younger children. Out of hours it could be used for events which further broaden the diversification and cultural output of the Cluster.
- 127 The garden would comprise a green oasis in the best tradition of an English garden and landscape, with the intimacy of a City of London

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

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

Urban Greening:

- 129 The proposed development would incorporate a variety of urban greening measures, which provides the following benefits: mitigating air and noise pollution, capturing CO<sub>2</sub> while releasing O<sub>2</sub>, combating the heat island effect, improving biodiversity, rainwater run-off management as well as making a place healthier and more attractive, improving the wellbeing of people. The development achieves an Urban Greening Factor (UGF) of 0.34 which exceeds the draft City Plan 2036 (Policy OS2) minimum target of 0.3.
- 130 The substantial increase in greening is integrated into the architectural approach, delivering living green roofs, walls and 13 trees (including mature trees). The siting, size and planting palette would ensure year-round seasonal diversity and richness whilst optimising the holistic benefits of greater biodiversity, cooling, noise attenuation, SuDs and general amenity, with well documented health and wellbeing benefits.

Heritage:

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

OUV and Relationship to Setting

131. The seven overarching attributes of Outstanding Universal Value which are contained in the Statement of Outstanding Universal Value, itself contained in the World Heritage Site (WHS) Management Plan, have underpinned this assessment, alongside the components contributing to each attribute. It is considered that three attributes are of particular relevance to assessing the impact of the proposal: i.) an internationally famous monument ii.) landmark siting and iii.) physical dominance of the White Tower.
132. The WHS Management Plan establishes a 'local setting area', an 'immediate setting' and a non-spatially defined 'wider setting'. The proposal is not in the designated local setting (as identified in Figure 4 of the WHS Management Plan) but is in the wider setting. The Local Setting Study (section 7) identifies the main views and/or viewpoints to and from the Tower of London (ToL) which are deemed to exemplify

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

133. The Management Plan acknowledges the influence of the Cluster of tall buildings in signifying the commercial centre, stating (at paragraph 2.4.25), *its visibility expresses the evolving political and cultural relationship between the Tower and the trading centre of the City of London*. It is also acknowledged that the Cluster had an emerging identity and that the relationship between the ToL and the Cluster is long-established, having existed for over half a century. It acknowledges the Cluster forms a backdrop in views, including over buildings in the Inner Ward. In recognising the place of the Cluster in the wider setting it also acknowledges that it will intensify as a distinct and separate element to the ToL. The Management Plan, at paragraph 7.3.27, states that proposals for tall buildings to the west of the White Tower, falling within the background of the WHS will continue to need to consider i.) their effect on the established Cluster ii.) the space between it and the ToL and iii.) the effect on the ability to recognise, understand and appreciate the OUV of the Tower.
134. Whilst being proportionate, the assessment uses the assessment framework in the Mayor's 'London's World Heritage Sites: Guidance on setting' SPG, which is based on the relevant ICOMOS guidance, including the impact tables at Appendix 3 and 4, in conclusion.

Impact on OUV/Significance:

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

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

136. This is also identified as a Representative View in the Local Setting Study (View 9), whilst the impact here is also representative of the impact from Approach 14 (Tower Bridge).
137. The LVMF SPG states that this location enables the fine details and the layers of history of the Tower of London to be readily understood. The LVMF states that such understanding and appreciation is enhanced by the free sky space around the White Tower, and that where it has been compromised its visual dominance has been devalued. It also states that the middle ground includes the varied elements of the City, rising behind the Tower, which includes prominent tall buildings of the late 20<sup>th</sup> and early 21<sup>st</sup> centuries, and earlier periods such as spires of City churches and the Monument. It is also noted that the lantern and

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

138. The visual management guidance anticipates the consolidation of the Cluster which it is deemed will add considerably to the character and stature of the view, and that any new skyline buildings must account for how they relate to skyline features (paragraph 187). The guidance also states that landmarks which enable an appreciation of the scale and geography of London should not be obscured by inappropriate development in the foreground; that guidance applies, in particular, to the Monument (paragraph 185). The visual management guidance also states that the background should be managed sensitively, and that development should not compromise a viewer's ability to appreciate OUV (paragraph 186).
139. The proposal would be located at a considerable distance to the west of the ToL, on the western periphery of the Cluster, appearing adjacent to the west and north of 20 Fenchurch Street, marking the south western edge of the emerging Cluster. The complementary form and scale would further consolidate the Cluster as a distinct, coherent skyline entity, while being distinct and attractive in its own right.
140. Appearing at a considerable distance to the west from the focus of the ToL in the foreground, the WHS would not be obscured, distracted from or dominated. Given the intervening distance, siting, scale, form and appearance, the proposal would not compromise those relevant attributes of OUV. It would leave unaffected those relevant components which also form part of the LVMF visual management guidance – the physical form and visual dominance of the White Tower, the iconic sky-etched silhouette, the close relationship to the River Thames and City beyond in the background, in accordance with the visual management guidance in the LVMF SPG (paragraphs 183-186).
141. In terms of wider compliance, given the siting, scale, form and orientation, which consolidates the Cluster, the proposal would make a contribution to the character and composition of the view, preserving an appreciation of identified landmarks, including preserving the observers ability to recognise and appreciate the relevant Strategically Important Landmarks, the ToL and St Paul's Cathedral, in accordance with London Plan Policies 7.11 and 7.12 and Local Plan Policy CS 13. It would not obscure an appreciation of the scale and geography of London, including the Monument, in accordance with the visual management guidance in the LVMF SPG.

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

142. This view is identified in the ToL WHS Management Plan (7.3.22) as the most iconic view of the Tower. The focus of the view is the ToL, which is the sole Strategically Important Landmark, inclusive of a Protected Vista, the Landmark Viewing Corridor of which is focused on the White Tower, benefiting from a dynamically protected sky-backed silhouette between the three Assessment Points (25A.1-3). The Monument and Tower Bridge are also identified as landmarks. The LVMF recognises the juxtaposition of built elements from a variety of eras as an aspect of the view (paragraph 413).
143. Given the pre-eminence of the River Thames in the foreground, the openness of the ToL ensemble defining its north bank, and the significant intervening distance between the ToL and the proposal, which would be on the western periphery of a consolidating Cluster, it would not undermine the composition and characteristics of the view or those landmark elements. The observer would continue to recognise and appreciate the Tower of London as the Strategically Important Landmark, set away from the City and not lost in it.
144. The siting, height, scale, two-form massing and attractive, sleek and slender profile would comprise a high quality design, set a significant distance from the WHS and would respect the setting of the Tower and not dominate it, in accordance with LVMF visual management guidance at paragraphs 414-415. The proposal would preserve the relevant attributes of OUV and those associated components. The proposal would not affect the foreground/midground of the views or the close relationship with the River Thames and principal setting from this iconic view (LVMF SPG para 416-417). It would not appear in the background, preserving the sky-backed Protected Silhouette between the Assessment Points, whilst preserving the long-established relationship between the ToL and the consolidating Cluster as two distinct juxtaposing urban forms, in accordance with the visual management guidance (paragraphs 418-422) and guidance contained in the Local Setting Study.

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

145. This view is also identified as important in the WHS Management Plan and the Local Setting Study (Representative Viewpoint 11). The ToL WHS is identified as the sole Strategically Important Landmark, whilst Tower Bridge and HMS Belfast are identified amongst other landmarks.
146. Given the pre-eminence of the River Thames in the foreground and the significant intervening distance between the Tower of London and the proposal, which would be on the western periphery of a consolidating Cluster, it would not undermine the composition and characteristics of the view or those landmark elements. It would allow the observer a

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

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

Other World Heritage Site Views:

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

Inner Ward, Tower Green and the Scaffold Site

149. Historic Royal Palaces, in making a representation, acknowledge the proposal would appear part of the Cluster, and that it “*would not be significant*”. Historic England, whilst considering that the proposal would be “*well integrated into the established Cluster*”, consider the proposal would increase the amount of modern development encroaching into the Inner Ward, resulting in overall cumulative harm at a “low level”. Historic England considers that the proposal will result in less than substantial harm to the significance of the Tower. It is the view of your Officers that the proposal would not cause harm.
150. These views are deemed by the Local Setting Study to illustrate well the ToL’s significance as the setting for key historical events and the relationship and scale of surrounding palace buildings of the Inner Ward. It aims to maintain views illustrating the living tradition of the ToL, its rich ceremonial life and unique sense of place apart from the modern city outside the walls, where the relationship between the scale of the individual buildings can be appreciated. Under ‘key issues’ it states tall buildings *could*, and so not in principle would, detract from that unique sense of place apart from the modern city and/or could affect the scale of the enclosing historic buildings – qualified in the associated ‘Objectives and Guidance’ development should i.) respect that sense of place and ii.) ensure the buildings surrounding the Inner Ward remain the focus of the view.

151. The Local Setting Study acknowledges that there is a range of views in the Inner Ward. A more detailed and comprehensive assessment of the visual impact on the Inner Ward was required as part of the submission and has been assessed in the three-dimensional model. The proposal would, on the whole, be hidden behind the western range of enclosing buildings, having no visual impact. From views nearer the White Tower looking towards the Chapel of St Peter ad Vincula, the proposal would be a distinct, non-prominent feature which would adjoin 20 Fenchurch Street at some intervening distance—appearing as part of the emerging long-established Cluster backdrop which-to a degree breaches the silhouette of the Chapel. Moving toward the Chapel, in its immediate setting from the green, the proposal followed by the rest of the Cluster moves out of view and it is unchallenged and pre-eminent.
152. In accordance with the guidance in the Local Setting Study the proposal would i.) respect the distinct sense of place and the pre-eminent stage in which those rich traditions would continue to take place and ii.) allow those enclosing Inner Ward buildings to remain the focus of the observer. It is considered the iconic, strategic landmark siting and dominance of the White Tower would be unchanged in terms of the overarching attributes of OUV while the relationship between the ToL set away from the City beyond would be maintained, the proposal being a proportionate addition to the emerging Cluster as a distinct long-established backdrop entity.

#### Inner Curtain Wall (South)

153. Views from the Inner Curtain Wall were assessed where the guidance in the Local Setting Study recognises it is a 360 degree viewing experience where the aim is to maintain an appreciation of the ToL as a riverside gateway, the historic relationship between the ToL and the River, whilst under the associated guidance seeking to maintain the White Tower as the key focus to the north, appearing more dominant than buildings in the Inner Ward or those beyond.
154. The proposal would again appear adjoining 20 Fenchurch Street—and when viewed alongside 50 Fenchurch Street and 1 Leadenhall (consented), would assist in consolidating the Cluster's distinct urban form and separate long-established identity. The White Tower, accentuated by its fortified massive masonry crenelated walls, would remain the focus of the view from the Inner Curtain Wall. It would continue to dominate the scene while that relationship with the River and an appreciation of it as a historic gateway would be undiluted. Historic England consider the proposal a new '*layer*' which would reduce the prominence generally of historic buildings in what is a varied scene acknowledged in the Local Setting Study as one where "*modern buildings provide a clear contrast between the historic tower and the*

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

#### Inner Curtain Wall (North)

155. The Local Setting Study, in assessing views from the north Curtain Wall acknowledges that this is a 360-degree experience and demonstrates a *clear contrast between the historic Tower and the modern city outside its walls*. The identified aim is to i.) maintain views that reveal the relationship between the Tower and the City and ii.) maintain an appreciation of the defences as an outstanding example of concentric castle design. Under 'Key Issues' it recognises that future tall buildings *could* reduce the perceived prominence of the Tower in its setting stating that such buildings, under the associated guidance, should continue to reveal the historic relationship of the Tower of London and the City to the north and that clear views of the concentric curtain walls should be preserved.
156. The proposal, sited a considerable distance to the west of these views, adjoining and subduing the isolated eye-catching form of 20 Fenchurch Street would, as acknowledged by Historic Royal Palaces and Historic England, appear on the western side of the established Cluster, consolidating its distinct form, whilst preserving that relationship with the Tower of London. The concentric defences would remain pre-eminent and an appreciation undiluted in these views under the baseline and cumulative scenarios, also in accordance with the guidance.

#### Other Views

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

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

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

#### Wider London View Management Framework Impact:

159. The London View Management Framework (LVMF) designates pan-London views deemed to contribute to the Capital's character and identity at a strategic level.
160. The site falls outside of Protected Vistas in the LVMF but impacts on a number of the identified Assessment Points. Designated London Panoramas at View 1 (Alexandra Palace), 2 (Parliament Hill), 4 (Primrose Hill), 5 (Greenwich Park) and 6 (Blackheath Point) are all assessed in the submission, as the proposal would be seen. The magnitude of change in these broad panoramas is considered negligible, and in all it would accord with the visual management guidance by consolidating the City Cluster, which is identified as a landmark in these compositions, preserving that composition and the viewers ability to recognise and appreciate the Strategically Important Landmarks, including St Paul's Cathedral. From the designated Townscape View LVMF 26A (St James Park) the proposal would not have an impact.
161. Particular attention is given to the River Prospects where the magnitude of potential impact is greater, here addressed in turn.

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

162. This is an iconic London view. St Paul's Cathedral is identified as the Strategically Important Landmark. It is considered that the proposal would complement the development of the emerging City Cluster as a singular coherent entity in the skyline composition, assisting in subduing and taking the tension out of the isolated 'eye-catching' visual influence of 20 Fenchurch Street. The height is appropriate to the site and would step down from the apex of the Cluster around 22 Bishopsgate, towards the scale of the River and would be of a high-quality design. This is in accordance with paragraph 263 of the SPG visual management guidance.
163. The proposal would not draw tall buildings closer to St Paul's, would not affect its clear sky backdrop and would not dominate or cause a 'canyon effect' around the Cathedral, in accordance with guidance in paragraphs 264-267 of the SPG. It would not obscure or detract from any identified landmark element in the view and would give further context to those relevant Cluster landmarks identified.

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

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

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

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

Summary of LVMF Impacts

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

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

### **Other Strategic Views (Local)**

#### **The Monument to the Great Fire:**

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

#### *Views from the Monument*

168. Paragraph 4.14 of the Protected Views SPD addresses 'Northern Views' from the Viewing Gallery and states that proposed increases in height near the Monument will be assessed in terms of their impact on views to and from the Monument. The principal axial views are identified as being provided by King William Street and Gracechurch Street/Bishopsgate as leading the eye into the Bank Conservation Area and the fringe of the City Cluster.
169. The podium and setback of the tower element would continue to allow an unbroken view north along Gracechurch Street/Bishopsgate towards Gibson Hall. Whilst the proposal would be prominent, it would read as part of the Cluster, still allowing for an appreciation of the diversity of those routes identified and the contrast between the Bank Conservation Area and the Cluster. It is considered that the proposal would not harm the view.

No other identified view from the Monument would be affected.

#### *Views of and Approaches to the Monument*

170. The proposal would not be in the 'Immediate Setting' of the Monument as defined in the Protected Views SPD, but it would be in its near setting. It would be prominent in i.) views from Tower Bridge (paragraph 4.22 of the SPD); ii.) the Queen's Walk (western end) (paragraph 4.26) and iii.) the approach from Gracechurch Street (paragraphs 4.24 - 4.25).
171. From Tower Bridge the proposal would not obscure or dominate the Monument and would read as part of the Cluster, adjacent to 20 Fenchurch Street as part of this dynamic, diverse viewing experience, causing no harm.

172. Those views from the Queen's Walk (western end) of the Monument, are identified as the most complete and intimate view, of the Monument from the South Bank (4.26). The view from directly opposite on the South Bank is approximately on the line of the Old London Bridge and remains one of the oldest and best views of the Monument. At present the Monument is backdropped by the emerging Cluster with some limited sky-etched silhouette afforded to the crowning flaming urn finial. This would remain unaffected in a kinetic experience from this viewing place and at no point would the proposal have a direct interface in the backdrop of the Monument. The siting, height and form of the proposal would allow it to read as part of the emerging coherent Cluster form, while the clean, simple and attractive design would not detract from or visually overwhelm the Monument. It is considered that the proposal would accord with the guidance in the Protected Views SPD.
173. In the kinetic experience described in paragraphs 4.24 and 4.25, of the approach to the Monument from the Gracechurch Street/Lombard Street junction, the proposal would be prominent in the view for part of it. From the junction the proposed masonry podium, complementing the materiality, height and massing of the prevailing street block heights providing defining enclosure to Gracechurch Street, would tie well into the surrounding townscape allowing the Monument to be pre-eminent at eye-level. The tower is set-back from the podium and as the viewer moves down Gracechurch Street (west side) the Monument reveals itself, while the proposed tower would become peripheral to the field of view, at a high level, in the oblique. Once at the 'slot view' identified at paragraph 4.25, opposite 52-54 Gracechurch Street, the proposal would be peripheral, the focus remaining on the Monument. It is considered that the proposal would accord with the guidance in the Protected Views SPD.

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

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

#### St Paul's Cathedral - Views From:

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

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

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

176. The Sky Garden is a popular public viewing gallery and visitor attraction offering 360-degree views of London. This public offer was an integral ingredient in the planning balance at the public inquiry into 20 Fenchurch Street. The impact on it as a public attraction and sensitive receptor is a material consideration. The scheme was amended at pre application stage to minimize its impact here.
177. The viewing experience offers a unique 360-degree experience over different levels along a perimeter walk, with a large south-facing external terrace. Due to its siting and height the proposal would not impact the open experience of the south terrace or the quality of the microclimate. The impact would be specific to the western aspect - the most significant for experiencing the topographical and cultural geography of London. While it would appear a significant element on the immediate western flank, reducing the sense of unimpeded openness, this impact would be transitory as part of the overall experience, while at no point would it obscure an appreciation or understanding of important cultural and heritage assets, notably the River Thames and its bridges, Westminster, St Paul's Cathedral or Bank Junction. The design of the roof has been architecturally integrated and considered to create an attractive feature. Overall, it is considered that the viewing experience from the Sky Garden would not be undermined to a significant extent.
178. By virtue of the orientation and height of the proposal it would not harm the viewing experience at consented public terraces at 1 Leadenhall, 50 Fenchurch Street (Clothworkers) or 120 Fenchurch Street, 1 Undershaft, 22 Bishopsgate or 100 Leadenhall.
179. Outside the City, from the Tate Gallery on Bankside, the proposal would further consolidate a coherent Cluster form as a distinguishable urban form and would not harm the viewing experience.

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

**4 Brabant Court (grade II):**

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

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

181. Whilst the physical historic fabric makes the substantive contribution to significance, it also derives a moderate degree of significance from setting. The setting of the house changed substantially throughout the 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> Centuries. This is both in the immediate setting via the re-development of the application site, substantive alteration to 2-3 and 5 Philpot Lane, and in the wider setting, now comprising the emerging Cluster and 20 Fenchurch Street, accentuating a drama of contrast in scale. The most significant change resulted from the previous re-development of the subject site, which truncated the historic form of Brabant Court, which once extended beyond the current layout, as part of an intricate web of domestic scale courts and alleys once connecting Gracechurch Street and Philpot Lane. The immediate, well-enclosed and intimate setting of Brabant Court, complete with historic vaulted coach entrance, cobbled carriageway, granite kerbs, flagged edges and retained wrought iron gates, in an apparent original form, when appreciated with 7-8 Philpot Lane and to a lesser extent 2-3, create an authentic ensemble collectively forming the element of setting which contributes to that principal architectural and historic significance.
182. It is considered that the proposal would result in a minor enhancement, overall, as a result of a direct and indirect impact. Those key elements of historic fabric and character of the building itself would be undiluted, subject to an appropriate construction methodology reserved for condition. The most significant impact is on setting. A bricked-faced podium block is proposed to address the western enclosing elevation of Brabant Court, the datum a direct response to the prevailing heights of the historic buildings enclosing the Court, being no higher than the parapet of number 4. Brick is the unifying material assimilating the proposal with the courtyard, with a singular composed façade with an attractive diaper pattern and brick barrel-vaulted arch reinstating the historic form and alignment of the court alongside the retained and refurbished historic iron gates. Copious greening would spill over the façade to soften the appearance and scale. The tower element would

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

183. The re-development of the current site truncated Brabant Court and resulted in the unsightly exposure of the party wall of number 4 – whilst the application of a cement render undermined it further (both in fabric and aesthetic terms), addressing a ‘dead’ space as it does. The proposal would repair the historic form and relationship with the Court, offering it back a more dignified setting, with a new enclosing elevation restoring an integrity to the house and its relationship with the Court, an enhancement.
184. The proposal would require substantive excavation, while the implications of significantly altering the party wall arrangement, from which some lateral structural support could be leveraged, need to be understood and addressed in a sensitive manner at detailed design stage, including during construction, and this is reserved for condition. Depending on the nature of the works required, a separate application for listed building consent could be required.
185. Overall, subject to the imposition of a detailed condition, it is considered that the proposal would preserve and enhance the significance/special interest of 4 Brabant Court, by reason of restoring and reinstating a sense of the historic urban grain and its integrity as part of the Brabant Court ensemble.

### **2-3 Philpot Lane (grade II):**

186. The proposal would have a direct impact on the listed building via alteration of its fabric, and an indirect impact, via change in its setting. The direct impact is the subject of a separate application for listed building consent (ref: 20/00769/LBC).
187. 2-3 Philpot Lane is a good example of post-Fire 18<sup>th</sup> Century City ensemble, of a residential townhouse located off-street in an intimate courtyard behind attractive iron gates, which is and would have been fronted by commercial development. A late 17<sup>th</sup> Century, post-fire house was likely re-developed in the 1720s and split into two, altered and split again for multiple occupation in the 19<sup>th</sup> Century and the rear developed as a warehouse and associated office chambers. It was originally thought to be three storeys with an additional two added, the most recent a 2003/4 mansard. Bomb damage maps suggest substantial damage and assumed subsequent restoration. In 2014 a major refurb and associated conversion to serviced apartments was

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

188. It is of high architectural and historic interest, and to a lesser extent artistic or archaeological as a result of the off-street courtyard typology of more authentic Philpot Lane side, of the earlier non-stuccoed fabric on the northern elevation, and to a much lesser extent the western and southern elevations which are much more substantially altered, albeit contributing to a whole. Representations have been made which recognise that whilst the setting has seen "*considerable change*", bearing little resemblance to the original setting, that there is a group value with Brabant Court., 4 Brabant Court is referenced, as a collective of surviving now rare examples of the City's mid-block domestic courtyard typology. It is agreed that the proposal does draw a moderate amount of significance from this setting as a collective, albeit it has been diluted.
189. The proposal would abut the southern non-prominent side elevation of the building which would appear to have been substantially re-built and altered over time. The proposed works are to i.) remove a chimney stack on that southern elevation ii.) remove a redundant modern escape stair providing access to the courtyard and iii.) make good and close any remaining flues (if any) as part of a new party wall condition.
190. Historic research suggests the chimney is later 19<sup>th</sup> Century/early 20th Century and so is non-original and is likely the result of internal subdivision which took place over time. It was likely re-built following serious war damage and again the cleaner brickwork above parapet is the result of the 2014 extension. In terms of historic fabric, it is of limited inherent interest. It is visible in high-level oblique views from the northern courtyard and Brabant Court where representations have been made that it is well-detailed, assisting in revealing something of the nature of the building, contributing to a relationship between 2-3 and 4 Brabant Court. It is not considered well-detailed, what you see is on the whole modern stock with some unmoulded corbelling and modern pots set in cement flaunching. Whilst it is a historic reminder of function, it is understood not to be in use. The siting close to the western elevation creating a discordant, uncomfortable relationship with the northern courtyard elevation. It is not considered that this modern chimney contributes meaningfully to a relationship between 2-3 and 4 Brabant Court, a relationship which would be maintained. As such the loss of the chimney is considered to cause very slight harm as

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

191. The main contribution to setting derives from a closer appreciation of the building on its courtyard off Philpot Lane, the non-public northern alley (accessed from Philpot Lane) and the northern courtyard, and to a lesser degree from Brabant Court with group value alongside 4 Brabant Court and 7-8 Philpot Lane. From its principal entrance courtyard and the northern alley the degree of enclosure is such that the Proposal would have no effect. From Brabant Court and the northern courtyard the proposal would be seen alongside other tall buildings, an established character trait of this part of the City, whilst the podium treatments, responding to the scale and proportions of 2-3, alongside the sense of enclosure created by the courtyards, would not overwhelm or detract from 2-3. The potential for an extension of that mid-block, human, even domestic-scale courtyard and alley fine grain structure would allow a situation in the future whereby the group value significant could be enhanced and the rear elevation opened to greater public appreciation, rather than severing any relationship. The de-cluttering which would result from the removal of the redundant escape stair (seen from Brabant Court and the northern courtyard) and a better, more resolved junction between the Proposal and 2-3 on the northern courtyard, would result in a slight enhancement to the building and its setting.
192. A condition has been added requiring an appropriate Construction Methodology Statement be submitted addressing i.) how the Proposal would be built without harm to the listed structure via both enabling works and during constriction vibrations ii.) final treatment of the party wall condition and iii.) the potential for long-term settlement or changes in the water table and how these would preserve the listed building.
193. Representations have been made that the Proposal would result in the building becoming unviable, to the detriment of the long-term viability and thus conservation of the asset. The fire escape and stair is blocked up and is not in use, although whether a right of means of escape over the site remains would need to be resolved outside of planning. There is no argument that the loss of the flue or redundant means of escape, would prohibit the current or potential future use of the building, or that the flue contains building services which would otherwise require unacceptable harm to the listed building. This relationship of visitor accommodation and tall buildings is not uncommon in the City, whilst the proposal would allow for the potential of greater footfall and activity in the area in the future, which could enhance the viability of the asset. It is not considered that the Proposal would affect the viability and long-term conservation of the asset.
194. It is considered that the proposal would result in some slight harm and some slight enhancement to the special interest and heritage

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

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

195. These wrought iron gates on St Benet's Place are grade II listed. It is proposed to temporarily remove, alter, store, restore and then reinstate post completion. The proposal would result in a direct impact via physical alteration and an indirect impact via change in setting. This is subject to a separate application for listed building consent (ref: 20/00743/LBC).
196. Considered 18<sup>th</sup> Century, the gates are not considered to be in their original location and were re-instated here following redevelopment of the site in 1993. Of black-painted wrought iron, they comprise an attractive composition of double-leaf gates flanked by decorative side panels and crowned by a tripartite overthrow with central axis lantern (altered) and fine filigree. A small additional panel has been added on the north side, upsetting an otherwise symmetrical composition. The gates are of architectural, historic and artistic significance. Setting makes a limited contribution to significance, given the original purpose/setting is unknown – though their intimate setting on an enclosed alley give a sense of a historic setting, making a modest contribution to significance and an appreciation of it.
197. Temporary removal off-site in appropriate conditions is acceptable, in principle. The removal of the later three-rail panel on the northern side, restoring a symmetrical composition once reinstated, would be a minor enhancement. Final details of restoration and re-attachment are reserved for condition.
198. The proposal would preserve and enhance the listed gates and is acceptable, subject to final details of reinstatement to be secured by the imposition of a condition.

#### Eastcheap Conservation Area:

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

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

201. The small lightwell to the rear of The Ship Public House, forming part of the site and in the Conservation Area, would be transformed. At present it is a forgotten, utilitarian and inaccessible lightwell, but characteristic of the deep and enclosed lightwells once part of the functioning and grain of the Conservation Area. It would be made accessible as part of an extension to a retail unit, paved in traditional York Stone, planted with a tree and otherwise celebrated as a ‘pocket garden’, reinforcing an appreciation of that finer grain human-scale of the Conservation Area. This direct impact would result in a proportionally slight low-level enhancement to the Conservation Area.
202. The only identified street level vista affected in the SPD would be View 7, an oblique view west along Eastcheap to 11-19 Eastcheap. Here the proposal would be seen in association with marked sense of dramatic change in scale between the Conservation Area and the Cluster, 20 Fenchurch Street establishes that character. It is considered that the proposal would reinforce that character distinction between the Cluster and those surrounding and adjacent conservation areas. The view of the Conservation Area from the Monument Viewing Gallery are also identified in the SPD. The proposal would be on the edge of the Conservation Area and would obscure a small part of the roofscape around Philpot Lane and Brabant Court, retaining an overall appreciation of the roofscape and its various elements, causing only a slight adverse impact as a result of development outside the Conservation Area.
203. The most significant interface with the Conservation Area is on Talbot Court and Brabant Court, where the Proposal would abut and ‘land’ in a much more enclosed, modest human, even domestic scale. Here the tower would be significantly set back and at high level, peripheral to the normal field of view, with attention and sense of scale held by the compelling scaling of the podium base of the tower in responding to that varied context. This would be achieved through the adoption of historic height datums/shoulder heights, reinforcing buildings lines, massing arrangements and a finer urban grain, in addition to using

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

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

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

##### **The Monument (grade I and Scheduled Ancient Monument):**

205. The Monument to the Great Fire ("the Monument"), by seminal architect Sir Christopher Wren and Robert Hooke, built 1671-77, symbolised the restoration and renaissance of London following the Great Fire of 1666 as a major European economic, cultural and political centre. It comprises an elegant fluted Roman Doric column of Portland Stone with a crowning gilded flaming urn sat atop a large pedestal containing inscriptions and base relief representative of the socio-political context in which it was built. It is of exceptional architectural, artistic, historic and archaeological significance as a City/London-wide landmark.
206. The setting of the Monument makes a significant contribution to its significance and an appreciation of it, in particular its architectural, historic and to a lesser extent artistic significance. It was symbolically sited near the site on Pudding Lane where the Fire began and on near axial alignment with the Old London Bridge, the site of the original Roman bridge from which London originated. It once, alongside the rebuilt City church towers/spires, was pre-eminent in the much artistically represented London skyline as part of a family of Wren landmarks representing the character and identity of the City of London up until the end of the 19th Century. It comprised part of the main southern arrival experience from London Bridge of the gravitas and grandeur of a Renaissance city. As it did then, it has informed the height and curation of the townscape around it for over 300 years.
207. The Proposal would be prominent in the backdrop and setting of the Monument on approach from London Bridge, on axis from the South Bank (Queen's Walk, western end), on approach from Lower Thames Street/Fish Street Hill and from Bishopsgate/Gracechurch Street.

208. From London Bridge the gilt orb is visible above Adelaide House, albeit not prominent, even incidental, and is obscured by 22 Bishopsgate and the consented 1 Leadenhall and so the proposal would not diminish it. The impact from Queen's Walk is addressed in paragraph 172 and it is considered that the proposal would cause no harm. The approach from Bishopsgate/Gracechurch Street is in part covered in paragraphs 173. In negotiating the scheme, amendments were made so that the tower element was further set-back to the east to preserve an appreciation of unfolding deep vistas along Bishopsgate of the emerging Monument framed, in part, by historic buildings whose heights allow it to remain prominent, at eye level.
209. Historic England have raised concern that the proposal would encroach upon and reduce the prominence of the Monument when viewed from St Magnus the Martyr on Lower Thames Street on the original alignment of the Old London Bridge.
210. It is considered that this particular impact is kinetic, fleeting and limited in scope. The proposal was reduced in height to, in part, ensure that at no point the tower would encroach the sky-etched silhouette of the gallery and orb. As the observer ascends Fish Street Hill (west side) the pre-eminence of the Monument is reinforced as it moves into commanding view in the immediate foreground, with more of the otherwise unchallenged sky-etched silhouette moving into view. The simple, elegant form and appearance of the tower would provide a calm and restrained backdrop, mitigating the impact, acknowledged also by Historic England. The erosion of the silhouette and prominence on this important historic approach would cause lower level less than substantial harm to the significance of the Monument.

#### **Tower Bridge (grade I):**

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

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

**Church of St Mary Woolnoth (grade I):**

214. One of the most notable of the so-called ‘Queen Anne’ churches, funded by coal duty via the Commission to Build 50 New Churches, established by Act of Parliament in 1711 to reassert the Church of England and spiritual nourishment in the growing metropolis. Designed by renowned protégé of Sir Christopher Wren, Nicholas Hawksmoor, it is one of his more idiosyncratic monuments to the distinctive English Baroque. Built between 1716-1727, a whole Portland Stone ensemble, the principal west front comprises an original composition of double height rustication with an engaged Composite temple-fronted tower crowned by coupled lanterns. It also has a distinctive and good interior by notable craftsmen. It is of very high architectural, historic, artistic and archaeological significance.
215. Its prominent siting pivoting the junction between King William Street and Lombard Street from the heart of the City at Bank Junction, set amongst a panorama of fine classical commercial, civic and in this case, religious, monuments from all eras. This makes a medium contribution to the significance of the Church.
216. Historic England and the Georgian Group have expressed concern at encroachment on the skyline presence of the Church, which has been described as “*largely undisturbed*”, allowing the towers to be appreciated, and thus some encroachment would result in harm.
217. The proposal will appear in the backdrop of the Church in views from the west, in particular from Poultry. The scope of the field-of-view is open and visually rich, the foreground of enclosing Portland Stone

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

### **39-40 Lombard Street (grade II):**

218. Built 1868, by Francis, of Portland Stone in a uniquely sumptuous and rich ornate Italianate palazzo manner, a good and unique example of the then emerging City livery of choice for dependable commerce and potentially a nod to the Lombardy merchants which lend the street its name. Comprising a tall ground floor (potentially a former banking hall) and rich carved classical detail to the upper floors. It is of architectural, artistic and to a slightly lesser extent historical interest. Its immediate setting, defining the corner of Gracechurch Street and Lombard Street, seen alongside other classical Portland Stone commercial edifices, makes a modest contribution to significance overall.
219. The Victorian Society contend that the proposal would 'dwarf' the listed building, despite acknowledging its own scale relative to the street. On approach from the west along Lombard Street the backdrop is commanded by the bulk of 20 Fenchurch, which would be subdued by the proposal. The full significance of the building is better appreciated in close view, in particular where the sumptuous detail can be appreciated, where given the scale of 39-40, and the height-to-width ratio of the street, it would command the foreground, while the proposal would only be visible at a high level in the oblique. It is considered that the impact would be of low magnitude and no harm would be caused to the special interest, significance or setting of 39-40 Lombard Street.

### **Church of St Magnus the Martyr (grade I):**

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

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

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

### **33-35 Eastcheap (grade II\*):**

222. A dramatic, expressive and vigorous Neo-Gothic purpose-built vinegar warehouse, more ecclesiastical in character than commercial, of red/engineering brick with robust stone dressings, symmetrically composed with copious use of vigorous canopies and the pointed arch. It was built in 1868 in a manner akin to the Victorian 'rogue' architects in a free Gothic Revival, by R L Roumieu. It contains a high-level relief of a boar's head making reference to Eastcheap's lost Boar's Head Tavern, a feature of Shakespeare's Henry IV. The setting of the building as part of a range of High Victorian frontages in varied revivalist styles offers a prevalent scale and characterful contrast which make a moderate contribution to significance, which primarily draws from architectural fabric.
223. The proposal would be prominent in wider townscape view on approach from the east along Eastcheap, where it would accompany 20 Fenchurch Street as an emerging edge of the Cluster, creating a dramatic contrast in scale characteristic of this part of the City and where the setback would mean the current or cumulative setting would not overwhelm or dominate the building. In close views the listed building will continue to dominate the foreground. It is considered the significance and setting of 33-35 Eastcheap would be preserved.

### **7-8 Philpot Lane (grade II\*):**

224. Much altered post-Fire terraces, thought to have been subdivided in the early 18<sup>th</sup> Century and substantially redeveloped in c.1984 and again refurbished in 2018 leaving little authentic fabric. Smart Italianate in manner, stucco-fronted brick terraces, with clay tile clad hipped roofs the only external manifestation of their greater age. The principal significance lies in the basement interior, a rare and unique late Medieval vaulted undercroft which was, it is assumed, retained post-Fire from a previous merchant's house. It is of high architectural, historic and archaeological significance, less so artistic. It draws a moderate degree of significance from setting, in particular, as a group around Brabant Court and in association with 4 Brabant Court, 2-3 and 5 Philpot Lane. Together these form a rare and unique ensemble of the form and urban grain of the pre-industrialised, pre and immediately post-Fire City of London – comprising smart brick-faced terraced commercial fronts and quieter, intimate off-street domestic/cottage industry courtyards.
225. The proposal would be seen and appreciated in the context of the emerging Cluster in the immediate and wider setting from Philpot Lane and Brabant Court and located opposite 20 Fenchurch Street. These dramatic contrasts in scale between the old and new are an established character trait of this setting which otherwise in terms of physical form, layout and appearance would be undiluted – that relationship between the ensemble remaining appreciable. In closer views, the listed building will continue to dominate.
226. Details reserved for condition would ensure it is preserved during and post construction.
227. It is considered the proposal would preserve the special interest/significance, and the contribution made by setting to that significance of 7-8 Philpot Lane.

### **Conservation Areas**

#### **Bank Conservation Area:**

228. The proposal will be visible from a number of vantage points within the Conservation Area. Representations were received that the Conservation Area would be harmed via conflict with the wider 'roofline' on Gracechurch Street, the contrast in scale and materials, the relationship with the Monument and that it would overshadow Gracechurch Street.
229. The setting of the Conservation Area is as varied and diverse as the overarching character of the City. It's most obvious border is with the City Cluster on the eastern edge, where there is a striking contrast in scale on opposite sides of Bishopsgate/Gracechurch Streets, mitigated,

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

230. The majority of the Conservation Area comprises a dense, tight-knit urban grain with strong streets enclosures, an essential character trait, which would remain undiluted. It is only in a few more open vistas would the proposal be appreciated.
231. The proposal will be visible from vantage points such as Princes Street, Cornhill and Poultry where the proposal will be visible in the distant backdrop as a fleeting, transient element alongside 20 Fenchurch Street. The impact is not considered harmful and is not an unusual relationship in the Conservation Area, with fleeting views of the City cluster with the dynamic contrast of the historical City in the foreground and new City exemplified as the cluster of towers as a distant backdrop.
232. In those views north and south along Bishopsgate/Gracechurch Street/King William Street, the proposal would read part of the cumulative Cluster of tall buildings. By reason of its complementary materials, and solid, robust and modelled masonry base there would be a positive dialogue with the scale and proportions of the Conservation Area opposite, while the significant setback of the taller element would not overwhelm the prevailing scale of Gracechurch Street. Subject to detailed design, the proposal would form part of that prevailing contrast in scale on the eastern border of the Conservation Area.
233. Overall, the proposal would result in some minor change to the setting of the Conservation Area, but not in a manner which would undermine that significance, which would be preserved.

#### Leadenhall Market Conservation Area:

234. The Leadenhall Market Conservation Area Character Summary and Management Strategy SPD (the SPD) prescribes the significance of the Conservation Area as deriving from the tangible and intangible vibrancy of the historic market, which is grafted onto a characterful crooked Medieval street grid, with fine grain mixed-use and a predominant human scale of buildings, streets and spaces in marked, dramatic contrast to the immediate setting and identifies particular views.
235. Given the enclosed nature of the Conservation Area, in particular, the roof of the market, the proposal will be generally concealed from view. Where visible it will be appreciated alongside 20 Fenchurch Street in the backdrop. This relationship of tall buildings as a backdrop to Leadenhall Market is a characteristic element of the setting of Leadenhall Market with the historic buildings dominating the foreground

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

### **Conclusion on Heritage:**

236. It is considered the proposal would preserve the special interest/significance and setting of 7-8 Philpot Lane, 33-35 Eastcheap, St Magnus the Martyr Church, St Mary Woolnoth Church and 39-40 Lombard Street. It is considered it would preserve and result in a minor enhancement to the special interest/significance and setting of the iron gates in St Benet's Court and 4 Brabant Court. The proposal would result in some slight harm and some slight enhancement to the special interest and heritage significance of 2-3 Philpot Lane. Overall it is considered that the impact of the proposals on the significance and/or setting of 2-3 Philpot Lane would be that the special interest and heritage significance would be preserved.
237. It is considered that the proposal would preserve and enhance the character and appearance of the Eastcheap Conservation Area as a result of an enhancement of the small lightwell behind the Ship Public House. Overall, it is considered that the proposal would result in some slight harm and slight enhancement to the Eastcheap Conservation Area as a result of this direct impact and change in its setting. It is considered that the result is that the heritage significance of the Eastcheap Conservation Area would be preserved overall.
238. It is considered that the significance of the Leadenhall and Bank Conservation Areas, would be unharmed as a result of the proposed change in their setting.
239. The proposal would however, as a result of its siting, height and bulk, fail to preserve and would result in harm to the special interest and heritage significance of the Monument and to Tower Bridge, as a result of change in their settings. It is considered that, overall, the harm in both instances is at the lower end of less than substantial. When addressing the balancing exercise, as considered below, this harm has been afforded considerable importance and weight, and account taken of the importance of those heritage assets as grade I listed buildings in accordance with the advice given in paragraph 193 of the NPPF that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Harm to the significance and setting of 2-3 Philpot Lane, and to the Eastcheap Conservation Area is also taken into account in the balancing exercise set out below.

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

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

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

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

### **Archaeology**

243. The site is in an area of high archaeological potential at the centre of the Roman city and an area where remains from all periods have been recorded. An Archaeological Desk-Based Assessment has been submitted with the application.
244. The existing building has two basement levels which are considered to have removed all archaeological remains within their footprint. The proposed development would include new basement levels and foundations extending beyond the existing basements on the north and

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

245. There is potential for remains from all periods to survive as the site is between the Roman Basilica-Forum and the bridge over the Thames. Medieval and post-medieval structural remains have been recorded in the close vicinity. Archaeological work has been carried out on the site prior to earlier development and remains from the pre-historic and Roman periods were recorded.
246. It would be appropriate to carry out archaeological evaluation in areas of proposed impact outside the existing basements to provide additional information on the date, condition and extent of archaeological survival. The results of this work would inform a mitigation strategy to record archaeological remains that would be disturbed by the development. Conditions are recommended to cover archaeological evaluation, a programme of archaeological work and foundation design.

### **Public Access and Inclusivity**

247. Developments should be designed and managed to provide for the access needs of all communities, including the particular needs of disabled people as required by policies CS10, DM10.1, DM10.5 and DM10.8 of the Local Plan, polices S1 and S8 of the draft City Plan 2036, policy 7.2 of the London Plan and policy D5 of the draft Publication London Plan.
248. The principles of inclusive design have been incorporated into the proposals. The ground floor of the development is highly permeable, with a number of entrances and new routes through the site which would be open 24 hours a day. While there is a one metre change in level between Gracechurch Street and Brabant Court, this is managed within the site with easy gradients, and no ramps required. All accommodation and facilities are served by accessible lifts; two public lifts from the ground floor public realm serve all public levels, including the two levels of the garden terrace. Accessible WCs are provided throughout the building, including on both levels of the garden terrace, and a "Changing Places" facility has been incorporated. Accessible cycle parking facilities are included. While the development is car free, there is a proposal to convert an existing on-street car parking bay on Philpot Lane into an accessible Blue badge space. This would be covered by a S278 agreement.
249. The development is considered to comply with the relevant policies of the Development Plan and draft plans outlined above.

### **Cultural Strategy**

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

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

251. The Plan outlines a cultural activation programme utilising different parts of the proposed development. The Garden Terrace and ancillary internal area would have an educational focus based on a key theme of sustainability and growing and could potentially be managed and curated by an external community body. As discussed during consultation with the Aldgate School, the vision is for an inclusive space which would reach out to diverse communities, including interpretation and education around the key themes of climatic resilience, changing climate response and built heritage interpretation.
252. The large area of ground floor public realm within the site created through the use of out of hours platform vehicle lifts would act as a flexible space for cultural activities and displays, such as ad hoc performances, innovation tech events, pop-up markets.
253. The applicant is committed to Sculpture in the City and both permanent and temporary art installations could be displayed on the site, including at the publicly visible first floor loggia on the Gracechurch Street frontage.
254. A Cultural Implementation Strategy would be secured in the S106 agreement to secure a year round Cultural Programme which would establish monitorable deliverables in the curation of the spaces for educational outreach, (sharing of knowledge), cultural activities and events which would respond to the needs of the local area and be informed by a continuing dialogue with stakeholders, the local community and building users.

### **Transport, Servicing, Parking and Impact on Public Highways**

#### Public Transport

255. The site has the highest level of public transport provision with a public transport accessibility level (PTAL) of 6B.
256. The site is located close to Cannon Street, Fenchurch Street and London Bridge National Rail Stations and to Bank/Monument and Cannon Street underground stations and is also close to several bus routes on Gracechurch Street.
257. The submitted Transport Assessment indicates that the overall increase in trips across all modes would have a negligible impact on the surrounding highway and public transport network capacities.

#### Cycling

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

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

259. The Draft Publication London Plan requires 467 long stay cycle parking spaces. The applicant is proposing 492 long stay cycle parking spaces; this exceeds the London Plan standards.
260. The long stay cycle parking, which is proposed to be located at Lower Basement Level 2 and Lower Basement Level 3 (Mezzanine), would be accessed from Brabant Court via 2 cycle lifts. There is also a stairwell adjacent to the lifts proposed. People cycling will be expected to dismount from their cycle and push their cycle to the lifts. Concern has been raised about this movement and the conflict with people walking on Gracechurch Street. Some of this will be alleviated by the footway widening as part of the Section 278 agreement which will make the footways less congested.
261. Queuing for the cycle lifts has been analysed. A vertical transport assessment has been completed assuming a conservative lift capacity of 2 people and 2 cycles per lift. The vertical transport assessment predicted the worst average waiting time for the cycle lift is 19 seconds, which equates to 7 people. The assessment did not take into account the alternative to use the stairs, so this is likely to be an over estimation. It is also likely that more than 2 people will use the lifts at a time, however the calculations have been carried out on a worst case scenario.
262. The cycle lift arrangement is considered acceptable to TfL and the City due to the expected spread of cycle arrival, lift capacity and the optional use of the stairs adjacent to the lifts . Nevertheless the applicant will be obligated though the Section 106 agreement to submit a reviewable Cycling Promotion Plan, which will require queue analysis and monitoring and, if necessary, mitigation to ensure that queuing cyclists will not impede pedestrian flows on St Benet's Place.
263. The Draft Publication London Plan requires 112 short stay cycle parking spaces. The applicant is proposing 24 short stay cycle parking spaces (which includes 3 cargo cycle spaces). The short stay cycle parking is at street level, with the majority located next to the escalators, and 3 racks on St Benet's Place (which in this location is not public highway). The applicant is providing 25 additional long stay cycle parking spaces in lieu of short stay cycle parking spaces. Given the provision of 24 short stay cycle parking spaces, and over provision of long stay cycle parking, the proposal is considered acceptable due to the constraints of the site, which is narrow, and very limited curtilage space.
264. 8% of the short stay cycle parking spaces are accessible for adapted cycles and 5% of the long stay cycle parking spaces are accessible for adapted cycles, and this arrangement will be secured by planning condition (in line the Draft Publication London Plan Policy T5 cycling B, with the London Cycling Design Standards 8.2.1, and the draft City Plan 2036 6.3.24).

- 265. The proposals include 52 showers, 492 lockers, and a cycle repair station, which complement the cycle parking provision. The locker provision is in line with the Draft Publication London Plan policy 10.5.7, which recommends a minimum of 2 lockers per 3 long-stay spaces. The shower provision is compliant with the Draft Publication London Plan policy 10.5.7, which is at least 1 shower per 10 long-stay spaces.
- 266. The applicant will be responsible for promoting the use of the cycle parking spaces and as such will be required by planning obligation to produce a Cycling Promotion Plan which is a cycling focused Travel Plan. It will be submitted to the City for approval in line with the Draft Publication London Plan policy T4 and 10.4.3.

#### Vehicular access

- 267. The development is car free, Local Plan 2015 Policy DM16.5 – 1 and draft City Plan 2036 policy VT3 – 1 require development in the City to be car-free except for designated Blue Badge spaces.
- 268. No blue badge space is proposed due to the constrained nature of the site. However, the scope of the Section S278 agreement will include a feasibility study to identify space for the provision of a new public blue badge space on Philpot Lane.

#### Servicing and deliveries

- 269. Policy DM16.5 of the Local Plan and draft City Plan 2036 Policy VT2 – 1 require developments to be designed to allow for on-site servicing. Policy VT2 – 2 requires major commercial development to provide for freight consolidation. Policy VT2 – 4 requires delivery to and servicing of new developments to take place outside peak hours (7am – 10am, 12pm – 2pm and 4pm – 7pm on weekdays) and requires justification where deliveries within peak hours are considered necessary. Draft Publication London Plan policy T7 G requires development proposals to provide adequate space for off-street for servicing and deliveries, with on-street loading bays only used where this is not possible.
- 270. The servicing of the building would take place off-street via 2 innovative vehicle lifts accessed from Talbot Court, that will form part of the public realm during the day.
- 271. The type of vehicle lifts proposed are a new concept to the City of London, but the lifts have been successfully used in other locations in London and elsewhere. When not in use, the lids of the vehicle lifts would form part of the public realm blending in with the rest of the area and people will be able to walk over the lifts and use the public space. When the lifts are in use, the lid of the lifts would raise up, to allow a vehicle to drive into the lift, the lift would then lower the vehicle into the basement.
- 272. To reduce the risk of lift failure, the applicant has agreed to sign up to a lift maintenance strategy and service level agreement to ensure failures are fixed in a timely fashion, and do not impact negatively on the public highway or public realm. The information submitted about the vehicle

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

273. Vehicles would be able to enter and exit the servicing lifts in forward gear. The servicing area would accommodate 2 vehicles up to 7.2m in size. The section 106 agreement will include details of the maximum size vehicle permitted to service the development.
274. It is proposed the number of deliveries to the development per day is capped to 45 and this will be secured in the Section 106 agreement.
275. Waste collection will take place in the same way as all other servicing vehicles and will be included in the daily cap of 45 vehicles.
276. The applicant has agreed to no servicing between 0700 and 2300. In the day the area in which the servicing lifts are located will be used as part of the public realm space, which is considered a benefit of the scheme. The overnight servicing, which would take place within the building at basement level, and which would be subject to a Delivery and Servicing Management Plan and mechanical acoustic controls, would not adversely impact residential amenity of nearby sensitive receptors.
277. The development will be required to produce a delivery and servicing plan (DSP), and this will be secured by a Section 106 agreement. This will include a commitment to use an off-site consolidation centre in order to reduce the number of deliveries to the development per day and the use of cycle couriers as part of the servicing strategy.
278. There are canopies over the vehicle lift entrance at 6.3m, this height is acceptable and will not obstruct Vehicles.

#### Public Realm and Hostile Vehicle Mitigation (HVM)

279. New east/west walking routes will be provided via St Benet's Place and through the ground floor of the development, providing relief to the footways surrounding the development and offering a new route.
280. Between 2300 and 0700 St Benet's Place will be the primary route for people walking west to east particularly when the servicing lifts are in use. While access through the ground floor would still be possible when the lifts are in use, the route would be reduced to 1.2m width behind the lifts.
281. There is a 1cm gap between the lift and the surrounding surface when the lifts are not in use; this gap is not considered a hazard as it is a similar width to slot drains.
282. There may be seating/public furniture placed on the lids of the lifts when the lids are not in use, to allow people to dwell. This furniture would be stored in the mezzanine storage area when not in use. There will be a vehicle lift strategy secured by Section 106 obligation to ensure the lifts and space are used as agreed.

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

#### Pedestrian Comfort

- 285. A Pedestrian Comfort Level (PCL) assessment has been conducted for the development, which includes calculations for Gracechurch Street, Talbot Court, St Benet's Place, Brabant Court and Philpot Lane.
- 286. On Gracechurch Street, the PCL assessment shows that the current PCL is an F and the clear footway width is currently 1.31m (this reflects the space the bus shelter takes up on the footway immediately outside the building). TfL have secured a Section S278 agreement to widen the eastern footway on Gracechurch Street by extending the kerb line; this will improve the PCL.
- 287. It is expected that the works included in the TfL Section 278 agreement will improve the PCL scores on Gracechurch Street to at least D in the AM peak and C- in the PM peak. Although this is not in line Transport for London's Pedestrian Comfort Guidance and the City's Transport Strategy, which recommends a minimum comfort level of B+, it is considered a great improvement on one of the City's busiest streets.
- 288. Elsewhere around and across the site, in Talbot Court the PCLs would be predominantly A with one or two instances of B+ and in Brabant Court and for the new routes through the building the PCLs would be predominantly A. There are some points on Philpot Lane in the existing situation that are PCL F, due to pinch points on the footway and these would remain.
- 289. In St Benet's Place there will be a reduction in width of 570mm (3.02m to 2.45m) as a result of the development. The applicant has predicted that despite the narrowing of St Benet's Place, it would achieve a PCL of B+ if used by 1,279 pedestrians in the peak hour. This is a worst-case scenario and it is more likely that the pedestrian numbers would be such as to achieve a PCL A.
- 290. The narrowing of St Benet's Place by 0.57m results in a reduction of 71mm depth of public highway along a length of 24m. ( a narrow strip which would need to be stopped up); the predominant area that is reduced relates to permissive path (private land.) Considering the predicted PCLs for St Benet's Place, together with the 1.46m width of the historic gates across St Benet's Place which pedestrians would walk through (one metre narrower than the alley), it is considered that

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

291. The existing trips to the development in the AM (0.800-0.900) and PM peaks (17.00-18.00) are 242 and 253 respectively. It is predicted that the proposed total number of trips to the development in the AM peak would be 526. It is predicted that the total number of trips to the development in the PM peak would be 501. These figures are considered acceptable due to the improvements in PCLs and the provision of a new through route for people walking.
292. Overall, the PCL scores on Gracechurch Street are much improved, though they remain below our recommended level of B+. However, the routes through and around the development on Brabant Court, St Benet's Place and Talbot Court are all able to facilitate PCLs of a minimum of B+, the recommended level of comfort for all area types. Therefore, PCL levels are considered acceptable and are complemented by the proposal of a new pedestrian through route via Brabant Court, and the option to walk through the ground floor of the development, both open to pedestrians 24 hours a day, 7 days a week, which is a significant benefit to the development.

#### Bus stop relocation

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

#### Section 278 Agreement

294. Separate Section 278 agreements will be secured by the City of London and by Transport for London.
295. The changes to the highway to be secured by the City of London Section 278 agreement is shown indicatively in the ground floor plans, however the detailed arrangements will be designed by the City. The Section 278 will comprise works to Talbot Court, St Benet's Place, Brabant Court and Philpot Lane. The works will include, but are not limited to, improvements to the materials and accessibility on Talbot Court, St Benet's Place and Brabant Court (including the provision of step-free access), investigation and provision of public blue badge parking space if feasible, street lighting provisions, and a slight realignment of Talbot Court. The realignment of Talbot Court and minor adjustment to St Benet's Place will involve stopping up of the highway.
296. The Transport for London Section 278 agreement will secure the widening of the pavement on Gracechurch Street (for which they are the Highway Authority). The S278 works for the TLRN will include new

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

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

#### Stopping Up

298. Stopping up will be required on Talbot Court to realign the highway. A minor area of stopping up has also been proposed on St Benet's Place (a 71mm deep strip across a length of 24m). Overall there is a net gain of 5sqm of public highway, and there is also a gain, via legal agreement, of publicly accessible space within the development.
299. The land dedication changes include stopping up of 30sqm of public highway, and dedication of 35sqm of public highway. The dedication of new public highway is from a combination of existing permissive path and private land. Overall, there will be a net increase in public highway of 5sqm.
300. As a balance to this stopping up, the development would provide a publicly accessible route through the site, the re-provision of St Benet's Place to Brabant Court as a through route, improvements to the public realm on Talbot Court, and improvements to the public realm on Talbot Court.
301. The stopping up will not affect the ability of vehicles to access the street and overall the facilities for pedestrians will be improved through the Section 278 works and proposed building permeability.

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

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

#### **Wind Microclimate**

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

304. Wind conditions are compared with the intended pedestrian use of the various locations including carriageways, footways and building entrances. The assessment uses the wind comfort criteria, referred to as the City Lawson Criteria in the Wind Microclimate Guidelines, being 5 Comfort Categories defining conditions suitable for frequent sitting/occasional sitting/standing/walking/Uncomfortable.
305. A separate safety criterion is also applied to ascertain if there are any safety risks to pedestrians or cyclists.
306. In considering significance and the need for mitigation measures, if resulting on-site wind conditions are identified as being unsafe (major adverse significance) or unsuitable in terms of the intended pedestrian use (moderate adverse significance) then mitigation is required. For off-site measurement locations, mitigation is required in the case of major adverse significance - if conditions become unsafe or unsuitable for the intended use as a result of the development. If wind conditions become windier but remain in a category suitable for intended use, or if there is a negligible or beneficial effect, wind mitigation is not required.
307. Assessments have been carried out for both the Windiest Season and the Summer Season
308. The wind tunnel and CFD results broadly give the same assessment results. Where there is variance this would only be by one category and in either category the condition would remain suitable to use. Variance occurs as the two methods use different tools to predict the wind microclimate; the purpose of the two assessments is to give the broadest picture and to ensure that in either test the conditions are acceptable.

#### Wind conditions at street level

309. In the existing baseline conditions the wind tunnel tests and CFD show that conditions around the site are suitable for their intended use, primarily frequent sitting or occasional sitting. Further to the east around 20 Fenchurch Street where the conditions are windier, there is one location on the southeast corner of 20 Fenchurch Street which is categorised as uncomfortable in the windiest season.
310. Early testing of the effects of the development on the wind microclimate led to the incorporation of a number of features into the design of the building. These include:
- Vertical strakes on the main tower southern façade
  - An open terrace at 6<sup>th</sup> floor level
  - A canopy above the 6<sup>th</sup> floor terrace
  - A detailed and modelled façade above Talbot Court
  - Arrangement of canopy on Talbot Court façade.
  - A porous cut-out in the middle panel of the shoulder building.
311. In considering the completed development, in most locations the wind conditions would remain either in the same categories as existing, or become windier, but continue to fall within a category suitable for the

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

312. Further design measures were introduced to mitigate a slight exceedance at the entrance to Talbot Court; existing landscaping in the private courtyard to the north and at 20 Fenchurch Street were also factored into the assessment to demonstrate that wind conditions would fall within a category suitable for use in those two locations.
313. With the proposed mitigation measures in place all locations at street level would experience wind conditions appropriate to the intended use and there would not be any safety exceedances resulting in unsafe conditions.
314. In testing the proposed development and cumulative schemes within 400m of the site, with the proposed mitigation measures in place, there would be no material change in wind conditions from the scenario of the proposed development with existing buildings. In addition, the redevelopment of 70 Gracechurch Street, which is the subject of a current planning application (ref 20/00816/FULEIA) has been included as an additional separate cumulative scheme for assessment; as above the results show there is no material change from the scenario of the proposed development with the existing buildings.

#### Wind conditions on the public garden terrace at 6<sup>th</sup> floor level

315. Wind conditions on the terrace in the windiest season would largely be suitable for standing, with part of the centre of the terrace and the mezzanine level walkway being suitable for occasional sitting.
316. In the summer, wind conditions would be for frequent and occasional sitting although in areas on the western end of the garden, large areas would only be suitable for standing. This would require mitigation in order to improve the conditions in this part of the garden and make them appropriate to the use.
317. The proposed mitigation measures in place for the development as a whole do not significantly change the conditions.
318. The condition does not change in the cumulative scenarios, other than the cumulative scenario which includes the proposed development at 70 Gracechurch Street where the conditions in the summer are improved from standing to occasional sitting.
319. The applicants are continuing to test various options in order to improve the wind conditions on the western part of the terrace such that it becomes suitable for occasional sitting or better in the summer season; options being considered are structures which can be designed into the design and landscaping of the garden, but at the time of writing this report, these need to be tested in the wind tunnel and by CFD.
320. A pre-commencement condition is recommended to secure the improvement of conditions on the terrace.

- 321. In conclusion, with the proposed mitigation measures in place, where wind conditions become windier at ground level they remain suitable for the intended uses in the proposed and cumulative scenarios and so no additional mitigation above that proposed is required. With the additional measures being investigated at roof garden, which will be secured by condition, the wind conditions on the roof garden will be suitable for use.
- 322. A Wind Audit would be secured in the S106 Agreement which would require, if requested by the City Corporation, a post-completion audit to assess and compare the results of the Wind Tunnel Test against the results of wind speed assessments carried out in the vicinity of the site over a specified period, to identify if the completed development has material adverse effects not identified in the ES.
- 323. It is considered that the microclimate in and around the site, with regard to wind conditions, would be acceptable in accordance with London Plan Policy 7.6, draft Publication London Plan Policy D8, Local Plan policy DM10.1, and draft City Plan policies S8 and DE2, and the guidance contained in the Planning Advice Note, Wind Microclimate Guidelines for Developments in the City of London.

### **Daylight, Sunlight, Overshadowing**

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

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

325. The impact on three nearby churches were also assessed, 2 experiencing no impact and one, St Margaret Patten, experiencing minor adverse (not significant) impact.
326. Strategic Policy CS10 seeks to ensure that buildings are appropriate to the character of the City and the setting and amenities of surrounding buildings and spaces. Within the BRE Guidance commercial premises such as offices are not considered as sensitive receptors and as such the daylight and sunlight impact is not subject to the same test requirements as residential premises. The dense urban environment of the City, in particular in and around the cluster is such that the juxtaposition of commercial buildings is a characteristic that often results in limited daylight and sunlight levels to those premises. Commercial buildings in such locations require artificial lighting and are not reliant on natural daylight and sunlight to allow them to function as intended, indeed many buildings incorporate basement level floorspace or internal layouts at ground floor and above without the benefit of direct daylight and sunlight. Whilst the proposed development would result in a diminution of daylight and sunlight to surrounding commercial premises, the proposed development provides a degree of separation such that it would not have an unacceptable impact on the amenity of those properties and would not prevent the beneficial use of their intended occupation. As such the proposal is not considered to conflict with Local Plan Policy CS10.

### Daylight

327. Daylight has been assessed for both Vertical Sky Component (VSC) and No Sky Line (NSL). These are complementary assessments for daylight: VSC is the measure of daylight hitting a window, NSL assesses the proportion of a room in which the sky can be seen from the working plane.
328. The BRE criteria state that a window may be adversely affected if the VSC measured at the centre of a window is less than 27% and less than 0.8 times its former value (i.e. experiences a 20% or more reduction.) In terms of NSL, a room may be adversely affected if the daylight distribution (NSL) is reduced beyond 0.8 times its existing area (20% or more reduction.)
329. Of the buildings with residential accommodation assessed, three were assessed as experiencing a negligible effect within the BRE Guidelines. The impact on the remaining three buildings is outlined below.

### 9B Eastcheap

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

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

331. The submitted assessment concludes that overall the residential units at 9B Eastcheap would experience Moderate Adverse impact.
332. A total of 23 windows serving 19 rooms have been assessed for daylight within this building.
333. For VSC, 4 of the 23 windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
334. Of the 19 remaining windows, one would experience an alteration in VSC between 30-39.9% which is considered a Moderate Adverse effect whilst 18 would experience an alteration in excess of 40% which is considered a Major Adverse effect.
335. 11 of the impacted windows serve bedrooms which BRE Guidelines note are less sensitive to daylight alterations as their primary purpose is for sleeping. The remaining 8 windows serve living-room diners which are more reliant on good daylight.
336. Of these 8 windows, 6 have existing low levels of VSC (between 2.1% to 10.2%) and therefore any reduction in absolute VSC values has a disproportionately high percentage reduction and is disproportionate to what the occupant is likely to experience. 2 have higher levels of VSC which would be significantly reduced and would be noticeable.
337. For NSL, 5 of the 19 rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
338. Of the 14 remaining rooms, one would experience an alteration in NSL between 30-39.9% which is considered a Moderate Adverse effect whilst 13 would experience an alteration in excess of 40% which is considered a Major Adverse effect.
339. 10 of these rooms are bedrooms which BRE Guidelines note are less sensitive to alterations in daylight. The remaining 4 are living/diners and would experience alterations in sky visibility within the rooms which would be noticeable.
340. The assessment considers that given the existing low level of daylighting to rooms, together with many of the rooms affected being bedrooms, the impact on the property as a whole would be Moderate Adverse (significant.)

#### 4 Brabant Court

341. A total of 15 windows serving eight rooms were assessed for daylight. For VSC 14 of the 15 windows would experience reductions of less than 20% and under BRE criteria would experience a negligible effect.
342. One window would experience an alteration in VSC between 20-29.9% which is considered a Minor Adverse effect. This window serves a bedroom, which under BRE Guidelines is considered less sensitive to

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

343. For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
344. Overall, given the high level of BRE compliance as well as the one affected room being a bedroom the overall daylighting impact to this building is considered Negligible.

#### The Ship PH

345. A total of 9 windows serving 9 rooms on the 2<sup>nd</sup> and 3<sup>rd</sup> floors were assessed , being rooms which are assumed to be in use as ancillary residential accommodation linked with the Public House. Of the 9 rooms, 8 would experience reductions to daylight which would fall below the BRE Guidelines criteria (6 rooms experiencing 20-29.9% reduction and 2 rooms a 30-30.9% reduction.)
346. For NSL one room would experience a reduction falling below the BRE Guidelines (20-29.9% reduction.)
347. These will be noticeable reductions which the ES assesses as being Minor Adverse.
348. In summary, the proposed development would have a Moderate Adverse impact on the daylight and sunlight to a number of rooms within 9B Eastcheap. There will be some harm to the living conditions within this building, with losses of daylight and sunlight noticeable. However, the adopted and emerging Local Plans indicate that impacts on daylight and sunlight have to be considered within the context of what is appropriate given the City Centre location and the fact that BRE compliant levels of daylight and sunlight are unlikely to be achievable. Account also needs to be taken of the existing levels of daylight and sunlight to the affected rooms, which, for a number of the affected rooms, are already low. 9B Eastcheap is in use as serviced apartments, where occupation is likely to be transitory rather than permanent. The impact of loss of daylight and sunlight on the occupiers of these apartments is therefore considered to be less significant than would be the case for permanent residents Whilst living conditions of these short-term lets would expect a degree of harm, taking into account the BRE Guidance and the context of the premises location within a dense urban commercial environment, it is not considered that the proposal would result in an unacceptable impact on the existing use of the property. As such the extent of harm is not considered to be such that it would conflict with Local Plan Policy DM10.7 and Policy DE8 of the draft Local Plan. It is considered that the provision of additional office floorspace within the proposed development, meeting Local Plan ambitions for further office floorspace within the City Cluster area and contributing to the City's primary business and professional services function, outweighs the moderate adverse impact..
349. There is an overall Minor Adverse impact on residential accommodation within the Ship Public House. However, this

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

#### Sunlight

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

#### Cumulative impact

351. In considering cumulative impact (the proposed development and other consented schemes) the assessment shows that there is no significant difference to the impacts on daylight and sunlight to residential properties or on overshadowing to the above amenity areas, from that assessed for the proposed development.
352. In considering cumulative impact as above together with the proposed scheme at 70 Gracechurch Street (current planning application 20/00816/FULEIA) a more significant impact is seen to windows at 4 Brabant Court and to windows of ancillary residential accommodation at The Ship PH, The Swan PH and The Grapes PH. As this potential impact is not seen in the previous scenarios, it can be concluded that this is largely attributable to the proposed development at 70 Gracechurch Street.

#### Overshadowing of amenity areas

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

#### Public open spaces:

354. The potential overshadowing impacts of the proposed development has been assessed on 9 surrounding public amenity areas:
- Brabant Court
  - Michaels Cornhill Church Garden;
  - St Peter-upon-Cornhill Church Garden;
  - Leadenhall Market;

- St Helen's Bishopsgate Churchyard;
  - Bevis Marks Synagogue Courtyard;
  - Sir John Cass's Foundation Primary School Playground;
  - Aldgate Square; and
  - Jubilee Gardens
355. In assessing transient overshadowing, on 21<sup>st</sup> March, shadow is cast from the proposed development from 08.00 hrs and moves in a clockwise direction throughout the day. Between 15.00hrs and 16.00hrs the roof of Leadenhall Market would be partially overshadowed; the remaining amenity areas would remain unaffected. On 21 June, shadow is cast from 06.00hrs and all amenity areas would be affected during parts of the day by shadow cast by the development.
356. In assessing sun hours on the ground, all the amenity areas assessed would see no alteration from the percentage of total area which sees at least two hours of direct sunlight on March 21<sup>st</sup>, when comparing the Baseline scenario with the Proposed Development scenario. Therefore, in accordance with the BRE Guidelines, each amenity area is considered to experience no effect (not significant) as a result of shadow cast from the Proposed Development. An additional sun exposure assessment on March 21<sup>st</sup> and June 21<sup>st</sup> has been undertaken for the amenity areas, showing that there is little or no loss to sun exposure on these days.

Private Courtyard:

357. The impact on the private amenity area to the north of the site and to the r/o of 2-3 Philpot Lane and 10 Fenchurch Street has been assessed.
358. In the existing scenario, no part of the area receives at least 2 hours of sunlight on 21 March; following the development this remains the case and so there is no material change with reference to the BRE criteria for overshadowing. However, sun exposure images indicate that the northern part of the courtyard which presently is sunlit on 21 June would lose this sunlight in the proposed scenario. This is a consequence of the proposed development site being directly to the south of the courtyard.
359. For most of the year the courtyard is largely overshadowed by existing buildings, which is not uncommon for courtyards in the City. The proposed development would impact on the sunlight enjoyed in the summer months which would be a consequence of any development of this site which increased its height.
360. In conclusion the results show that there would be no significant overshadowing effects caused by the development to any public amenity areas. In respect of the private courtyard immediately to the north, for much of the year the courtyard is largely overshadowed by existing buildings, which is not uncommon for courtyards in the City. The proposed development would impact on the sunlight enjoyed by

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

Sunlight to Public Garden terrace in the development:

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

Solar Glare

362. 66 locations have been identified in the ES as sensitive to solar glare within 1km of the site. The potential effect of the impact of solar glare on road users has been assessed at the traffic junctions and pedestrian crossings at these locations.
363. The assessment concludes that the development would not have a significant effect on 51 of the locations and a negligible effect on a further 2 locations. At the remaining thirteen locations, based on a combination of criteria including the angle of the solar reflection in relation to the road users' line of sight, the ability to deploy a visor in all cases other than the lowest angle reflections, the duration of the solar glare and the existence of alternative traffic signals at junctions enabling the road user to use different options, the effects of solar glare are assessed as being 'minor adverse'. The Assessment concludes that no additional measures are required to mitigate the impact of solar glare.
364. If planning permission were to be granted, a S106 obligation would be recommended to require a solar glare assessment to be submitted post completion but prior to occupation which would include details of any mitigation measures (if considered necessary). The development would comply with Local Plan policy DM10.1 and draft City Plan 2036 policy DE(8) to avoid intrusive solar glare impacts and to mitigate adverse solar glare effects on surrounding buildings and public realm.

Light Pollution

365. Local Plan policy DM15.7 and draft City Plan 2036 policy DE9 require that development should incorporate measures to reduce light spillage particularly where it would impact adversely on neighbouring occupiers, the wider public realm and biodiversity.
366. Potential light pollution impacts arising from the Proposed Development have been assessed in relation to 11 buildings which have been identified as sensitive to the impacts of light pollution in accordance with Institute of Lighting Practitioners (ILP) Guidance.

- 367. The assessment shows that pre-curfew (before 11pm), the levels of light pollution would be limited and well within the 25-lux threshold set out within the ILP Guidance for all eleven surrounding buildings assessed.
- 368. The post-curfew (after 11pm) assessment shows that the levels of light trespass would be below the 5-lux threshold set out within ILP Guidance at 10 of the 11 buildings assessed. The top two floors of 9B Eastcheap would be affected in relation to post-curfew light trespass with the potential for light trespass in excess of 5 lux, with levels of approximately 7.5 lux.
- 369. The assessment is undertaken on a worst case scenario without blinds or curtains, however, given that the affected windows serve bedrooms, it is likely that they are fitted with blinds or curtains, which would minimise or eliminate the adverse effects of light pollution. Additionally, the assessment shows a worst-case scenario whereby the office would be fully lit at night.
- 370. To mitigate against this, lighting would be controlled by passive infrared (PIR) light sensors which would limit the amount of internal lighting that would be used unnecessarily and would ensure that office floorplates would not be lit when not in use. A condition has been included which requires a detailed lighting strategy to be submitted for approval prior to the occupation of the building demonstrating the measures that would be utilised to mitigate the impact of internal and external lighting on light pollution and residential amenity. The strategy shall include full details of all luminaires, associated infrastructure, and the lighting intensity, uniformity, colour and associated management measures to reduce the impact on light pollution and residential amenity.
- 371. In summary the light pollution effect at 9B Eastcheap is considered Minor Adverse (not significant) and at the remaining ten buildings assessed, Negligible (not significant).
- 372. The development would also incorporate measures to mitigate against 'sky glow' – defined as the brightening of the sky over rural and urban areas. The measures will be incorporated in the overall lighting strategy to be submitted for approval and will include automated blinds to roof lights, careful design of upward lighting to minimise light spill and lighting control systems to adjust lighting levels.

#### Air Quality

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

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

374. The Environmental Statement includes an assessment of the likely impact of the proposed development on air quality as a result of the construction and operational phases of the development.
375. During demolition and construction dust emissions would increase and would require control through the implementation of good practice mitigation measures contained in the Construction Environmental Management Plans to be submitted and approved under conditions attached to the planning permission.
376. For the completed development the building would utilise a heat pump solution for zero emissions heating. The development would be car-free and the assessment states that the transport emissions associated with the servicing vehicles would have negligible impact. The assessment concludes that the development would have no significant impacts on local air quality.
377. The development meets the Air Quality Neutral benchmarks for both building and transport emissions assessment.
378. The City's Air Quality Officer has no objections and recommends that a condition is applied requiring the submission and approval of an Air Quality Report to detail how the finished development will minimise emissions and exposure to air pollution during its operational phase and will comply with the City of London Air Quality Supplementary Planning Document and the submitted Air Quality Assessment.
379. Subject to the compliance with conditions, the proposed development would accord with Local Plan 2015 policy CS15, policies HL2 and DE1 of the draft City Plan 2036, policy 7.14 of the London Plan and policy SLI of the draft Publication London Plan which all seek to improve air quality.

#### Noise and Vibration

380. Local Plan 2015 policy DM15.7, London Plan policy 7.15 and draft Publication London Plan policies D13 and D14 require developers to consider the impact of their developments on the noise environment. It should be ensured that operational noise does not adversely affect neighbours and that any noise from plant should be at least 10dBA below background noise levels.
381. The Environmental Statement assesses the impact from noise and vibration on the surrounding area, including noise and vibration from demolition and construction; noise from the proposed development during operation; and noise associated with increases in road traffic, which could be attributed to the development.
382. In most City redevelopment schemes the main noise and vibration issues occur during demolition and early construction phases. The Assessment identifies a Major Adverse (significant) impact on sensitive

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

383. Noise and vibration mitigation, including control over working hours and types of equipment to be used would be included in a Construction Environmental Management Plan to be secured by condition, and freight movements would be controlled through the Construction Logistics Plan, secured by condition. These would need to demonstrate compliance with the City's Code of Practice for Deconstruction and Construction Sites and the Mayor of London's Construction Logistics Plan Guidance.
384. During the operational phase of the development, the Assessment concludes that there would be a negligible impact on noise levels from road traffic compared with the existing.
385. Noise levels from mechanical plant in the completed development would need to comply with the City of London's standard requirements that noise output should be 10dB below background noise levels and would be approved under planning conditions to ensure that there would not be an adverse effect on the surrounding area.
386. The submitted noise assessment indicates that the requirements of these conditions can be satisfactorily met and consequently the proposal would comply with London Plan policy 7.15, draft London Plan policy D13, Local Plan policy DM 15.7 and draft City Plan 2036 policy HL3.

#### Health Impact Assessment

387. The applicants have submitted a HIA which has been based on the Healthy Urban Development Unit criteria, with adaptions to take into account the particular circumstances of the City. The Assessment concludes that the development would have an overall positive impact on health. Positive impacts include:
388. Provision of new jobs associated with the uplift in commercial floorspace, supporting access to local employment;
  - Provision of high-quality, public open space in the public viewing gallery and garden terrace encouraging physical activity;
  - Provision of high-quality public realm at the ground floor improving the physical environment;
  - Reinstated historic pedestrian routes incorporating the Site into its wider area, facilitating pedestrian access and alleviating demand on existing pedestrian routes;
  - A car-free development minimising vehicles travelling to the Site;
  - Building design considering the context of the Site and maximising benefits including employing systems to reduce energy usage (i.e. CCF reducing solar glare and passive ventilation);

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

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

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

## Sustainability & Energy

### Energy and CO2 emissions

391. The Energy Statement accompanying the planning application demonstrates that the building has been designed to achieve a 45.2% improvement in carbon emissions compared with a Building Regulations compliant building. This would be achieved through a number of energy demand reduction measures.
392. These include the use of passive design features including solar shading through a set of vertical bands on the large south facing elevation, a closed cavity façade with interstitial blinds to control heat gains, efficient building fabric and energy efficient LED lighting.
393. The majority of the building's cooling would be via the use of outside air supplied to each floor by on floor Air Handling Units; this has been calculated to provide free cooling for 89% of the year and significantly reduces the amount of active cooling required for the development. An air source heat pump system would provide the required heating the hot water supply.
394. This energy strategy demonstrates compliance with the London Plan carbon targets. (London Plan Policy 5.2 and draft Publication London Plan S12). A S106 clause will be included requiring reconfirmation of this energy strategy approach at completion stage and carbon offsetting contribution to account for any shortfall against London Plan targets for the completed building. There will also be a requirement to monitor and report the post construction energy performance to ensure that actual operational performance is in line with GLA's zero carbon target in the draft Publication London Plan.

## BREEAM

395. A BREEAM pre-assessment has been carried out for the proposed development. This demonstrates that the development can achieve a score of 82.57% which is well within the “Excellent” category and highlights additional credits that could raise it to 88.21% “Outstanding”, which is their target score.
396. The development scores highly on the City’s priority categories of Energy, Water, Materials and Pollution,
397. The BREEAM pre-assessment results comply with Local Plan Policy CS15 and draft City Plan 2036 Policy DE1. A condition has been included requiring the submission of a post construction BREEAM assessment demonstrating that a target rating of 'Outstanding' has been achieved (or such other target rating as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an 'Outstanding' rating).

## Sustainability, Circular Economy and Waste -

398. Emerging New London Plan Policy SI7 ('Reducing waste and supporting the circular economy') sets out a series of circular economy principles that major development proposals are expected to follow. Draft City Plan 2036 Policy S16 sets out the City's support for Circular Economy principles.
399. The Sustainability Statement describes how the building design can incorporate circularity principles and actions according to the 9 circularity principles in the GLA Circular Economy Guidance. These include designing to eliminate waste, including designing for longevity, flexibility of space, designing out construction, demolition, excavation and municipal waste arising, conserving resources, increasing efficiency and sustainable sourcing.
400. A pre- demolition audit has been undertaken and will be required for submission by planning condition; this identifies the opportunities to re-use and recycle existing materials on-site and then off-site, reporting that 99.9% of demolition waste will be reused or recycled. A pre-excavation audit will be carried out, to identify the potential for re-use and management of excavation waste.
401. The project commits to a 98% diversion from landfill rate for construction waste.
402. The applicants have set out a number of commitments to minimise quantities of materials and other resources used and the responsible sourcing of materials; these include recycling stonework from the original structure with potential re-use on the frontage and internal finishes, the use of steel with high recycled content (40%), concrete with 20% recycled content, designing to target BREEAM “Outstanding” including targets of energy and water efficiency and responsible sourcing of materials for the development.

403. The design includes principles of longevity, adaptability and flexibility, including designed to be demountable and steel re-useable, designing highly flexible column free internal spaces to adapt to a range of future occupant requirements, and a proposed initiative of leasing of M&E equipment and lighting rather than purchase which means it can be more efficiently maintained by the supplier and disposed of/ re-used/recycled at the end of its life.
404. A pre-commencement condition has been included requiring the submission of a detailed Circular Economy Statement, providing details of how the building would adhere to the following circular economy principles: build in layers, design out waste, design for longevity, design for flexibility and adaptability, design for disassembly and using systems, elements or materials that can be re-used and recycled. The detailed Statement will be expected to meet the relevant targets set out in the GLA Circular Economy Guidance

#### Whole Life Carbon

405. The draft Publication London Plan requires applicants to submit a Whole Life-Cycle Carbon assessment against each lifecycle module, relating to the product sourcing stage, construction stage, the building in use stage and the end-of-life stage. The assessment captures a building's operational carbon emissions from both regulated and unregulated energy use, as well as its embodied carbon emissions, and it takes into account potential carbon emissions benefits from the reuse or recycling of components after the building's life. The assessment is therefore closely related to the Circular Economy assessment that sets out the contribution of the reuse and recycling of existing building materials on site and of such potentials of the proposed building materials, as well as the longevity, flexibility and adaptability of the proposed design on the Whole Life-Cycle Carbon emissions of the building. The Whole Life-Cycle Carbon assessment is therefore an important tool to achieve the Mayor's net zero -carbon city target.
406. The assessment has been carried out using a nationally recognised methodology and is based on the following, most significant design commitments:
  - Building design to target an Outstanding BREEAM rating
  - Use of steel with a higher recycled content (40% instead of 20%) and concrete with Ground Granulated Blast-furnace Slag (GGBS) which would reduce the total embodied carbon emissions for the development.
  - Use of leased M&E equipment that is efficiently maintained and repaired
  - Construction to target 98% diversion from landfill by reducing, reusing and recycling waste
  - Reducing the amount of construction waste to no more than 6.5 tonnes per 100 sqm.

- Creating flexible spaces for future adaptability, e.g. including high rainwater drainage capacity and ample riser space for future required equipment, minimising internal columns and using durable products
  - Recycling stonework from the existing structure internally and externally
  - Encourage the reuse of existing fit out materials of the show floor
  - Reducing overheating by urban greening, targeting an Urban Greening Factor of 0.34.
407. The assessment confirms that while the embodied carbon of the proposed structure (that includes all emissions from the construction materials, the building process, all the fixtures and fittings inside as well as from deconstructing and disposing of it at the end of its lifetime) is the most significant contributor to the total carbon emissions, the development will start showing total carbon emissions savings (to include embodied and operational carbon emissions) per square metre compared to the existing building from 2034 onwards, due to the much higher energy efficiency of the proposal.
408. Over the proposed building's whole lifecycle, the embodied carbon emissions would remain below the GLA's benchmark emissions target. However, they would not meet the GLA's aspirational target of the more ambitious targets of the RIBA 2030 Climate Challenge for Net Zero Buildings and of the Leti (London Energy Transformation Initiative) roadmap to zero carbon buildings by 2030.
409. A strategy to achieve further reductions of Whole Life Cycle carbon emissions of the proposed development towards meeting more ambitious targets will be required by condition.

#### Flood Risk, Drainage and Climate Resilience

410. Local Plan 2015 policy CS18 seeks to "reduce the risk of flooding from surface water throughout the City, by ensuring the development proposals minimise water use, reduce demands on the combined surface water sewer and sewerage network". The use of Sustainable Urban Drainage Systems (SUDs) is supported by Local Plan policy CS18 and policy CR3 of the draft City Plan 2036.
411. The submitted Flood Risk Assessment identifies the site as lying in Flood Zone 1 (an area of very low flood risk). The proposed development will utilise SuDS techniques to attenuate rainfall and minimise run-off from the site. A blue roof measuring 420sq.m is proposed at roof level which will temporarily store rainwater and release at a controlled pace; an attenuation tank of 100m<sup>3</sup> is proposed at basement level to reduce the peak discharge rate.
412. The proposed Flood Risk and SUDS strategy would accord with policies CS18 of the Local Plan 2015, CR3 of the draft City Plan 2036,

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

413. The Lead Local Flood Authority and Thames Water have raised no objections to the proposals and have recommended conditions to be attached.
414. The Sustainability Statement sets out measures proposed to provide the development's resilience to climate change. These include the Closed Cavity Façade System with interstitial blinds which reduces the cooling demand and energy consumption for the building. The system can be controlled and adapted to changing seasonal and climate scenarios. The Air-Cooling System has been thermally modelled to 2050 to ensure the building remains suitable for use. The SuDS strategy has been developed to cope with potential changes in the climate allowing for a 30% increase in rainfall. The proposed rainwater harvesting system would capture and utilise rainwater for the landscape irrigation, reducing reliance on mains water and the proposed urban greening would help to reduce the amount of heat energy absorbed mitigating the urban heat island effect.

## **Security**

415. Security proposals to protect the building and the new areas of public realm have been developed in consultation with the City of London Police's Counter Terrorism team.
416. The perimeter of the site will be protected by a combination of façade resilience at the base of the building with HVM resistant bollards located at the building entrances. These would be on private land within the site other than two on public highway in Talbot Court.
417. Security checks for visitors of the publicly accessible garden terrace will take place at ground level within an entrance lobby prior to entry to the lifts.
418. Further details of the overall security strategy will be required by condition and a Garden Terrace Management Plan will be required by S106 which will detail more specifically the measures to protect the garden terrace.
419. The proposal, subject to conditions and S106 is considered to be in accordance with policy DM3.2 and draft City Plan strategic policy S2 and policies SA1 and SA3.

## **Fire Statement**

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

## **Assessment of Public benefits and the paragraph 196 NPPF balancing exercise**

421. Paragraph 196 of the NPPF states “where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental as described in the NPPF (para 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to the genuine public benefits”. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. As the statutory duty imposed by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged, considerable importance and weight must be given to the desirability of preserving the setting of listed buildings, when carrying out the paragraph 196 NPPF balancing exercise. As part of the application site lies within the Eastcheap Conservation Area, the duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged in relation to that part of the application site which lies within the conservation area. When considering the listed building consent applications the duty imposed by section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies. As a result when carrying out the paragraph 196 NPPF balancing exercise in relation to that part of the application site lying within the conservation area, considerable importance and weight must be given to the desirability of preserving or enhancing the character or appearance of that conservation area.
422. The key social, environmental and economic public benefits of the proposal are considered to be as follows:
- Securing a strategic mixed-use development on a identified emerging City Cluster renewal site, that would provide land uses which support the diversification, vitality and growth of the Cluster as a 24/7 world class business destination, securing a significant contribution to the City of London economic base which is of UK-wide importance, including the generation of employment (anticipated creation in the range of 760-1220 additional jobs) and increased spending in the locality boosting local businesses and a post-covid resurgence. This is a benefit which should be afforded substantial weight.

- Significant increase in a diverse retail provision on the site, enhancing the retail offer in the Cluster and wider City, supporting and diversifying its primary business function whilst enhancing a place which would be more interesting and vibrant with active street frontages. This is a benefit which would attract moderate weight.
  - Provision of more than double of the existing area of high-quality public realm at ground floor and optimising pedestrian movement by maximising permeability, providing 24 hour access to external and internal pedestrian routes which are inclusive, comfortable and attractive thereby enhancing the City's characteristic network of accessible buildings, streets, courts and alleys. This is a benefit which should be afforded substantial weight.
  - Delivery of a new socially and economically inclusive destination space at ground and first floor level, incorporating cultural mediums through curated and programmed spaces and the incorporation of public art, in addition to an outstanding public garden and tree canopy walkway at podium level, welcoming, free-of-charge and open to all, providing local communities and a diverse audience access to iconic London-wide views, green open space in a dense inner London location and with a cultural partner for curating and programming the spaces to advance learning and knowledge for all based on the concept of sustainability, enhancing the 'levelling up' agenda. This is a benefit that should be afforded substantial weight.
  - Securing a development that is environmentally responsible in that it would seek to promote active travel, urban greening, target BREEAM 'outstanding', reduce carbon emissions, and reduce waste and use of resources through the adoption of circular economy principles. This is a benefit that would attract moderate weight.
  - Townscape and heritage benefits arising from a high quality, contextual addition to the iconic City Cluster, which tempers and complements the presence of 20 Fenchurch Street, resulting in some enhancement to strategic pan-London views, reinforcing the emerging Cluster form, resulting in slight enhancements to the Eastcheap Conservation Area and the grade II listed 2-3 Philpot Lane and 4 Brabant Court and iron gates on St Benet's Place. This is a benefit which would be afforded moderate weight.
423. When applying the policy in paragraph 196 of the NPPF those public benefits are to be weighed against the less than substantial harm to the significance of designated heritage assets which has been identified in this report, in particular:
- The slight harm to the significance of 2-3 Philpot Lane
  - The slight harm to the significance of the Eastcheap Conservation Area
  - Lower level harm to the significance of The Monument
  - Lower level harm, very much at the lower end of the spectrum, to the significance of Tower Bridge

424. Both Tower Bridge and The Monument are Grade I listed buildings, and both are of considerable importance as heritage assets. The Monument is also a scheduled monument. Great weight should be given to the conservation of 2-3 Philpot Lane, the Eastcheap Conservation Area, Tower Bridge and The Monument, with the weight increased to reflect the importance of Tower Bridge and The Monument. Considerable importance and weight should be given to the desirability of preserving Eastcheap Conservation Area, 2-3 Philpot Lane, Tower Bridge and The Monument and therefore to the harm that would be caused to their significance. The overall impact of the proposal on the Eastcheap Conservation Area will result in the conservation area being preserved. For the purpose of the paragraph 196 NPPF balancing exercise the harm to the significance of the conservation area, as a result of change in its setting when viewed from the Monument Viewing Gallery, must be taken into account and afforded great weight. For the purposes of the paragraph 196 balancing exercise the enhancement to the Eastcheap Conservation Area as a result of the direct impact, should be taken into account as a public benefit of the proposal. The overall impact on 2-3 Philpot Lane will be that the heritage significance will be preserved. For the purpose of the paragraph 196 balancing exercise the slight harm to the significance of 2-3 Philpot Lane must be taken into account and afforded great weight. The slight enhancement to the heritage significance of 2-3 Philpot Lane should be taken into account as a public benefit of the proposal.
425. It is the view of officers that the public benefits, including delivering accommodation for City type businesses thereby contributing to economic growth, should be afforded significant weight, and that giving great weight to the less than substantial harm to the significance of designated heritage assets and considerable importance and weight to the desirability of preserving the setting of the listed buildings (and when considering the listed building consent applications to desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses) and to the desirability of preserving or enhancing the character of appearance of the conservation area, the public benefits of the proposal outweigh the harm to significance of heritage assets as identified in this report.

## **Planning Obligations**

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

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

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

### MCIL2 Calculation

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

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

## City's Planning Obligations

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

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

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

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

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

#### Monitoring and Administrative Costs

433. A 10-year repayment period would be required whereby any unallocated sums would be returned to the developer 10 years after practical completion of the development. Some funds may be set aside for future maintenance purposes.
434. The applicant will pay the City of London's legal costs and the Chief Planning Officer's administration costs incurred in the negotiation, execution and monitoring of the legal agreement and strategies.

#### Site Specific Mitigation

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

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

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

### **Human Rights Act 1998**

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

- 439. Insofar at the grant of planning permission will result in interference with the right to private and family life (Article 8 of the ECHR) including by causing harm to the amenity of those living in nearby residential properties, it is the view of officers that such interference is necessary in order to secure the benefits of the scheme and therefore necessary in the interests of the economic well-being of the country, and proportionate
- 440. Insofar as the grant of planning permission will result in interference with property rights (Article 1 Protocol 1) including by interference arising through impact on daylight and sunlight or other impact on adjoining properties, it is the view of officers that such interference is in the public interest and proportionate.

## **Conclusions**

### **Planning permission 20/00671/FULEIA**

- 441. The proposal has been assessed in accordance with the relevant statutory duties and having regard to the development plan and other relevant policies and guidance, SPDs and SPGs and relevant advice including the NPPF, the draft London Plan and the draft Local Plan and considering all other material considerations.
- 442. The scheme delivers a high quality, office-led development in the emerging City Cluster, which will meet growing business needs, supporting and strengthening opportunities for continued collaboration and clustering of businesses.
- 443. The scheme makes optimal use of the site and provides a significant increase in office and retail floorspace in accordance with the City's objective to support a thriving economy and remain the world's leading international financial and professionals services centre.
- 444. The development has been designed to accommodate new ways of working reflected in flexible and adaptable floorspace to meet the demands of different types of business occupiers, including incubators, start-ups and other small and medium sized companies. The office space would be complemented by publicly accessible commercial, cultural and green open spaces adding vibrancy to the City's streets and benefitting the City's diverse communities.
- 445. The building would be designed to high sustainability standards, incorporating a significant element of integrated urban greening, climate resilience, targeting BREEAM 'Outstanding' and adopting Circular Economy principles and Whole Life Carbon principles.
- 446. The scheme delivers significant public realm enhancement and new amenity space including an accessible and permeable ground floor plane more than doubling the area of publicly accessible space at ground floor, new public routes through the site (open to the public

24/7), connecting to and contributing to the City's network of alleyways and courtyards, and a free, public, mid-height roof garden terrace. The implementation of a cultural strategy will maximise the public offer of these spaces, targeting accessibility and inclusivity for the variety of people who work, live in and visit the City.

447. The increase in floorspace and occupation places extra pressure on the comfort and safety of the City's streets. The development achieves PCLs of B+ and above other than on Gracechurch Street, where the pedestrian environment will be improved by the proposed pavement widening scheme on Gracechurch Street and the introduction of the new pedestrian routes which would draw people away from the busy main streets.
448. The scheme benefits from high levels of public transport accessibility, would be car-free and would promote cycling and walking as healthy modes of travel.
449. Objections have been received from statutory consultees and third parties, relating to the design of the development, its impact on designated and non-designated heritage assets and the impact on the environment and amenity of the immediately surrounding area and buildings. This report has considered these impacts, including any requisite mitigation which would be secured by conditions and S106 obligations.
450. The proposal would deliver a tall building on a site deemed appropriate in principle which is in the emerging City Cluster and on an identified Renewal Opportunity Site in accordance with Local Plan Policy CS 14 and CS7, City Plan Policies S12 and S21, London Plan Policy 7.7 and Publication London Plan D9. The proposal would preserve pan-London LVMF and local strategic views in accordance with Local Plan Policy CS 13(1), London Plan Policies 7.11 and 7.12, draft City Plan 2036 Policy S13 and draft Publication London Plan Policy HC4 and associated guidance in the LVMF SPG and Protected Views SPD. It would preserve the experience from those existing and emerging high-level views identified which are also important to the character of the City of London. Following rigorous assessment, it is concluded that the proposal would preserve the OUV/significance, authenticity and integrity of the Tower of London World Heritage Site, according with associated guidance in the WHS Management Plan, Local Setting Study and LVMF SPG.
451. The proposal would preserve the special interest/significance and setting of, 7-8 Philpot Lane, 33-35 Eastcheap, St Magnus the Martyr Church, St Mary Woolnoth Church and 39-40 Lombard Street. Further it is considered the proposal would preserve and provide minor enhancement, on balance, to the special interest/significance and setting of the iron gates in St Benet's Court and 4 Brabant Court. The proposal would result in some slight harm and some slight enhancement to 2-3 Philpot Lane, resulting, when considered overall, in the heritage significance being preserved. Whilst the proposal will cause some slight harm and some slight enhancement to the

Eastcheap Conservation Area, the overall effect would be to preserve the heritage significance of that Conservation Area. It is considered that the significance of the Bank and Leadenhall Market Conservation Areas would be unharmed.

452. However, after accounting for design mitigation, it was found that harm would be caused to the significance and setting of the Monument and Tower Bridge, towards the lower end and very much the lower end of the spectrum, respectively.
453. The heritage policies in the London Plan (in particular 7.8D) and in the Local Plan (in particular CS12) do not incorporate a balancing exercise as found in paragraph 196 of the NPPF. As a result if a proposal results in any harm to the significance of a heritage asset, even if less than substantial and at the lower end of the scale, will result in conflict with the heritage policies. The application proposals conflict with London Plan policy 7.8 and with Local Plan policies CS12, DM12.1, DM12.3 and DM 12.4, draft Publication London Plan policy HC1, and with the emerging City Plan policy HE1
454. The proposals comply with the policies relating to strategic views, and the policies which seek to protect the Tower of London WHS. The proposals comply with strategic objective 1 in the Local Plan and with the policies relating to offices and to economic growth. It is the view of officers that the proposals comply with the development plan when considered as a whole.
455. The NPPF, paragraph 196, would require that harm be balanced against the public benefits. The paragraph 196 NPPF balancing exercise is also to be applied when considering the harm to Tower Bridge, The Monument, Eastcheap Conservation Area and to 2-3 Philpot Lane.
456. Great weight has been given to the conservation of these assets under paragraph 193 of the NPPF, considerable importance and weight is to be afforded to the harm. However, it is considered that after doing so the lower level less than substantial harm would be outweighed by the substantive public benefits (including heritage benefits) which would be delivered. The public benefits, are set out in detail in paragraphs 422 of this report.
457. The environmental impact of the development on the neighbouring buildings and spaces has been assessed. Adverse impacts have been identified on noise, vibration and air quality in the surrounding area and to nearby buildings, primarily during the construction phase, and on the daylight to and light pollution experienced by nearby residential properties at 9B Eastcheap.
458. The impact on daylight to flats (serviced apartments) at 9B Eastcheap would be moderate adverse and significant partly due to the proximity of the Proposal site to the rear of 9B Eastcheap and due to existing low light levels in the units. Whilst the living conditions of these short term units would expect a degree of harm, taking into account the BRE Guidance and the context of the premises location within a dense

urban commercial environment, it is not considered that the proposal would result in an unacceptable impact on the existing use of the property. As such the extent of harm is not considered to be such that it would conflict with Local Plan Policy DM10.7 and Policy DE8 of the draft City Plan 2036. It is considered that the public benefits of the scheme, including the provision of additional office floorspace within the proposed development, meeting Local Plan ambitions for further office floorspace within the City Cluster area and contributing to the City's primary business and professional services function, together with the nature of occupation (serviced apartments), outweighs the adverse impact.

459. Negative impacts during construction would be controlled as far as possible by the implementation of a robust Construction Environmental Management Plan and good site practices embodied therein; it is recognised that there are inevitable, albeit temporary consequences of development in a tight-knit urban environment. Post construction, compliance with planning conditions and S106 obligations would minimise any adverse impacts.
460. Objections have been received from occupiers of neighbouring commercial buildings including an apart-hotel, regarding the detrimental impact caused by the development on amenity, wind conditions and daylight and sunlight. The report assesses the proposals against Strategic Policy CS10 which seeks to ensure that buildings are appropriate to the character of the City and the setting and amenities of surrounding buildings and spaces. Within the BRE Guidance commercial premises such as offices are not considered as sensitive receptors and as such the daylight and sunlight impact is not subject to the same test requirements as residential premises. The dense urban environment of the City, in particular in and around the cluster is such that the juxtaposition of commercial buildings is a characteristic that often results in limited daylight and sunlight levels to those premises. Whilst the proposed development would result in a diminution of daylight and sunlight to surrounding commercial premises it is not considered to be such as to have an unacceptable impact on the amenity of those properties and would not prevent the beneficial use of their intended occupation. An assessment of the impact of the development on wind conditions in the surrounding private and public realm has shown that conditions would be suitable for the intended uses in the surrounding area. As such the proposal is not considered to conflict with Local Plan Policy CS10 in these respects.
461. The scheme would provide benefits through CIL for improvements to the public realm, housing and other local facilities and measures. That payment of CIL is a local finance consideration which weighs in favour of the scheme. In addition to the general planning obligations there would be site specific measures secured in the S106 Agreement. Together these would go some way to mitigate the impact of the proposal.

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

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

463. The proposals would result in a minor alteration to the listed gates which would be restored to their original proportions and composition and restored resulting in a minor enhancement to their special interest/heritage significance.
464. The proposals would preserve and enhance the special interest and heritage significance of the gates, subject to detail reserved for condition, in accordance with Local Plan Policies CS 12, DM 12.1 and DM 12.3, draft City Plan 2036 Policies S11 and HE1, London Plan Policy 7.8 and Draft Publication London Plan Policy HC 1 and with the duty imposed by Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is the view of officers that listed building consent should be granted.

#### **Listed Building Consent 20/00769/LBC – 2-3 Philpot Lane**

465. The proposals, subject to details reserved for condition, would result in the minor alteration of characteristic but on the whole non-original fabric of no intrinsic interest causing slight, low level, less than substantial harm. Although the proposal would cause slight harm to heritage significance they would also result in some slight enhancement, with the overall effect being that the building and its setting would be preserved. In undertaking the balancing exercise (as referred to earlier in this report) considerable importance and weight has been given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (giving effect to the duty imposed by section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and accordingly considerable importance and weight has been given to the harm to heritage significance. The conclusion of the balancing exercise is that the public benefits, including the slight enhancement to heritage significance, outweighs the less than substantial harm. It is considered that the proposals would not accord with Local Plan Policy DM 12.3 and London Plan policy 7.8 as the proposal would cause some slight harm. For the same reason draft City Plan 2036 Policies S11 and HE1, and draft Publication London Plan Policy HC 1 would not be complied with. However the overall effect of the proposal would be to preserve heritage significance and public benefits have been found to outweigh the less than substantial harm. It is the view of officers that listed building consent should be granted.

## **Background Papers**

### Internal

Memos 18.09.2020 and 18.12.2020 Lead Local Flood Authority,

Memo 08.09.2020 Air Quality Officer

Letter 09.10.2020 City of London Conservation Area Advisory Committee

Memo 05.01.2021 Department of Markets and Consumer Protection

### External

Letter, Royal Borough of Greenwich, 10<sup>th</sup> September 2020 and 16 December 2020

Email, Transport for London (Crossrail), 10<sup>th</sup> September 2020 and 21 December 2020

Letter, London City Airport, 11<sup>th</sup> September 2020 and 21 December 2020.

Email, NATS Safeguarding, 11<sup>th</sup> September 2020 and 16 December 2020

Letter, Historic Royal Palaces, 15<sup>th</sup> September 2020

Letter, City of Westminster, 17<sup>th</sup> September 2020

Email, Historic England, 18<sup>th</sup> September 2020 and 17 December 2020.

Letter, Historic England, 2<sup>nd</sup> October 2020.

Letter of objection PL 10 S.a.r.l., 2<sup>nd</sup> October 2020 including Heritage/Townscape Review – Lichfields, September 2020

Letter, Environment Agency, 5<sup>th</sup> October 2020 and 17 December 2020

Email, Transport for London, 5<sup>th</sup> October 2020 and 21 December 2020

Letter, Victorian Society, 16<sup>th</sup> October 2020

Letter and report of objection Lambert Smith Hampton, 19<sup>th</sup> October 2020 including Aerial Appendix 1, Lambert Smith Hampton, 23<sup>rd</sup> October 2020 and Heritage Representation – Cogent Heritage dated 7 October 2020 (Store Properties)

Letter and report of objection Lambert Smith Hampton, 19 October 2020 including Aerial Appendix 1, Lambert Smith Hampton, 23<sup>rd</sup> October 2020 and Heritage Representation – Cogent Heritage dated 7 October 2020 (City Apartments)

Email, Delva Patman Redler, 20<sup>th</sup> October 2020 and Email, 4<sup>th</sup> November 2020 (amended representation)

Letter, The Georgian Group, 27<sup>th</sup> October 2020

Email regarding Use Class Order amendments, DP9, 3<sup>rd</sup> November 2020

Letter, London Borough of Southwark, 4<sup>th</sup> November 2020

Email, London Borough of Tower Hamlets, 9<sup>th</sup> December 2020

E mail Fletcher Priest 9<sup>th</sup> December 2020  
Email, Transport for London, 21 December 2020  
E mail 04.01.2021 DP9 with attached UGF calculations  
E mail 07.01.2020 DP9 with updated attached UGF calculations  
Representation 5 January 2021 The Aldgate School  
E mail representation 05.01.2021 Lambert Smith Hampton  
E mail 08.01.2021 DP9  
Letter PL10 Sarl and Heritage/Townscape briefing note 11.01.2021 Lichfields  
Letter of objection 12 01.2021 – NTR Planning

Documents:

Cover letter, DP9, 14<sup>th</sup> August 2020  
Design and Access Statement, Fletcher Priest Architects, August 2020  
Landscape and Public Realm Strategy, Space Hub, August 2020  
Planning Statement, DP9, August 2020  
Environmental Statement Volume 1, Trium, August 2020  
Environmental Statement Volume 2, Citydesigner/Trium, August 2020  
Environmental Statement Volume 3 Technical Appendices, Trium, August 2020  
Environmental Statement Non-technical summary, Trium, August 2020  
Energy Statement, DSA, August 2020  
Smart Infrastructure and Utility Statement, DSA, August 2020  
Sustainability Statement, TFT, 13<sup>th</sup> August 2020  
BREEAM Pre-Assessment, DSA Engineering, December 2020  
Health Impact Assessment, Quod, August 2020  
Healthy Streets Transport Assessment including Framework Travel Plan,  
Framework Delivery and Servicing Management Plan, and Framework  
Construction Logistics Plan; Momentum, 10<sup>th</sup> August 2020  
Fire Statement, Arup Fire, 10 August 2020  
Archaeological Desk Based Assessment, MOLA, August 2020  
Flood Risk Assessment, AKT II, August 2020  
Drainage Strategy Report, AKT II, August 2020  
Drainage Strategy Appendices, AKT, August 2020  
Preliminary Ecological Appraisal, The Ecology Consultancy, 13<sup>th</sup> August 2020  
Phase 1 Contamination Assessment Report, RMA Environmental, 10<sup>th</sup> August  
2020  
Statement of Community Involvement, Field Consulting, August 2020  
Letter from Trium, Planning Matters - Waste, 6<sup>th</sup> November 2020  
Cover letter DP9 11 December 2020

Transport Assessment Addendum, Momentum, 10 December 2020  
Environmental Statement Addendum Volumes 1 and 3 Trium December 2020  
ES and ES Addendum Non- technical Summary Trium December 2020  
Design and Access Statement Addendum Fletcher priest Architects 10 December 2020  
Outline CEMP rev E December 2020  
BREEAM Pre-Assessment DSA Engineering December 2020 – rev 03  
Applicant's Response to Planning Application Representations, DP9, December 2020  
Sustainability Technical briefing Note TFT 11 December 2020  
Technical Briefing Note – Circular Economy and Embodied Carbon Design Strategy TFT 6 January 2021  
Technical Note – additional transport information – Momentum – 7 January 2021  
Illustration of relationship between Garden terrace and commercial property to the north.  
Heritage Statement for Listed Building Consent – 2-3 Philpot Lane  
Design Statement for Listed Building Consent – 2-3 Philpot Lane  
Heritage Statement for Listed Building Consent - St Benet's Place Gates  
Design Statement for Listed Building Consent - St Benet's Place Gates

Drawing nos.

PP-FPA-XX-XX-DR-A-16000 1:1250@A3 Existing Site Location Plan 0  
PP-FPA-XX-XX-DR-A-16001 1:500@A1 Existing Site Plan 0  
PP-FPA-XX-B1-DR-A-16002 1:100@A1 Existing Plan - Basement 0  
PP-FPA-XX-LG-DR-A-16003 1:100@A1 Existing Plan - Lower Ground 0  
PP-FPA-XX-00-DR-A-16004 1:100@A1 Existing Plan - Ground Floor 0  
PP-FPA-XX-01-DR-A-16005 1:100@A1 Existing Plan - Level 01 0  
PP-FPA-XX-01-DR-A-16006 1:100@A1 Existing Plan - Level 02 0  
PP-FPA-XX-03-DR-A-16007 1:100@A1 Existing Plan - Level 03 0  
PP-FPA-XX-04-DR-A-16008 1:100@A1 Existing Plan - Level 04 0  
PP-FPA-XX-05-DR-A-16009 1:100@A1 Existing Plan - Level 05 0  
PP-FPA-XX-06-DR-A-16010 1:100@A1 Existing Plan - Level 06 0  
PP-FPA-XX-06-DR-A-16011 1:100@A1 Existing Plan - Level 07 0  
PP-FPA-XX-XX-DR-A-16012 1:200@A1 Existing Elevation - West 0  
PP-FPA-XX-XX-DR-A-16013 1:200@A1 Existing Elevation - South 0  
PP-FPA-XX-XX-DR-A-16014 1:200@A1 Existing Elevation - East 0  
PP-FPA-XX-XX-DR-A-16015 1:200@A1 Existing Elevation - North - St Benet's Place 0  
PP-FPA-XX-XX-DR-A-16016 1:200@A1 Existing Elevation - North - Northern Courtyard

8310-PL-GA-102 rev A – General Arrangement 6<sup>th</sup> floor terrace

8310-DE-SD-501 façade planters

8310-PL-GA-101 and 102 – General Arrangement Plans

8310-SE-GA-201 – Landscape sections

M000466 -2-1-DR-040 rev A – Footway Build Out Study

## **Appendix A**

### **REASONED CONCLUSIONS ON SIGNIFICANT EFFECTS**

#### **Reasoned Conclusions**

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

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

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

Should planning permission be granted, it would authorise a range of uses. The assessment contained in the ES is based on the uses proposed, namely office, flexible retail space and public terrace uses. The floor areas proposed to be devoted to each use are described in the application materials and summarised in the ES. The application does not state that the development seeks unrestricted Class E business and commercial uses. Conditions are recommended that requires the development to implemented only in

accordance with the specific floor areas and uses as set out and assessed in the application, removing the ability, without consent, to subsequently change to other uses specified within Class E.

The following conditions are recommended:

1. The development shall provide:

- 34,004 sq.m. gea of office floorspace (Class E);
  - 2456 sq.m. gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis.))
  - 1603sq.m sui generis public viewing gallery and garden with ancillary space
- REASON: To ensure the development is carried out in accordance with the approved plans

2. The areas within the development marked as retail on the floorplans hereby approved, shall be used for retail purposes within Class E (shop, financial and professional services and cafe or restaurant) and sui generis (pub and drinking establishment, and take-away) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987) (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

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

3. The areas shown on the approved drawings as offices, flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) and public viewing gallery and garden with ancillary space, and as set out in Condition 62 of this decision notice, shall be used for those purposes only and for no other purpose (including any other purpose in Class E) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020).

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

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

## **Monitoring Measures**

If planning permission were granted, it is considered that monitoring measures should be imposed to secure compliance with the Construction Environmental Management Plan, the cap on servicing trips and other elements of the Delivery and Servicing Management Plan, a Service Vehicle Lift Maintenance

Strategy, a Cycling Promotion Plan. Mitigation measures should be secured including additional wind mitigation measures to the Public Garden terrace. These, as well as other measures to ensure the scheme is acceptable, would be secured and monitored through the S106 agreement, recommended conditions and the S278 agreements. Any remedial action necessary can be taken by enforcing those agreements or conditions. The duration of the monitoring will depend upon the particular provision in the relevant agreement or in conditions.

## **Appendix B**

### **London Plan Policies**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

provide parking for disabled people in line with Table 6.2

meet the minimum cycle parking standards set out in Table 6.3

provide for the needs of businesses for delivery and servicing.

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

**Policy 7.2** All new development in London to achieve the highest standards of accessible and inclusive design.

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

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

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

**Policy 7.6** Buildings and structures should:

- a be of the highest architectural quality
- b be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c comprise details and materials that complement, not necessarily replicate, the local architectural character
- d not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings

- e incorporate best practice in resource management and climate change mitigation and adaptation
- f provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g be adaptable to different activities and land uses, particularly at ground level
- h meet the principles of inclusive design
- i optimise the potential of sites.

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

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

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

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

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

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

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

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

#### **Relevant draft Publication London Plan Policies.**

- Policy CG1 Building Strong and Inclusive Communities

- Policy GG2 Making the best use of land
- Policy CG3 Creating a Healthy City
- Policy GG5 Growing a good economy
- CG6 Increasing efficiency and resilience
- Policy SD4 The Central Activities Zone (CAZ)
- Policy SD5 Offices, and other strategic functions and residential development in the CAZ
- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering Good Design
- Policy D5 Inclusive Design
- Policy D8 Public realm
- Policy D9 Tall buildings
- Policy D11 Safety, security and resilience to emergency
- Policy D14 Noise
- Policy S6 Public toilets
- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy E9 Retail, markets and hot food takeaways
- Policy E10 Visitor infrastructure
- Policy HC1 Heritage conservation and growth
- Policy HC2 World Heritage Sites
- Policy HC3 Strategic and Local Views
- Policy HC4 London View Management Framework
- Policy HC5 Supporting London's culture and creative industries
- Policy G5 Urban Greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI1 Improving air quality

- Policy SI2 Minimising greenhouse gas emissions
- Policy SI4 Managing heat risk
- Policy SI5 Water Infrastructure
- Policy SI7 Reducing waste and supporting the circular economy
- Policy SI 8 Waste capacity and net waste self-sufficiency
- Policy SL13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car Parking
- Policy T7 Deliveries, servicing and construction
- Policy T9 Funding transport infrastructure through planning

**Relevant GLA Supplementary Planning Guidance (SPG):**

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

**Relevant Draft City Plan 2036 Policies**

S1 Healthy and inclusive city

HL1 Inclusive buildings and spaces

HL2 Air quality

HL3 Noise and light pollution  
HL4 Contaminated land and water quality  
HL6 Public toilets  
Policy HL9 Health Impact Assessments  
S2 Safe and Secure City  
SA1 Crowded Places  
SA3 Designing in security  
HS3 Residential environment  
S4 Offices  
OF1 Office development  
S5 Retailing  
RE2 Retail links  
S6 Culture, Visitors and the Night -time Economy  
CV2 Provision of Visitor Facilities  
CV5 Public Art  
S7 Smart Infrastructure and Utilities  
S8 Design  
DE1 Sustainability requirements  
DE2 New development  
DE3 Public realm  
DE5 Terraces and viewing galleries  
DE6 Shopfronts  
DE8 Daylight and sunlight  
DE9 Lighting  
S9 Vehicular transport and servicing  
VT1 The impacts of development on transport  
VT2 Freight and servicing  
Policy VT3 Vehicle Parking  
S10 Active travel and healthy streets  
AT1 Pedestrian movement  
AT2 Active travel including cycling  
AT3 Cycle parking  
S11 Historic environment  
HE1 Managing change to heritage assets  
HE2 Ancient monuments and archaeology

HE3 Setting of the Tower of London World Heritage Site  
S12 Tall Buildings  
S13 Protected Views  
S14 Open spaces and green infrastructure  
OS1 Protection and Provision of Open Spaces  
OS2 City greening  
OS3 Biodiversity  
OS4 Trees  
S15 Climate resilience and flood risk  
CR1 Overheating and Urban Heat Island effect  
CR3 Sustainable drainage systems (SuDS)  
S16 Circular economy and waste  
CE1 Zero Waste City  
S21 City Cluster  
S27 Planning contributions

**Relevant City Corporation Guidance and Supplementary Planning Documents (SPDs)**

- Air Quality SPD (July 2017);
- Archaeology and Development Guidance SPD (July 2017);
- City Lighting Strategy (October 2018);
- City Transport Strategy (May 2019);
- City Waste Strategy 2013-2020 (January 2014);
- Protected Views SPD (January 2012);
- City of London's Wind Microclimate Guidelines (2019);
- Planning Obligations SPD (July 2014);
- Open Space Strategy (2016);
- Office Use SPD (2015);
- City Public Realm (2016);
- Cultural Strategy 2018 – 2022 (2018).
- Eastcheap Conservation Area Character Summary and Management Strategy SPD 2013
- Leadenhall Market Conservation Area Character Summary and Management Strategy SPD 2017
- Bank Conservation Area Character Summary and Management Strategy SPD2012

## Relevant Local Plan Policies

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

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

### ***CS2 Facilitate utilities infrastructure***

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

### ***CS3 Ensure security from crime/terrorism***

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

### ***CS4 Seek planning contributions***

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

### ***CS10 Promote high quality environment***

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

### ***CS11 Encourage art, heritage and culture***

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

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

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

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

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

### ***CS14 Tall buildings in suitable places***

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

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

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

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

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

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

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

### ***CS18 Minimise flood risk***

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

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

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

### ***CS20 Improve retail facilities***

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

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

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

## ***CS22 Maximise community facilities***

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

### ***DM1.3 Small and medium business units***

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

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

### ***DM1.5 Mixed uses in commercial areas***

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

### ***DM2.1 Infrastructure provision***

1) Developers will be required to demonstrate, in conjunction with utility providers, that there will be adequate utility infrastructure capacity, both on and off the site, to serve the development during construction and operation. Development should not lead to capacity or reliability problems in the surrounding area. Capacity projections must take account of climate change impacts which may influence future infrastructure demand.

2) Utility infrastructure and connections must be designed into and integrated with the development wherever possible. As a minimum, developers should identify and plan for:

- a) electricity supply to serve the construction phase and the intended use for the site, and identify, in conjunction with electricity providers, Temporary Building Supply(TBS) for the construction phase

and the estimated load capacity of the building and the substations and routes for supply;

- b) reasonable gas and water supply considering the need to conserve natural resources;
- c) heating and cooling demand and the viability of its provision via decentralised energy (DE) networks. Designs must incorporate access to existing DE networks where feasible and viable;
- d) telecommunications network demand, including wired and wireless infrastructure, planning for dual entry provision, where possible, through communal entry chambers and flexibility to address future technological improvements;
- e) separate surface water and foul drainage requirements within the proposed building or site, including provision of Sustainable Drainage Systems (SuDS), rainwater harvesting and grey-water recycling, minimising discharge to the combined sewer network.

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

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

### ***DM3.2 Security measures***

To ensure that security measures are included in new developments, applied to existing buildings and their curtilage, by requiring:

- a) building-related security measures, including those related to the servicing of the building, to be located within the development's boundaries;
- b) measures to be integrated with those of adjacent buildings and the public realm;
- c) that security is considered at the concept design or early developed design phases of all development proposals to avoid the need to retro-fit measures that impact on the public realm;
- d) developers to seek recommendations from the City of London Police Architectural Liaison Officer at the design stage. New development should meet Secured by Design principles;
- e) the provision of service management plans for all large development, demonstrating that vehicles seeking access to the building can do so without waiting on the public highway;

f) an assessment of the environmental impact of security measures, particularly addressing visual impact and impact on pedestrian flows.

### ***DM3.3 Crowded places***

On all major developments, applicants will be required to satisfy principles and standards that address the issues of crowded places and counter-terrorism, by:

- a) conducting a full risk assessment;
- b) keeping access points to the development to a minimum;
- c) ensuring that public realm and pedestrian permeability associated with a building or site is not adversely impacted, and that design considers the application of Hostile Vehicle Mitigation measures at an early stage;
- d) ensuring early consultation with the City of London Police on risk mitigation measures;
- e) providing necessary measures that relate to the appropriate level of crowding in a site, place or wider area.

### ***DM3.4 Traffic management***

To require developers to reach agreement with the City Corporation and TfL on the design and implementation of traffic management and highways security measures, including addressing the management of service vehicles, by:

- a) consulting the City Corporation on all matters relating to servicing;
- b) restricting motor vehicle access, where required;
- c) implementing public realm enhancement and pedestrianisation schemes, where appropriate;
- d) using traffic calming, where feasible, to limit the opportunity for hostile vehicle approach.

### ***DM3.5 Night-time entertainment***

1) Proposals for new night-time entertainment and related uses and the extension of existing premises will only be permitted where it can be demonstrated that, either individually or cumulatively, there is no unacceptable impact on:

- a) the amenity of residents and other noise-sensitive uses;
- b) environmental amenity, taking account of the potential for noise, disturbance and odours arising from the operation of the premises, customers arriving at and leaving the premises and the servicing of the premises.

2) Applicants will be required to submit Management Statements detailing how these issues will be addressed during the operation of the premises.

#### ***DM10.1 New development***

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;
- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

#### ***DM10.2 Design of green roofs and walls***

- 1) To encourage the installation of green roofs on all appropriate developments. On each building the maximum practicable coverage of green roof should be achieved. Extensive green roofs are preferred and their design should aim to maximise the roof's environmental benefits, including biodiversity, run-off attenuation and building insulation.

2) To encourage the installation of green walls in appropriate locations, and to ensure that they are satisfactorily maintained.

#### ***DM10.3 Roof gardens and terraces***

- 1) To encourage high quality roof gardens and terraces where they do not:
  - a) immediately overlook residential premises;
  - b) adversely affect rooflines or roof profiles;
  - c) result in the loss of historic or locally distinctive roof forms, features or coverings;
  - d) impact on identified views.
- 2) Public access will be sought where feasible in new development.

#### ***DM10.4 Environmental enhancement***

The City Corporation will work in partnership with developers, Transport for London and other organisations to design and implement schemes for the enhancement of highways, the public realm and other spaces. Enhancement schemes should be of a high standard of design, sustainability, surface treatment and landscaping, having regard to:

- a) the predominant use of the space, surrounding buildings and adjacent spaces;
- b) connections between spaces and the provision of pleasant walking routes;
- c) the use of natural materials, avoiding an excessive range and harmonising with the surroundings of the scheme and materials used throughout the City;
- d) the inclusion of trees and soft landscaping and the promotion of biodiversity, where feasible linking up existing green spaces and routes to provide green corridors;
- e) the City's heritage, retaining and identifying features that contribute positively to the character and appearance of the City;
- f) sustainable drainage, where feasible, co-ordinating the design with adjacent buildings in order to implement rainwater recycling;
- g) the need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
- h) the need for pedestrian priority and enhanced permeability, minimising the conflict between pedestrians and cyclists;
- i) the need to resist the loss of routes and spaces that enhance the City's function, character and historic interest;
- j) the use of high quality street furniture to enhance and delineate the public realm;
- k) lighting which should be sensitively co-ordinated with the design of the scheme.

### ***DM10.7 Daylight and sunlight***

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

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

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

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

### ***DM11.2 Public Art***

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

- a) protecting existing works of art and other objects of cultural significance and encouraging the provision of additional works in appropriate locations;
- b) ensuring that financial provision is made for the future maintenance of new public art;
- c) requiring the appropriate reinstatement or re-siting of art works and other objects of cultural significance when buildings are redeveloped.

### ***DM12.1 Change affecting heritage assets***

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.

3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

#### ***DM12.2 Development in conservation areas***

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

#### ***DM12.3 Listed buildings***

1. To resist the demolition of listed buildings.
2. To grant consent for the alteration or change of use of a listed building only where this would not detract from its special architectural or historic interest, character and significance or its setting.

#### ***DM12.4 Archaeology***

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

### ***DM15.1 Sustainability requirements***

1. Sustainability Statements must be submitted with all planning applications in order to ensure that sustainability is integrated into designs for all development.
2. For major development (including new development and refurbishment) the Sustainability Statement should include as a minimum:
  - a) BREEAM or Code for Sustainable Homes pre-assessment;
  - b) an energy statement in line with London Plan requirements;
  - c) demonstration of climate change resilience measures.
3. BREEAM or Code for Sustainable Homes assessments should demonstrate sustainability in aspects which are of particular significance in the City's high density urban environment. Developers should aim to achieve the maximum possible credits to address the City's priorities.
4. Innovative sustainability solutions will be encouraged to ensure that the City's buildings remain at the forefront of sustainable building design. Details should be included in the Sustainability Statement.
5. Planning conditions will be used to ensure that Local Plan assessment targets are met.

### ***DM15.2 Energy and CO2 emissions***

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

### ***DM15.3 Low and zero carbon technologies***

1. For development with a peak heat demand of 100 kilowatts or more developers should investigate the feasibility and viability of connecting to existing decentralised energy networks. This should include investigation of the potential for extensions of existing heating and cooling networks to serve the development and development of new networks where existing networks are not available. Connection routes should be designed into the development where feasible and connection infrastructure should be incorporated wherever it is viable.
2. Where connection to offsite decentralised energy networks is not feasible, installation of on-site CCHP and the potential to create new localised decentralised energy infrastructure through the export of excess heat must be considered
3. Where connection is not feasible or viable, all development with a peak heat demand of 100 kilowatts or more should be designed to enable connection to potential future decentralised energy networks.
4. Other low and zero carbon technologies must be evaluated. Non combustion based technologies should be prioritised in order to avoid adverse impacts on air quality.

### ***DM15.4 Offsetting carbon emissions***

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

### ***DM15.5 Climate change resilience***

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

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

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

## ***DM15.7 Noise and light pollution***

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.
2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.
3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.

4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.

5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

#### ***DM16.1 Transport impacts of development***

1. Development proposals that are likely to have effects on transport must be accompanied by an assessment of the transport implications during both construction and operation, in particular addressing impacts on:

- a) road dangers;
- b) pedestrian environment and movement;
- c) cycling infrastructure provision;
- d) public transport;
- e) the street network.

2. Transport Assessments and Travel Plans should be used to demonstrate adherence to the City Corporation's transportation standards.

#### ***DM16.2 Pedestrian movement***

1. Pedestrian movement must be facilitated by provision of suitable pedestrian routes through and around new developments, by maintaining pedestrian routes at ground level, and the upper level walkway network around the Barbican and London Wall.

2. The loss of a pedestrian route will normally only be permitted where an alternative public pedestrian route of at least an equivalent standard is provided having regard to:

- a) the extent to which the route provides for current and all reasonably foreseeable future demands placed upon it, including at peak periods;
- b) the shortest practicable routes between relevant points.

3. Routes of historic importance should be safeguarded as part of the City's characteristic pattern of lanes, alleys and courts, including the route's historic alignment and width.

4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.

5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.

6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

#### ***DM16.3 Cycle parking***

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

2. On-street cycle parking in suitable locations will be encouraged to meet the needs of cyclists.

#### ***DM16.4 Encouraging active travel***

1. Ancillary facilities must be provided within new and refurbished buildings to support active transport modes such as walking, cycling and running. All commercial development should make sufficient provision for showers, changing areas and lockers/storage to cater for employees wishing to engage in active travel.

2. Where facilities are to be shared with a number of activities they should be conveniently located to serve all proposed activities.

#### ***DM16.5 Parking and servicing standards***

1. Developments in the City should be car-free except for designated Blue Badge spaces. Where other car parking is exceptionally provided it must not exceed London Plan's standards.

2. Designated parking must be provided for Blue Badge holders within developments in conformity with London Plan requirements and must be marked out and reserved at all times for their use. Disabled parking spaces must be at least 2.4m wide and at least 4.8m long and with reserved areas at least 1.2m wide, marked out between the parking spaces and at the rear of the parking spaces.

3. Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide

and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.

4. On site servicing areas should be provided to allow all goods and refuse collection vehicles likely to service the development at the same time to be conveniently loaded and unloaded. Such servicing areas should provide sufficient space or facilities for all vehicles to enter and exit the site in a forward gear. Headroom of at least 5m where skips are to be lifted and 4.75m for all other vehicle circulation areas should be provided.

5. Coach parking facilities for hotels (use class C1) will not be permitted.

6. All off-street car parking spaces and servicing areas must be equipped with the facility to conveniently recharge electric vehicles.

7. Taxi ranks are encouraged at key locations, such as stations, hotels and shopping centres. The provision of taxi ranks should be designed to occupy the minimum practicable space, using a combined entry and exit point to avoid obstruction to other transport modes.

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

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.

2. On-site waste management, through techniques such as recyclate sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

#### ***DM17.2 Designing out construction waste***

New development should be designed to minimise the impact of deconstruction and construction waste on the environment through:

- a) reuse of existing structures;
- b) building design which minimises wastage and makes use of recycled materials;
- c) recycling of deconstruction waste for reuse on site where feasible;
- d) transport of waste and construction materials by rail or river wherever practicable;
- e) application of current best practice with regard to air quality, dust, hazardous waste, waste handling and waste management

#### ***CS18 Minimise flood risk***

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

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

1. Where development is proposed within the City Flood Risk Area evidence must be presented to demonstrate that:
  - a) the site is suitable for the intended use (see table 18.1), in accordance with Environment Agency and Lead Local Flood Authority advice;
  - b) the benefits of the development outweigh the flood risk to future occupants;
  - c) the development will be safe for occupants and visitors and will not compromise the safety of other premises or increase the risk of flooding elsewhere.
2. Development proposals, including change of use, must be accompanied by a site-specific flood risk assessment for:
  - a) all sites within the City Flood Risk Area as shown on the Policies Map; and
  - b) all major development elsewhere in the City.
3. Site specific flood risk assessments must address the risk of flooding from all sources and take account of the City of London Strategic Flood Risk Assessment. Necessary mitigation measures must be designed into and integrated with the development and may be required to provide protection from flooding for properties beyond the site boundaries, where feasible and viable.
4. Where development is within the City Flood Risk Area, the most vulnerable uses must be located in those parts of the development which are at least risk. Safe access and egress routes must be identified.
5. For minor development outside the City Flood Risk Area, an appropriate flood risk statement may be included in the Design and Access Statement.
6. Flood resistant and resilient designs which reduce the impact of flooding and enable efficient recovery and business continuity will be encouraged.

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

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

other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.

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

#### ***DM19.1 Additional open space***

1. Major commercial and residential developments should provide new and enhanced open space where possible. Where on-site provision is not feasible, new or enhanced open space should be provided near the site, or elsewhere in the City.

2. New open space should:

- a) be publicly accessible where feasible; this may be achieved through a legal agreement;
- b) provide a high quality environment;
- c) incorporate soft landscaping and Sustainable Drainage Systems, where practicable;
- d) have regard to biodiversity and the creation of green corridors;
- e) have regard to acoustic design to minimise noise and create tranquil spaces.

3. The use of vacant development sites to provide open space for a temporary period will be encouraged where feasible and appropriate.

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

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

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

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

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

### ***DM21.3 Residential environment***

1. The amenity of existing residents within identified residential areas will be protected by:
  - a) resisting other uses which would cause undue noise disturbance, fumes and smells and vehicle or pedestrian movements likely to cause disturbance;
  - b) requiring new development near existing dwellings to demonstrate adequate mitigation measures to address detrimental impact.
2. Noise-generating uses should be sited away from residential uses, where possible. Where residential and other uses are located within the same development or area, adequate noise mitigation measures must be provided and, where required, planning conditions will be imposed to protect residential amenity.
3. All development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential accommodation.
4. All new residential development proposals must demonstrate how potential adverse noise impacts on and between dwellings will be mitigated by housing layout, design and materials.
5. The cumulative impact of individual developments on the amenity of existing residents will be considered.

### ***DM22.1 Social and community facilities***

1. To resist the loss of social and community facilities unless:
  - a) replacement facilities are provided on-site or within the vicinity which meet the needs of the users of the existing facility; or
  - b) necessary services can be delivered from other facilities without leading to, or increasing, any shortfall in provision; or
  - c) it has been demonstrated that there is no demand for another similar use on site.
2. Proposals for the redevelopment or change of use of social and community facilities must be accompanied by evidence of the lack of need for those facilities. Loss of facilities will only be permitted where it has been demonstrated that the existing floor space has been actively marketed at reasonable terms for public social and community floorspace.
3. The development of new social and community facilities should provide flexible, multi-use space suitable for a range of different uses and will be permitted:

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

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

## SCHEDULE

APPLICATION: 20/00671/FULEIA

### 55 Gracechurch Street London EC3V 0EE

**Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys, including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.**

## CONDITIONS

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

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

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

- 4 Prior to the commencement of the development a detailed Whole Life Cycle Carbon assessment shall be submitted to and approved in writing by the Local Planning Authority, setting out details of measures to reduce carbon emissions throughout the whole life cycle of the development and providing calculations in line with the Mayor of London's guidance on Whole Life Cycle Carbon Assessments, and the development shall be carried out in accordance with the approved details.

REASON : To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development so that it maximises the reduction of carbon emissions of the development throughout the whole life cycle of the development in accordance with the following policies in the Development Plan and draft Development Plans: Draft London Plan: D3, SI 2, SI 7 - Local Plan: CS 17, DM 15.2, DM 17.2 - Draft City Plan 2036: CE 1. These details are required prior to demolition and construction work commencing in order to be able to account for embodied carbon emissions resulting from the demolition and construction phase (including recycling and reuse of materials) of the development.
- 5 Unless otherwise agreed to in writing, prior to the commencement of Construction Works an indicative proposal for the relocation of the existing bus shelter on Gracechurch Street shall be submitted to the Local Planning Authority for consideration. The proposal shall be supported by a revised Pedestrian Comfort Level Assessment with the key objective to improve PCL conditions when compared to the 2027 - without development scenario and an Equality Impact Assessment. Should an agreeable solution be confirmed in agreement with TfL, the relocation of the bus shelter must be completed in accordance with details to be submitted to and approved by the Local Planning Authority (in consultation with TfL) prior to the completion of Section 278 Highways Works. In the event that it is determined that the bus stop should remain in its current position, prior to the occupation of the development the applicant would submit a PCL Technical Note summarising the options investigated and confirming PCL conditions along Gracechurch Street and the diversion patterns through the

proposed development, thereby improving conditions along Gracechurch Street.

REASON: In the interest of pedestrian comfort and public safety in accordance with the following policy of the Local Plan: DM16.2. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 6 Before any works including demolition are begun a site survey and survey of highway and other land at the perimeter of the site shall be carried out and details must be submitted to and approved in writing by the local planning authority indicating the proposed finished floor levels at basement and ground floor levels in relation to the existing Ordnance Datum levels of the adjoining streets and open spaces. The development shall be carried out in accordance with the approved survey unless otherwise agreed in writing by the local planning authority.  
REASON: To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.8, DM16.2. These details are required prior to commencement in order that a record is made of the conditions prior to changes caused by the development and that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 7 Prior to the commencement of works a Construction Methodology and Structural Statement, assessing the short (construction phase), medium and long-term structural and non-structural implications for the listed buildings at 2-3 Philpot Lane, 4 Brabant Court and 7-8 Philpot Lane, including a detailed methodology and specification of works which seek to mitigate any damage, shall be submitted and approved in writing by the Local Planning Authority and those relevant works carried out in accordance with the approved details.  
REASON: In order to safeguard the structure and the special architectural or historic interest of the listed buildings at 2-3 Philpot Lane, 4 Brabant Court and 7-8 Philpot Lane in accordance with the following policies of the Local Plan: CS12, DM12.1.
- 8 Before the development hereby permitted is begun a detailed site investigation shall be carried out to establish if the site is contaminated and to determine the potential for pollution of the water environment. The method and extent of this site investigation shall be agreed in writing with the Local Planning Authority prior to commencement of the work. Details of measures to prevent pollution of ground and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall proceed in strict accordance with the measures approved.

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

- 9 Demolition works shall not begin until a Deconstruction Logistics Plan to manage all freight vehicle movements to and from the site during deconstruction of the existing building(s) has been submitted to and approved in writing by the Local Planning Authority. The Deconstruction Logistics Plan shall be completed in accordance with the Mayor of London's Construction Logistics Plan Guidance dated July 2017, and shall specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Community Safety (CLOCS) Standard. The Plan must demonstrate how Work Related Road Risk is to be managed. The demolition shall not be carried out otherwise than in accordance with the approved Deconstruction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.  
**REASON:** To ensure that demolition works do not have an adverse impact on public safety and the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1. These details are required prior to demolition work commencing in order that the impact on the transport network is minimised from the time that demolition starts.
- 10 Prior to the commencement of development the developer/construction contractor shall sign up to the Non-Road Mobile Machinery Register. The development shall be carried out in accordance with the NRMM Regulations and the inventory of all NRMM used on site shall be maintained and provided to the Local Planning Authority upon request to demonstrate compliance with the regulations.  
**REASON:** To reduce the emissions of construction and demolition in accordance with the Mayor of London Control of Dust and Emissions during Construction and Demolition SPG July 2014. Compliance is required to be prior to commencement due to the potential impact at the beginning of the construction
- 11 There shall be no demolition on the site until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison and monitoring (including any agreed monitoring contribution) set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the demolition process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The demolition shall not be carried out other

than in accordance with the approved scheme (including payment of any agreed monitoring contribution)

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

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

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

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

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

- 14 No development shall take place until the detailed design of all wind mitigation measures necessary to achieve appropriate summer conditions of as a minimum 'occasional sitting' or better in relevant areas as defined in the City of London Wind Microclimate Guidelines 2020, has been submitted to and approved in writing by the Local Planning Authority. These details shall include the size and appearance of any features, the size and appearance of any planting containers, trees species, planting medium and irrigation systems. No part of the building shall be occupied until the approved wind mitigation measures have been implemented unless the Local Planning Authority agrees otherwise in writing. The said wind mitigation measures shall be retained in place for the life of the building unless otherwise agreed by the Local Planning Authority.
- REASON: In order to ensure that the wind conditions on the Public Garden Terrace are suitable for use in accordance with the following policies of the Local Plan: DM10.1, DM10.3, and draft City Plan policies S8, DE3. These details are required prior to construction in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 15 No development other than demolition shall take place until the detailed design of all wind mitigation measures (other than those submitted to and approved by the Local Planning Authority pursuant to Condition 14 of this planning permission) has been submitted to and approved in writing by the Local Planning Authority. These details shall include the size and appearance of any features, the size and appearance of any planting containers, trees species, planting medium and irrigation systems. No part of the building shall be occupied until the approved wind mitigation measures have been implemented unless the Local Planning Authority agrees otherwise in writing. The said wind mitigation measures shall be retained in place for the life of the building unless otherwise agreed by the Local Planning Authority.
- REASON: In order to ensure that the proposed development does not have a detrimental impact on the amenities of the area in accordance with the following policies of the Local Plan: DM10.1, DM16.1, DM16.2. These details are required prior to construction in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 16 Archaeological evaluation shall be carried out in order to compile archaeological records in accordance with a timetable and scheme of such archaeological work submitted to and approved in writing by the Local Planning Authority before any commencement of archaeological evaluation work.
- REASON: To ensure that an opportunity is provided for the archaeology of the site to be considered and recorded in accordance with the following policy of the Local Plan: DM12.4.

- 17 No works except demolition to basement slab level shall take place until the developer has secured the implementation of a programme of archaeological work to be carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. This shall include all on site work, including details of any temporary works which may have an impact on the archaeology of the site and all off site work such as the analysis, publication and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
- REASON: In order to allow an opportunity for investigations to be made in an area where remains of archaeological interest are understood to exist in accordance with the following policy of the Local Plan: DM12.4.
- 18 No works except demolition to basement slab level shall take place before details of the foundations and piling configuration, to include a detailed design and method statement, have been submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.
- REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policy of the Local Plan: DM12.4.
- 19 The development shall incorporate such measures as are necessary within the site to resist structural damage and to protect the approved new public realm within the site, arising from an attack with a road vehicle or road vehicle borne explosive device, details of which must be submitted to and approved in writing by the Local Planning Authority before any construction works hereby permitted are begun.
- REASON: To ensure that the premises are protected from road vehicle borne damage within the site in accordance with the following policy of the Local Plan: DM3.2. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 20 Before any construction works hereby permitted are begun the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
- (a) Fully detailed design and layout drawings for the proposed SuDS components including but not limited to: attenuation systems including blue roofs, rainwater pipework, flow control devices, pumps, design for system exceedance, design for ongoing maintenance; surface water flow rates shall be restricted to no greater than 1.7 litres per second from no more than one distinct outfall, provision should be made for an attenuation volume capacity capable of achieving this, which should be no less than 100m<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 and emerging policies CR2, CR3 and CR4 of the Draft City Plan 2036.

21 Before the shell and core is complete the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

(a) A Lifetime Maintenance Plan for the SuDS system to include:

- A full description of how the system would work, 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 and emerging policies CR2, CR3 and CR4 of the Draft City Plan 2036.

22 Before any construction works hereby permitted are begun details of rainwater harvesting and grey water recycling systems shall be submitted to and approved in writing by the local planning authority.

REASON: To improve sustainability and reduce flood risk by reducing potable water demands and water run-off rates in accordance with the following policy of the Local Plan: CS18. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

23 Before any piling or construction of basements is commenced a scheme for the provision of sewer vents within the building shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the local planning authority the agreed scheme for the provision of sewer vents shall be implemented and brought into operation before the development is occupied and shall be so maintained for the life of the building.

REASON: To vent sewerage odour from (or substantially from) the development hereby permitted and mitigate any adverse air pollution or environmental conditions in order to protect the amenity of the area in accordance with the following policy of the Local Plan: DM10.1. These details are required prior to piling or construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 24 Before any works thereby affected are begun the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
- (a) particulars and samples of the materials to be used on all external and semi-external faces of the building and surface treatments in areas where the public would have access, including external ground and upper level surfaces, including details of compliance with approved Circular Economy Strategy;;
  - (b) details of the proposed new facades including details of a typical bay of the development for each facade and fenestration;
  - (c) details of canopies including revisions to the design and location of the wind mitigation canopies on Talbot Court;
  - (d) typical masonry details, including jointing and any necessary expansion/movement joints;
  - (e) details of ground and first floor elevations including all entrances, integrated seating, vitrines and information boards;
  - (f) details of semi-internal elevations fronting the ground floor public routes;
  - (g) full details of the Garden Terrace, including all elevations, entrances, fenestration, planters, seating, lighting, wind mitigation measures, the walkway, soffit, drainage, irrigation and any infrastructure required to deliver programming and varied uses
  - (h) details of soffits, hand rails and balustrades, including those soffits in the semi-external areas of the podium between ground and garden level
  - (i) details all party wall treatments;
  - (j) details of junctions with adjoining premises;
  - (k) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, and other excrescences at roof level including within the plant room;
  - (l) details of all drainage and irrigation
  - (m) details of the integration of M&E in all external and semi-external public elevations in the podium from ground to garden level
- REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.
- 25 Before the works thereby affected are begun, sample panels of agreed sections of the masonry facades shall be built, agreed on-site and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details.
- REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.

- 26 All unbuilt surfaces, including the Level 6 and 6M Garden Terrace, and the private courtyard behind The Ship PH, shall be treated in accordance with a landscaping scheme to be submitted to and approved in writing by the Local Planning Authority before any landscaping works are commenced. All hard and soft landscaping works shall be carried out in accordance with the approved details not later than the end of the first planting season following completion of the development. Trees and shrubs which die or are removed, uprooted or destroyed or become in the opinion of the Local Planning Authority seriously damaged or defective within 5 years of completion of the development shall be replaced with trees and shrubs of similar size and species to those originally approved, or such alternatives as may be agreed in writing by the Local Planning Authority.  
REASON: In the interests of visual amenity in accordance with the following policies of the Local Plan: DM10.1, DM19.2.
- 27 Details of the position and size of the green/blue roof(s), the type of planting and the contribution of the green/blue roof(s) to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.  
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.
- 28 Details of the position and size of the green walls(s), the type of planting and the contribution of the green wall(s) to biodiversity shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.  
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.
- 29 Details of the construction, planting irrigation and maintenance regime for the proposed green wall(s)/roof(s) shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.  
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in

accordance with the following policies of the Local Plan: DM18.2, DM19.2.

- 30 Before any works thereby affected are begun, a methodology and specification of works, covering the detail of removing, storing, alterations, restoring and the reinstatement of the St Benet's Place gates, to include detailed drawings of fixings and any other alteration, shall be submitted to and approved in writing by the Local Planning Authority, and the works carried out in accordance with those details.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the development and to preserve the special architectural or historic interest of the building in accordance with the following policies of the Local Plan: DM10.1, DM12.3.

- 31 The listed gates at St Benet's Place shall be reinstated in accordance with the drawings hereby approved, or as approved under conditions pursuant to conditions of this permission, prior to the first occupation of any part of the development.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail and to protect the special architectural and historic interest of the building in accordance with the following policies of the Local Plan: DM 10.1, DM 12.1

- 32 Before any works thereby affected are begun, a methodology and specification of works, covering the detail of removing, storing, alterations, restoring and the reinstatement of the Brabant Court gates, to include detailed drawings of fixings and any other alteration, shall be submitted to and approved in writing by the Local Planning Authority, and the works carried out in accordance with those details.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the development in accordance with the following policy of the Local Plan: DM10.1.

- 33 The gates at Brabant Court shall be reinstated in accordance with the drawings hereby approved, or as approved under conditions pursuant to this permission, prior to the first occupation of any part of the development.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail in accordance with the following policy of the Local Plan: DM 10.1.

- 34 Unless otherwise approved in writing by the Local Planning Authority, before any works thereby affected are begun, details of the provision to be made in the building's design to enable the discreet installation of street lighting on the development, including details of the location of light fittings, cable runs and other necessary apparatus, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

REASON: To ensure provision for street lighting is discreetly integrated into the design of the building in accordance with the following policy of the City of London Local Plan: DM10.1.

- 35 Prior to the commencement of the relevant works, a full Lighting Strategy shall be submitted to and approved in writing by the Local Planning Authority, which should include full details of all luminaires, both decorative, functional or ambient (including associated infrastructure), alongside details of the impact of lighting on the public realm, including intensity, uniformity, colour, timings and associated management measures to reduce the impact on light pollution and residential amenity. Detail should be provided for all external, semi-external and public-facing parts of the building and of internal lighting levels and how this has been designed to reduce glare and light trespass. All works pursuant to this consent shall be carried out in accordance with the approved details and lighting strategy.
- REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM10.1, 15.7 and emerging policy DE2 of the Draft City Plan 2036
- 36 Before any works thereby affected are begun, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the retail uses (Class E and sui generis) and any Class E (office) kitchens. Flues must terminate at roof level or an agreed high level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. The details approved must be implemented before the said use takes place.
- REASON: In order to protect commercial amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 37 No cooking shall take place within any Class E or sui generis use hereby approved until fume extract arrangements and ventilation have been installed to serve that unit in accordance with a scheme approved by the Local Planning Authority. Flues must terminate at roof level or an agreed high level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. Any works that would materially affect the external appearance of the building will require a separate planning permission.
- REASON: In order to protect the amenity of the area in accordance with the following policies of the Local Plan: DM15.6, DM21.3.
- 38 All parts of the ventilation and extraction equipment including the odour control systems installed shall be cleaned, serviced and maintained in accordance with Section 5 of 'Control of Odour & Noise from

Commercial Kitchen Extract Systems' dated September 2018 by EMAQ+ (or any subsequent updated version). A record of all such cleaning, servicing and maintenance shall be maintained and kept on site and upon request provided to the Local Planning Authority to demonstrate compliance.

REASON: To protect the occupiers of existing and adjoining premises and public amenity in accordance with Policies DM 10.1, DM 15.7 and DM 21.3

- 39 The proposed office development sharing a party element with non-office premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR40 is not exceeded in the proposed office premises due to noise from the neighbouring non-office premises and shall be permanently maintained thereafter.  
A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results shall submitted to and approved in writing by the Local Planning Authority.  
REASON: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan: DM15.7.
- 40 (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.  
(b) Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.  
(c) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.  
REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 41 Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.  
REASON: In order to protect the amenities of commercial occupiers in the building in accordance following policy of the Local Plan: DM15.7.
- 42 Prior to any plant being commissioned and installed in or on the building an Air Quality Report shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail how the

finished development will minimise emissions and exposure to air pollution during its operational phase and will comply with the City of London Air Quality Supplementary Planning Document and any submitted and approved Air Quality Assessment. The measures detailed in the report shall thereafter be maintained in accordance with the approved report(s) for the life of the installation on the building.

**REASONS:** In order to ensure the proposed development does not have a detrimental impact on air quality, reduces exposure to poor air quality and in accordance with the following policies: Local Plan policy DM15.6 and London Plan policy 7.14B.

- 43 The development shall be designed to allow for the retro-fit of heat exchanger rooms to connect into a district heating network if this becomes available during the lifetime of the development.
- REASON:** To minimise carbon emissions by enabling the building to be connected to a district heating and cooling network if one becomes available during the life of the building in accordance with the following policies of the Local Plan: DM15.1, DM15.2, DM15.3, DM15.3, DM15.4.
- 44 A post construction BREEAM assessment demonstrating that a target rating of 'Outstanding' has been achieved (or such other target rating as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an 'Outstanding' rating) shall be submitted as soon as practicable after practical completion.
- REASON:** To demonstrate that carbon emissions have been minimised and that the development is sustainable in accordance with the following policy of the Local Plan: CS15, DM15.1, DM15.2.
- 45 A post construction Whole Life Cycle Carbon assessment to demonstrate actual whole life cycle carbon emissions savings in accordance with the Mayor of London's guidance on Whole Life Cycle Carbon Assessments shall be submitted to the Local Planning Authority and the Greater London Authority 3 months after practical completion.
- REASON:** To demonstrate that Whole Life Cycle carbon emissions have been minimised and that the development is sustainable in accordance with the following policies in the Development Plan and draft Development Plans: Draft London Plan: D3, SI 2, SI 7 - Local Plan: CS 17, DM 15.2, DM 17.2 - Draft City Plan 2036: CE 1.
- 46 Permanently installed pedal cycle racks shall be provided and maintained on the site throughout the life of the building sufficient to accommodate a minimum of 492 long stay pedal cycle spaces, and a minimum of 24 short stay pedal cycle spaces, including for 3 cargo bikes. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.

- REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.
- 47 A minimum of 8% of short stay pedal cycle spaces and 5% of the long stay cycle spaces shall be accessible for adapted cycles.  
REASON: To ensure that satisfactory provision is made for people with disabilities in accordance with Local Plan policy DM10.8, ItP London Plan policy T5 cycling B, emerging City Plan policy 6.3.24.
- 48 Before any works thereby affected are begun, the layout and the arrangement of the long stay and short stay cycle parking shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. The cycle parking detailed in the approved arrangement plans and report shall thereafter be maintained in accordance with the approved plan(s) for the life of the building.  
REASON: To ensure the cycle parking is accessible and has regard to compliance with the London Cycling Design Standards in accordance with the following policy of the Local Plan: DM16.3 and Intend to Publish London Plan policy: T5
- 49 Changing facilities and showers shall be provided adjacent to the bicycle parking areas and maintained throughout the life of the building for the use of occupiers of the building in accordance with the approved plans.  
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
- 50 A clear unobstructed minimum headroom of 5m must be maintained for the life of the building in the refuse skip collection area as shown on the approved drawings and a clear unobstructed minimum headroom of 4.75m must be provided and maintained over the remaining areas and access ways.  
REASON: To ensure that satisfactory servicing facilities are provided and maintained in accordance with the following policy of the Local Plan: DM16.5.
- 51 Except as may be approved in writing by the Local Planning Authority the loading and unloading areas at basement level must remain ancillary to the use of the building and shall be available at all times for that purpose for the occupiers thereof and visitors thereto.  
REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Local Plan: DM16.5.
- 52 Goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall not be accepted or dispatched unless

the vehicles are unloaded or loaded within the curtilage of the building.

REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM16.1, DM16.5, DM21.3.

- 53 Facilities must be provided and maintained for the life of the development so that vehicles may enter and leave the building by driving in a forward direction.  
REASON: To ensure satisfactory servicing facilities and in the interests of public safety in accordance with the following policy of the Local Plan: DM16.5.
- 54 No servicing of the premises shall be carried out between the hours of 07:00 and 23:00 on Monday to Sunday. Servicing includes the loading and unloading of goods from vehicles and putting rubbish outside the building.  
REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM16.1, DM21.3.
- 55 The threshold of all vehicular access points shall be at the same level as the rear of the adjoining footway.  
REASON: To maintain a level passage for pedestrians in accordance with the following policies of the Local Plan: DM10.8, DM16.2.
- 56 No doors, gates or windows at ground floor level shall open over the public highway.  
REASON: In the interests of public safety
- 57 The refuse collection and storage facilities shown on the drawings hereby approved shall be provided and maintained throughout the life of the building for the use of all the occupiers.  
REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1.
- 58 The roof terraces on level 6 and 6M hereby permitted shall not be used or accessed between the hours of 23.00hrs on one day and 08.00 hrs on the following day, other than in the case of emergency.  
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 59 No amplified or other music shall be played on the roof terraces.  
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

- 60 No live or recorded music that can be heard outside the premises shall be played.  
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 61 There shall be no promoted events on the premises. A promoted event for this purpose, is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.  
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 62 At all times when not being used for cleaning or maintenance the window cleaning gantries, cradles and other similar equipment shall be garaged within the enclosure(s) shown on the approved drawings.  
REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.
- 63 The areas within the development marked as retail on the floorplans hereby approved, shall be used for retail purposes within Class E (shop, financial and professional services and cafe or restaurant) and sui generis (pub and drinking establishment, and take-away) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes)(Amendment)(England)Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).  
REASON: To ensure that active uses are retained on the ground floor in accordance with Local Plan Policy DM20.2.
- 64 Unless otherwise approved in writing by the Local Planning Authority, no more than 50% of the areas marked as retail on the floorplans hereby approved shall be occupied as Food and Beverage uses.  
REASON: To ensure that a varied mix of retail types is provided within the development in accordance with the following policies of the Local Plan: CS20 and of the emerging policies of the City Local Plan: S5, RE2.
- 65 The areas shown on the approved drawings as offices, flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) and public viewing gallery and garden with ancillary space, and as set out in Condition 62 of this decision notice, shall be used for those purposes only and for no other purpose (including any other purpose in Class E) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and

Country Planning (Use Classes)(Amendment)(England) Regulations 2020).

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

66 The development shall provide:

- 34,004 sq.m. gea of office floorspace (Class E);
- 2456 sq.m. gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis.))
- 1603sq.m sui generis public viewing gallery and garden with ancillary space

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

67 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission:

PP-FPA-XX-XX-DR-A-16050 1:500@A1 Proposed Site Plan

PP-FPA-XX-B3-DR-A-16095 1:100@A1 Proposed Plan - Basement 03

PP-FPA-XX-B3M-DR-A-16096 1:100@A1 Proposed Plan - Basement 03 Mezzanine rev A

PP-FPA-XX-B2-DR-A-16097 1:100@A1 Proposed Plan - Basement 02 rev A

PP-FPA-XX-B1-DR-A-16098 1:100@A1 Proposed Plan - Basement 010

PP-FPA-XX-B1M-DR-A-16099 1:100@A1 Proposed Plan - Basement 01 Mezzanine

PP-FPA-XX-00-DR-A-16100 1:100@A1 Proposed Plan - Ground Floor rev A

PP-FPA-XX-01-DR-A-16101 1:100@A1 Proposed Plan - Level 01 rev A

PP-FPA-XX-02-DR-A-16102 1:100@A1 Proposed Plan - Level 02 rev A

PP-FPA-XX-03-DR-A-16103 1:100@A1 Proposed Plan - Level 03

PP-FPA-XX-04-DR-A-16104 1:100@A1 Proposed Plan - Level 04

PP-FPA-XX-05-DR-A-16105 1:100@A1 Proposed Plan - Level 05

PP-FPA-XX-06-DR-A-16106 1:100@A1 Proposed Plan - Level 06

PP-FPA-XX-06M-DR-A-16107 1:100@A1 Proposed Plan - Level 06 Mezzanine rev A

PP-FPA-XX-07-DR-A-16108 1:100@A1 Proposed Plan - Level 07

PP-FPA-XX-08-DR-A-16109 1:100@A1 Proposed Plan - Level 08

PP-FPA-XX-09-DR-A-16110 1:100@A1 Proposed Plan - Levels 09-13

PP-FPA-XX-14-DR-A-16111 1:100@A1 Proposed Plan - Level 14

PP-FPA-XX-15-DR-A-16112 1:100@A1 Proposed Plan - Levels 15-27

PP-FPA-XX-28-DR-A-16113 1:100@A1 Proposed Plan - Levels 28-29

PP-FPA-XX-30-DR-A-16114 1:100@A1 Proposed Plan - Level 30

PP-FPA-XX-31-DR-A-16115 1:100@A1 Proposed Plan - Level 31

PP-FPA-XX-RF-DR-A-16116 1:100@A1 Proposed Plan - Roof

8310-PL-GA-102 REV 2 GA Garden Terrace

PP-FPA-XX-XX-DR-A-16300 1:400@A1 Proposed Elevation - West

PP-FPA-XX-XX-DR-A-16301 1:400@A1 Proposed Elevation - South  
rev A

PP-FPA-XX-XX-DR-A-16302 1:400@A1 Proposed Elevation - East rev  
A

PP-FPA-XX-XX-DR-A-16303 1:400@A1 Proposed Elevation - North -  
Northern Courtyard

PP-FPA-XX-XX-DR-A-16304 1:400@A1 Proposed Elevation - North -  
St Benet's Place rev A

PP-FPA-XX-XX-DR-A-16310 1:100@A1 Proposed Elevation - Ground  
Level - West - Gracechurch St

PP-FPA-XX-XX-DR-A-16311 1:100@A1 Proposed Elevation - Ground  
Level - South - Talbot Ct rev A

PP-FPA-XX-XX-DR-A-16312 1:100@A1 Proposed Elevation - Ground  
Level - East - Brabant Ct rev A

PP-FPA-XX-XX-DR-A-16313 1:100@A1 Proposed Elevation - Ground  
Level - North - Northern Courtyard

PP-FPA-XX-XX-DR-A-16314 1:100@A1 Proposed Elevation - Ground  
Level - North - St Benet's Place rev A

PP-FPA-XX-XX-DR-A-16315 1:100@A1 Proposed Elevation - Upper  
Level Detail 0

PP-FPA-XX-XX-DR-A-16400 1:400@A1 Proposed Section A-A rev A

PP-FPA-XX-XX-DR-A-16401 1:400@A1 Proposed Section B-B

PP-FPA-XX-XX-DR-A-16402 1:400@A1 Proposed Section C-C rev A

PP-FPA-XX-XX-DR-A-16403 1:400@A1 Proposed Section D-D

PP-FPA-XX-B1-DR-A-16600 1:100@A1 Demolition Plan - Basement

PP-FPA-XX-LG-DR-A-16601 1:100@A1 Demolition Plan - Lower  
Ground

PP-FPA-XX-00-DR-A-16602 1:100@A1 Demolition Plan - Ground  
Floor

PP-FPA-XX-XX-DR-A-16603 1:200@A1 Demolition Elevation - West

PP-FPA-XX-XX-DR-A-16604 1:200@A1 Demolition Elevation - South

PP-FPA-XX-XX-DR-A-16605 1:200@A1 Demolition Elevation - East

PP-FPA-XX-XX-DR-A-16606 1:200@A1 Demolition Elevation -  
Northern Courtyard

PP-FPA-XX-XX-DR-A-16607 1:200@A1 Demolition Elevation - St Benet's Place  
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

## INFORMATIVES

- 1 During the construction phase of the development, the City of London Corporation encourages all owners/developers to commit to the principles outlined in the City of London Corporation's Local Procurement Charter, i.e.
  - to identify opportunities for local small to medium sized businesses to bid/tender for the provision of goods and services;
  - aim to achieve the procurement of goods and services, relating to the development, from small to medium sized businesses based in the City and the surrounding boroughs, towards a target of 10% of the total procurement spend;
  - or where the procurement of goods and services is contracted out
    - ensure the above two principles are met by inserting local procurement clauses in the tender documentation issued to contractors or subcontractors (further information can be found in our 'Guidance note for developers').

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

[http://www.cityoflondon.gov.uk/Corporation/LGNL\\_Services/Environment\\_and\\_Planning/Planning](http://www.cityoflondon.gov.uk/Corporation/LGNL_Services/Environment_and_Planning/Planning)

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

To access free support in procuring locally please call 020 7332 1532 or email [city.procurement@cityoflondon.gov.uk](mailto:city.procurement@cityoflondon.gov.uk)

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

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

Office £185 sq.m

Retail £165 sq.m

Hotel £140 sq.m

All other uses £80 per sq.m

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

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

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

Relevant persons, persons liable to pay and interested parties will be sent a "Liability Notice" that will provide full details of the charges and to whom they have been charged or apportioned. Where a liable party is not identified the owners of the land will be liable to pay the levy.

Please submit to the City's Planning Obligations Officer an "Assumption of Liability" Notice (available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil)).

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

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

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

a full pre application advice service has been offered;

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

- 4 This permission must in no way be deemed to be an approval for the display of advertisement matter indicated on the drawing(s) which must form the subject of a separate application under the Advertisement Regulations.
  - 5 This permission must in no way be deemed to prejudice any rights of light which may be enjoyed by the adjoining owners or occupiers under Common Law.
  - 6 This permission is granted having regard to planning considerations only and is without prejudice to the position of the City of London Corporation or Transport for London as Highway Authority; and work must not be commenced until the consent of the Highway Authority has been obtained.
  - 7 Improvement or other works to the public highway shown on the submitted drawings require separate approval from the local highway authority and the planning permission hereby granted does not authorise these works.
- 
- 8 The correct street number or number and name must be displayed prominently on the premises in accordance with regulations made under Section 12 of the London Building Acts (Amendment) Act 1939. Names and numbers must be agreed with the Department of the Built Environment prior to their use including use for marketing.
  - 9 The Department of the Built Environment (Transportation & Public Realm Division) must be consulted on the following matters which require specific approval:
    - (a) Hoardings, scaffolding and their respective licences, temporary road closures and any other activity on the public highway in connection with the proposed building works. In this regard the City of London Corporation operates the Considerate Contractors Scheme.
    - (b) The incorporation of street lighting and/or walkway lighting into the new development. Section 53 of the City of London (Various Powers) Act 1900 allows the City to affix to the exterior of any building fronting any street within the City brackets, wires, pipes and apparatus as may be necessary or convenient for the public lighting of streets within the City. Early discussion with the Department of the Built Environment Transportation and Public Realm Division is recommended to ensure the design of the building provides for the inclusion of street lighting.
    - (c) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window sill, rainwater pipe, oil fuel inlet

pipe or box, carriageway entrance, or any other projection beneath, over or into any public way (including any cleaning equipment overhanging any public footway or carriageway). You are advised that highway projection licences do not authorise the licensee to trespass on someone else's land. In the case of projections extending above, into or below land not owned by the developer permission will also be required from the land owner. The City Surveyor must be consulted if the City of London Corporation is the land owner. Please contact the Corporate Property Officer, City Surveyor's Department.

- (d) Bridges over highways
- (e) Permanent Highway Stopping-Up Orders and dedication of land for highway purposes.
- (f) Connections to the local sewerage and surface water system.
- (g) Carriageway crossovers.
- (h) Servicing arrangements, which must be in accordance with the City of London Corporation's guide specifying "Standard Highway and Servicing Requirements for Development in the City of London".

10 The Markets and Consumer Protection Department (Environmental Health Team) must be consulted on the following matters:

- (a) Approval for the installation of furnaces to buildings and the height of any chimneys. If the requirements under the legislation require any structures in excess of those shown on drawings for which planning permission has already been granted, further planning approval will also be required.
- (b) Installation of engine generators using fuel oil.
- (c) The control of noise and other potential nuisances arising from the demolition and construction works on this site the Department of Markets and Consumer Protection should be informed of the name and address of the project manager and/or main contractor as soon as they are appointed.
- (d) Alterations to the drainage and sanitary arrangements.
- (e) The requirements of the Health and Safety at Work etc Act 1974 and the other relevant statutory enactments in particular:
  - the identification, encapsulation and removal of asbestos in accordance with a planned programme;
  - provision for window cleaning (internal and external) to be carried out safely.

- (f) The use of premises for the storage, handling, preparation or sale of food.
  - (g) Use of the premises for public entertainment.
  - (h) Approvals relating to the storage and collection of wastes.
  - (i) The detailed layout of public conveniences.
  - (j) Limitations which may be imposed on hours of work, noise and other environmental disturbance.
  - (k) The control of noise from plant and equipment;
  - (l) Methods of odour control.
- 11 The Director of Markets and Consumer Protection (Environmental Health Team) advises that:

#### Noise and Dust

- (a) The construction/project management company concerned with the development must contact the Department of Markets and Consumer Protection and provide a working document detailing steps they propose to take to minimise noise and air pollution for the duration of the works at least 28 days prior to commencement of the work. Restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.
- (b) Demolition and construction work shall be carried out in accordance with the City of London Code of Practice for Deconstruction and Construction. The code details good site practice so as to minimise disturbance to nearby residents and commercial occupiers from noise, dust etc. The code can be accessed through the City of London internet site, [www.cityoflondon.gov.uk](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)

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

#### Air Quality

(e)

Compliance with the Clean Air Act 1993

Any furnace burning liquid or gaseous matter at a rate of 366.4 kilowatts or more, and any furnace burning pulverised fuel or any solid matter at a rate of more than 45.4 kilograms or more an hour, requires chimney height approval. Use of such a furnace without chimney height approval is an offence. The calculated chimney height can conflict with requirements of planning control and further mitigation measures may need to be taken to allow installation of the plant.

#### Boilers and CHP plant

(f)

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

(g)

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

(h)

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

(i)

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

#### Standby Generators

(j)

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

(k)

There is a potential for standby generators to give out dark smoke on start up and to cause noise nuisance. Guidance is available from the Department of Markets and Consumer Protection on measures to avoid this.

#### Cooling Towers

(l)

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

#### Ventilation of Sewer Gases

(o)

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

#### Food Hygiene and Safety

(p)

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

(q)

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

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

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

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

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

- 12 The Director of Markets and Consumer Protection states that any building proposal that will include catering facilities will be required to be constructed with adequate grease traps to the satisfaction of the Sewerage Undertaker, Thames Water Utilities Ltd, or their contractors.
- 13 The Crime Prevention Design Advisor for the City of London Police should be consulted with regard to guidance on all aspects of security, means of crime prevention in new development and on current crime trends.
- 14 This permission is granted having regard to planning considerations only; notwithstanding the details of the scheme hereby approved , the development shall not compromise any rights of means of escape for adjoining sites.
- 15 The investigation and risk assessment referred to in condition \*\*\*\* must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme must be submitted to and approved in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
  - (i) a survey of the extent, scale and nature of contamination;

- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, open spaces, service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This investigation and risk assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

- 16 The grant of approval under the Town and Country Planning Acts does not overcome the need to also obtain any licences and consents which may be required by other legislation. The following list is not exhaustive:
- (a) Fire precautions and certification:  
London Fire Brigade, Fire Prevention Branch  
5-6 City Forum  
City Road  
London EC1N 2NY
  - (b) Public houses, wine bars, etc.  
City of London Corporation  
Trading Standards and Veterinary Service  
PO Box 270  
Guildhall  
London EC2P 2EJ
  - (c) Inflammable materials (e.g., petroleum)  
London Fire Brigade, Petroleum Department  
5-6 City Forum  
City Road  
London EC1N 2NY
  - (d) Works affecting Transport for London operational land and structures:  
Borough Integration and Partnerships  
Transport for London  
Windsor House  
42-50 Victoria Street  
London, SW1H 0TL
  - (e) Works affecting a GLA road:

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

- 17 The Directorate of the Built Environment (District Surveyor) should be consulted on means of escape and constructional details under the Building Regulations and London Building Acts.
- 18 Consent may be needed from the City Corporation for the display of advertisements on site during construction works. The display of an advertisement without consent is an offence. The City's policy is to restrain advertisements in terms of size, location, materials and illumination in order to safeguard the City's environment. In particular, banners at a high level on buildings or scaffolding are not normally acceptable. The Built Environment (Development Division) should be consulted on the requirement for Express Consent under the Town & Country Planning (Display of Advertisements) (England) Regulations 2007.