

Background Papers

15/09/2020	Historic Royal Palaces
02/10/2020 & 17/12/2020	Letter and email, Historic England
02/10/2020 & 11/01/2021	Letter of objection PL 10 S.á.r.l., 2 nd October 2020 including Heritage/Townscape Review – Lichfields
07/10/2020	Heritage Representation – Cogent Heritage) appended to Apartments & Store Properties
09/10/2020	City of London Conservation Area Advisory Committee
16/10/2020	Letter, Victorian Society
19/10/2020	Letter and report of objection Lambert Smith Hampton, including Aerial Appendix 1, Lambert Smith Hampton (City Apartments)
19/10/2020	Letter and report of objection Lambert Smith Hampton, including Aerial Appendix 1, Lambert Smith Hampton (Store Properties)
20/10/2020 04/11/2020	Email, Aiden Cosgrave- Delva Patman Redler (amended representation)
27/10/2020	Letter, The Georgian Group
04/11/2020	London Borough of Southwark
26/11/2020	Meghan Allen
11/12/2020	Applicant's (DP9 Ltd) Response to Planning Application Representations
06/01/2021	Representation The Aldgate School- Elizabeth Webb
06/01/2021	E mail representation Lambert Smith Hampton (City Apartments and Store Properties)
11/01/2021	Letter PL10 Sarl and Heritage/Townscape briefing note Lichfields
12/01/2021	NTR Planning on behalf of Property Class England 3 GmbH & Co. KG

15th September 2020

City of London
Development Division
PO Box 270
Guildhall
London
EC2P 2EJ
FAO Ms S Williams

Dear Sirs

55 Gracechurch Street, London EC3V 0EE
Planning Ref 20/00671/FULEIA

Thank you for your letter of 3rd September notifying us of this planning application and inviting us to submit observations within 21 days.

The applicants and their Design Team consulted with us in June and presented to us the design proposals and the impacts on the views from the Tower of London World Heritage Site.

The development site is located within the City of London's proposed southern extension of the City Cluster in the new draft City Plan 2036, which consolidates the inclusion of 20 Fenchurch Street as part of the Cluster. This we have objected to because it will lead to the infilling of the 'gap' between 20 Fenchurch and the cluster in detriment to the views from the WHS.

In views from the Tower, the development appears on the west side of the emerging cluster. We regret the 'legitimisation' of including 20 Fenchurch in the City Cluster and the potential consequences that will have, but do not object to this particular proposal because its impact on the Tower World Heritage Site would not be significant.

Yours faithfully

Adrian Phillips
Palaces & Collections Director

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Historic England

Ms Sonia Williams
City of London
Department of the Built Environment
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LONDON
EC2P 2EJ

Direct Dial: 020 7973 3774

Our ref: P01255970

2 October 2020

Dear Ms Williams

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

55 GRACECHURCH STREET LONDON EC3V 0EE

Application No. 20/00671/FULEIA

Thank you for your letter of 3 September 2020 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

Summary

We have no objections to the principle of redeveloping the site and acknowledge the opportunity this brings for improvements to the public realm and to the settings of listed buildings around Brabant Court. However, we have serious concerns about the harm that the proposals would cause to highly significant designated heritage assets beyond the site by impacting upon their settings. These include the Tower of London, the Church of St Mary Woolnoth and Tower Bridge. We are especially concerned about the impact of the proposals on the significance of the Monument when viewed from the Church of St. Magnus the Martyr. The significance of the Monument is particularly evident in this view (on the historic approach from Old London Bridge), with the prominent classical column appearing unchallenged by modern development in its backdrop. The proposed new building at No. 55 Gracechurch Street would seriously encroach upon and reduce the prominence of the Monument, thereby harming its significance. Historic England is unable to support the proposals in their current form due to the harm they would cause.

Historic England Advice

Significance

The development site is not within a conservation area, and the existing eight storey building on the site is of no architectural or historic interest (*Shepherd Robson*, 1993).



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It has a very deep floorplate that backs onto Brabant Court to the east. Three historic buildings of a domestic scale are located around this historic space (No. 4 Brabant Court (Grade II); Nos. 2-3 Philpot Lane (Grade II); Nos. 7-8 Philpot Lane (Grade II*)). The settings of these buildings are generally poor, and are characterised by large scale modern development to the west (the rear of the existing modern buildings along Gracechurch Street) and to the east (No. 20 Fenchurch Street). Brabant Court is a remnant of the historic network of alleyways that once characterised this part of the City, but it is underused and no longer leads anywhere.

Because of its height and scale, the proposed pair of tall buildings at No. 55 Gracechurch Street would have impacts on designated heritage assets well beyond the development site. These include the Tower of London (World Heritage Site; various listings and scheduled); Tower Bridge (Grade I listed); the Church of St. Mary Woolnoth (Grade I listed); and the Monument (Grade I listed and scheduled). The significance of these structures is well known, and they represent some of London's most important and internationally recognised monuments.

The Tower is a monument of exceptional historic and architectural importance, and has dominated London since the 11th century. It is a fortress and palace, prison and execution site, barracks and tourist attraction which, at its centre, includes the finest and most intact example of a Norman keep in Europe (the White Tower). The Tower has a historic relationship with the City of London, visually set apart from it. Maintaining this relationship is integral to safeguarding its landmark setting, which is an attribute of the Tower's Outstanding Universal Value.

With its distinctive form and silhouette, the Sir Horace Jones's nearby Tower Bridge from the late 19th century is both an engineering marvel and an internationally recognised symbol of London. On its approach from the east its structure creates the sense of a portal framing entry into central London.

The Church of St. Mary Woolnoth was completed in 1727 in the English Baroque style, and represents one of the most distinctive and original designs of its architect Nicholas Hawksmoor. It has an unusually imposing façade, which is dominated by two distinctive flat-topped turrets supported by Corinthian columns, a great illustration of Hawksmoor's skill in manipulating mass, Classical detail and sculptural forms to achieve a highly dramatic effect.

Christopher Wren designed the Monument to the Great Fire as a colossal Doric column that was completed in 1671. The structure, defined by its height and vertical emphasis, is symbolic of the regeneration of London following the Great Fire, and is one of the City's most significant monuments.

The proposals and their Impact



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The proposal, by Fletcher Priest Architects, is to demolish the existing building and replace it with a mixed use office building rising to 146m AOD at its highest point. The new design consists of a podium block fronting Gracechurch Street, with the tower above and set back from it. A second tower (the taller of the two) rises from the rear of the site, set perpendicular to the first. The ground floor would be permeable and publically accessible, and the historic alley between Gracechurch Street and Brabant Court reinstated in addition to the creation of a new north-south route between Fenchurch Street and Eastcheap. A public garden level will be provided at the top of the podium. The two towers are shaped as narrow rectangular forms with flat roofs. The roof storeys are intended to be partially transparent.

The proposals would have an impact on the settings of the aforementioned listed buildings in the immediate vicinity of the application site, but also on the settings of highly significant designated heritage assets further afield as demonstrated by the views set out below.

Tower Bridge: *View 10 Butler's Wharf* in the accompanying townscape analysis report is a view looking upstream towards Tower Bridge, with the City cluster beyond. The existing building at No. 20 Fenchurch Street is prominently visible in the backdrop of Tower Bridge, framed by the Grade I listed bridge's iconic form. The proposed new development would add considerable additional built form to this framed view and further reduce the amount of clear sky within the space between the two towers and upper and lower decks of the bridge that allows the unique form of the bridge to be appreciated and understood. The result is that the new proposals would add some harm to the considerable harm already caused by the presence of No. 20 Fenchurch Street to the significance of Tower Bridge through development within its setting.

The Tower: *View 50a Tower of London: Inner Wall/East of Wakefield Tower* is a view from within the Inner Ward of the Tower of London towards the historic group of buildings that make up the Queen's House. The tall building at No. 20 Fenchurch Street rises above the historic group as described above. The proposed new building will appear alongside No. 20 Fenchurch Street adding a layer of new development to the view and reducing the prominence of the historic buildings. In this case, the harm to the significance of the Tower of London through an increase of modern development in its backdrop would be minor, but the status of the Tower as a World Heritage Site means that preserving its significance must be given the greatest possible weight.

The Tower: *View 50d Tower of London: Inner Ward - North-west corner of the White Tower* is a view towards the Chapel of St. Peter ad Vincula and the Victorian barracks block. The tall building at No. 20 Fenchurch Street rises above the roofline of the chapel. As in View 50a, the proposed new building will appear as new development alongside No. 20 Fenchurch Street. The proposal would increase the amount of modern development encroaching into the Inner Ward and appearing in the backdrop

of the chapel, and would therefore cause minor additional harm to its significance and that of the Tower of London in general. Overall the cumulative harm caused by successive developments in the City Cluster encroaching upon Tower as seen from the Inner Ward would increase, but would remain at a low level as the new development is well integrated into the established cluster of commercial office buildings. However, again the status of the Tower as a World Heritage Site means that preserving its significance must be given the greatest possible weight

The Monument: View 19 Lower Thames Street outside the gates of the Church of St. Magnus the Martyr looks north towards the Monument with the City cluster in the background. The location of the view is significant, as it was along the alignment of Old London Bridge, and historically was part of an important processional route into the City from the south. The Monument appears prominently with most of its classical column visible and towering over the neighbouring development in much the same way it has since completion in the late 17th century. The new proposal would appear in the backdrop of the Monument, rising to the level of the viewing platform. It would cause marked harm to the significance of the Grade I listed building and scheduled monument by encroaching upon its setting and reducing its intended prominence from this important view leading into the City from the south.

Finally, the proposals would cause harm to the significance of the **Church of St. Mary Woolnoth** by impacting upon its setting in the view from Bank Interchange towards the development site. The distinctive silhouette of the towers of the Grade I listed church and the way in which Hawksmoor has composed a dramatic interplay of forms, currently accentuated by open sky beyond, would be encroached upon and disturbed by the proposed new development appearing in the backdrop, thereby causing a degree of harm.

Relevant policy

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 make it a statutory duty for Local Planning Authorities to have special regard to the desirability of preserving the listed building or its setting.

Section 72 of the Act requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Government guidance on how to carry out this duty is found in the National Planning Policy Framework (NPPF). At the heart of the framework is a presumption in favour of 'sustainable development' where protecting and enhancing the built and historic environment forms part of one of the three overarching interdependent objectives (economic, social and environmental).

Section 16 of the NPPF sets out how the historic environment should be conserved and enhanced, and makes it clear at paragraph 190 that local authorities, which considering proposals that affect a heritage asset, should seek to avoid or minimise any conflict between the conservation of the heritage asset and any aspect of the proposal.

Paragraph 193 states that when considering the impact of a proposed development on a heritage asset (which includes its setting), local planning authorities should give 'great weight' to preserving the asset's significance. Any harm or loss should require clear and convincing justification and substantial harm or total loss should be exceptional. In the case of Grade II* or Grade I listed or registered assets or World Heritage Sites, substantial harm or loss should be wholly exceptional (paragraph 194).

Where harm is caused to a heritage asset, the NPPF requires decision makers to determine whether the harm is substantial, or less than substantial. The phrase "less than substantial harm" describes all harm that is not "substantial". This encompasses a range of harm. A finding of harm to the setting of a listed building is a consideration to which the decision-maker must give "considerable importance and weight" and "less than substantial harm" in NPPF terms does not imply "a less than substantial objection"

If the harm is deemed to be less than substantial, paragraph 196 of the NPPF requires that harm to be weighed against the public benefits of the proposals.

Both the 2016 London Plan and draft New London Plan (2019) have a robust policy position to protect London's World Heritage Sites. The draft New London Plan has been through its Examination in Public, with the policies referenced here supported by the Panel, meaning significant weight should be afforded to them. Draft policy HC2 of the New London Plan reinforces the protection provided to them in the current London Plan, stating that "development proposals in WHSs and their settings ... should conserve, promote and enhance their OUV, including the authenticity, integrity and significance of their attributes, and support their management and protection. In particular, they should not compromise the ability to appreciate their OUV, or the authenticity and integrity of their attributes."

The City of London's Policy CS12: Historic Environment, seeks the "safeguarding [of] the City's listed buildings and their settings" and "Preserving and, where appropriate, seeking to enhance the Outstanding Universal Value...of the Tower of London World Heritage Site." Policy CS13: Protected Views, aims "to protect and enhance significant City and London views of important buildings, townscape and skylines...by...securing an appropriate setting of and backdrop to the Tower of London World Heritage Site, so ensuring its OUV."

The same policy also seeks to protect the immediate setting of the Monument and views to and from it. Viewpoints are identified at Princes Street and King William Street, Monument Street and Tower Bridge, Gracechurch Street and Queen's Walk (Southwark).

From its introduction onwards the World Heritage Site Management Plan is clear that "the greatest challenge to the World Heritage Site... remains the impact on its setting of development and tall buildings." It describes the Tower's setting in detail in section 2.4. Key elements of the Tower's setting that are sensitive for the management of its OUV are highlighted in paragraphs 7.3.17-18 and 7.3.27, namely the potential of new development to change the relative scale of the Tower in views, and the degree to which the Tower's relationship with the cluster can be understood by the sky space around the White Tower.

Historic England position

The replacement of the existing building, which is not of architectural or historic interest, would not in our view cause harm to heritage significance.

However, the impacts identified above to the settings of designated heritage assets beyond the application site would result in a series of harmful impacts to assets of the highest possible significance. The NPPF requires great weight to be given to the conservation of designated heritage assets, and the more significant the asset, the greater the weight that should be given (paragraph 193). The significance of the designated assets affected by the proposals means that the greatest possible weight should be given to their conservation.

Historic England is unable to support the proposal due to the harm to the significance of the historic environment, and in particular to the Monument where the effects of the scheme are particularly marked. Local Authorities should seek to avoid or minimise any such harm (paragraph 190).

As the proposals have an impact on the Tower WHS we also advise that you ensure that a Heritage Impact Statement in line with ICOMOS guidance has been submitted.

Where a development proposal causes harm, and the harm has been minimised and is less than substantial, Local Authorities need to weigh the residual harm against the public benefits of the proposal (paragraph 196). We recognise the opportunities for enhancement of the public realm through the reinstatement of a network of permeable alleyways that once characterised the area. The urban design improvements in and around the site might also be welcome, and the images we have seen suggest the proposals would enhance the settings of the adjacent listed buildings around Brabant Court. However, we do not think these benefits would outweigh the harm to the historic environment that would result from the current scheme.



Historic England

Recommendation

Historic England objects to the application on heritage grounds.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Please contact me if we can be of further assistance.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

The full GLAAS consultation criteria are on our webpage at the following link:

<https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/>

Yours sincerely

Michael Dunn

Principal Inspector of Historic Buildings and Areas

E-mail: michael.dunn@HistoricEngland.org.uk



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Begum, Shupi

From: Antoine KARAMOSKO [REDACTED]
Sent: 02 October 2020 08:48
To: PLN - Comments
Cc: 'Alberto MORANDINI'
Subject: Letter of Objection - 20/00671/FULEIA - 55 Gracechurch Street
Attachments: PL 10 S.à.r.l. - Letter of Objection 20_00671_FULEIA - 55 Gracechurch St London.pdf; 62547_01 55 Gracechurch Street Heritage Independent Review_Final 30-09-2020.PDF

Importance: High

Dear Sirs,

Please find attached a **Letter of Objection** and accompanying Report to Planning Application 20/00671/FULEIA on behalf of PL 10 S.à.r.l. the freehold owners of a neighbouring property to the site of the proposed development, being 10 Philpot Lane.

For the reasons set out in the attached letter, we strongly object to the application and would ask that the Letter of Objection and accompanying Report are brought to the attention of the applicant and relevant Planning Committee.

Yours faithfully,

PL 10 S.à.r.l.

Antoine KARAMOSKO
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Sonia Williams
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By email only to PLNComments@cityoflondon.gov.uk

Dear Sirs

Letter of Objection

Planning Application: 20/00671/FULEIA

Site: 55 Gracechurch Street, London, EC3V 0EE

1. Introduction

1.1 This letter of objection is submitted to the City of London by PL 10 S.à.r.l., the freeholder owners of a neighbouring property to the Site, being 10 Philpot Lane.

1.2 We have undertaken a review of the available information relating to the above planning application and have substantive concerns as to the potentially adverse effect the proposed development could have on both 10 Philpot Lane and the wider City of London. Our initial review have raised concerns or matters that require further clarification in the following areas:

1.2.1 impact on Heritage Assets and Townscape;

1.2.2 adequacy of Environmental Assessment;

1.2.3 transport and servicing;

1.2.4 wind impacts; and

1.2.5 daylight/sunlight impacts.

1.3 We are continuing to review the details submitted for the proposed development and, as set out in this objection letter, request further information be provided by the applicant to enable further consideration and therefore reserve our position in relation to these issues.

2. Impact on Heritage Assets and Townscape

2.1 As part of our review of the planning application we have instructed the heritage team at Lichfields to carry out a third-party review of the proposed development in relation to heritage and townscape issues. A copy of that review is attached to and forms part of this letter of objection. Whilst we will not repeat at length the content

of the Lichfield's review, it is important that the key aspects are drawn out and highlighted to the City of London in consideration of the planning application.

- 2.2 As the applicant makes clear the City of London is under an important statutory duty to have regard to the requirements of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Act") in determination of this application. The principal statutory considerations of relevance within the Act are:

Section 66(1) which states that:

"in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

and

Section 72(1) which states that:

"in the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

- 2.3 Paragraphs 193 to 197 of the National Planning Policy Framework (NPPF) explain how the Act is expected to work in practice and makes clear that the City of London must consider the impact of the proposed development on the significance of the designated heritage asset and that *"great weight should be given to the asset's conservation"*.

- 2.4 In this context, any substantial harm should lead to the refusal of planning consent in the absence of substantial public benefit (paragraph 195) and where there is likely to be less than substantial harm a *"balanced judgement will be required having regard to the scale of the harm or loss and the significance of the heritage asset"* (paragraph 197).

- 2.5 As is made clear in the Court of Appeal decision in *Catesby Estates Ltd -v- Peter Steer and Secretary of State for Communities and Local Government [2018] EWCA Civ 1697*, this assessment of harm requires careful consideration having regard to the particular facts and circumstances of each case. This is reflected at paragraph 29 of the judgement which indicated that:

"Under current national planning policy and guidance in England, in the NPPF and the PPG, the decision-maker has to concentrate on the "surroundings in which [the heritage] asset is experienced", keeping in mind that those "surroundings" may change over time, and also that the way in which a heritage asset can be "experienced" is not limited only to the sense of sight. The "surroundings" of the heritage asset are its physical surroundings, and the relevant "experience", whatever it is, will be of the heritage asset itself in that physical place."

- 2.6 As the City of London will be aware, the relevant statutory development plan for the proposed development comprises the City of London Local Plan 2015 and the London Plan (2016, as amended). Alongside the development plan, the NPPF 2019, Intend to Publish London Plan 2019, City of London Draft City Plan 2036, Conservation Area Supplementary Planning Documents, Tall Buildings in the City of London Report (2019) and the Protected Views SPD (2012) are material considerations.

- 2.7 Of particular importance to this letter of objection is policy 'CS14: Tall Buildings' of the Local Plan, which outlines the City's tall buildings policy and recognises the unique environment and built heritage of the City and its sensitivity to the development of tall buildings:

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

1. Permitting tall buildings on suitable sites within the City's Eastern Cluster.
2. Refusing planning permission for tall buildings within inappropriate areas, comprising: conservation areas; the St Paul's Heights area; St Paul's protected vista viewing corridors; **and Monument views and setting**, as defined on the Policies Map.
3. Elsewhere in the City, permitting proposals for tall buildings only on those sites which are considered suitable having regard to: the potential **effect on the City skyline**; the **character and amenity of their surroundings**; including the relationship with existing tall buildings; the **significance of heritage assets and their settings**; and **the effect on historic skyline features**.
4. Ensuring that tall building proposals do not adversely affect the operation of London's airport."

(our emphasis)

- 2.8 The Site is located outside the Eastern Cluster of the Local Plan, an established area of tall buildings, and whilst the draft City Plan seeks to rename and expand the area the 'City Cluster' to include 20 Fenchurch Street, the Site continues to be outside the boundary, save for potentially a small sliver of its northern edge. The planning application therefore sets out a case for the scale/nature of the development being appropriate as it sits at the 'periphery' of the revised City Cluster. However, for reasons which are detailed in the Lichfield's review, we consider that the proposal is contrary to Policy CS14 for reasons which are unaffected by the revision of the Cluster boundary. We are also concerned that it may set an undesirable precedent with the risk of a perpetual enlargement of the defined cluster through the cumulative impact and creep of such additions to the 'periphery'.
- 2.9 The Site is located outside an area identified as being 'inappropriate for tall buildings' and is outside the City's established area for tall buildings. Therefore, as provided for in the Tall Buildings SPD, "*all other sites in the City are considered to be sensitive to tall buildings*".
- 2.10 The Lichfield's Review that accompanies this letter of objection analyses each of the elements of Policy CS14 that the proposed development must be assessed against and comes to the clear conclusion that the application fails to accord with the policy requirements on a number of accounts, which are summarised below:
 - 2.10.1 it falls considerably below the requirement for world class architecture and represents a missed opportunity to enhance the skyline;
 - 2.10.2 it does not take account of the character of the surroundings, notably the prevailing scale of development in the three adjacent conservation areas and other non-designated but complementary townscape on Gracechurch Street;
 - 2.10.3 it creates a substantial and alien protrusion in the centre of the city block in an area of low/mid-rise courtyard character which is uncharacteristic of the townscape;
 - 2.10.4 it affects the quality of townscape views on the ground and screens existing views of dynamic and varied townscape/roofscape and buildings of the highest significance as seen from the Monument;

- 2.10.5 it would cause harm to the significance of a number of the heritage assets of the highest importance, including the Grade I Church of St Mary Woolnoth, the Grade I Church of St Magnus the Martyr, the Grade I Monument and Grade II* 7 and 8 Philpot Lane;
- 2.10.6 it would result in harm to the character of a small portion of the Eastcheap Conservation Area and harm more widely to its setting (including harm to the setting of Grade II Brabant Court), as well as harm to the significance of the Grade II 2 and 3 Philpot Lane due to the impact upon its setting and removal of its chimneystack. There would also be harm to the setting of the Leadenhall Market and Bank Conservation Areas.
- 2.11 For the reasons set out in the Lichfield's Review, we do not agree with a range of the findings of the Heritage, Townscape and Visual Impact Assessment ("HTVIA") and have concerns as to the balanced and objective consideration of the findings of the assessment. In addition the HTVIA appears to underplay the impact of the proposed development on the setting of a range of other very important heritage assets.
- 2.12 It is, for these reasons, clear in review of the HTVIA submitted with the planning application that the proposed development will, at the very least, cause less than substantial harm, to the character of a range of heritage assets by virtue of its height, form and design and does not satisfy a number of key requirements of Policy CS14. The proposed rectangular interconnected design falls well below the required standard of world class architecture and would clash with those buildings that do meet this standard in the immediate vicinity.
- 2.13 In addition to the consideration of Policy CS14, Policy DM10.1 of the Local Plan requires all developments to be of a high standard of design and to avoid harm to the townscape and public realm by ensuring that:
- "the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways".*
- 2.14 Whilst the applicant makes reference to and acknowledges major change to the skyline composition as a consequence of the development, it fails to grapple with the specific terms of the policy. As a consequence, very limited reference to massing, form and scale is included in the HTVIA.
- 2.15 This approach, to put it at its lowest level, oversimplifies the townscape and visual assessment process by failing to fully grapple with the requirements of Policy DM 10.1. As a consequence, the assessment fails to provide any detailed and proper consideration of the *"general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality"* and then falls short of adequately explaining the proposal's contribution of the development to *"the character of streets, squares, lanes, alleys and passageways"*. It is our opinion that this is a failure of the submitted assessment and that the requirements of Policy DM 10.1 remain to be properly addressed by the applicant.
- 2.16 We believe, in any event, that any robust and effective assessment of the planning application against planning policy would demonstrate that the proposed development will dilute and harm the special architectural qualities and distinctiveness of the City of London.
- 2.17 In short, we consider that the planning balance when considered through the lens of established and emerging policy is very firmly tipped against the planning application proposal.

3. Adequacy of the Environmental Assessment

- 3.1 It is not currently clear whether the submitted Environmental Statement adequately considers and assesses the proposed development.
- 3.2 The application documents, including the Environmental Statement, all refer to the proposed development as being office led (Class B1) with flexible retail use (Classes A1- A5) at ground and first floor. The impact of the proposed development has therefore been assessed against these proposed uses to determine whether it is acceptable and appropriate in this location.
- 3.3 Paragraph 5.4 of the Planning Statement explicitly states that notwithstanding the recent amendments brought forward in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the planning application is to be determined in accordance with reference to the Use Classes as defined in the Town and Country Planning (Use Classes) Order 1987 as at 31 August 2020.
- 3.4 Notwithstanding the above, the City of London's planning website has amended the description of the proposed development so that it no longer refers to the Use Classes Order as at 31 August 2020 but refers instead to the new Use Class E that came into force on 1 September 2020. The changes of use permitted through the creation of Class E represent a marked change from the previous position, and amending the description of the development in this way would allow a significantly different range of uses to that stated in the application and which formed the basis of assessment in the Environmental Statement.
- 3.5 As a result of the above inconsistency, the City of London need to determine that the Environmental Statement, as well as all other assessments, submitted as part of the application are suitable following the amendment to the description of development and continue to adequately assess the proposed development.

4. Transport and Servicing

- 4.1 We have instructed Vectos to review the transport related documents that have been submitted with the planning application.
- 4.2 The pedestrian network in the vicinity of the proposed development is heavily congested, as identified in the Pedestrian Comfort Level (PCL) assessment. The proposed development will put an additional burden on this infrastructure and whilst the proposal seeks to mitigate this impact through the relocation of the existing bus shelter, this does not appear to be a practical solution for a number of reasons. Should the bus stop not be on the side of the road, as is standard, there is an increased likelihood of not being able to flag the bus to stop. There is also a concern as to the general visibility of the revised location for bus users to stand to wait without causing obstruction to pedestrians. Of the most significance is the likelihood that users of the relocated bus shelter will have to make conflicting movements across the footway and the flow of pedestrians so as to access the bus in a timely manner, a problem that will be compounded for users with mobility or disability concerns.
- 4.3 The transport documents identify that the proposed development will be serviced using Talbot Close, which will utilise two relatively small vehicle lifts as part of the ground floor public realm for use overnight. It is understood that the proposed lift sizes will provide a maximum vehicle length of 7.21m for the service of up to a 7.5 tonne panel van which results in very little clearance for anticipated vehicles to access the lift and a constrained layout at basement level which requires onerous turning manoeuvres. There is a clear practical concern that if the lifts are not easy to access or use, it may result in delivery vehicles not using the loading facilities at all, and instead unloading on Talbot Court and simply using the lifts for the movement of goods - a practice which we understand is commonplace at the moment. Not only could such use lead to congestion on Talbot Court, which serves other uses such as the public house, it could result in safety issues with vehicles reversing into Talbot Court across the footway from Gracechurch Street, with the associated highway

safety risks. There appears to be a general lack of contingency planning should the proposed servicing arrangements not be available for any reason.

- 4.4 It is also noted that the servicing assessment submitted is based on Net Internal Area, although a sensitivity test based on Gross External Area has been undertaken. When assessing the proposals against the Gross External Area, the assessment indicates that the number of daily deliveries exceeds the theoretical capacity, being 48 daily servicing movements.
- 4.5 With regard to the trip generation potential of the proposed development, it is not clear why a survey of the existing site has not been undertaken and this should be clarified by the applicant. The trip generation is set out in section 5.3 of the Transport Assessment and is not split between uses and therefore it is difficult to understand the data and how the total trip generation has been calculated, which should also be clarified by the applicant. In light of the uncertainties identified above, further investigation of the site selection process within TRICS is required as it is not clear if the applicant has provided a like for like comparison of existing and proposed office uses. From an initial review, it appears as though an assessment may have been undertaken for the existing office based on floor space and the proposed office based on number of employees. Further clarification is required.
- 4.6 Finally, we note that a Healthy Streets Checklist assessment does not appear to have been provided. This is typically required by the GLA for highways/public realm works greater than around £100,000 in value. As such, we would be grateful if further details could be provided as to why a Healthy Streets Checklist assessment has not been provided.

5. **Wind Impacts**

- 5.1 We have instructed Nova Fluid Mechanics to review the relevant details submitted with the planning application. To enable an effective review of the assessments and conclusions reached, further information is required from the applicant as it is not provided or not easily obtainable in the application documents.
- 5.2 As such, we would consider it necessary for the City of London to raise the following with the applicant:
 - 5.2.1 a request to provide a comparison of the simulated atmospheric boundary layer in the wind tunnel with the output from the wind climate model of the proposed development site for consistency with City of London Guidelines. If any mismatch between the target and the measured profile should be present, commentary should be provided on the relevance of this mismatch to the results of the wind tunnel study;
 - 5.2.2 a request to provide the blockage ratio for the worst case configuration (most built up / worst wind direction) for wind tunnel tests to demonstrate compliance with City of London Guidelines and confirmation as to how blockage is calculated;
 - 5.2.3 a request to provide a short report showing and discussing the comparison between the CFD and wind tunnel results be submitted. It is noted that the results of the wind tunnel studies and CFD studies are presented separately. In particular ES Chapter 11 only contains the results of the wind tunnel studies. While it is acknowledged that the full set of information for the peer review might have been documented, it is impractical to review two separate documents that present results in different ways. For instance the results of the wind tunnel studies are presented for the windiest season while those of the CFD studies for the winter season. The reviewer cannot assume that this be the same without confirmation from the respective wind consultants;

- 5.2.4 confirmation that the final configuration of the building and the surrounds/landscaping analysed through CFD and wind tunnel studies are identical;
 - 5.2.5 confirmation that the final configuration of the building and the surround analysed through CFD and wind tunnel studies correspond to the latest building design; and
 - 5.2.6 a request for a description of the methodology adopted for the CFD studies to include all relevant input parameters (for example methodology, number of cells, profile etc). The appropriateness of the CFD study cannot be reviewed as the report mainly presents the results of the study.
- 5.3 On receipt of the information requested above, we reserve the right to make further submissions on the impact of wind from the proposed development.

6. **Daylight and Sunlight Impacts**

- 6.1 We have instructed Anstey Horne to review the content of the Daylight/Sunlight information submitted with the planning application and the potential impacts on our property at 10 Philpot Lane.
- 6.2 Anstey Horne have identified that there would be a material impact upon daylight, which is not surprising as the proposed scheme will present a 30 storey obstruction, the width of which will extend across the full extent of the rear boundary of our building and significantly beyond, to that a number of windows will face a continuous 30 storey wall of obstruction.
- 6.3 In particular, we are concerned with the impacts of the proposed development on the offices on the lower floors of our property that are lit through windows in two facades of a small lightwell. Some of the rooms served by those windows are not well lit in the existing condition and the proposed development would virtually obliterate that existing light, leaving them with little or no natural light. One or two floors above that have a greater level of existing light and that too will be virtually obliterated in certain rooms. These impacts will definitely impact upon the use and enjoyment of the relevant office space. In effect, the development entirely ignores the windows in our property.
- 6.4 The impact upon our building was scoped out of the daylight and sunlight assessment undertaken by GIA on behalf of the applicant. In Anstey Horne's opinion our building should have been included because of its close proximity to the site, but absent a technical assessment from GIA at present it is still clear and evident that any reductions in daylight are likely to be materially beyond the 20% guideline set out in the BRE document.
- 6.5 We have yet to conclude our detailed impact assessment of the proposed development and reserve our position in relation to these issues. We do, however, have serious concerns that our property will experience a significant adverse impact as a result of the construction of a tall building in this location.

We reserve our position in response to any further amendments or submissions made by the applicant and in connection with any forthcoming change in national or local policy.

For the reasons set out above, we strongly object to the Application and would ask that these concerns are brought to the attention of the applicant and relevant Planning Committee.

Yours faithfully

Antoine KARAMOSKO

Alberto MORANDINI

On behalf of
PL 10 S.à.r.l.

Enc.

**55 Gracechurch Street
Third-Party
Heritage/Townscape Review**

PL 10 SARL

Wednesday, September 30, 2020

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Contents

1.0	Introduction	1
2.0	Policy baseline	2
3.0	Location in relation to City of London spatial policy areas	3
4.0	Review of proposal in relation to Policy CS14	4
	World class architecture and enhancement of the skyline	4
	High quality public realm at ground level	5
	Character of surroundings	5
	Significance of heritage assets and their settings	6
5.0	Conclusions	11

Introduction

1.0

1.1

This report comprises a third-party review of the proposed development at 55 Gracechurch Street ('the Site') (application ref. 20/00671/FULEIA) in relation to heritage and townscape issues. This briefing note focuses on material adverse effects additional to those previously identified within the HTVIA. Where the assessment undertaken in this review either reaches the same conclusion, or where it differs in professional opinion, but not to a material extent, to the conclusions about magnitude or direction (beneficial vs adverse) of effects reached within the HTVIA, those points are not discussed within this report.

1.2

The existing building on the Site comprises a seven-storey building with office and leisure uses built in 1992. The description of development for the Site is:

“Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.”

1.3

The proposal would also entail removal and relocation of a pair of Grade II listed gates on St Benet's Court and removal of a chimney attached to the Grade II listed 2-3 Philpot Lane.

2.0 Policy baseline

- 2.1 The heritage statutory considerations for the proposal are s.66(1) and s.72(1) of the Planning **(Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”)**. **S.66(1) imposes a duty** upon the local planning authority when making planning decisions to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses; and s.72(1) imposes a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 2.2 The relevant statutory development plan for the Site comprises the City of London Local Plan (including the Proposals Map) 2015 and the London Plan (2016, as amended). The National Planning Policy Framework (February 2019), Intend to Public London Plan 2019, City of London Draft City Plan 2036, conservation area Supplementary Planning Documents (SPDs) (for Leadenhall Market, Bank and Eastcheap Conservation Areas), Tall Buildings in the City of London (2019) report and Protected Views SPD (2012) are material considerations.
- 2.3 **The City of London’s Core Strategic Policy CS14: Tall Buildings is set forth “to allow tall buildings of world class architecture and sustainable and accessible design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level by:**
- 1 **Permitting tall buildings on suitable sites within the City’s Eastern Cluster**
 - 2 **Refusing planning permission for tall buildings within inappropriate areas, comprising: *conservation areas... and Monument views and setting, as defined on the Policies Map.***
 - 3 **Elsewhere in the City, permitting proposals for tall buildings only on those sites which are considered suitable having regard to:**
 - *the potential effects on the City skyline;*
 - *the character and amenity of their surroundings, including the relationships with existing tall buildings;*
 - *the significance of heritage assets and their settings;*
 - *and the effect on historic skyline features...”*
- 2.4 **The City of London’s Core Strategic Policy CS13: Protected Views is set forth “to protect and enhance significant City and London views of important buildings, townscape and skylines, making a substantial contribution to protecting the overall heritage of the City’s landmarks, by: ... 2. Protecting and enhancing: local views of St. Paul’s Cathedral, through the City’s “St. Paul’s Heights” code; the setting and backdrop to the Cathedral; significant local views of and from the Monument; and views of historic City landmarks and skyline features...”**

3.0 **Location in relation to City of London spatial policy areas**

- 3.1 The Site is located outside the Eastern Cluster, an established area of tall buildings, as set out in the adopted Local Plan. The draft **Local Plan extends the renamed ‘City Cluster’ to include 20 Fenchurch Street** but continues to exclude the Site from the boundary.
- 3.2 **The Site is not within an area identified as being ‘inappropriate for tall buildings’ under Policy CS14;** however, this policy makes clear that exclusion from this zone does not automatically mean the Site will be appropriate for tall buildings, but must undergo rigorous testing for suitability elsewhere in the City (see para. 2.3, above). The Tall Buildings SPD states that outside **the area designated as ‘inappropriate for tall buildings’, “all other sites in the City are considered to be sensitive to tall buildings”.**
- 3.3 The Protected Views SPD sets out an area identified as the ‘immediate setting’ of the Monument (bounded by Eastcheap, Pudding Lane, Lower Thames Street and King William Street). The SPD specifies that within the Monument’s ‘immediate setting’, development should not ‘impinge upon the general open character’. While the Site doesn’t fall within this immediate setting, its southern boundary is c.50m north-east of the edge of this zone. In practice, to preserve the character of openness, the considerations regarding the height of buildings will apply to areas **(including the Site) beyond the narrow ‘immediate setting area’.**
- 3.4 The Protected Views SPD sets out designated views from the Monument, almost all of which are panoramas to the south (including south-east and south-west), with one view to the west-northwest. However, whilst not expressly designated, the views to the north of are of importance in heritage and townscape terms given the panoramic nature of views from the Monument, as discussed below in Section 4.0.
- 3.5 A small area of the south-west corner of the Site lies within the Eastcheap Conservation Area. The southern and eastern edges of the Site adjoins the conservation area, forming one of the sides of both Brabant Court and Talbot Court. The Site is situated within a pocket between Leadenhall Conservation Area to the north, Bank Conservation Area to the west and Eastcheap Conservation Area to the east/south-east.

4.0 **Review of proposal in relation to Policy CS14**

4.1 This section assesses the proposal against the criteria set forth in Policy CS14.

World class architecture and enhancement of the skyline

4.2 Policy CS14 sets out the policy which allows for tall buildings of world class architecture, which enhance the City skyline, subject to meeting the stringent requirements set out elsewhere in this planning policy, amongst others. The SPD on Tall Buildings makes clear that while there are certain areas of the City which are wholly inappropriate for tall buildings, in practice all areas of **the City are sensitive, given the importance of preserving London's distinctive and world-class skyline** and the centuries-worth of layered history in this part of London.

4.3 The proposed development is on an L-shaped plan divided into two rectilinear forms. The HTVIA sets out an analysis of the architectural and townscape characteristics of the proposed development, which is not repeated here. The towers are described in the HTVIA as having *'ever-changing profiles of elegant, slender silhouettes', 'the ends with a more glassy openness'* and *'intense natural light' 'gleaming'* from the top floor. The proposed development is also described as being *'the last likely tall building immediate to the south-west of the Eastern Cluster'*.

4.4 Within the townscape, the proposed development reads as two rectangular interconnected structures. It is of a contemporary design given the glassy appearance of the tower elements, with efforts made to differentiate the towers in the articulation of the façades of the two interconnected elements. However, the building reads as two rectangular masses without differentiation in its roofline or massing to distinguish it within the skyline from other similar rectangular prism designs.

4.5 In comparison to other landmark buildings in the Eastern Cluster (**'the Gherkin', the Grade I listed Lloyds Building and 122 Leadenhall Street ('the Cheesegrater'), amongst others**), landmark buildings outside the Eastern Cluster (20 Fenchurch Street) and elsewhere in London (**'the Shard'**) which have distinctive and memorable forms with international renown as part of **London's skyline, designed by world-renowned architects**, there is little to distinguish the proposal for 55 Gracechurch Street from other tall buildings in London's skyline, and the addition to it would be of a form found in many urban skylines throughout the world.

4.6 The curvature of 20 Fenchurch Street was subject to careful consideration and is integral to how the building is appreciated within the skyline. The inspector's report, in the **'Case for the City of London Real Property Company Limited'**, notes that the north and east elevations reflect the curves of Fenchurch Street and Rood Lane, and the concave southern elevation reflects the bend in the River to the south. The design's curve was subject to extensive review to ensure it responded positively to the City cluster in the gentleness of its curve. The inspector's conclusions noted that the distinctiveness of tall buildings was becoming a *'feature of the City skyline'*. The fact that 20 Fenchurch is unique and eye-catching is part of why it was deemed to be a world-class building. Many of the AVRs of 55 Gracechurch Street show that the distinctive curvature of the sides of 20 Fenchurch Street would be masked by the proposed development, given its height and the nature of its rectangular shape. The proposed development on the Site would clash with the curving form of 20 Fenchurch and diminish the ability to appreciate its distinctive silhouette.

4.7 The silhouette and roofline of the building falls short of meeting the requirements for **'world class architecture' which would 'enhance the skyline' as required by Policy CS14.**

High quality public realm at ground level

- 4.8 Policy CS14 sets out a requirement for tall buildings to provide high-quality public realm at ground level, having regard to the character and amenity of their surroundings.
- 4.9 Within Brabant Court, the proposed development replaces coherent active, low-rise townscape with a blank wall containing the arched walkway entrance. The wall has been modelled to include a textured, diaper-**work pattern within the brick and ‘greening’ which help to mitigate** the starkness of the blank façade. However, when compared to the existing position – that of coherent, active townscape with regular fenestration and clear articulation of elevational hierarchy – the proposed development represents an adverse change to the townscape. The low, narrow window does not reflect the regularity of fenestration characteristic of the courtyard, nor does it relate to the windows of the adjacent listed building.
- 4.10 In addition, the contemporary tower element bears little relationship to the human-scale historic townscape, as seen in Views 57 and 58. The tower projects above without appearing to integrate into the base of the proposal, protruding as an uncharacteristic form. The views shown in 57 and 58 are close-up so the height of the tower is not perceptible in the AVRs but the tower would be visible as a significant modern mass looming above the historic townscape, in an area where there are otherwise no tall buildings. In this location, the tall building appears as an uncharacteristic intrusion in terms of its scale and prominence.

Character of surroundings

- 4.11 Policy CS14 sets out a requirement for tall buildings to provide high-quality public realm at ground level, having regard to the character and amenity of their surroundings.
- 4.12 The implications of development at Site are important in townscape terms given the sensitivity of its location – including proximity to several conservation areas and listed buildings. The area in which the Site falls gives a sense of being a lower-rise area of buildings in contrast to the cluster of tall buildings to the north, in the City Cluster. The height and massing of the Site belongs more to the largely low-rise townscape character of the Leadenhall Market, Eastcheap and Bank Conservation Areas (punctuated by occasional mid-rise buildings which appear tall in comparison) than it does to the high-rise City to the north.
- 4.13 No. 20 Fenchurch Street is an outlier in this area, sitting outside the Eastern Cluster. While there is a proposed extension of the City Cluster to include 20 Fenchurch within it, which seems to be aimed at rationalising its relationship with other tall buildings in the City, the proposed revision nevertheless continues to exclude the Site from its boundaries. Comparing the location of the Site to 20 Fenchurch Street, the Site sits in a pocket between the Leadenhall Market, Bank and Eastcheap Conservation areas, all of which have a low/mid-rise scale in the area surrounding the Site. This is compared to 20 Fenchurch Street, which sits at the east edge (albeit a jagged one) of this group, with mid/high-rise buildings as the townscape context in the non-designated area to the east. The Site is therefore more sensitive in terms of its location; while 20 Fenchurch Street may serve to define the extent of the conservation area given its location at **the east ‘edge’, the proposed development instead** intrudes in the centre of these areas of low/mid-rise townscape.
- 4.14 The proposed development challenges the traditional form of the streetscape in this area and takes the City in a new direction, extending tall development further south and opening up the possibility for further tall or mid-rise development appearing outside the Eastern (and City) clusters.
- 4.15 The proposed development is a deep, mid-terrace building, which suddenly rises up in the centre of the street and block. This is in contrast to the prevailing character of the City where

taller buildings are either grouped or occupy city blocks or corner sites. As such, the proposed development is an uncharacteristic form at odds with the character of the surroundings. This creates a disproportionately adverse impact. This is evident particularly in View 52, 53, 57 and 58 (in the latter two the tower is cropped from view but will naturally be visible and dominant in views given the contrast between it and the prevailing townscape). In addition, the proposed development is completely at odds with the scale of the Grade II* 7 and 8 Philpot Lane, Grade II 2 and 3 Philpot Lane and Grade II Brabant Court does not reflect the character of the inner courtyards.

- 4.16 In some local views (for example, View 22 from Monument Street looking north into Pudding Lane) the mass and height of the proposal is such that the sky is completely blocked in the view, erasing views of other tall landmark buildings in the background which provide a dynamic roofscape and aid wayfinding. The character and amenity of the surroundings would be adversely affected.
- 4.17 The lack of relationship between the historic townscape and the proposed development is seen in View 19. In the existing view, No. 22 Bishopsgate preserves a wedge of blue sky in between it and the Monument to retain the prominence of the Monument in this view. The height steps upward, making a gentle transition between 22 Bishopsgate and the roofscape visible to the left. In contrast, the proposal challenges the prominence of the Monument due to its height, as shown in View 19. The proposed development removes the blue-sky background and replaces it with built form; this represents a c.50% reduction in the amount of blue sky behind the Monument. The darker colour of the taller element also draws the eye away from the Monument. In addition, the proposed development sits awkwardly in relation to the capital of the Monument and the upper left corner of the building sits awkwardly in this view, providing a jarring contrast.
- 4.18 For the reasons set out above, the proposed development does not adequately integrate with the existing townscape character within a sensitive area, to be able to meet the requirements of CS14.

Significance of heritage assets and their settings

- 4.19 Policy CS14 (together with Policy CS13 on Protected Views and the policies within Section 3.12 Historic Environment of the Local Plan) requires new development, including tall buildings, to have regard to the setting and significance of heritage assets. The requirement to preserve or enhance the character and appearance of conservation areas, and to preserve the special interest or setting of listed buildings, is set out in legislation and supported by both the NPPF and the London Plan Policies
- 4.20 This section identifies instances of harm to the setting and significance of a number of listed buildings as a result of the proposed development which must be given special regard.

Bank Conservation Area

- 4.21 The conservation area is on the west side of Gracechurch Street, directly opposite the Site. Currently the east side of Gracechurch Street (including the Site) retains a scale and massing which complements the historic townscape within the conservation area, providing a cohesive **streetscape as the conservation area's eastern setting**.
- 4.22 As shown in View 42A, the proposal would introduce a significantly tall tower in views along Gracechurch Street. A large, flat plane presents itself to the north and south, making the building particularly bulky and dominant in the view compared to the townscape beneath it. Much of the tower of 55 Gracechurch would be masked by 6-8 Bishopsgate and No. 1 Leadenhall in the cumulative view; however, these buildings are much further away from the Monument in

the view, retaining space around it to preserve the prominence of the gilded top of the Monument above the roofscape, in comparison to the proposed development. Both views 42A and B demonstrate how the tower of the proposal sits uncomfortably close to the gilded top of the Monument (which was integral to its original design and therefore significance), competing **with, and drawing one's eye away from** the Monument, and further decreasing the prominence of the listed structure from its current state.

- 4.23 The contrast is sharp between the hard-edged roofline of the tower and the stepped and varied streetscape below, as seen in View 42A, providing an uncomfortable transition lacking integration into the historic environment and appearing particularly conspicuous as an uncharacteristic feature in the setting of the conservation area. This is compared to the Post Modern building appearing above the roofline on the opposite side of Gracechurch Street (24 Gracechurch/54 Lombard Street, former Barclays Bank headquarters) which, although distinctive in the streetscape, adds a dynamic roof form in the middle ground which reflects the stepped and varied character of the roofline along Gracechurch Street. The proposed development adversely affects the character of the roofline.
- 4.24 The materials of the proposed development also appear out of keeping within the streetscape – again, in contrast to the former Barclays building which integrates both stone and glazing in a contemporary form in the element rising above the prevailing roofline to harmonise with the historic streetscape, the highly reflective tower element of the proposed development makes no effort to harmonise.
- 4.25 These changes would harm the conservation area as a result of the uncomfortable transition in the roofscape and change to views of the conservation area including its relationship with the Monument as part of its setting.

St Mary Woolnoth (Grade I listed)

- 4.26 St Mary Woolnoth is a Grade I Hawksmoor church within the conservation area. Its National Heritage List Entry states it was designated for being *‘a Hawksmoor church of exceptionally original design, a unique work of English Baroque architecture’* and *‘an arresting landmark at the centre of the City of London’*. The conservation area appraisal notes that *‘the towers and spires of the Bank’s churches retain their visual prominence in numerous distant and local views and are important to the City’s character’* (p. 17). It also notes that views of churches are **generally from oblique angles**, *‘with only St Mary Woolnoth visible face-on at a distance from several angles as part of the main junction’* (p.18).
- 4.27 The Baroque design of the church is integral to its special interest and the axial view, face-on to the church, is important to be able to appreciate its character. The legibility of the church as a landmark, and ability to appreciate its architectural significance, would be considerably decreased as a result of the proposed development appearing behind the two square turrets as seen in View 39A, removing the blue-sky background and adding significant height above the tower in distant axial **views of the church’s east front. This would decrease the distinction of the towers** from the wider mid-rise townscape in the middle ground. While there are other close-up views in which the blue sky background would be preserved, it is the more distant views which particularly contribute to its status as a landmark.
- 4.28 In comparison to 20 Fenchurch Street (which appears to the side of, and frames views of, the **church’s tower**), **the proposed development appears directly behind** it. The fan-shaped roofline of 20 Fenchurch Street enhances the background views of the church as seen in View 39A, creating a stepped transition from the dome of 1 Cornhill to the tower of the church which draws **one’s eye to its turrets. The proposed development instead adds additional** bulk in front of 20

Fenchurch obscuring its curved edge, and behind the church's tower, having a negative effect on the skyline by distracting from the view of the church.

- 4.29 **As a result there would be harm to the conservation area's character and appearance**, and harm to the significance and special interest of the Grade I church.

Church of St Magnus the Martyr (Grade I)

- 4.30 The proposed development affects certain local views of the Monument, including the view from St Magnus the Martyr to the Monument, as noted in para. 4.17. As contemporaneous structures (both built shortly after the Great Fire) designed by Christopher Wren (who designed the Monument with **Robert Hooke**), **they contribute positively to each other's significance. As set out in para. 4.17, the intrusion of the proposed development in the background view would reduce the legibility of the Monument in this view, harming the setting of the church. There appears to have been little consideration of the way in which the roofscape could have been designed to mitigate the impact upon the Monument where it appears as a significant new background, distracting from and competing with the Monument. In contrast, the cumulative schemes respect the prominence of the Monument. Para. 4.17 sets out analysis of how the prominence of the Monument as seen from St Magnus would be diminished by the proposed development appearing in the background, with the fluting of the Monument's column blending into the background as a result of vertical emphasis in 55 Gracechurch Street's façade.**
- 4.31 **Given the Monument's prominence as a landmark this would harm an element of setting which is integral to the significance of the listed structure.**

Monument (Grade I) and associated effects upon the Lloyds Building (Grade I)

- 4.32 As noted in para. 4.22, the proposal, the tower sits uncomfortably close to the top of the monument in Views 42A and B. While only the gilded top of the Monument is, at present, visible above the roofscape, it still is a recognisable element of the view. The sequence of views **numbered '42' demonstrates how the proposed development dominates the view, reducing the distinction of the gilded top of the Monument above the existing roofscape in views along Gracechurch Street. While 6-8 Bishopsgate and No. 1 Leadenhall would be visible and dominant in the foreground, as shown in Cumulative View 42A, their distance from the Monument is such that the prominence of the gilded top of the column is maintained in these views, in comparison to the proposed development, which is significantly closer.**
- 4.33 The proposed development sits to the north of the Monument, outside the designated **'immediate setting' but in the next city block to the north of this designated area. However,** while the Protected Views SPD does not identify any panoramas to the north which are protected, in practice the panoramic, 360-degree views in all directions from the viewing platform of the Monument are integral to its special interest. Originally, the Monument would have towered over all of the surrounding development. Over time, redevelopment of its surroundings has changed the scale of the surrounding townscape to low/mid-rise buildings, though the consistency of the height of buildings in short- and mid-range views has helped to preserve the ability to view and understand the development of London over centuries. Views from the Monument across the townscape are integral to its significance as they allow the viewer the ability to understand the post-Fire rebuilding of the city centre.
- 4.34 The SPD on Tall Buildings in the City of London states that while specifically designated areas are **'inappropriate for new tall buildings', elsewhere 'all other sites in the City are considered to be sensitive to tall buildings'. This is particularly true in terms of the views from the Monument. View 21 demonstrates that despite being outside the 'immediate setting' to the north, the**

proposed development significantly truncates the panoramic view from the Monument due to **its height. The proposed development sits some way south of the 'Eastern Cluster' of buildings in the City.** the proposal would effectively screen the majority of the Eastern Cluster, including its **high-quality and iconic buildings such as 30 St Mary Axe ('the Gherkin') and 122 Leadenhall Street,** as well as the Grade I Lloyds Building (causing harm to the ability to appreciate the **Grade I building's architectural interest as a result of the loss of ability to view it from the Monument,** a key historic viewing location). The proposal would also encroach upon the view of **20 Fenchurch Street's curved side, a key element of its distinction** within the skyline as a world-class building. The truncation of this view, and the impingement upon the openness of the view to the north would harm the significance of the Grade I Monument.

Eastcheap Conservation Area, including the Grade II* 7 and 8 Philpot Lane, Grade II Brabant Court and Grade II 2 and 3 Philpot Lane

- 4.35 The eastern portion of 55 Gracechurch Street was previously within the conservation area, but it was removed from the boundary in 2007. The current boundary of the conservation area excludes the Site (except for the small south-east courtyard).
- 4.36 The conservation area appraisal notes that the area is of significance due to the survival of three Wren churches; and the predominant character reflects the five-storey height and hierarchy of streets (taller buildings occupying principal thoroughfares). The appraisal notes (p. 15) the buildings take full advantage of the fall in ground level as they step down towards the river. It **also states there is a 'small but significant grouping of post-Fire houses now rare in the City'** including Nos. 2-3 Philpot Lane, an early 18th century house; and No. 4 Philpot Lane in Brabant Court, illustrating tendency for high status City houses to be set back from the street (p.17).
- 4.37 As noted in para. 4.15, the tower confuses the legibility of the townscape by introducing tall development into the courtyard areas, immediately adjacent to, and within the same group of courtyard spaces as the significant and rare group of post-Fire houses. Compared to the existing building on the Site, which broadly respects the scale and massing of the historic townscape, the proposed development would appear out of place and at odds with its surroundings, affecting the ability to appreciate the architectural significance of these surviving historic buildings.
- 4.38 The conservation area appraisal notes that buildings outside the conservation area boundary *'tend to be more substantial'* and that this *'has the effect of clearly defining the extents of the conservation area in relation to its surroundings'* which is *'particularly evident when seen from the Monument viewing gallery'*. As noted in para. 4.13, 20 Fenchurch Street is located outside the eastern, jagged edge to the group of conservation areas, defining the eastern boundary and relating to the mid/high-rise context to the east of it. In contrast, the Site sits within a pocket of low/mid-rise townscape to the north, west and south, intruding conspicuously in the middle of an area of cohesive townscape rather than at the edge of it. The conservation area appraisal notes a number of key views making a strong contribution to the character of the area. An oblique view west along Eastcheap to Nos. 11-19 is noted – this is No. 53 as shown in the HTVIA. The tower appears to project out from behind the façade and roof of No. 19, an awkward and uncharacteristic protrusion introduced into a blue-sky backdrop. This would harm the ability to appreciate the townscape of the conservation area due to the **dominance and conspicuousness of the proposed development's tower.**
- 4.39 In addition, there would be harm to 2-3 Philpot Lane. The HTVIA notes this is subject to separate application (not currently visible on the City of London planning register) for listed building consent to remove a chimneystack. The building is of significance and architectural interest as a rare survival of a post-Fire house in the City; and the chimney is integral to the historic functioning of the house and is a key part of its architectural character – even if rebuilt

(it is not known when). Removal of the chimneystack would therefore harm the special interest and significance of the listed building.

5.0 **Conclusions**

- 5.1 In summary, the proposal fails to accord with the requirements of Policy CS14 on a number of accounts:
- 1 It does not take account of the character of the surroundings notably the prevailing scale of development in the three adjacent conservation areas and other non-designated but complementary townscape on Gracechurch Street; it creates a substantial and alien protrusion in the centre of the city block in an area of low/mid-rise courtyard character which is uncharacteristic of the townscape;
 - 2 It affects the quality of townscape views on the ground and screens existing views of dynamic and varied townscape/roofscapes and buildings of the highest significance as seen from the Monument;
 - 3 It falls short of the requirement for world class architecture and represents a missed-opportunity to enhance the skyline by contributing a building differentiated within an international context;
 - 4 It would cause harm to the significance of a number of the heritage assets of the highest importance, including the Grade I Church of St Mary Woolnoth, the Grade I Church of St Magnus the Martyr, the Grade I Monument and Grade II* 7 and 8 Philpot Lane. It would result in harm to the character of a small portion of the Eastcheap Conservation Area and harm more widely to its setting (including harm to the setting of Grade II Brabant Court); as well as harm to the significance of the Grade II 2 and 3 Philpot Lane due to the impact upon its setting and removal of its chimneystack. There would also be harm to the setting of the Leadenhall Market and Bank Conservation Areas.
- 5.2 In addition to the Local Policy requirements, the local planning authority must carry out its duties under s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and comply with the requirements of the National Planning Policy Framework and London Plan in relation to preserving or enhancing the significance of designated heritage assets. This assessment indicates that the resultant impact of the proposed development on highly graded heritage assets makes fulfilment of these duties challenging.

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Sonia Williams
Department of the Built Environment
City of London
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By email only to PLNComments@cityoflondon.gov.uk

Dear Sirs

Further Representation - Letter of Objection

Planning Application: 20/00671/FULEIA

Site: 55 Gracechurch Street, London, EC3V 0EE

1. This further letter of objection is submitted to the City of London by PL 10 S.à.r.l., the freeholder owners of a neighbouring property to the Site, being 10 Philpot Lane.
2. The content of this letter and enclosures are to be read alongside the previous letter of objection submitted to the City of London on 2 October 2020.
3. Following the City of London's letter dated 15 December 2020, we have undertaken a review of the revision and addendum documents that have been submitted on behalf of the applicant of the above scheme and also the document entitled "Applicant's Response to Planning Application Representations" by DP9 ("the Applicant's Response"). As requested by the 15 December 2020 letter, we wish to make further representations about the application as our previous substantive concerns have not been addressed.
4. As before, we have instructed the heritage team at Lichfields to carry out a third-party review of the revised documents and Applicant's Response in relation to heritage and townscape issues. A copy of that review is attached to and forms part of this letter of objection. Whilst we will not repeat at length the content of the Lichfield's review, it is important to note that as the tower elements of the scheme have not been amended, the new information does not materially address the heritage and townscape objections previously raised.
5. We believe that any robust and effective assessment of the planning application against planning policy would demonstrate that the proposed development will dilute and harm the special architectural qualities and distinctiveness of the City of London.
6. We share the view of Lichfields that the public benefits do not outweigh the less than substantial harm to the heritage assets, a number of which are of the highest significance. We continue to conclude that clear and convincing justification for the harm has not been provided and as such it is not possible to conclude the proposal would be acceptable when undertaking the tilted balance required by the NPPF, which requires 'considerable importance and weight' to be accorded to a finding of harm to a listed building and 'great weight' given to an asset's conservation.

7. In short, we consider that the planning balance when considered through the lens of established and emerging policy is very firmly tipped against the planning application proposal.
8. We reserve our position in response to any further amendments or submissions made by the applicant and in connection with any forthcoming change in national or local policy.
9. For the reasons set out above, we continue to strongly object to the Application and would ask that these concerns, alongside our previous submission of 2 October 2020, are brought to the attention of the applicant and relevant Planning Committee.

Yours faithfully

PL 10 S.à.r.l.

Antoine KARAMOSKO

Alberto MORANDINI

Enc.

Briefing Note

Our ref 62547/01/MLW/LAy
Date 11 January 2021
To City of London
From Lichfields
Copy PL 10 S.A.R.L.

Subject Response to Applicant's Review of Townscape/Heritage Objections

1.0 Introduction

- 1.1 This briefing note comprises a third-party review of the applicant's response to objections raised by PL10 SARL on heritage and townscape grounds to the proposed development at 55 **Gracechurch Street ('the Site') (application ref. 20/00671/FULEIA)**.
- 1.2 It also considers whether the alterations to the proposal, submitted in December 2020, materially address the issues raised in the previous objection on heritage and townscape grounds.
- 1.3 The objections raised by other heritage bodies have also been reviewed during preparation of this note, though the focus of this note is on the **applicant's** response to objections raised previously by PL10 SARL on heritage and townscape grounds.

2.0 Review of revised drawings

- 2.1 **We have reviewed the amendments to the proposal as set out in applicants' letter to the City of London dated 11 December 2020 as well as the revised application documentation submitted in December 2020.**
- 2.2 The changes comprise: a revised proposed Hostile Vehicle Mitigation layout; creation of a lobby for the Public Garden Terrace at ground floor level; alterations to the Talbot Court façade; amendments to the south-east courtyard elevation; introduction of short-stay accessible parking **spaces on the ground floor; changes to the St Benet's Place fire escape doors; realignment of the walls fronting Brabant Court**; inclusion of a tree to the Level 2 green roof; additional bench seating to the Public Garden Terrace at Level 6; changes to the accessible WC layout at Level 6M; and changes to cycle parking and the changing places facility in the basement.
- 2.3 As the objection report previously prepared (September 2020) primarily focussed the townscape and heritage issues presented by tower element of the proposal, and there has been no change to the tower in the December 2020 amendments, we do not consider these amendments to materially address the heritage and townscape objections previously raised.

3.0 Review of applicant's response to heritage/townscape objections

10PL1 – Requirement for world class architecture and enhancement of the skyline	<p>The award-winning nature and exceptional quality of Fletcher Priest Architects' work is not contested, and we note the careful consideration of the design and materials which have gone into preparing the proposal. This said, there is still some way to go before the architecture can reasonably be considered to be world class. The applicants do not make this claim for their proposal as they are unable to do so.</p> <p>Specifically the point we raised on this matter was in relation to whether the tower element would be distinctive and memorable within London's world-class skyline which is the principal thrust of the policy. As compared to the sculptural forms of the Gherkin, Lloyds Building, the Cheesegrater and the Shard, the rectangular masses of the proposal are similar to other rectangular prism designs in London and other urban skylines. Thus we query whether the form of the upper portion of the tower would be memorable on an international stage as part of London's skyline which is known for its distinctive shapes.</p>
10PL3 – Relationship of the proposal to the Monument in View 42 along Gracechurch Street	<p>We contest the extent to which the current building mars views of the gilded top of the Monument in this sequence of views, and the extent to which the proposal improves this position to offer heritage benefits. No comment was made in our previous assessment on the form or materiality of the proposal in View 42, but rather in relation to the change from the existing building height and whether this would materially improve this view.</p> <ul style="list-style-type: none"> - In Views 42A and 42E, the gilded top of the Monument is already visible above the current building. - In Views 42B and 42C, it is No. 60 and its curved cornice which intrudes in the foreground (in front of No. 55) of the view of the Monument. No. 60 partially conceals the upper gilded portion of the Monument; No. 55 is positioned behind it. The reduction in height of No. 55 achieved by the proposal is negligible in this view. - Likewise, for View 42D, the upper portion of the Monument is already largely visible above the existing building at No. 55; it is No. 60 that is particularly visually intrusive in this view. - Therefore the reduction in height upon the existing building at No. 55 would deliver negligible heritage benefits. <p>We contest the assertion on the part of the applicant that the substantial new tower form introduced into this view would mean it does not compete with the Monument; the proposal would be the dominant element in this view and the prominence of the Monument reduced by comparison. This would lead to profound competition with, and distraction from, the qualities and values of the heritage asset.</p>
10PL4 – Impact upon St Mary Woolnoth in views when approaching from Bank junction (View 39A)	<p>We agree the viewer is aware of No. 20 Fenchurch Street's presence in View 39A; however the fact remains that 20 Fenchurch does not sit behind the twin turrets of St Mary Woolnoth in this view. We disagree that scale of 20 Fenchurch Street is necessarily overpowering in the background of the Church – it is set away from the Church's roofline. The fan of 20 Fenchurch Street's roofline leads the eye to the turrets of the Church with substantial blue sky between 20 Fenchurch and the Church, rather than providing a built backdrop and removing blue-sky backdrop as does the proposal.</p> <p>We note the roof of the office building behind the turrets of the Church is visible currently; however, it appears to sit below (or at) the balustrade between the Church's twin turrets and rises only partway up the turrets, providing a dark mass against which the turrets are still</p>

	<p>visible against a blue-sky backdrop, allowing their sculptural quality to remain legible. In contrast, the proposal breaks above the roofline of the Church's turrets, reducing their legibility.</p> <p>We contest the applicant's assertion that the 'vehicular surroundings' could be relevant to appreciating the Baroque tower and its sculptural qualities, and we contest the assertion that the church's location in a busy street environment means the structure introduced above the church's skyline does not cause harm (see applicant's response to HE5). The introduction of a backdrop to the tower would affect the ability to appreciate the Baroque tower, an aspect of setting which is integral to appreciating its significance. The proposed building would be uncomfortably prominent, dominant and conspicuous in the backdrop setting of the Church. This would also lead to competition with, and distraction from, the asset.</p>
10PL5 and 10PL11– Impact upon St Magnus the Martyr due to impact upon view of the Monument	<p>The view of the Monument from St Magnus the Martyr is significant as part of its setting; it was along the alignment of Old London Bridge, historically an important processional route. The Monument and the Church are contemporaneous (both built shortly after the fire) and designed by Christopher Wren, and the views between them are important elements of their setting. The intrusion of the proposal in the background, reducing the prominence and legibility of the Monument in this view, would harm the setting of both assets.</p> <p>We do not agree that the architectural treatment of the proposal (see applicant's response to HE4) can mitigate against the loss of dominance/prominence of the Monument in the view from the gates of the Grade I Church of St Magnus (view 19), as is claimed in the HTVIA, at para. 8.B.20. The dimensions, scale, massing and materiality of the proposal would all serve to profoundly compromise the existing relationship.</p> <p>The absence of identification of View 19 in the City's Protected Views SPD does not mean the view is not important to the setting of certain heritage assets (the SPD is not an assessment of the significance and setting of St Magnus the Martyr but rather has broader use in shaping development across the whole of the City), nor does it mean that development affecting the view is necessarily acceptable in principle.</p>
10PL6 – Impact upon the Monument and views of buildings of the highest significance as seen from the Monument	<p>The Protected Views SPD identifies that views to the north from the Monument are a 'spectacular panorama of diverse City buildings'.</p> <p>We do not agree that the quality of the proposed tower can compensate for the loss of panoramic views from the Monument towards the Eastern Cluster, which remain an important part of the setting of the Monument. The setting of the Monument has evolved over time to include many iconic City of London buildings, which the proposal would almost completely obscure, decreasing the ability to understand the historic development of post-Fire London as is currently appreciated from the viewing platform of the Monument.</p>
10PL7, 10PL9, 10PL10 and 10PL13 – Impact upon Eastcheap Conservation Area	<p>The juxtaposition of historic and contemporary buildings is recognised to be a common characteristic of the City. However, this is not the case in the immediate surroundings of the 55 Gracechurch Street site. No. 20 Fenchurch Street is an anomaly in its location and it should be noted that the Inspector concluded, in his report on 20 Fenchurch Street, that there were harmful impacts to the setting of a number of heritage assets, including 2-3 and 7-8 Philpot Lane, 4 Brabant Court and the Bank and Eastcheap Conservation areas. This proposal comes forward with similar harmful impacts but without any benefits associated with the distinctive and memorable form of 20 Fenchurch Street.</p> <p>We note Historic England's comment in their letter of 2 October 2020 which stated that 'urban design improvements in and around the site might also be welcome' and that the images they had seen 'suggest the proposals would enhance the settings of the adjacent listed buildings around Brabant Court'. We understand these comments to relate to the podium buildings rather than the tower. We maintain the position stated in the objection report that there would be harm to the conservation area and surrounding character of the townscape due to the introduction of an uncharacteristic tower in the middle of a city block.</p> <p>The presence of tall buildings elsewhere in the City does not automatically justify introduction of tall buildings in areas outside of established clusters (or indeed necessarily within established clusters) but requires assessment on a case by case basis. The harm to the conservation area must be adequately taken into account and considered in accordance with the statutory and planning policy requirements.</p>

10PL8 – Impact upon 2-3 Philpot Lane	<p>We disagree with the conclusion of the heritage statement for application 20/00769/LBC which states that the loss of the chimneystack to No. 2-3 Philpot Lane would not affect the significance of the listed building or its special interest. The fact that the chimneystack is not visible from principal elevations does not mean that its removal would not be harmful; if this were the case then the rear elevations or roofs of countless listed buildings could be demolished, which is certainly not the case.</p> <p>Regarding the nature of the chimneystack being ‘utilitarian in appearance’ (forming part of the justification for its demolition within the heritage assessment) the chimneystack’s very nature was utilitarian – it served as a flue.</p> <p>Turning to the issue of the building’s alteration/reconstruction of the chimneystack, it remains part of the character of a London townhouse, irrespective of whether it was original or a 19th or early 20th century addition. Its removal would necessarily affect the special interest as it would remove an integral functional aspect of the historic structure and roofscape. The harm to the listed building as a result of the loss of an integral feature of the London townhouse must be adequately taken into account and considered in accordance with the statutory and planning policy requirements.</p>
10PL14 – Methodology and completeness of assessment of significance and setting on which to base conclusions	<p>We acknowledge that the stated heritage impact assessment methodology used in the HTVIA accords with policy and guidance but question whether the methodology has been adequately employed. The NPPF (para. 189) requires the level of detail to be proportionate to the asset’s importance, and no more than sufficient to understand the potential impact on significance.</p> <p>The proposal affects a substantial number of assets of the highest grade – Grade I – as well as Grade II*, II and non-designated assets.</p> <p>We would suggest the HTVIA’s assessment of significance and setting is insufficient to understand the impact upon certain assets – for example, for the Church of St Magnus the Martyr, its significance is summarised as ‘of exceptional historic and architectural interest, having been designed by Wren. It is also of communal value as a symbol of collective Christian faith, open to worshipers to this day’. The analysis of setting comprises a statement that the Church of St Magnus, Adelaide House and Fishmongers Hall – 17th, 19th and 20th century buildings – are positive contributors to each other’s setting and that their shared settings are of the River Thames and London Bridge, as well as the City of London. However, the analysis does not address the importance of View 19 in the setting of the church, towards the Monument along the alignment of London Bridge and historically part of a processional route into the City from the south.</p> <p>Had this been identified, it would be difficult to conclude there would be no harm arising from the proposal as a result of a tall tower challenging the prominence of the Monument in this view and altering the visual relationship between these assets.</p> <p>We conclude the assessment in the HTVIA does not provide sufficient understanding of the setting’s contribution to significance, to be able to conclude the proposal causes no harm. The same applies for the Church of St Mary Woolnoth, the Monument and other assets assessed. In our professional opinion we believe the HTVIA does not fully represent the harm to a variety of assets of the highest significance.</p> <p>The harm arising to heritage assets is of a high order both on an individual basis and, as so many assets are affected, cumulatively. Whilst this harm is likely to be judged as less than substantial it is towards the upper end of that scale because of the significance (and importance of the affected aspects of setting to the significance) of those assets. Clear and convincing justification for that harm is absent.</p>
10PL15 – Policy CS14 and response to surrounding context/suitability for a tall building	<p>We note the applicant’s assertion that the building is not in an area identified by the City of London as being ‘inappropriate’ for tall buildings, as defined on the Policies Map. We acknowledge that Policy CS14 states categorically that planning permission will be refused for those in ‘inappropriate areas’.</p> <p>However, Policy CS14 goes on to state that elsewhere in the City, tall buildings will be permitted ‘only on those sites which are considered suitable’; the Tall Buildings SPD also clearly states ‘all other sites in the City are considered to be sensitive to tall buildings’. Our assessment indicates this location is unsuitable to a building of this height, as set out above.</p>

10PL19 – Public benefits and planning balance

We consider that the harm to heritage assets has not adequately been recognised within the HTVIA, and therefore cannot be relied upon in the decision-making process when undertaking the tilted balance:

- At the response to HE9, the applicant states that ‘the less than substantial harm at the lower end occurs only to the setting of The Monument when viewed from near the gates of the Church of St Magnus the Martyr’. However, our previous objection report identifies harm to other designated heritage assets.

The HTVIA weighs some of the heritage harm against heritage benefits, which we consider below:

- Regarding the harm to View 19 from the gates of the Church of St Magnus the Martyr to the Monument, the applicant claims this is balanced by improved visibility of the Monument’s gilded top in views along Gracechurch Street. We disagree – the improvement to the visibility of the Monument on Gracechurch Street is negligible to nil, whilst the prominence of the proposal and the way in which it challenges the Monument’s prominence in View 19 is significant and harmful. Neither can the negligible change to visibility of a small portion of the gilded top compensate for truncating views to the north, from the Monument’s viewing platform.
- Regarding the applicant’s claim that the high quality of the proposal completely mitigates the harm to heritage assets, in particular St Mary Woolnoth and the Monument, we disagree that design quality can mitigate this harm due to nature of these assets’ significance, the importance of setting and the way in which this contributes to their significance and the ability to appreciate that significance.

The heritage and public benefits stated in response to HE9 are stated as follows, which we consider in turn:

- ‘Addition of high quality architecture to the City’s townscape’ – An alleged benefit that is not proven as addressed above.
- ‘High quality mixed-use spaces’ – This is for the decision-maker to weigh in the planning balance but is unlikely to be of such value as to either on its own, or in combination with other alleged benefits, to overcome the harm arising.
- ‘Increased permeability of the site’, ‘reinstatement of historic routes and opening up potential new north-south links’, ‘improved public realm’ and ‘improved setting to the listed buildings around Brabant Court’ – These are at ground/podium level and do not necessarily require a tall building to provide them. The DAS and HTVIA indicate that only tall building schemes were considered and we are not aware of viability studies having been produced to justify the need for a tower of this height in order to deliver these public benefits. Accordingly little weight should be given to these alleged benefits.
- ‘Provision of a free-to-enter public viewing gallery, offering unique public views of the Monument’ – The viewing gallery is at Level 6 and we are not aware any evidence that a building of this height would be required to deliver a public gallery at this level. Accordingly little weight should be given to this alleged benefit.

4.0 Conclusions

4.1 As set out in the previous third party review of heritage and townscape considerations, there would be harm to heritage assets of the highest significance including (but not limited to):

- 1 The Monument (Grade I)
- 2 St Mary Woolnoth (Grade I)
- 3 Church of St Magnus the Martyr (Grade I)
- 4 Eastcheap Conservation Area and listed buildings
- 5 Bank Conservation Area
- 6 Lloyds building (Grade I)
- 7 2-3 Philpot Lane (Grade II)

4.2 **Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”).** S.66(1) imposes a duty upon the local planning authority when making planning decisions to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

4.3 **The NPPF requires ‘great weight’ to be given to an asset’s conservation,** and the more important the asset, the greater weight that should be given (NPPF, para. 193), irrespective of the level of harm. **It also requires (para. 194) ‘clear and convincing justification’ for harm to the significance** of a designated asset (including harm from development in its setting).

4.4 Our conclusion remains that the public benefits do not outweigh the less than substantial harm to the heritage assets, a number of which are of the highest significance. We continue to conclude that clear and convincing justification for the harm has not been provided and as such it is not possible to conclude the proposal would be acceptable when undertaking the tilted **balance required by the NPPF, which requires ‘considerable importance and weight’ to be accorded to a finding of harm to a listed building and ‘great weight’ given to an asset’s** conservation.

City of London Conservation Area Advisory Committee

Department of the Built Environment,
Corporation of London,
P.O. Box 270,
Guildhall,
London EC2P 2EJ

9th October 2020

Dear Sir/Madam,

At its meeting on 1st October 2020 the City of London Conservation Area Advisory Committee considered the following planning application and reached the decision given below:

C.91 20/00671/FULEIA - 55 Gracechurch Street, London EC3V 0EE

Eastcheap Conservation Area/Bridge and Bridge Without Ward. No Ward Club rep.

Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.

The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.

This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Electronic copies of the ES can also be issued by Trium Environmental Consulting LLP; for further details contact hello@triumenv.co.uk or Tel: +44 (0) 203 887 7118.

The Committee strongly objected to this proposal. Whilst there were no objections to the loss of the existing buildings, the height and bulk of the proposed replacement represented 'tall building creep' into an area characterised by buildings of seven or eight storeys which neither enhanced the Eastcheap Conservation Area nor the neighbouring Conservation Areas in this core area of the City.

I should be glad if you would bring the views of the Committee to the attention of the Planning and Transportation Committee.

Yours faithfully,

Mrs. Julie Fox
Secretary

Sonia Williams
City of London
Department of the Built Environment
PO Box 270
Guildhall
LONDON
EC2P 2EJ

Your reference: 20/00671/FULEIA
Our reference: 161468

16th October 2020

PLNComments@cityoflondon.gov.uk

Dear Ms Williams,

RE: Greater London, City of London, 55 Gracechurch Street: demolition of existing and construction of 30 storey building (Eastcheap Conservation Area).

This case was discussed by our Southern Buildings Committee. We **object** to the proposal which will cause irreversible harm to several heritage assets, and the City of London by the nature of its scale.

Significance and harm

55 Gracechurch Street is out of our remit, and we therefore have no comment to make on its demolition. However, the scale of the existing building is much more sympathetic to the scale of Gracechurch Street, a prominent thoroughfare in the City. Moreover, it broadly respects the building heights of surrounding heritage assets, including 39-40 Lombard Street, and the Grade II* 33 & 35 Eastcheap to the south east. The settings of these surrounding listed buildings make this a sensitive site, and this is only increased by its proximity to Eastcheap Conservation Area, noted in the appraisal for the architectural quality of its listed and unlisted buildings. Bank Conservation Area is also located to the west, and the Leadenhall Conservation Area to the north of the site. Listed buildings and conservation areas were designated to protect the rich history and architectural quality of the City of London, and the NPPF requires appropriate weight should be given to the preservation of their significance.

The construction of a 30 storey building in this location would not do this and would instead cause great and unwarranted harm to these heritage assets. The prominent and listed 39-40 Lombard St. building would be dwarfed, despite its own large scale, and the significance of buildings along Eastcheap further reduced. The views produced within the application also demonstrate the alarming extent to which Gracechurch Street would be overshadowed. The proposed building moreover shows little respect to the conservation areas around it, seeking instead to respond to the scale and materiality of the skyscrapers to the north.

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Most worrying is the precedent that this building could set, and the harm this would cause to the City in the long term. The Eastern Cluster is located to the north of the site, with a clear separation. 20 Fenchurch Street 'The Walkie Talkie' is an anomaly, constructed much further towards the river. It is imperative that this should not be seen a starting point for bringing the front line of tall buildings forward. The cumulative impact of similar development over time would irreversibly alter the character of the City and its significance viewed from the River Thames. Moreover, the impact on some of the most important buildings in London, such as the Tower of London, and Tower Bridge would be considerable.

Policy

Policy 7.7 of the London Plan states that "the impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings..." Paragraph 193 of the NPPF states that "great weight should be given to the asset's conservation". This includes the setting of heritage assets. The construction of this building would cause great, and unjustified, harm to a number of heritage assets. This would include those nationally recognised, and those designated by the Council to protect their borough's heritage. The precedent which would be set would only increase this harm, and the principle of such a tall building in this location is therefore insupportable.

We urge your authority to refuse consent for a scheme which would cause irreversible harm.

I would be grateful if you could inform me of your decision in due course.

Yours sincerely,

Olivia Stockdale

Conservation Adviser



19 October 2020

FOA Gwyn Richards
Chief Planning Officer
PO Box 270
Guildhall
London EC2P 2EJ

www.lsh.co.uk

Lambert Smith Hampton
United Kingdom House 180 Oxford Street
London W1D 1NN

Sent via e-mail (plans@cityoflondon.gov.uk)

Letter of Objection

Application reference: 20/00671/FULEIA

Description of Development: *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*

Address: 55 Gracechurch Street London EC3V 0EE

We write on behalf of our clients, City Apartments Limited to **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020.

In addition to this cover letter, the list of documents submitted for consideration are set out below.

City Apartments Limited

- Objection Report (City Apartments Limited, October 2020)
- Aerial Photographic Appendix (October 2020)

The Objection Report is also supplemented by a Heritage Report, produced by Cogent Heritage, which provides a professional summary on the impacts of the proposal on neighbouring heritage assets.

City Apartments operate the hotel within the properties and are also set to suffer impacts relating to the loss of amenity, privacy, daylight, sunlight and wind impacts which will likely result in a viable business suffering adversely as a result of the proposals



Within the appended objection report, we outline why the proposals are considered to be contrary to the policies set out within the adopted and emerging development plan and also set proposed reasons for refusal.

We summarise that the proposals in their current form should be refused by the City of London for the reasons outlined within the Objection Report. Should this not happen, our clients have signaled their intention to challenge the lawfulness of any future decision. Our client also reserves the right to supplement the above objection in respect of specific matters relating to the applications and to be re-consulted regarding any further amendments or additional documentation submitted.

We await confirmation that this objection has been acknowledged and logged and my client would be happy to demonstrate these impacts on site, should the case officer wish.

Should you have any queries, please contact either myself or my colleague Rob Reeds

Yours faithfully,


Mary-Jane O'Neill
Head of Planning – London & South East
For: **Lambert Smith Hampton**
DL: 
M: 
E: 

Enc:
20-00671-FULEIA 55 Gracechurch Street Objection Letter (City Apartments Limited)_Obj
Appendix - 20-00671-FULEIA 55 Gracechurch Street Appendix (City Apartments Limited)
2020 10 04 - 55 Gracechurch Street Heritage Representation 0224



**Lambert
Smith
Hampton**

www.lsh.co.uk

Objection to Planning Application

For the proposed development at

**55 Gracechurch Street
London EC3V 0EE**

On behalf of

City Apartments Limited

Prepared by
Lambert Smith Hampton
United Kingdom House
180 Oxford Street
London
W1D 1NN

October 2020



1.0 Introduction

- 1.1 We write on behalf of our client, City Apartments Limited, to strenuously **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020. The application particulars are outlined below.

Application reference: 20/00671/FULEIA

Description of Development: *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146m AOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*

Address: 55 Gracechurch Street London EC3V 0EE

- 1.2 Our client, City Apartments Limited, has a number of serious concerns relating to the impacts of the proposed development on the operation and viability of their business and wishes to raise these with the Local Planning Authority.
- 1.3 Our client has read the objection by Store Property Investments Limited, who are the freehold owners of 2 – 3 and 5 Philpot Lane and support the conclusions of this objection, which are:
1. The proposals are not consistent with National Planning Policy Framework and Guidance and the general terms of policies within the City of London Development Plan. There are no planning merits and no justification whatsoever for the grant of planning permissions and the only decision that a reasonable local planning authority could possibly make is a decision of refusal.
 2. The location of a tall building on this site is considered wholly unacceptable in principle, resulting in a range of impacts including most pertinently severe design and amenity impacts for 2 – 3 and 5 Philpot Lane.
 3. The proposal will result in serious harm to an existing business that is already under significant strain from the current pandemic resulting in an oppressive 30-storey tower

directly adjacent 2 – 3 and 5 Philpot Lane. This includes Daylight, Sunlight, Wind and Microclimate impacts.

4. The heritage impacts, as outlined within this planning representation and the heritage representation, would be severe and irreversible causing substantial harm to the character and appearance of the historic environment.

- 1.4 The proposed six reasons for refusal are also supported and are re-iterated at the end of this report.

The property

- 1.5 City Apartments Limited operates 2 – 3 and 5 Philpot Lane, which accommodates a hotel with 36 fully serviced apartments. City Apartments provides high quality, furnished hotel apartments for business and tourist visitors for both short term and long term stays.
- 1.6 For clarity, we have marked our client's property on the submitted site location plan in Figure 1, which is indicated to the north east of the application site in in block shading. Additionally, further photographic and aerial information is contained within the Appendix.



Fig. 1 - Location Plan of the application site (red outline) and clients site (red shade)

- 1.7 The entrance to 2 – 3 and 5 Philpot Lane is from Philpot Lane through an attractive archway with black iron gates. There is a small central courtyard used for arriving guests which is often used as an informal amenity space and small gatherings as it provides a quiet area away from Philpot Lane and Fenchurch Street.
- 1.8 The images below show a typical hotel apartment, which comprise a bedroom, living space and bathroom.



Fig. 2 – Typical living space for hotel occupants

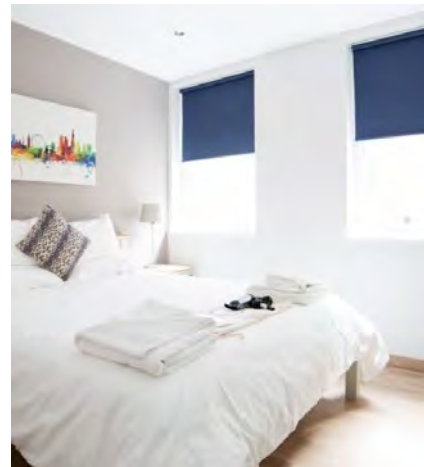


Fig. 3 – Typical bedroom for hotel occupants

- 1.9 The hotel is arranged over seven storeys (lower ground and ground plus five) with outlooks from the bedrooms and living spaces predominantly to the south (towards the 'Northern Courtyard') and west (towards 'Brabant Court').
- 1.10 It is primarily on the basis of points 2 (location of a tall building and associated amenity impacts) and 3 (harm caused to the viability of an existing business) that our client, City Apartments, wish to reiterate and expand on the objections contained within the objection by Store Property.

2.0 Amenity Impacts

2.1 Our client is concerned that the proposals will have a significant impact on the wellbeing of future residents and occupants of the hotel. The 30 storey building will be located directly adjacent to the windows of properties, resulting in a range of impacts that are discussed below including loss of privacy and daylight, sunlight and wind impacts.

2.2 Policy DM 21.3 (Residential Environment) of the draft Local Plan seeks to protect the amenity of existing residents and all new development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential accommodation.

Loss of privacy and noise

2.3 The proposals would open up routes through the site, which have not been fully considered. The hotel bedrooms and living spaces look towards Babrant Court and the 'Northern Courtyard' at ground floor level. It appears that no consideration has been given to the potential impacts this could cause with a very significant number of people passing by those windows every day.

2.4 This would result in a lack of privacy for those occupants and also potential noise issues from people travelling through that area.

2.5 Additionally, during construction, there will be a range of impacts (discussed later in more detail) but scaffolding will be erected directly adjacent to windows, severely compromising the privacy of City Apartments' future guests.

Daylight / Sunlight and Wind / Microclimate

2.6 Our client agrees with the detailed summary of the comments raised by Store Property and considers the proposals will have a detrimental daylight and sunlight, wind and microclimate impact on the property. The position outlined within Store Property's Objection Report is fully supported regarding these matters.

2.7 The hotel apartment windows at 2 – 3 Philpot Lane face directly to the north east of the proposed tower. 5 Philpot Lane also has bedrooms and living areas with aspects to the south onto Brabrant Court.

2.8 These are not only bedrooms but include studios and living rooms for those tourist and business visitors to London who stay for much longer periods than a single week or weekend.

-
- 2.9 Our client is concerned that no assessment has been made of the impacts on 2 – 3 and 5 Philpot Lane with regards to daylight, sunlight and overshadowing. It is considered that future occupiers will experience a noticeable reduction in the daylight and sunlight levels to these units and the open space opposite will also be impacted. The hotel is a sensitive use, with bedrooms and living spaces which have not been subject to any form of consideration.
- 2.10 The applicant has produced a Wind and Microclimate assessment which has sought to assess a range of scenarios. The assessment includes the production of RWDI and CFD testing, which is in general conformity with the guidance contained within the Wind and Microclimate report.
- 2.11 Nevertheless, it is considered that the application documents have not tested the potential impacts of the proposals on the external amenity space of 2 – 3 and 5 Philpot Avenue, nor the entrance doorways to those buildings. Our client uses these spaces for a range of uses, including as a welcome courtyard, for resident amenity space and as a quiet area for guests to enjoy. It does not appear that the uses and impacts have been tested.
- 2.12 Our client can confirm that the wind environment is already significantly compromised in this area as a result of recent developments such as 20 Fenchurch Street. Therefore, robust testing is required which includes private entrances and amenity space.
- 2.13 This assessment process has not been undertaken robustly and has the potential to significantly impact the existing building, its entrance and amenity space.
- 2.14 It is therefore considered, without any supporting evidence to the contrary, that a proposal of 30 storeys in height, directly adjacent to a sensitive use would have a significant and material impact on the daylight, sunlight, overshadowing, wind and microclimate of the property and will negatively impact the occupants.

3.0 Heritage Impacts

- 3.1 In relation to heritage impacts, City Apartments supports the objections raised by Store Property in their Objection Report and the Heritage Objection produced by Cogent Heritage.
- 3.2 In particular, our client wishes to raise concerns relating to the economic viability of the heritage asset in relation to its current use. Paragraph 192 of the NPPF states that:

'In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.'*

- 3.3 The NPPG also states that LPAs:

- *'may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation'; and*
- *'It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset'*

- 3.4 Our client is a custodian of the Grade II listed property which is subject to irreversible damage as a result of the development proposals. Upkeep and maintenance of the building is required both internally and externally to ensure the property does not fall into disrepair whilst also running a business which supports London's tourism, business and cultural economy. Part of this is ensuring that the heritage asset can contribute towards the character and viability of the area and has a suitable end use which supports and makes a positive contribution towards London's economy in line with Para. 192 of the NPPF.

- 3.5 As a former large dwelling, the property is perfectly suited to a hotel use and should our clients business be extinguished as a result of the proposals, it is difficult to see how another, comparative use would be able to survive. The significant works undertaken in 2013, to bring

the building into use as a hotel are at risk of being undermined and could harm the positive impacts our client provides to the locality.

- 3.6 We strongly submit that the proposed development materially detracts from the significance of 2 – 3 Philpot Lane and as such is likely to damage its economic viability. This in turn, would impact on the properties on-going and long term conservation in conflict with the NPPG. As such, the proposals would fundamentally impact on the economic viability of the listed building; where the existing hotel use provides a positive contribution to the local and regional economy with a use which is consistent with its conservation.

4.0 Other matters for consideration

- 4.1 The following matters relate to additional points of fact or concern which may have implications on the way that the proposals can progress and how the development can be constructed. These specifically relate to the development proposals and how they adversely impact on City Apartments' business.

Demolition and Construction

- 4.2 On behalf of our client, we have reviewed the Outline Construction Environmental Management Plan, which is likely to be conditioned as part of any future consent. Whilst it is only possible to draw broad conclusions on the document at this stage, there are a range of concerns that our client wishes to raise.
- i. There is limited acknowledgement of potential impacts on neighbouring buildings, especially during the de-construction period. Any further submission should state in detail how neighbouring properties and their occupiers will be safeguarded, informed and consulted when major stages of work take place.
 - ii. The dust and noise impacts associated with demolition, piling and construction have not been considered in so far as there are sensitive uses in adjacent buildings. This is likely to have a significant adverse impact on our clients business.
 - iii. Construction scaffold is proposed to be located directly adjacent to hotel room windows, with apparently no commentary on safeguarding, privacy or amenity impacts and how these will be addressed. This would seemingly require approval from neighbouring properties and therefore the owner of the property, and our client, will be required to approve the proposed construction methodology. Any further submission should state in detail how this will be requested and managed throughout the demolition and construction period of three years, along with any required mitigation.

-
- iv. The build process is more than three years and by placing construction apparatus next to the windows of up to 10 apartments, this will have significant impacts on the viability of a City Apartments' existing business. The Outline CEMP does not acknowledge or set out how these impacts can be mitigated. In summary, the Outline CEMP appears to be an off-the-shelf report with little site specific analysis into how the proposals will be constructed and adverse impacts mitigated.
- v. The existing operation also provides valuable space for visiting business persons who have been required to travel to and from the City during the pandemic. As there are living spaces within the hotel rooms, the use of the hotel for business persons quarantining and isolating has been a very important resource to City businesses. As a result of the current pandemic, the rooms are often occupied throughout the day. Due to the glazing requirements in the Grade II listed building (as required by CoL planners in 2012 / 2013), the noise suppression is limited and unabated construction would have a significant impact on the living conditions and welfare of those occupants, and would further strain the viability of the existing hotel use.
- 4.3 These items remain a significant concern for our client and should be fully considered and addressed by the Local Planning Authority.

Consultation

- 4.4 The NPPF is clear in outlining that effective engagement between applicants and communities is essential for achieving well-designed places. Paragraph 128 of the NPPF states that *"applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot"*.
- 4.5 In this regard, the Planning Statement outlines that discussions have been undertaken with stakeholders and an online public exhibition was held between 6th July and 17th July 2020. For reference, the application was received by the Council on 24 August 2020. As a planning consultancy with significant experience in consultation and major developments, we can attest that it would not have been possible to run collaborative and open consultation just 6-weeks prior to the submission of a major planning application as this allows for virtually no time at all for stakeholders' comments to be taken on board or mitigated by the design team.
- 4.6 Our client always has staff in the property and they were not informed of the proposals prior to submission and there have been no discussions relating to the public exhibition or even an offer of a meeting prior to a planning application being submitted.
- 4.7 Whilst not a reason for refusal against adopted and emerging policy and guidance, in accordance with the NPPF, the City of London should not look at these proposals more

favourably as the proposals have not been subject to meaningful consultation with a range of appropriate stakeholders.

Summary

- 4.8 City Apartments considers that the proposals have not had due regard to their business operations and should therefore be refused.

5.0 Impact on the viability of the existing hotel use

- 5.1 The aforementioned concerns outlined in sections 2 and 3 of this report are likely to result in significant adverse impacts on the viability of the existing business at 2 – 3 and 5 Philpot Lane. City Apartments Ltd operates a successful and viable hotel and serviced apartment business, however, COVID-19 has been testing for the overall operation of the use. The business relies on providing high-quality apartments for visitors to London, helping the City of London and the London Plan meet its aims and objectives, which includes ensuring there is a suitable provision of tourist and business services including hotels.
- 5.2 City Apartments provides a valuable service and the property has recently undergone some costly upgrades of the facilities within 2 – 3 and 5 Philpot Lane, which has included extensive works to the Grade II Listed element of the site to ensure the continuing beneficial use of this historic building along with providing a high quality service for visitors to London, in line with Local Plan policy DM11.3.
- 5.3 Adopted and emerging policy supports hotel trade in the city and the emerging policy evidence bases estimate that visitor numbers are likely to increase – especially demand for visitor accommodation. Policy CV1 (Protection of Existing Visitor, Arts and Cultural Activities) sets out that proposals resulting in the loss of these facilities will be resisted. Whilst this is generally related to land use, the implications of the proposed development could extinguish the existing use at 2 – 3 and 5 Philpot Lane, which would be a detriment to the local and regional tourist economy. Policy E10 (Visitor Infrastructure) of the draft London Plan supports a sufficient supply of serviced visitor accommodation.
- 5.4 As demonstrated in the preceding paragraphs, the proposal will have a detrimental impact on both 2 – 3 and 5 Philpot Lane and the operation of City Apartments Limited. In a time where retaining existing businesses are under particular stress, the City of London is duty bound to protect these businesses from any unacceptable impacts. We therefore request, on behalf of our client, that the application is refused on the grounds that it will have a detrimental impact on local tourism and the economy and will also threaten the economic viability of the listed buildings.

6.0 Conclusions

- 6.1 We have considered this application for planning permission against the terms of the Development Plan and other material considerations. We conclude that the proposals will have a significant and detrimental impact on the operations and viability of an existing business and any planning benefits to the development are outweighed by these impacts.
- 6.2 The application is deficient in detail and contrary to the Council's planning policies. There are no planning merits and no justification whatsoever for the grant of planning permissions and the only decision that a reasonable local planning authority could possibly make is a decision of refusal.
- 6.3 The location of a tall building on this site is considered wholly unacceptable in principle, resulting in a range of impacts including most pertinently severe design and amenity impacts for 2 – 3 and 5 Philpot Lane and the operation of City Apartments.
- 6.4 As a result, the proposal will result in serious harm to an existing business that is already under significant strain from the current pandemic. The proposal will result in an oppressive 30-storey tower directly adjacent to the existing hotel with little to no consideration of the wide range of impacts on its operational use.
- 6.5 Should the City of London consider the proposals to be acceptable in principle, then a range of additional matters require urgent consideration to ensure they can be appropriately assessed to ensure no adverse impacts will arise in terms of daylight, sunlight, wind and microclimate
- 6.6 The spatial, design and heritage objections raised by Store Property Limited are fully supported.
- 6.7 To conclude, the proposals in their current form should be refused by the City of London and the reasons are outlined below.

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

PROPOSED REASON FOR REFUSAL 4:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

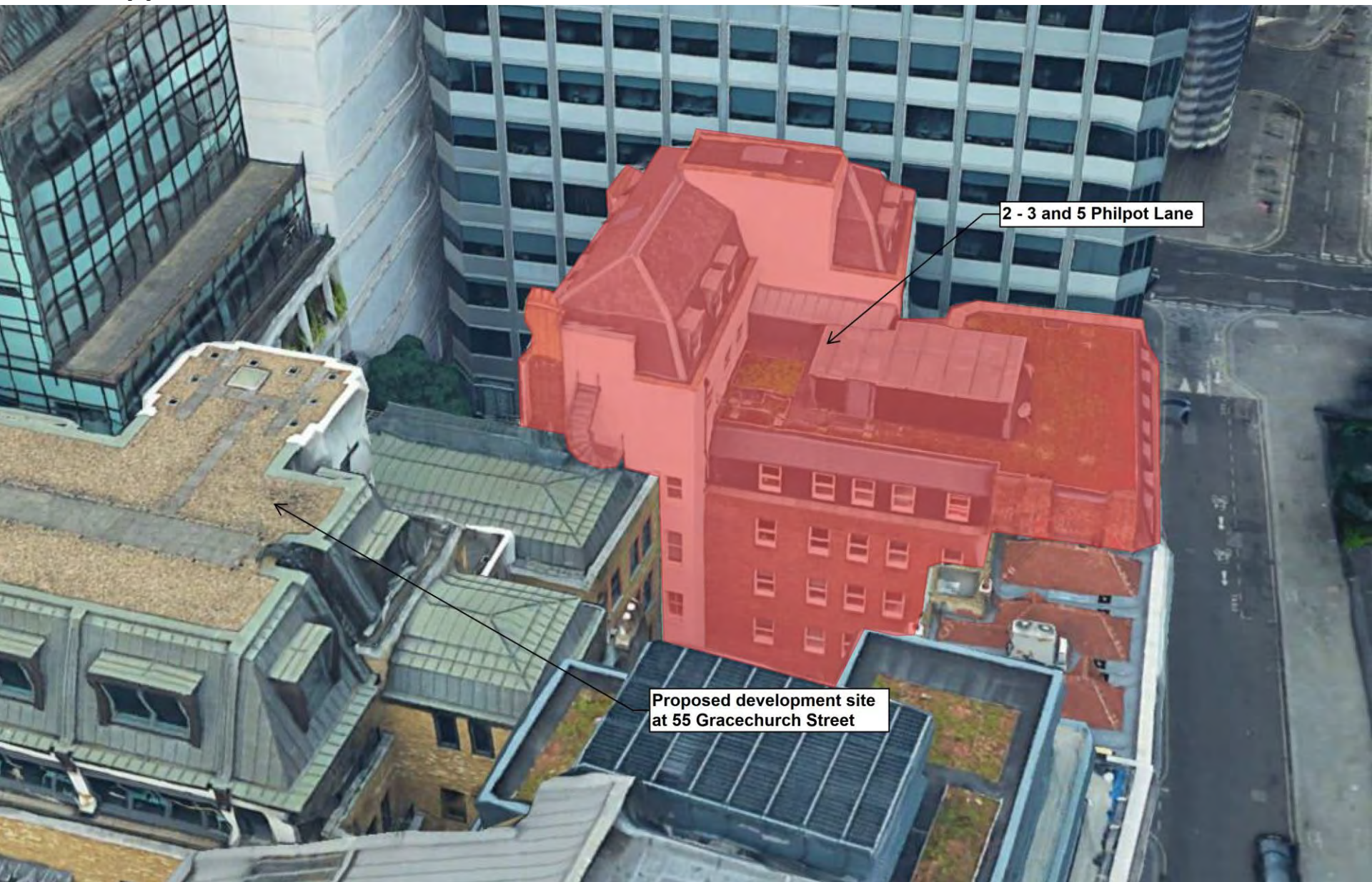
PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

PROPOSED REASON FOR REFUSAL 6:

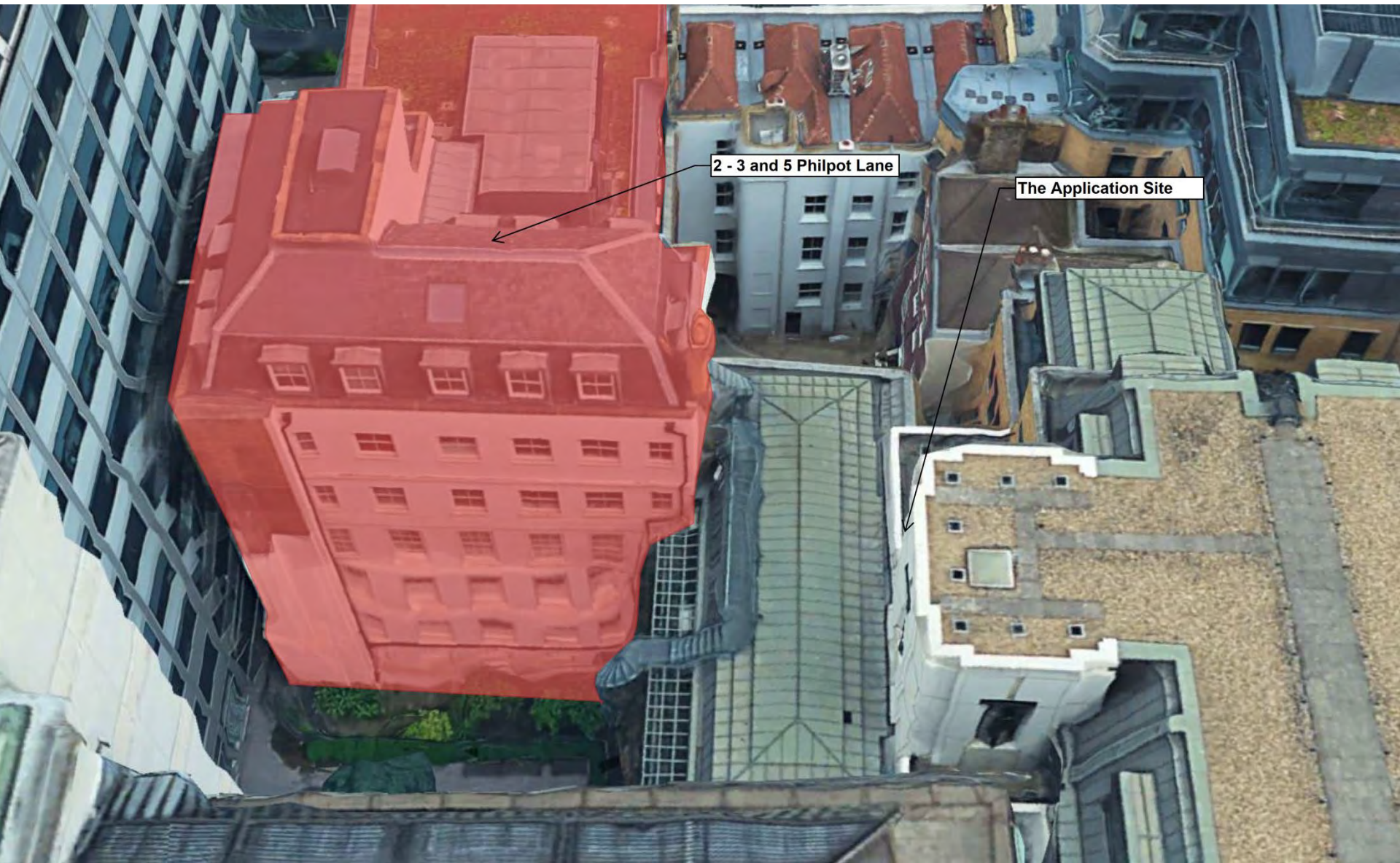
The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally effect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

Aerial Appendix 1



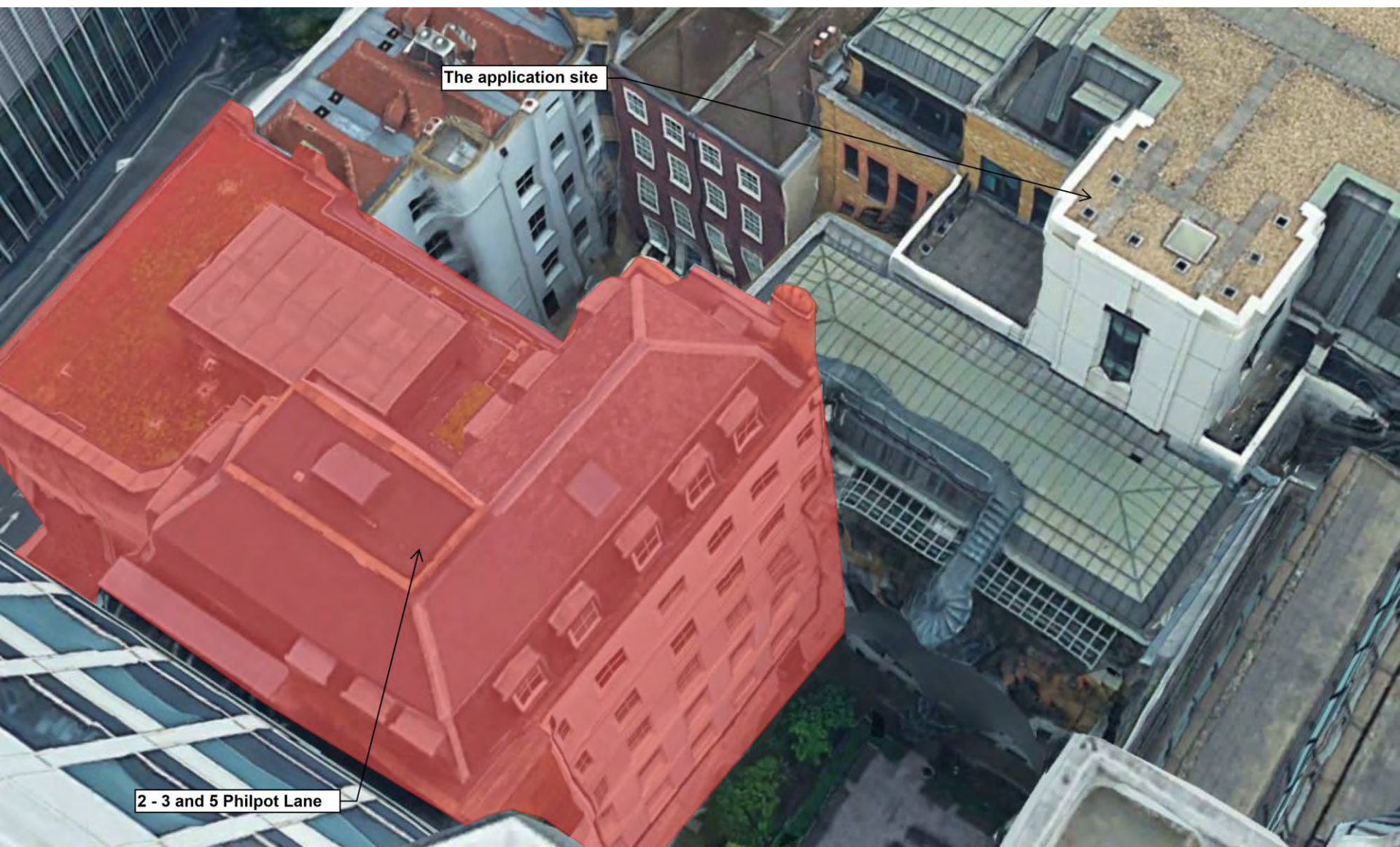
2 – 3 and 5 Philpot Lane from the south / south east, highlighted in red.

Aerial Appendix 2



2 – 3 and 5 Philpot Lane from the west, highlighted in red.

Aerial Appendix 3

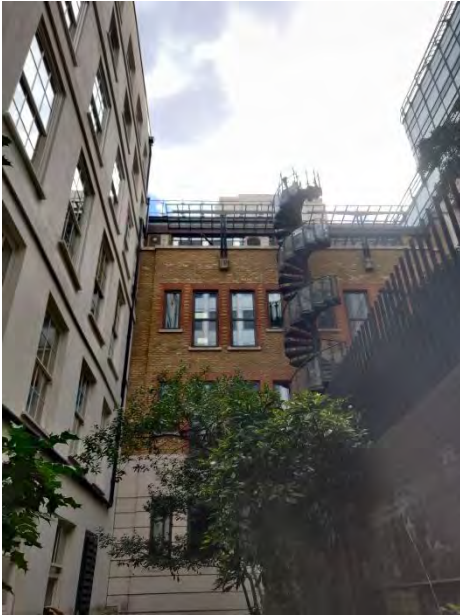


2 – 3 and 5 Philpot Lane from the north west, highlighted in red.

Aerial Appendix 4



Photograph Appendix 1



1. Northern façade and fire escape of the existing building
2. Lower ground floor and ground floor windows to 2 – 3 Philpot Lane
3. Western façade of 2- 3 Philpot Lane with fire escape
4. Western façade of 2 – 3 Philpot Lane from lower ground floor

Photograph Appendix 2



1. 5th floor of 2 – 3 Philpot Lane towards site
2. 5th floor of 2 – 3 Philpot Lane to ground floor
3. 5th floor of 2 – 3 Philpot Lane towards office building opposite.

Photograph Appendix 3



1. 2 – 3 Philpot Lane from the application site (chimney and fire escape)
2. View from the north of fire escape on the application site
3. View from the south of 2 – 3 Philpot Lane chimney

Heritage Representation

55 Gracechurch Street, London (Application 20/00671/FULEIA)

Author: Ignus Froneman B.Arch.Stud ACIfA IHBC

Date: 07 October 2020

On behalf of: Store Property Investments Limited

Ref: 0224

INTRODUCTION

- 1.1 This Note has been prepared by Ignus Froneman, Director at Cogent Consulting, and contains a representation on behalf of Store Property Investments Limited. The representation addresses the heritage impacts of the proposed redevelopment of 55 Gracechurch Street, London (City of London Application 20/00671/FULEIA) on the closest listed building, Nos. 2-3 Philpot Lane. The Note focuses on heritage matters relating to this building, although the nearby listed building at No. 4 Brabant Court is also considered, where relevant.
- 1.2 The building has not been subject to a full documentary research, but the information supplied in the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (August 2020), prepared by Citydesigner, has been referred to, alongside research undertaken by Ann Robey on behalf of Store Property Investments Limited in 2011, including a report by Julian Harrap, dated 1985, for the Georgian Group (**Appendix 1**). The author of this note has undertaken further online documentary research and has inspected the building in its context in September 2020, but it was partially occupied at the time of the site visit and only limited areas have been internally inspected.

OVERVIEW OF HISTORIC BACKGROUND

- 1.3 According to Historic England's online National Heritage List, Nos. 2 and 3 Philpot Lane was first listed on 5 June 1972. The list description, as is commonplace for listings of this time, is relatively short:

"In Court at rear of No 1. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed."

1.4 The *Pevsner* guide¹ describes Philpot Lane, and Nos. 2-3:

"Named after Sir John Philpot, Lord Mayor 1378-9, who owned property hereabouts. Before that called after St Andrew Hubbard, burnt in 1666 and not rebuilt: it stood opposite the S junction with Eastcheap."

Well-documented C17-C18 houses (w side) nicely demonstrate the tendency of greater dwellings of that time to lurk off the highways. Nos. 2-3 (N end) face a little court, reached through an archway from a demolished mid-c 19 building. Three stuccoed bays, part of the house of Nathaniel Letten, merchant, c. 1670, later divided and heightened by one storey. Handsome flat door hood on big brackets. Refurbished by David Landaw & Partners 1987-9, with rear extension."

1.5 Before that, in 1985, Julian Harrap wrote a detailed account of the building, which noted the following:

- i. The west wall of the building was probably five bays wide, with 'various windows which appear to have been added at the south' and it was three storeys tall.
- ii. The two top storeys were added later; an early 19th century extension and then a war damaged replacement top storey.
- iii. Observations of some original elements suggest an original construction date of late 17th or early 18th century.
- iv. The great height and large first floor windows indicate grand rooms.
- v. The present front entrance was probably originally the back entrance, with the front facing the courtyard to the west.

1.6 According to Ann Robey, in 1838 the house went into multiple occupation, with the southern arm (or wing) of Nos. 3 & 4 entered from the south, and for a while it was known as No. 5 Brabant Court. In 1846 Nos. 2 & 3 were described as '*a capital messuage with courtyard abutting Philpot Lane, now known as Nos. 2 & 3, comprising a warehouse and room and counting house over premises to George Killick on the southside of the said No. 3, with an entrance from Brabant Court, known as No.5 Brabant Court, which warehouse and counting house are occupied by Messrs Lewis Nokes [?] Wholesale tea dealers, while nos. 2 and 3 are let out in separate rooms and chambers to tenants*'.

1.7 The building was most likely built as the high status house of a City merchant, although it has evidently been re-used, having been used as part of a bank in the 19th century, as well as offices, and the premises of a wine merchant. The building would have undergone alterations as part of these cycles of re-use. That is not unusual for a City

¹ *The Buildings of England, London 1: The City of London* (2002 edition) pp577-8.

house such as this, and this history of adaptation adds to the time depth and interest of the building.

- 1.8 The building was also damaged in WWII, when the top and the eastern return to Philpot Lane were partially rebuilt. Perhaps the best illustration of this is the sequence of oblique aerial photos, which record the building at different angles, and in different light, from 1922 to 1947. Extracts of these are replicated below and the south-western chimneystack, to be demolished as part of the proposed development, is highlighted with a red arrow for ease of reference.



Fig 1: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, 1922, from the SW. © Britain from Above EPW007740 ENGLAND.



Fig 2: Detailed extract from an oblique aerial photo of the eastern half of the City of London, 1938, from the east. © Britain from Above EPW057040 ENGLAND.



Fig 3: Detailed extract from an oblique aerial photo of Leadenhall Street and the city, London, from the east. © Britain from Above EAW000510 ENGLAND.



Fig 4: Detailed extract from an oblique aerial photo of the area around Monument, Gracechurch Street and King William Street, London, from the south, 1946. © Britain from Above EAW013047 ENGLAND.



Fig 5: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, London, 1947, from the south. © Britain from Above EAW011174 ENGLAND.

- 1.9 It is possible to tell from the sequence of oblique aerial photos that the building would have had a steep roof to the west in 1922, but seemingly with a taller east elevation, which had a shallower roof over. Over the years there were consistently two chimneystacks to the south elevation, which must reflect the internal use of the rooms

at the southern end of the building, and may include its adaptive reuse. It is possible to tell that the top storey, and certainly part of the east elevation, was rebuilt in the 1940s. The typical dense historic courtyard arrangement of the City block within which the building is set is also evident on the aerial photos, with buildings crowded around small courtyards and alleyways. Some of the buildings were taller than others, but the courtyards were defined by buildings of broadly consistent scale and height.

- 1.10 The former house has undoubtedly been altered over the years and the former rear warehouse type abutment on Brabant Court, as recorded on the 1978 photo (**Fig 6**), has been replaced with a modern apartment block.



Fig 6: The building to the north of Brabant Court in 1978; this has now been replaced. © City of London: London Metropolitan Archives <http://collage.cityoflondon.gov.uk>.

- 1.11 In the wider context there has been much replacement and rebuilding, with only fragmentary parts of the 18th century townscape surviving, especially within the **courtyards. No. 4 Brabant Court is an example of another merchant's house off Philpot Lane**, and in the absence of very much else of this period, aside from the Philpot Lane frontage (Nos. 7 & 8, listed grade II*), there is relatively little left of this once common, but now rare, historic townscape.

OBSERVATIONS ABOUT SIGNIFICANCE AND SETTING

- 1.12 As has been stated at paragraph 8.B.35 of the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (the HTVIA), *"Although significantly altered, these listed buildings on Philpot Lane and Brabant Court are of historic and architectural interest owing to their age, architectural quality and original details [...]"*
- 1.13 As a very brief and very broad summary of significance, this statement is correct. However, its brevity does not allow for a good understanding of how this significance can still be appreciated or understood, and how parts of the building, or its setting, are capable of assisting in its understanding, and of revealing its significance.
- 1.14 The HTVIA, in the same paragraph as quoted above, also includes a very brief summary of the setting of the buildings in the group that is assessed, and how that contributes to their significance:
- "The setting of this group of listed buildings has changed considerably with larger scale and tall contemporary buildings. The mix of historic and new, small scale and tall buildings, along with the constantly evolving nature of the City is part of the character of their immediate setting and does not detract from their significance, which lies principally in their age, history and surviving architectural details."*
- 1.15 It is here where the statement omits to say anything about the value of the rare merchants' houses on the west side of Philpot Lane, which now still *"demonstrate the tendency of greater dwellings of that time to lurk off the highways"* as Pevsner put it. It is possible to stand at the grade II listed merchant's house at No. 4 Brabant court and look at Nos. 2-3 Philpot Lane, as can be seen from **Photo 1** below. The photo shows that the depth of Nos. 2-3 Philpot Lane can be seen from Brabant Court, along with the chimneystack, both of which help to reveal something of the nature of this **building, and allows for an understanding that these are two former merchants' houses.** The chimneystack is a well-detailed domestic feature that visually ties the Brabant Court corner of the former house with the rest of the building and makes it instantly understandable (in spite of the modern spiral escape staircase that is also seen).



Photo 1: The grade II listed merchant's house at No. 4 Brabant court (left), looking towards Nos. 2-3 Philpot Lane (right).

- 1.16 The next section of this representation considers some of the pertinent guidance set out in Historic England's *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* referred to as GPA3 hereafter. The HTVIA does not contain any such equivalent assessment.
- 1.17 Paragraph 9 of GPA3, under the heading "*Change over time*", notes that settings of heritage assets change over time. Understanding this history of change will help to determine how further development **within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset**. Settings of heritage assets which closely resemble their original setting are likely to contribute particularly strongly to significance. Settings that have changed may also enhance significance, e.g. where the townscape character has been shaped by cycles of change over the long term. Settings may also have suffered negative impact from inappropriate past developments and may be enhanced by the removal of the inappropriate structure(s).
- 1.18 Nos. 2-3 Philpot Lane is an example of a building in a setting that has undergone considerable change. In certain respects, the **building's** setting bears very little resemblance to its original setting (e.g. the large scale modern adjoining blocks on Fenchurch/Gracechurch Streets, 9-11 storeys); this aspect of the present-day setting does not add to or reinforce its significance. The tall building at 20 Fenchurch Street is also an obvious case in point, although with the difference that it sits within a different street block and is morphologically distinct from the courtyard block of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane. However, despite much rebuilding and the modern replacement buildings, there is still a sense of the **morphology of the historic street block and the former merchant's houses set within this context**, and visible from Brabant Court (where the visual intrusion of the blocks on Fenchurch/Gracechurch Streets is not felt). Although some later development has increased the height of the street block and eroded some of its character, particularly on Fenchurch/Gracechurch Streets, something of the original scale remains.
- 1.19 Given the high rate of the loss of the historic setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane, the residual sense of the original **arrangement, and the ability to understand these two former merchants' houses within the context of each other** is all the more important, and the residual visual relationship between them, as is illustrated in **Photo 1**, is all the more relevant. That includes the ability to perceive the depth of Nos. 2-3 Philpot Lane, along with the chimneystack. Paragraph 11 of GPA3, under the heading "*Views and setting*" **Highlights views which contribute more to understanding the significance of a heritage asset** include those where relationships between the asset and other heritage assets are particularly

relevant. This is clearly a case where the relationships between the former merchants' houses contribute to their understanding. Paragraph 26 of GPA3 notes that, when assessing whether the setting of a heritage asset makes a contribution to its significance, and the extent and/or nature of that contribution, the *"physical surroundings of the asset, including its relationship with other heritage assets"* is one of four things to consider, again highlighting the importance of this relationship.

- 1.20 Paragraph 9 of GPA3, under the heading *"Cumulative change"* highlights that, where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, consideration still needs to be given to whether additional change will further detract from (or can enhance), the significance of the asset. An example of negative change is severing the last link between an asset and its original setting.
- 1.21 This is relevant for two reasons. The changes to the setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane do not mean that further change is inconsequential, or does not need to be assessed in detail. Secondly, the proposed development would go some way towards severing any meaningful link between the two listed buildings; of course the corner of Nos. 2-3 Philpot Lane would remain in Brabant Court, but the legibility of the building – assisted in no small part by the chimneystack and south elevation – would be largely lost.
- 1.22 The heading *"Access and setting"* as part of paragraph 9 of GPA3 is relevant to the western courtyard of Nos. 2-3 Philpot Lane, which is likely to have been historically the principal elevation, as is evidenced by the plat bands and the residual cornice band, as well as the fenestration arrangement – all of this indicate that this was not designed as the back elevation of the building. Although this courtyard is not publicly accessible, it remains relevant, to the extent that the space contributes to the appreciation of the building, and its significance; this was the space that the building would originally have addressed. The same is true for the alleyway that gives access to the courtyard from Fenchurch Street. The quality and character of the courtyard has been somewhat compromised by the larger blocks to the north and west, which makes it a dark and slightly compromised space, but remains important as the space once addressed by the façade. It is also important as a residual courtyard space reminiscent of the historic courtyards the building would have been associated with (it is clear that by the 19th century much infill had occurred, though some of that has been reversed).
- 1.23 Again, under paragraph 9 of GPA3, the section headed *"Setting and urban design"* notes that the protection and enhancement of setting is intimately linked to townscape and urban design considerations. These often relate to townscape attributes such as enclosure, definition of spaces and spatial qualities. On the one hand the enclosure of courtyard spaces in the context of the listed buildings at No. 4 Brabant Court and Nos.

2-3 Philpot Lane is important: without the enclosure of the courtyards, there is no obviously definition of these spaces. On the other hand, as can be seen from the historic aerial images, there is also a distinction between the spatial quality and character of positive enclosure, and the type of enclosure that has resulted from the larger blocks on Fenchurch Street and Gracechurch Street (9-11 storeys). The latter have created something of a canyon-effect and the spatial quality and character of the courtyard and the passageway to it from Fenchurch Street has suffered.

- 1.24 The proposed development would see the creation of a sheer wall of 30 storeys enclosing the courtyard to the south. Such an enclosure of this small courtyard space, immediately to the west of Nos. 2-3 Philpot Lane, would create an wholly disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology (again, the tall building at 20 Fenchurch Street is not part of the urban fabric of the street block within which the listed buildings are set and, being separate, it has a different relationship with them). The quality of the courtyard space would be severely compromised.
- 1.25 The image below (**Fig 7**), from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303) illustrates the disproportionate sense of enclosure that would significantly distort the urban morphology and compromise the historic courtyard.

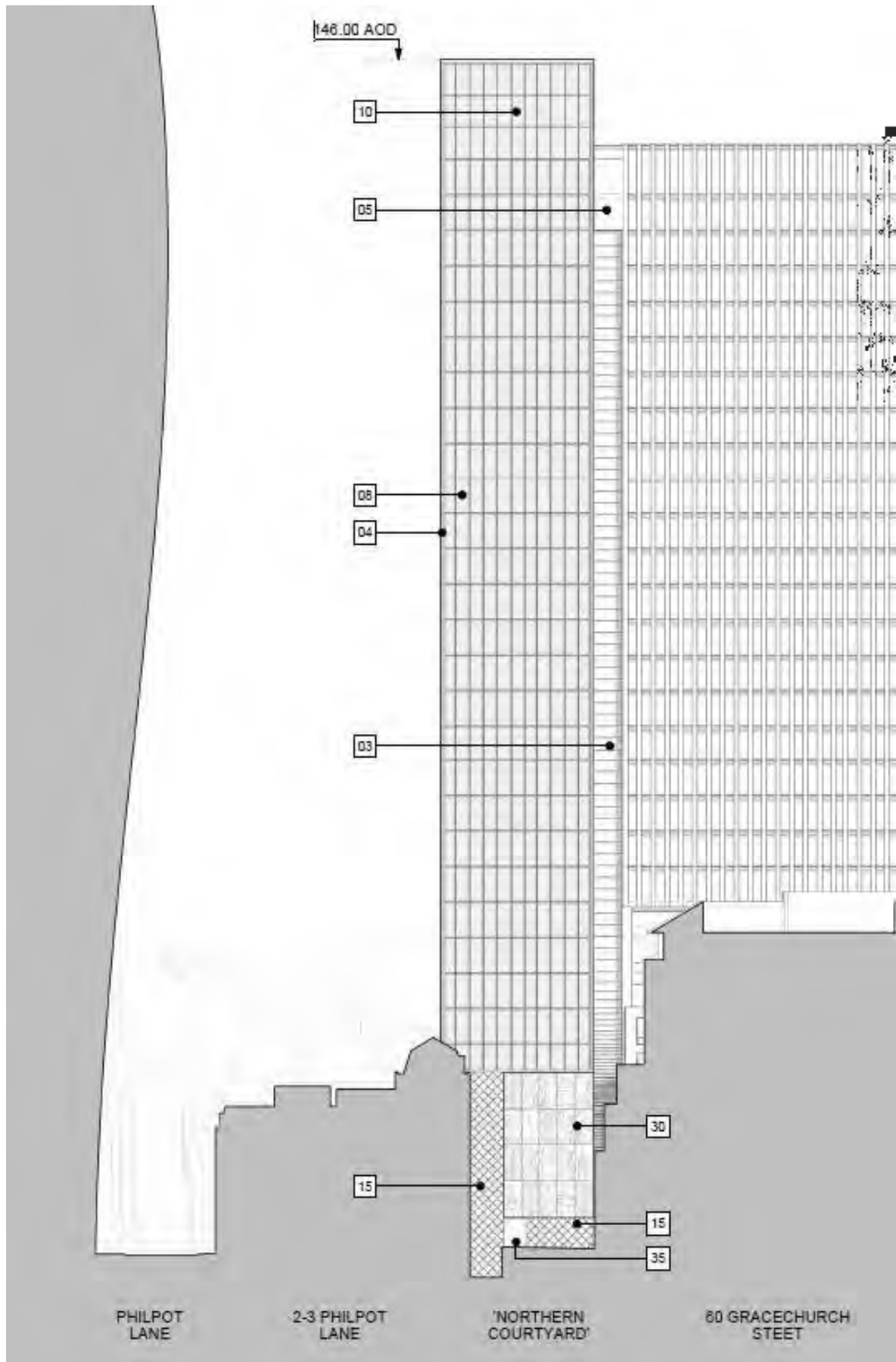


Fig 7: Extract from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303).

- 1.26 The final heading under paragraph 9 of GPA3 is entitled "*Setting and economic viability*". The guidance notes that the economic viability of a heritage asset can be reduced if the contribution made by its setting is diminished by badly designed or insensitively located development. In this case, it is hard to see how the economic viability of the listed building would not be reduced by the proposed sheer wall of 30 storeys in height immediately to the south of it, enclosing the courtyard. The building already faces a relatively dark lightwell (at basement level) and courtyard above. It is in use as a hotel with apartments but the desirability of these lodgings would diminish with a 30 storey tower effectively blocking the light from the southern aspect of the courtyard. Some of this can be seen from the drone photo at **Photo 2**; note the angle of the shadows.



Photo 2: A vertical drone photo of the courtyard to the west of the grade II listed Nos. 2-3 Philpot Lane. The photo is orientated with north roughly to the left and the west elevation of the listed building is at the top. The application site is to the right.

- 1.27 The "*Assessment Step 2 Checklist*" in the text box on page 11 of GPA3 identifies typical things that an assessment may need to consider. Those most relevant to this case are cited below and their relevance is briefly discussed. The following are noted under the asset's physical surroundings:
- 1.28 Other heritage assets: This is clearly a case where the relationships between the former merchants' houses contribute to their understanding, as has already been discussed.

- 1.29 Definition, scale and 'grain' of surrounding spaces: As has been noted above, the type of enclosure of the small courtyard space to the west of Nos. 2-3 Philpot Lane that the sheer wall of 30 storeys would create, would be wholly disproportionate. This would significantly distort the urban morphology and sense of scale to the courtyard space.
- 1.30 Openness, enclosure: It may be added that the sense of space and openness provided by the sky in this tight urban context of alleys and courtyards encapsulates more than simply the spacing (i.e. dimensions) between buildings. It also encompasses the three dimensional sense of space, and the ability to see the sky above from within these courtyards. The proposed development would remove much, if not all of the sky seen to the south of the listed building on **Photo 3**. The courtyard at Brabant Court would also be significantly impacted, immediately to the south of Nos. 2-3 Philpot Lane and to the west of No. 4 Brabant Court. The proposed development would all but obliterate the narrow sky gap that defines the passageway to the north of the courtyard at Nos. 2-3 Philpot Lane, as can be seen from **Photo 4**.



Photo 3: The west elevation of Nos. 2-3 Philpot Lane, seen here addressing the courtyard to the west and the sky gap that would be occupied by the proposed development.



Photo 4: The passageway to the north of the courtyard at Nos. 2-3 Philpot Lane. The sky gap would be occupied by a 30 storey tower.

- 1.31 History and degree of change over time: As has been noted, there has been much redevelopment of the street blocks in the context of Nos. 2-3 Philpot Lane and No. 4 Brabant Court, meaning that these residual historical elements are especially important. Also, more recent development has gone taller than the historic townscape, especially the blocks on Fenchurch Street and Gracechurch Street, and these have diminished the quality and character of the courtyard to the west of the listed building. However, the street block has not been affected by more dramatic height, or skyscrapers. The proposed 30 storey tower would significantly and irreversibly change this.
- 1.32 Under the experience of the asset, the surrounding townscape character is also highlighted. This is again relevant to the way in which the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court can be experienced, together, in a courtyard arrangement that still, broadly, reflects something of the historic townscape, and which would be significantly harmed by the proposed tower, set within the depth of the street block.
- 1.33 A final observation is that, according to paragraph 8.B.36 of the HTVIA:
"On Brabant Court, the lower 'podium' part of the proposed development [to the east, adjacent to the listed No. 4 Brabant Court] is of a similar height to that of the existing buildings facing the Court, and has been carefully considered in terms of scale, materials and details to respond sensitively to this group of listed buildings. The taller element steps back from the lower podium ..."
- 1.34 Similarly, according to section 4.3.5 of the submitted Design and Access Statement:
"The proposed brick structure is aligned to the parapet of the adjoining 4 Brabant Court. [...] The upper levels of the proposal [to the east, adjacent to the listed No. 4 Brabant Court] are set back three metres to help modulate the difference in scale between the scheme and the courtyard buildings."
- 1.35 Both statements imply that the setback to Brabant Court was given careful consideration and was designed to 'sensitively' respond to the listed building. It is therefore particularly striking that no such sensitivity was recognised in respect of the western courtyard, where the proposed building would not only be located immediately next to the listed building at Nos. 2-3 Philpot Lane, but in fact partially overlap it. There is no setback. Instead, the proposed development demolishes the chimneystack of the listed building and subsumes it into a sheer, 30 storey wall. It is as if the care and sensitivity reserved for Brabant Court had been abandoned where the development

is hard up against a listed building, and the proposed building was designed instead as if there was no listed building.

OBSERVATIONS ABOUT THE PHYSICAL IMPACT OF THE PROPOSED DEVELOPMENT

- 1.36 The proposed development would see the demolition of the only remaining chimneystack to the listed building (there is a truncated stack at the north, but in its truncated state it is less legible). Although it is clear from the brickwork that the top of the stack has been rebuilt, it is also clear that the lower part of the stack is of some age (**Photo 6**).



Photo 6: The south elevation of the listed building at Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

- 1.37 The stack corresponds with chimneybreasts internally, and it is an external expression of the internal arrangement of the listed building. It is instantly recognisable as a traditional feature and it helps to reveal the former domestic function of the building, especially when seen from Brabant Court or when seen in conjunction with the formally arranged west elevation, formerly the front of the house (**Photo 7**).



Photo 7: Oblique view of the west elevation of Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.38 It would also appear that the top part of the west elevation of the listed building, where the abutting modern existing structure steps back (**Photo 8**) would become subsumed by the new building (**Fig 8**), although this is not entirely clear from the drawings.

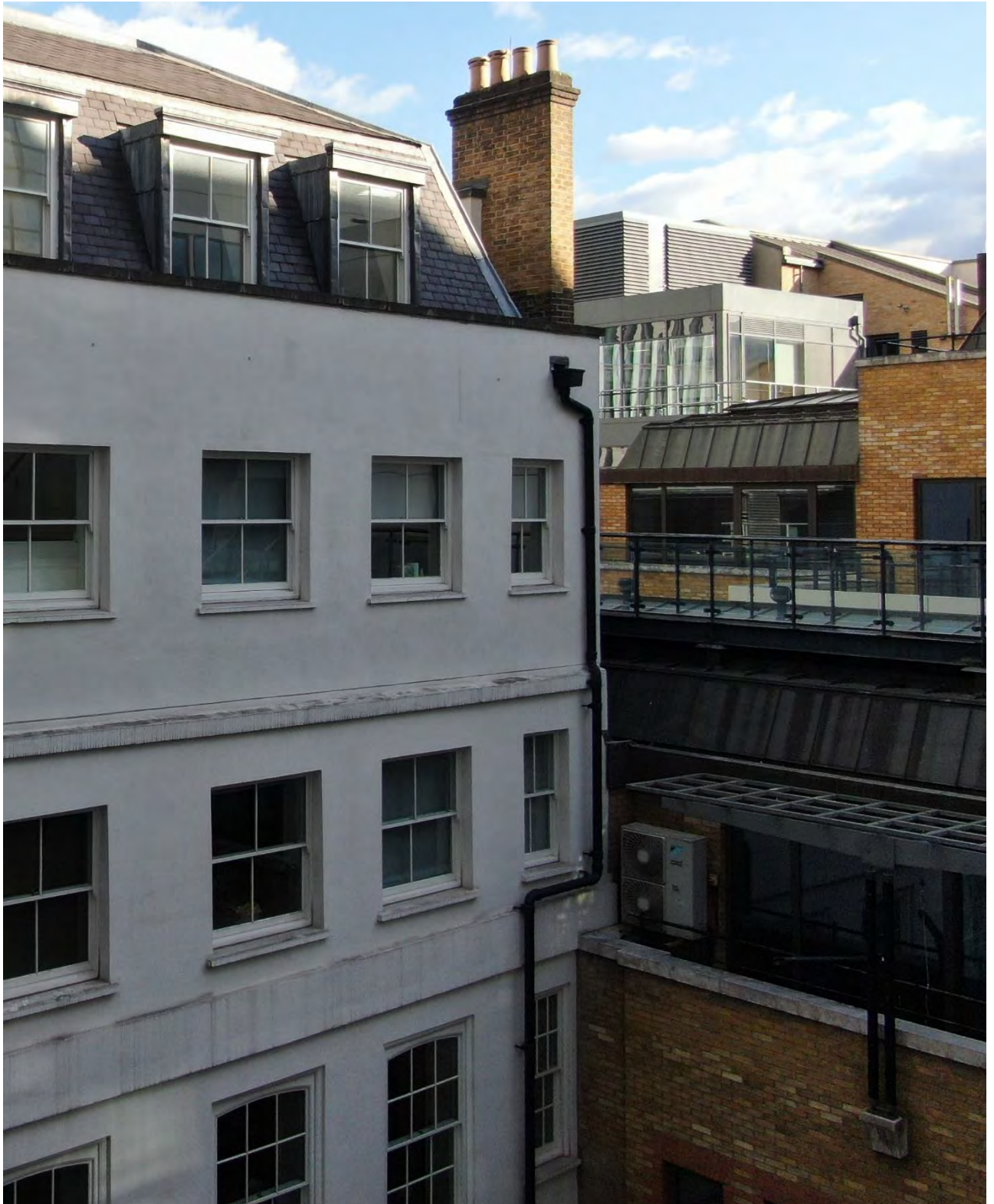


Photo 5: The top part of the west elevation of the listed building, where the existing structure steps back.



Fig 8: Extract from the submitted Proposed Section D-D (drawing PP-FPA-XX-XX-DR-A-16403).

- 1.39 The removal of the chimneystack would result in the loss of evidential value to the listed building and it would affect its legibility. This would harm the significance of the listed building, which would be compounded by the replacement of the stack with a 30 storey sheer elevation.
- 1.40 No listed building consent application has been submitted and it is not possible to comment in detail on the impact of this alteration to the listed building, or potential harm that would arise from the way in which the new building would overlap the listed building. In the absence of this detailed information, it is not possible to determine the potential impacts of this part of the proposed development.

CONCLUSIONS

- 1.41 The summary and very basic impact assessment in the HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3, and by omitting this; the applicant has failed to demonstrate adequate assessment regarding the proposals impact on nos. 2 – 3 Philpot Lane and no. 4 Brabant Court.
- 1.42 This representation has demonstrated the contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the existing urban morphology, and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed buildings at 2 – 3 Philpot Lane and 4 Brabant Court.
- 1.43 In addition, the removal of the chimneystack would compound the harm through the removal of a feature of the building that assists in its legibility through the loss of historic fabric and evidential value.
- 1.44 No other heritage assets have been assessed in this representation, although it is possible that the HTVIA has equally not properly assessed impacts on other heritage assets, meaning that the conclusions of the document may well be unreliable.

APPENDIX 1:

Report by Julian Harrap, 1985, for the Georgian Group

Your reference
Our reference

2 and 3 PHILPOT LANE LONDON EC4

The house stands in backland surrounded by new office development. The west elevation of the house faces a courtyard. Entrance to the house is from Philpot Lane via a walled passageway. The house is of four floors over a basement with sub-basement. It is constructed of brick with timber floors and has sash windows punctuating the brickwork at regular intervals. An excellent fragment of late 17th/18th century brickwork remains in the north west corner. This has red-dressed reveals to the windows below rubbed brick arches, with old beaded flush box frames. At second floor level is a shallow projecting rubbed brick moulded band course and at third floor level a substantial dentilled cornice of rubbed brick. The remaining part of this elevation appears to have been reconstructed in the early 19th century. A buttress wall has been constructed against the eastern end of the north wall. The east elevation is three windows wide and there is an early mid-18th century doorcase at the north east corner, through which entry is provided to a raised ground floor. The south wall of the building abutts a new building. The west wall of the house was probably five windows wide originally and probably three floors high. The line of the band course at second floor level is evident, as is the line of the main cornice at third floor level. There is an abutting chimney breast at the northern end of this wall and various additional windows appear to have been added at the south end. There is a stone incorporated in the elevation at area level asserting that the wall belonged to C J King in 1871.

*Should pre-date
Window arch
of 1709
(sash boxes set
back 4")
but, according
to Crickshorn
many windows
continued to
be built
flush with wall
till early
1730's*

Above the original cornice level are two further storeys of accommodation, the lower one perhaps added in the early 19th century when the present staircase was installed and the upper one re-formed after war damage in 1951. The interior of the building is very substantially concealed by facings, linings, false floors and false ceilings. Few fragments of the original phase of construction can be seen, but the following items seem consistent with an original construction date between 1690-1710. The sub-basement has a large timber beam perhaps 500mm sq. of oak and this shows evidence of having supported coggled floors. The upper basement covers the full extent of the site including a vault under the entrance passageway to Philpot Lane. At ground floor level, behind the north elevation of the building, are large timber baulks framed together to form the floor structure, with a principal beam running east-west the full width of the building and eastern wing. The area of the basement to the south is divided into two rooms by massive walls and the ceiling sags considerably in the central area, possibly because two large columns bear on this floor above. The existing ground floor is entirely encased with later finishes and partitions arranged as the attached plans. The most interesting features are two early 18th century Tuscan columns aligning with the second bay from the south. These must have once been part of a grand entrance hall, which would be consistent with a commercial use of the ground floor at the time of initial construction. At first floor level, the great height and very large windows are indicative of grand rooms. The floor void between ground and first floor is reportedly two to three feet deep which would be capable of concealing a deep cornice. The windows on the north elevation and some on the west elevation retain large ovolo beaded shutters with plain panels.

} check

There is a chimney breast on the south wall and on the east wall of this floor. At second floor level there are substantial remains of a late 17th century-early 18th century interior. Particularly valuable is a lined opening consisting of two fluted doric columns supporting a four centred arch, with six raised and fielded soffit panels and a key stone. This would have given access from main house to wing, before the lift was installed. In the north west corner of the plan is an almost complete 18th century interior with unusually raised and fielded panel shutter reveals to the window on the north elevation, a full box cornice and ovolo panelled walls. At the southern end of the plan entered through a very good eight panelled door is another grand room with full box cornice and perhaps plane moulding, enhanced with a mouse moulding. A fragment of box cornice remains adjacent to the eastern fire place on this floor. The middle room has a simple 19th century cornice. The third and fourth floors are of very little interest, but it is significant that the 19th century stair continues to the third floor level.

With the evidence described, there are grounds to suggest that this structure was once a grand City Merchants house, perhaps constructed in the late 17th/ early 18th century, probably retaining its original plan form except that the grand stair at ground and first floor has been removed and the well filled in. The present front entrance to the building was probably the back entrance and access to the wing would probably have been through lobbies where the lift now runs up through the building. The plan form of the building could well have been very similar to that remaining at second floor level with two large and one small principal rooms per floor.

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In order to reach a considered conclusion about the merit and worth of the building an architectural and archaeological investigation should be undertaken, with a view to testing the hypothesis of internal arrangement derived from this inspection. Only when more information is available, could a proper value be attached to the building from an architectural and historical viewpoint. With leases due to fall in over the next two to three years, sectional investigation and even repair, could be a practical proposition. The present application to completely gut the building would have to be resisted until further information was available.

Julian Harrap Architects

March 1985



19 October 2020

FOA Gwyn Richards
Chief Planning Officer
PO Box 270
Guildhall
London EC2P 2EJ



Lambert Smith Hampton
United Kingdom House 180 Oxford Street
London W1D 1NN

Sent via e-mail (plans@cityoflondon.gov.uk)

Letter of Objection

Application reference: 20/00671/FULEIA

Description of Development: *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*

Address: 55 Gracechurch Street London EC3V 0EE

We write on behalf of our clients, Store Property Investments Limited to **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020.

In addition to this cover letter, the list of documents submitted for consideration are set out below.

Store Property Investments Limited

- Objection Report (Store Property Investments Limited, October 2020)
- Aerial Photographic Appendix (October 2020)
- Stevens & Bolton LLP letter (September 2020)

The Objection Report is also supplemented by a Heritage Report, produced by Cogent Heritage, which provides a professional summary on the impacts of the proposal on neighbouring heritage assets, and a letter from our clients solicitor to representatives of the applicant.

Store Property Limited are the freehold owners of 2 – 3 and 5 Philpot Lane, which is set to be adversely impacted by the development proposals as a result of the various impacts on both the property, the surrounding historic townscape and the existing hotel use.

Within the appended objection reports, we outline why the proposals are considered to be contrary to the policies set out within the adopted and emerging development plan and also set proposed reasons for refusal.

We summarise that the proposals in their current form should be refused by the City of London for the reasons outlined within the Objection Report. Should this not happen, our clients have signaled their intention to challenge the lawfulness of any future decision. Our client also reserves the right to supplement the above objection in respect of specific matters relating to the applications and to be re-consulted regarding any further amendments or additional documentation submitted.

We await confirmation that this objection has been acknowledged and logged and my client would be happy to demonstrate these impacts on site, should the case officer wish.

Should you have any queries, please contact either myself or my colleague Rob Reeds

Yours faithfully,



Mary-Jane O'Neill

Head of Planning – London & South East

For: **Lambert Smith Hampton**

DL:

M:

E:



Enc:

20-00671-FULEIA 55 Gracechurch Street Objection Letter (Store Property Investments Ltd)_Obj

Appendix - 20-00671-FULEIA 55 Gracechurch Street Appendix (Store Property Investments Ltd)

SB to Delva Patman Redler 18092020_1

2020 10 04 - 55 Gracechurch Street Heritage Representation 0224



**Lambert
Smith
Hampton**

www.lsh.co.uk

Objection to Planning Application

For the proposed development at

**55 Gracechurch Street
London EC3V 0EE**

On behalf of

**Store Property Investments
Limited**

Prepared by
Lambert Smith Hampton
United Kingdom House
180 Oxford Street
London
W1D 1NN

October 2020



1.0 Introduction

- 1.1 We write on behalf of our client, Store Property Investments Limited, to strenuously **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020. The application particulars are outlined below.

Application reference: 20/00671/FULEIA

Description of Development: *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146m AOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*

Address: 55 Gracechurch Street London EC3V 0EE

- 1.2 Our client, Store Property, has a number of serious concerns relating to inadequacies and discrepancies in respect of the documentation submitted in support of the application, including issues regarding Heritage, Daylight, Sunlight and Overshadowing, Wind and Microclimate and adverse impacts on the operation and viability of our client's own premises. There are also a number of deficiencies in terms of the documents submitted, and in particular the failure by the applicant to submit an assessment of the impacts on 2 – 3 and 5 Philpot Lane and associated properties in the immediate vicinity. All of the points raised are considered in further detail within this submission and also assessed against the current planning policy framework for the City of London. In summary, the proposals represent a gross overdevelopment of the site and fail to adequately address the relationship of the site with the surrounding context.
- 1.3 Our client is the owner of 2 – 3 and 5 Philpot Lane, which is set to suffer significant adverse impacts caused by the proposed development. The property is currently in use as a hotel with 36 apartments across 7 floors (lower ground floor, ground floor plus five). 2 – 3 Philpot Lane is Grade II Statutory Listed. In this regard, a separate Heritage Objection Report (*by Cogent Heritage*) has been undertaken to assess the potential impacts of the proposal on this building. Number 5 Philpot Lane is not statutorily listed but does comprise hotel accommodation and is in the demise of our client.
- 1.4 Within this objection report, we outline why the proposals are contrary to the policies set out within the adopted and emerging development plan, which broadly comprises the City of

London Local Plan (2015), the City Plan 2036 (2020), the London Plan (2016, as amended) and the Intend to Publish London Plan (2019). This letter also sets out the reasons for refusal.

- 1.5 This objection is accompanied by a photographic and aerial appendix of the site which is referred to and attached. This report is split into sections outlining the background and context for the objection, the planning assessment across a variety of themes, additional considerations for the LPA which are material to the determination of the planning application and a summary. The contents are outlined below.

1. Introduction
2. 2 – 3 and 5 Philpot Lane
3. Planning Assessment
4. Principle and Design
 - a. *Siting of a tall building in this location*
 - b. *Justification for a tall building in this location*
 - c. *Design approach*
 - d. *Access*
5. Heritage
6. Daylight, Sunlight and Overshadowing
7. Wind and Microclimate
8. Impact on the viability of the existing hotel use
9. Other considerations
 - a. *Site Boundary*
 - b. *Existing escape stair*
 - c. *Demolition and construction*
 - d. *Construction Methodology*
 - e. *Consultation*
 - f. *Summary*
10. Conclusions

- 1.6 Sections 3 – 8 of this objection report outline the planning reasons why this proposal should be refused. Section 9 identifies a range of additional considerations which do not appear to have been addressed by the applicant in their submission. The cumulative adverse effects arising from the proposals amounts to serious concerns about how well prepared the application is and what due diligence has been undertaken in order to satisfy the City of London that the proposals can be delivered in a safe and appropriate way.

- 1.7 In addition to the planning concerns, there are also a range of legal issues that the applicant or their agents have not responded to, which are outlined in a letter from Stevens & Bolton LLP dated 18 September 2020, which is appended. These issues principally concern the legal rights of our client regarding the fire escape, the ownership boundary (specially the chimney stack),

the construction methods, over sailing, disruption and maintenance issues. As these are legal matters, they will not be discussed in significant detail within this representation but they nevertheless cast severe doubt on the deliverability of the scheme.

2.0 2 – 3 and 5 Philpot Lane

- 2.1 Our client owns the freehold to 2 – 3 and 5 Philpot Lane, which accommodates a hotel with 36 fully serviced apartments owned and operated by City Apartments. City Apartments provides high quality, furnished hotel apartments for business and tourist visitors for both short term and long term stays.
- 2.2 For clarity, we have marked our client's ownership and interests on the submitted site location plan in Figure 1, which is indicated to the north east of the application site in block shading. Additionally, further photographic and aerial information is contained with the Appendix.

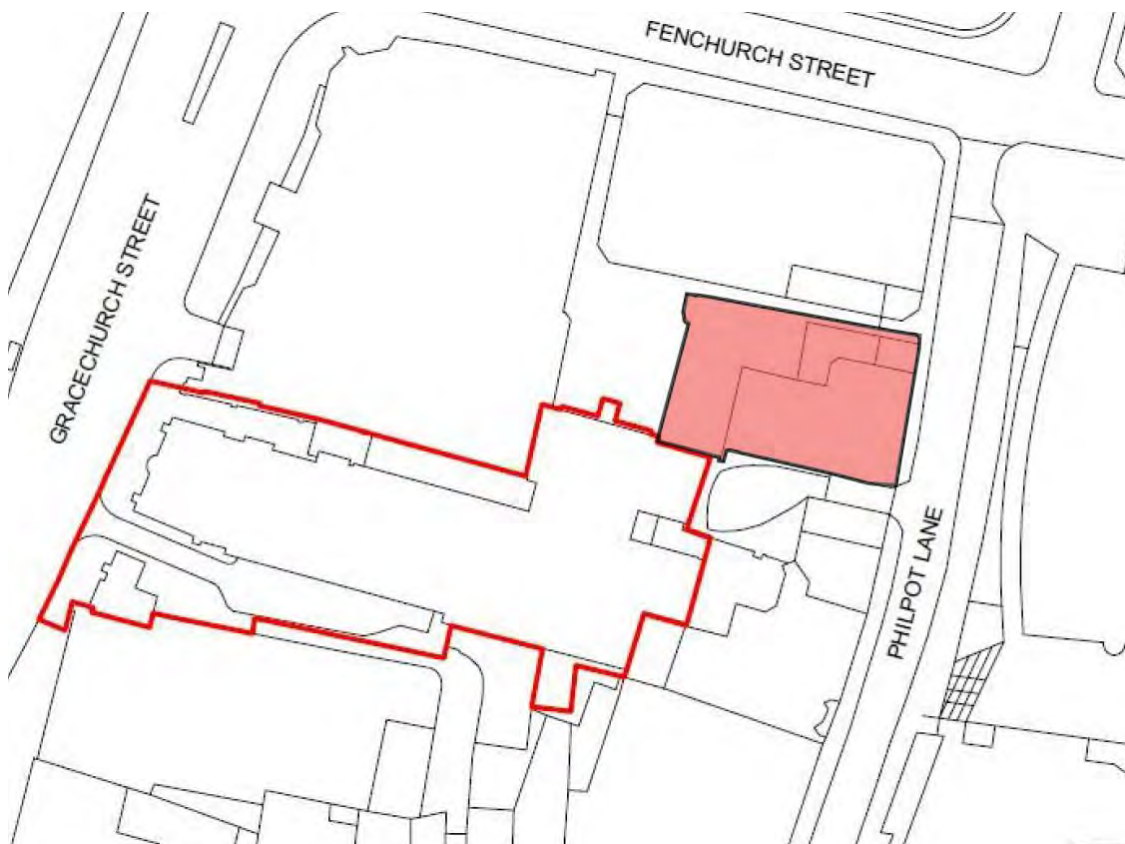


Fig. 1 - Location Plan of the application site (red outline) and clients site (red shade)

- 2.3 With regards to designations, Number 5 Philpot Lane is not listed however Numbers 2 and 3 Philpot Lane are Statutory Grade II listed and were first listed on 5 June 1972. The list description is relatively short but states:

"In Court at rear of No 1. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed."

- 2.4 The entrance to 2 – 3 and 5 Philpot Lane is from Philpot Lane through an attractive archway with black iron gates. There is a small central courtyard used for arriving guests which is often used as an informal amenity space and small gatherings as it provides a quiet area away from Philpot Lane and Fenchurch Street.
- 2.5 The images below show a typical hotel apartment, which comprise a bedroom, living space and bathroom.



Fig. 2 – Typical living space for hotel occupants

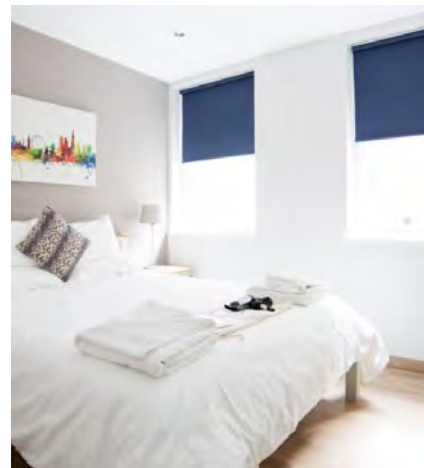


Fig. 3 – Typical bedroom for hotel occupants

- 2.6 The hotel is arranged over seven storeys (lower ground and ground plus five) with outlooks from the bedrooms and living spaces predominantly to the south (towards the 'Northern Courtyard') and west (towards 'Brabant Court').

3.0 Planning Assessment

3.1 On behalf of our client, we have reviewed the necessary planning application material and made an assessment of the proposals against both adopted and emerging planning policy. This comprises:

- The City of London Local Plan (2015);
- The City of London Local Plan Proposals Map (2015);
- The London Plan (2016, as amended).

3.2 The emerging policy background is as follows:

- The City Plan 2036 (proposed submission version)
- The New London Plan (Intend to Publish Version 2019)

3.3 In this regard, we have given due weight to the emerging policy background as so far it is material to the decision making of this proposal. With regards to the City Plan, this is considered limited, but relevant. With regards to the New London Plan, we have accorded this significant weight due to its advanced stage in the examination process.

3.4 We have also reviewed a number of other policy documents, including:

- The City Plan 2036 Policies Map;
- The City of London Wind Guidelines (2019)
- Archaeology and Development Guidance SPD (adopted July 2017);
- City of London Open Spaces Strategy (adopted January 2015);
- Eastcheap Conservation Area Character Summary and Management Strategy SPD (adopted March 2013).

3.5 There are various other documents that are material to the decision making process that do not form part of the Development Plan including various adopted Supplementary Planning Documents and Guidance although these are not considered material in the objections put forward as part of this report.

4.0 Principle of the Proposed Development and Design

- 4.1 This section will focus on the acceptability of siting a tall building in this location and the building's design, with specific assessment on the impacts related to 2 – 3 and 5 Philpot Lane.
- 4.2 Our client has a significant vested interest in ensuring that appropriate high-quality developments are permitted in City of London. It is on this basis that our client objects in the strongest possible terms to the proposals, which are spatially inappropriate with regard to the policies contained within the existing and emerging Local Plan and will, as a result, damage the viability of an existing business.
- 4.3 As identified in the description, the proposals consist of the demolition of all existing buildings and the erection of a thirty storey building (ground plus twenty-nine) comprising office, retail and a range of other uses in the building.

Siting of a tall building in this location

- 4.4 Policy D9 of The Intend to Publish Draft London Plan outlines a wide range of criteria to be assessed against including definition; locations; impacts; and public access. Policy D9 allows Local Planning Authorities to set the definition of tall buildings and where they are located. In Development Plans, tall buildings should be identified on maps and should only be developed in locations that are identified.
- 4.5 In accordance with Policy D9 of the Intend to Publish London Plan, the City of London Corporations "Core Strategy Policy CS14: Tall Buildings" sets the suitability criteria for the development of tall buildings in the City. The policy states that the City of London will support *'tall buildings of world class architecture and sustainable and accessible design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level'* subject to four key criteria, including being situated on suitable sites in the City's Eastern Cluster; refusing permission for tall buildings in inappropriate areas; only allowing proposals for tall buildings on suitable sites which have regard to the City Skyline, the character and amenity of neighbouring buildings and its impact on heritage assets.
- 4.6 The emerging City Plan "Strategic Policy S12 (Tall Buildings)" states that *'tall buildings with world class architecture and sustainable architecture will be encouraged on suitable sites, having regard to a range of criteria'* which includes effect on the skyline, character and amenity of the surroundings, impact on heritage assets, the provision of high quality public realm and environmental impacts.

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- 4.7 With the submitted Planning Statement, the applicant appears to place great weight of spatial planning acceptability and justification on the basis that the proposals are in general conformity of the Eastern Cluster Policy Area, outlined within the Local Plan and the site being located within the “City Cluster” of the emerging City Plan.
- 4.8 It is important to note that the site is not located within the ‘Eastern Cluster’ Policy Area or located wholly within the ‘City Cluster’ and therefore does not automatically have the policy weighting to support taller buildings on suitable sites. Weight cannot be afforded to the content of these policies (Eastern Cluster Policy in the adopted plan or City Cluster Policy in the emerging City Plan) as the site is not located in these areas.
- 4.9 The applicant also points to 20 Fenchurch Street as being precedent for tall building development outside of the core development areas, however this site is considered to be an outlier when compared to the direction of travel within emerging policy documents.
- 4.10 Sites adjacent to the application site, however, are within the ‘City Cluster’. The draft City Plan 2036 states that all of the City of London is sensitive to development of tall buildings and the City Cluster represents the most appropriate area for encouraging tall buildings in the City. Strategic Policy S21 (City Cluster) states, amongst other things, that delivering tall buildings on appropriate sites, including on “Renewal Opportunity Sites” will be encouraged. The City Cluster policy map identifies the surrounding plots of land as “Renewal Opportunity Sites”. This presents a significant and compelling case not to allow a tall building in this location as it will firstly impede on the neighbouring “Renewal Opportunity Site” to come forward in a comprehensive form through an end-of block development but also result in a development which is located out of the area which is considered to taller buildings (i.e. The City Cluster).
- 4.11 Additionally, the site lies partly within the Eastcheap Conservation Area. Whilst it is argued that the tallest elements of the building are not located within the CA, the wider impacts and association of this location has not been fully considered and the proposal has not appropriately demonstrated that it does not impact on the setting or relationship with the Conservation Area and surrounding buildings. This is discussed in more detail within the Heritage Representation by Cogent Heritage.
- 4.12 In summary, and contrary to the applicants planning statement, the location of the site does not fall into an area that is readily accepted to accommodate a tall building and therefore the applicant must demonstrate acceptability across a range of criteria. This is discussed below.

Justification for a tall building in this location

- 4.13 In accordance with the Development Plan, the emerging London Plan and emerging City Plan 2036, should the site be considered suitable in principle for a tall building, the proposals will be required to satisfy a range of criteria related to design, urban design/townscape, heritage and environmental impacts (including wind, daylight & sunlight). The adopted and emerging policies relating to tall buildings also require development proposals to meet the highest quality of design to reduce and mitigate their impact on surrounding properties.
- 4.14 The policy tests are outlined below (note: CS14 has the same criteria as S12 therefore are being considered together).

S12 (Tall Buildings) Policy Test CS14 (Tall Buildings) Policy Test	Assessment
<i>the potential effect on the City skyline, the wider London skyline and historic skyline features</i>	<p>The applicant has produced HTVIA and Design and Access Statement which has sought to demonstrate the impact of the proposed building on the City skyline.</p> <p>In many views outlined within the HTVIA, the proposal would continue the merging of the historical elements of the city southwards, presenting a solid mass of building when assessed against 20 Fenchurch Street and the cumulative scenario. This is especially prevalent in views from Butlers Wharf (View 10) and City Wharf (View 11).</p> <p>In many ways, the siting of the proposal is unfortunate, as 20 Fenchurch Street presents a significant and overbearing mass of a building which 55 Gracechurch Street adds to. It is clear that, when assessing the proposals from a distance, this part of the City should be dropping away in height significantly, especially when the height of 70 Gracechurch Street is taken into consideration.</p> <p>There is also the pertinent issue of view 19 in particular, which has a significant adverse impact on the setting of the Monument. Historic England has raised this as a significant concern within their objection letter of 2 October 2020.</p> <p>It is also the view of our client that the proposals cause significant harm to the City skyline and historic skyline features.</p>
<i>the character and amenity of their surroundings, including the relationship</i>	<p>The proposed building is located mid-terrace (block) and would present a tall building directly adjacent to mid-rise city blocks which is at odds with the fabric and grain of the existing</p>

<p><i>with existing tall buildings</i></p>	<p>buildings. The City has very successfully accommodated tall buildings, with exemplar architecture and high quality urban design across many sites in the City. There are numerous examples of where tall buildings have a successful relationship with the existing streetscape and townscape, provide ample open space and pedestrian movement and result in high-quality urban and spatial relationships with neighbouring buildings and development plots.</p> <p>In the case of 55 Gracechurch Street, the oppressive nature of the height and the direct relationship with neighbouring buildings is in direct conflict to the scale and grain of the existing setting.</p> <p>The narrow alleyways of Brabant Court, Talbot Court and St Benet's Place are unable to give the space required at the base of the building to result in a high quality environment. The proposals, therefore, appear cramped.</p> <p>The relationship with 20 Fenchurch Street is awkward, sitting slightly forward and when viewed from the south, presenting a mass of building which is oppressive, and detracts from the existing skyline which presents a collection of different designs and an interesting array of architectural style.</p> <p>All of this results in a proposal which is dominant and lacks any kind of positive relationship when considered against the current character of the area and existing tall buildings.</p> <p>Regarding amenity, the proposals have failed to assess the impacts on neighbouring properties and entrance spaces, which are discussed later in this objection.</p>
<p><i>the impact on the significance of heritage assets and their immediate and wider settings</i></p>	<p>See section 4 and the associated <i>Heritage Objection</i> for a summary of the impact of the proposals on the significance of heritage assets.</p> <p>The proposals introduce a tall building into this predominantly courtyard area, immediately adjacent to listed buildings which are discussed in more detail later within this objection. The proposed development would appear out of place and at odds with its surroundings, significantly impacting on the ability to appreciate the architectural significance of the neighbouring listed buildings.</p> <p>It is also considered that the proposal adversely impacts on the Eastcheap Conservation Area by virtue of its dominance and overbearing nature.</p> <p>In summary, allowing development on this mid-block site would begin the erosion of the finer grain, historic elements of the City and present an overbearing development with little consideration of the relationship or respect of neighbouring heritage assets including Statutory Listed Buildings and</p>

	<p>Conservation Areas.</p> <p>The adverse impact on adjacent listed buildings would be significant.</p>
<i>the provision of a high-quality public realm at street level</i>	<p>See the following sections for further details assessment relating to urban design, public realm and movement.</p> <p>In summary, the proposal does not provide high-quality public realm at street level. It is hemmed in from all directions aside from the west and the narrow streets and lanes it sits adjacent to are woefully inadequate to cope with 30 storey building with no set-off or appreciation for the existing context.</p>
<i>the environmental impact the tall building may have on the surrounding area, including the capacity of the City's streets and spaces to accommodate the development.</i>	<p>See sections 5 and 6 for an assessment against the submitted Daylight, Sunlight and Overshadowing Assessment and Wind and Microclimate Report.</p> <p>In summary, the application documentation fails to adequately assess the environmental impacts on neighbouring buildings and therefore cannot be considered to be robust.</p>

- 4.15 Regarding the assessment required within Policy D9 of the Intend to Publish London Plan, an assessment has been made against the relevant criteria.

Intend to Publish London Plan Policy D9 (Tall Buildings)	Assessment
Visual Impact	<p>The mid-range and short-range views of the proposal highlight the buildings failure to respond positively to the form and proportions of the surrounding neighbourhood.</p> <p>In particular, the proposal has a limited relationship with the street and lacks pedestrian scale and character in particular.</p> <p>The proposal does not reinforce the spatial hierarchy of the area, falling outside of the designated area promoted for the development of tall buildings. This results in an edge of cluster development which fails to positively respond to the character of the area.</p>
Functional Impact	<p>The proposal will have clear functional impacts on neighbouring properties, principally as a result of removing the fire escape to</p>

	<p>2 – 3 and 5 Philpot Lane.</p> <p>The opening of routes around and across the site are likely to have a detrimental impact on neighbouring properties so the public benefit of this does not outweigh the likely harm.</p>
Environmental Impact	<p>Wind, daylight and sunlight have not been adequately assessed with regard to the neighbouring buildings. It is clear that the comfort and enjoyment of neighbouring premises will be unacceptably impacted and harmed.</p>

- 4.16 Contrary to the assertions within the applicants Planning Statement and Design and Access Statement, this area is not characterised by very tall buildings but instead mid-rise block formations which at least have some regard to adjacent relationships and bring a sense of scale and character to the area. The proposals, by virtue of its oppressive height and relationship with neighbouring buildings, results in low quality urban design characteristics, presents a significant overbearing presence to neighbouring buildings and fetters the ability of neighbouring sites to develop appropriately.
- 4.17 It is considered that the proposals fail to demonstrate a range of the core principles required to allow a tall building on this site, and the public benefits of the proposal do not outweigh the significant failings. We therefore request that the proposals are refused and the proposed reason for refusal is outlined below:

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

Design approach

- 4.18 The policy basis for assessing the detailed design approach to development is held within a range of policies within the existing and emerging Development Plan and included the policies related to tall buildings as outlined previously in 4.4 – 4.6 of this report. Also relevant are emerging policies D3 (Optimising site capacity through the design-led approach), D4 (Delivering

good design), D5 (Inclusive design) and D8 (Public Realm) of the Intend to Publish Draft London Plan, policies CS10 (Design) and DM10.1 (New development) of the adopted City of London Local Plan and Policy S8 (Design) and D2 (New development) of the emerging Local Plan 2036.

- 4.19 Whilst the detailed design approach, including fenestration and architectural detailing could be considered subjective, the urban design approach to the base of the building and relationship to its surroundings is clearly problematic, in the way there is little relevance or consideration of the synergy or correlation between neighbouring buildings.
- 4.20 Additionally, there is little reference to potential sensitive uses at the adjacent site and the *Opportunities and Constraints diagram* (3.1 of the submitted DAS) fails to recognise these sensitive uses. This is a *fundamental* failure by the applicant to properly and robustly assess the surrounding area.
- 4.21 Where tall buildings are acceptable in principle, their design must ensure safe and comfortable levels of wind, daylight and sunlight, solar glare and solar convergence within nearby buildings and the public realm within the vicinity of the building. This is made abundantly clear in a range of policies and supplementary guidance.
- 4.22 The proposed tower could be described as contemporary and it is considered that this has almost no consideration to the human-scale historic townscape, as seen in numerous views submitted within the HTVIA. The tower does not integrate into the base of the proposal and appears uncharacteristic in form and the building appears as an uncharacteristic solid mass in terms of its scale and prominence.
- 4.23 It is our opinion that the Design Team has considered this building in relative isolation and has given little thought to the relationships and urban design characteristics of the area and fails to meet the fundamental aim and objectives of Policy DM10.1 to ensure that “*the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways*”.
- 4.24 The submitted proposed elevation and section drawings demonstrate this clearly, with *Proposed Elevation – North – Northern Courtyard (PP-FPA-XX-XX-DR-A-16303)* highlighting this stark relationship towards the existing buildings surrounding the proposal. *Proposed Elevation – Ground Level East - Brabant Court (PP-FPA-XX-XX-DR-A-16312)* also outlines the proposals impact, this time from Brabant Court.

- 4.25 The Design and Access Statement dedicates five pages of explanation about the future proposals of the Northern Courtyard without once referencing the relationship with the neighbouring uses or potential impacts on the adjacent property.
- 4.26 Therefore, in summary, the proposals are totally unacceptable, having regard to the aims and objectives of the City of London Local Plan, the emerging City Plan 2036 and the London Plan which seeks to encourage appropriate development across the City of London, the proposals will fall far short of meeting or exceeding those ambitions.

Ground floor access

- 4.27 Emerging City Plan 2036 Policy DE4 ('Pedestrian Permeability') states that development will be required to contribute towards the improvement of pedestrian permeability in the City by providing legible, good quality, safe and low pollution pedestrian connections between spaces; where feasible providing new pedestrian routes through buildings and development sites that respect the City's historic street pattern; where feasible providing publicly accessible ground floors; and, providing pedestrian routes of an adequate width that are step free.
- 4.28 Whilst our client generally supports the opening of routes through the city to improve permeability, the proposed routes through the Northern Courtyard and Brabant Court would have the potential to significantly impact on the quality of accommodation provided by the hotel operator.
- 4.29 The applicant is proposing to open up a closed route through Brabant Court, directly adjacent to ground floor hotel bedrooms and living spaces. There is no consideration of how neighbouring uses may be impacted by this and no mitigation provided. Given the Design and Access Statement has undertaken a study looking at hourly pedestrian flow capacity of between 500 and 1500 per hour, it is critical that the amenity and safety considerations are fully assessed and mitigated. In the absence of this, the proposal ought to be refused and our proposed reason for refusal is set out below.

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

5.0 Heritage

5.1 Both the adopted and emerging City Plan are clear in their support for the conservation and enhancement of existing heritage assets. Policy HE1 (Managing Change to Heritage Assets) states that *“Development should conserve and enhance the special architectural or historic interest and the significance of heritage assets and their settings. The demolition or removal of designated heritage assets will be resisted”*.

5.2 A separate Heritage Objection, by Cogent Heritage, has been prepared to assess the impacts of the proposals on heritage matters relating to 2- 3 Philpot Lane and, although not in the ownership of the client, the nearby listed building at No. 4 Brabant Court has also been considered, where relevant.

5.3 The Heritage Objection provides a detailed summary of the site including:

- A historical summary of the site and surrounding area;
- Observations regarding the significance and setting of the building; and
- Observations about the physical impact of the proposed development.

5.4 The conclusions of the Heritage Objection are outlined below:

- i. The HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3 and, by omitting this, the applicant has failed to demonstrate adequate assessment regarding the impact of the proposals on 2 – 3 Philpot Lane and 4 Brabant Court.
- ii. The contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed building at 2 – 3 Philpot Lane and 4 Brabant Court.
- iii. The removal of the chimneystack, which our client in no way consents to, would compound the harm through the removal of a feature of the building that assists in its legibility and through the loss of historic fabric and evidential value.

5.5 Historic England's objection letter dated 2 October 2020 supports the view that the proposals would cause harm to designated heritage assets.

- 5.6 It is therefore considered that the proposals would cause irreversible damage to the setting and significance of the existing heritage assets, as follows.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

6.0 Daylight / Sunlight

- 6.1 Adopted Local Plan policies 10.7 (Daylight and sunlight) and policy D8 (Daylight and sunlight) of the emerging City Plan both place emphasis on development proposals requiring to demonstrate that the daylight and sunlight available to nearby dwellings and open spaces is not reduced noticeably to unacceptable levels.
- 6.2 The applicant has produced a Daylight, Sunlight, Overshadowing and Solar Glare assessment which is included within the Environmental Statement (along with additional information outlined in the appendices). The report assesses the proposed scheme in the context of a number of scenarios including with cumulative schemes.
- 6.3 The submitted report has also sought to assess the impacts on sensitive properties and sensitive religious buildings. This is shown in the map below, taken from the applicants' submission.

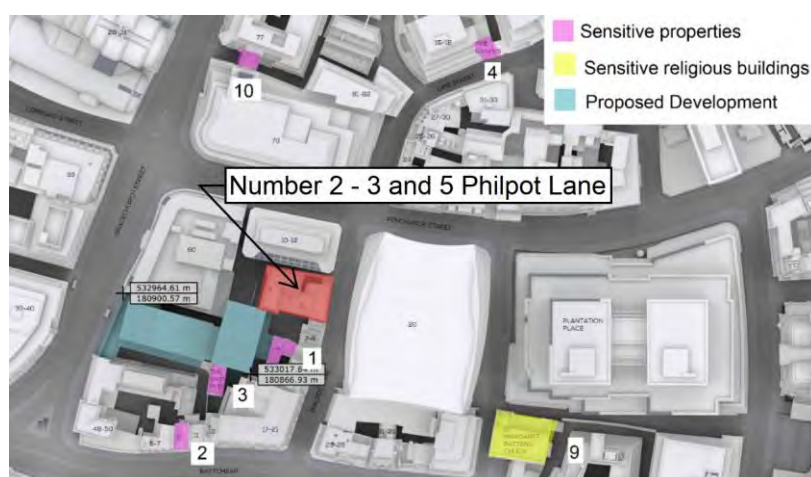


Fig. 4 - An extract from the applicants Daylight / Sunlight submission showing the assessed properties in the vicinity of the site

- 6.4 As outlined within the previous sections of this objection report, 2 – 3 Philpot Lane lie directly to the north east of the proposed tower and has a sensitive use as a hotel. These are not only bedrooms but include studios and living rooms for those tourist and business visitors to London who stay for much longer periods than a single week or weekend.
- 6.5 5 Philpot Lane has the same use and the bedrooms and living areas for the occupants generally have aspects to the south onto Brabrant Court. The relationship of the buildings is outlined in further detail in the aerial and photograph appendix.
- 6.6 Following a thorough review of the report, it does not appear that the properties at number 2 – 3 and 5 Philpot Lane have been assessed in any form to identify the potential impacts on those

rooms and occupiers with regards to daylight, sunlight and overshadowing. Policy DM10.7 is clear in stating that development will be resisted where it would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels. The hotel is a sensitive use, with bedrooms and living spaces which have not been subject to any form of consideration.

- 6.7 Additionally, and whilst not in the demise of the applicant, the Northern Courtyard does not appear to have been assessed for overshadowing.
- 6.8 The relationship between the two buildings can best be seen from the Northern Courtyard, where a 30 storey building will be erected directly adjacent to the flank wall of the hotel.



Fig. 5 - Proposed "Northern Courtyard" with hotel uses perpendicular to the proposals



Fig 6 - The existing Northern Courtyard

- 6.9 It is therefore considered, without any supporting evidence to the contrary, that a proposal of 30 storeys in height, directly adjacent to a sensitive use would have a significant and material impact on the daylight and sunlight of those occupants. We therefore consider that the proposal ought to be refused on this basis, as set out below.

PROPOSED REASON FOR REFUSAL 1:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

7.0 Microclimate

7.1 Adopted City Local Plan Policy DM10.1 ('New development') seeks to ensure that development does not cause unacceptable wind impacts. Emerging City Plan 2036 Policy S8 ('Design') requires development to optimise microclimate conditions including in relation to wind and thermal comfort and air quality. Emerging Policy DE2 ('New Development') reiterates that design and materials must avoid unacceptable wind impacts. The City of London have also produced guidance relating to Wind and Microclimate and how applicants should approach this assessment.

7.2 The applicant has produced a Wind and Microclimate assessment which has sought to assess a range of scenarios. The assessment includes the production of RWDI and CFD testing, which is in general conformity with the guidance contained within the Wind and Microclimate report.

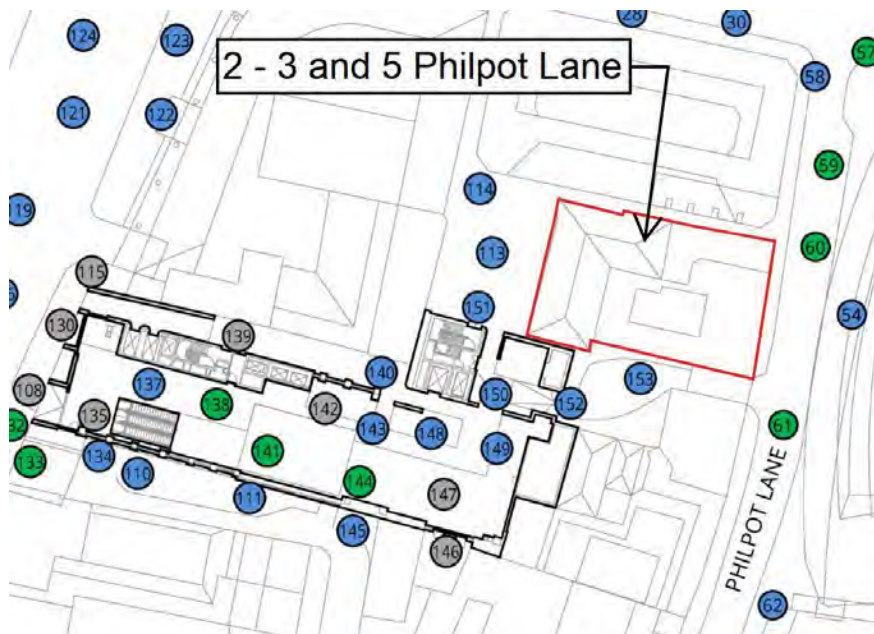


Figure 7 - An extract from the applicants Wind and Microclimate Appendix

7.3 Nevertheless, it is considered that the application documents have not tested the potential impacts of the proposals on the external amenity space of 2 – 3 and 5 Philpot Avenue, nor the entrance doorways to those buildings. These are identified in the images below.



Fig. 8 – External amenity space for residents of 2 – 3 and 5 Philpot Lane



Fig. 9 – Resident entrance to 2 – 3 and 5 Philpot Lane

- 7.4 As the City of London Planning Department can attest, the wind environment is already significantly compromised in this area as a result of recent developments such as 20 Fenchurch Street. Therefore, robust testing is required which includes private entrances and amenity space.
- 7.5 This assessment process has not been undertaken robustly and has the potential to significantly impact the existing building, its entrance and amenity space. Accordingly, it is considered that the application proposals should be refused on microclimate grounds and a proposed reason for refusal is set out below.

PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

8.0 Impact on the viability of the existing hotel use

- 8.1 City Apartments Ltd operate a successful and viable hotel and serviced apartment business, however COVID-19 has been testing for the overall operation of the use. The business relies on providing high-quality apartments for visitors to London, helping the City of London and the London Plan meet its aims and objectives, which includes ensuring there is a suitable provision of tourist and business services including hotels.
- 8.2 Our client has recently undertaken a costly upgrade of the facilities within 2 – 3 and 5 Philpot Lane, which has included extensive works to the Grade II Listed element of the site to ensure the continuing beneficial use of this historic building along with providing a high quality service for visitors to London, in line with Local Plan policy DM11.3.
- 8.3 Adopted and emerging policy supports hotel trade in the city and the emerging policy evidence bases estimate that visitor numbers are likely to increase – especially demand for visitor accommodation. Policy CV1 (Protection of Existing Visitor, Arts and Cultural Activities) sets out that proposals resulting in the loss of these facilities will be resisted. Whilst this is generally related to land use, the implications of the proposed development could extinguish the existing use at 2 – 3 and 5 Philpot Lane, which would be a detriment to the local and regional tourist economy. Policy E10 (Visitor Infrastructure) of the draft London Plan supports a sufficient supply of serviced visitor accommodation.
- 8.4 As demonstrated in the preceding paragraphs, the proposal will have a detrimental impact on both 2 – 3 and 5 Philpot Lane and the operation of the existing business on the site. In a time where retaining existing businesses are under particular stress, the City of London is duty bound to protect these businesses from any unacceptable impacts. We therefore request that the application is refused on the grounds that it will have a detrimental impact on local tourism and the economy and will also threaten the economic viability of the listed buildings.

PROPOSED REASON FOR REFUSAL 6:

The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally affect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

9.0 Other matters for consideration

- 9.1 The following matters relate to additional points of fact or concern which may have implications on the way that the proposals can progress and how the development can be constructed. The below items have also been raised directly with the applicant in a letter on 18 September from Stevens and Bolton LLP.

Site boundary

- 9.2 The red line boundary, which is highlighted on the Site Location Plan and Existing Site Plan, appears to assume that part of the neighbouring property at 2 – 3 Philpot Lane is within the control of the applicant, although this is incorrect.
- 9.3 The Design and Access Statement submitted in support of the Planning Application suggests (at paragraph 2.4 page 19) *“the site includes a chimney stack attached to 2 -3 Philpot Lane”* whilst the Environmental Statement further suggests (at paragraph 3.13) that *“there are heritage assets located within the northern boundary of the site [including] Chimney attached to the Grade II listed 2 and 3 Philpot Lane”*.
- 9.4 The chimney is within the control and ownership of our clients property, meaning the site cannot be delivered without our clients consent, which our client has no intention of giving.
- 9.5 On a secondary point, the Chimney Stack is identified on the Demolition Plan – Ground Floor (Drawing number PP-FPA-XX-00-DR-A-16602) as a structure to be demolished. The applicant proposes that the chimney will be subject to a separate Application for Listed Building Consent.
- 9.6 Following a review of the City of London Planning Database, this does not appear to have been submitted and our client has signalled their intention to, quite correctly, vehemently object to demolition of part of their building.
- 9.7 Finally, and despite the application form stating otherwise, our client has not received the relevant statutory notices regarding this application. The registered address of 2 – 3 and 5 Philpot Lane (Store Property Investment Limited main office) has been open throughout the recent pandemic so if this was served correctly, it could not have been missed.

Existing Escape Stair

- 9.8 Our client has a right of fire escape over the existing property at 55 Gracechurch Street. Further information as to the location and direction of this is contained within the photographic appendix.

- 9.9 Following a review of the proposals, the fire escape has not been considered or in any way accommodated. This is clearly problematic for our client, as it would fetter the ability to use this escape at a future date along with potentially fettering the ability for any future use or development.
- 9.10 The legal implications of this have been set out within a letter dated 18 September 2020 from our client's solicitors to the applicant which includes the Deeds and confirmation that the 2 – 3 Philpot Lane benefits from a right "to pass on foot and wheelchair only along the Fire Escape Route into Fenchurch Street". It now falls to the applicant to review this and explain how our client's requirements can be addressed.

Demolition and Construction

- 9.11 Notwithstanding the fundamental objections to the proposals outlined within sections 3 – 7 of this letter, we have also assessed the Outline Construction Environmental Management Plan, which is likely to be conditioned as part of any future consent. Whilst it is only possible to draw broad conclusions on the document at this stage, there are a range of concerns that our client wishes to raise.
- i. There is limited acknowledgement of potential impacts on neighbouring buildings, especially during the de-construction period. Any further submission should state in detail how neighbouring properties and their occupiers will be safeguarded, informed and consulted when major stages of work take place.
 - ii. The dust and noise impacts associated with demolition, piling and construction have not been considered in so far as there are sensitive uses in adjacent buildings. This is likely to have a significant adverse impact on the occupiers and their business.
 - iii. Construction scaffold is proposed to be located directly adjacent to hotel room windows, with apparently no commentary on safeguarding, privacy or amenity impacts and how these will be addressed. This would seemingly require approval from neighbouring properties and therefore our client will be required to approve the proposed construction methodology. Any further submission should state in detail how this will be requested and managed throughout the demolition and construction period of three years, along with any required mitigation.
 - iv. The build process is more than three years and by placing construction apparatus next to the windows of up to 10 apartments, has will have significant impacts on the viability of an existing business. The Outline CEMP does not acknowledge or set out how these impacts can be mitigated. In summary, the Outline CEMP appears to be an off-the-shelf report with little site specific analysis into how the proposals will be constructed.

Construction Methodology

9.12 Following a review of the drawings, it is evident that the proposals adjoin and potentially build below / on top of the property at 2 – 3 Philpot Lane and it seems inconceivable that this is not the case given the proximity to this property and the proposals to demolish the existing chimney. Our client has not and does not intend to grant consent for any such works.

Consultation

9.13 The NPPF is clear in outlining that effective engagement between applicants and communities is essential for achieving well-designed places. Paragraph 128 of the NPPF states that *“applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”*.

9.14 In this regard, the Planning Statement outlines that discussions have been had with stakeholders and an online public exhibition was held between 6th July and 17th July 2020. For reference, the application was received by the Council on 24 August 2020. As a planning consultancy with significant experience in consultation and major developments, we can attest that it would not have been possible to run collaborative and open consultation just 6-weeks prior to the submission of a major planning application as this allows for virtually no time at all for stakeholders' comments to be taken on board or mitigated by the design team.

9.15 In addition, our client has not received any meaningful communication, in the form of plans or details, from the applicant prior to the submission of the application. A representative of the applicant contacted our client on 21 July (post exhibition) to discuss the land ownership however, despite the submission of a planning application imminently; the representative could not discuss the proposals as they were subject to a *‘non-disclosure agreement’*. If the applicant was willing to discuss the details of the proposals prior to submission, some of the issues outlined above could have been raised and clarified. Our client subsequently wrote to raise specific enquiries of the applicant in relation to the chimney and the fire escape (as set out in the letter of 18 September 2020) and those enquiries have not been answered.

9.16 Whilst not a reason for refusal against adopted and emerging policy and guidance, in accordance with the NPPF, the City of London should not look at these proposals more favourably as the proposals have not been subject to meaningful consultation with a range of appropriate stakeholders.

Summary

9.17 The cumulative impacts of the above give rise to significant concerns that the proposals have not been developed having due and proper regard to the rights of neighbouring properties.

10.0 Conclusions

- 10.1 We have considered this application planning permission against the terms of the Development Plan and other material considerations. We conclude that the proposals are not consistent with National Planning Policy Guidance and the general terms of policies within the City of London Development Plan. We have considered the relevant material considerations, none of which out-weigh the reasons why planning permission should be allowed.
- 10.2 The application is deficient in detail and contrary to the Council's planning policies. There are no planning merits and no justification whatsoever for the grant of planning permissions and the only decision that a reasonable local planning authority could possibly make is a decision of refusal. Reasons for refusal are plentiful.
- 10.3 The location of a tall building on this is considered unacceptable in principle, resulting in a range of impacts including most pertinently severe design and amenity impacts for 2 – 3 and 5 Philpot Lane. The location, being mid-block, is not suitable for a very tall building and presents an urban design solution that is not harmonious to the existing environment.
- 10.4 As a result, the proposal will result in serious harm to an existing business that is already under significant strain from the current pandemic. The proposal will result in an oppressive 30-storey tower directly adjacent to our client's property with little to no consideration of the wide range of impacts on the listed status of the building or its operational use.
- 10.5 The heritage impacts, as outlined within this planning representation and the heritage representation, would be severe and irreversible causing substantial harm to the character and appearance of the historic environment. The local planning authority must be diligent in its duties as set out in s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and assess the proposals robustly having due regard to the requirements of the National Planning Policy Framework and London Plan in relation to preserving or enhancing the significance of designated heritage assets.
- 10.6 Should the City of London consider the proposals to be acceptable in principle, then a range of additional matters require urgent consideration to ensure they can be appropriately assessed to ensure no adverse impacts will arise in terms of daylight, sunlight, wind and microclimate.
- 10.7 To conclude, the proposals in their current form should be refused by the City of London for the reasons outlined above. Should this not happen, our client has signalled their intention to challenge the lawfulness of any future decision. Our client also reserves the right to supplement the above objection in respect of specific matters relating to the applications and to be re-consulted regarding any further amendments or additional documentation submitted. In

summary, the proposals represent a gross overdevelopment of the site and fail to adequately address the relationship of the site with the surrounding context.

- 10.8 Caution and common sense needs to prevail with this development. It is therefore respectfully requested that this applications is refused or withdrawn. Recommendations regarding the reasons for refusal are set out below.

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

PROPOSED REASON FOR REFUSAL 4:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

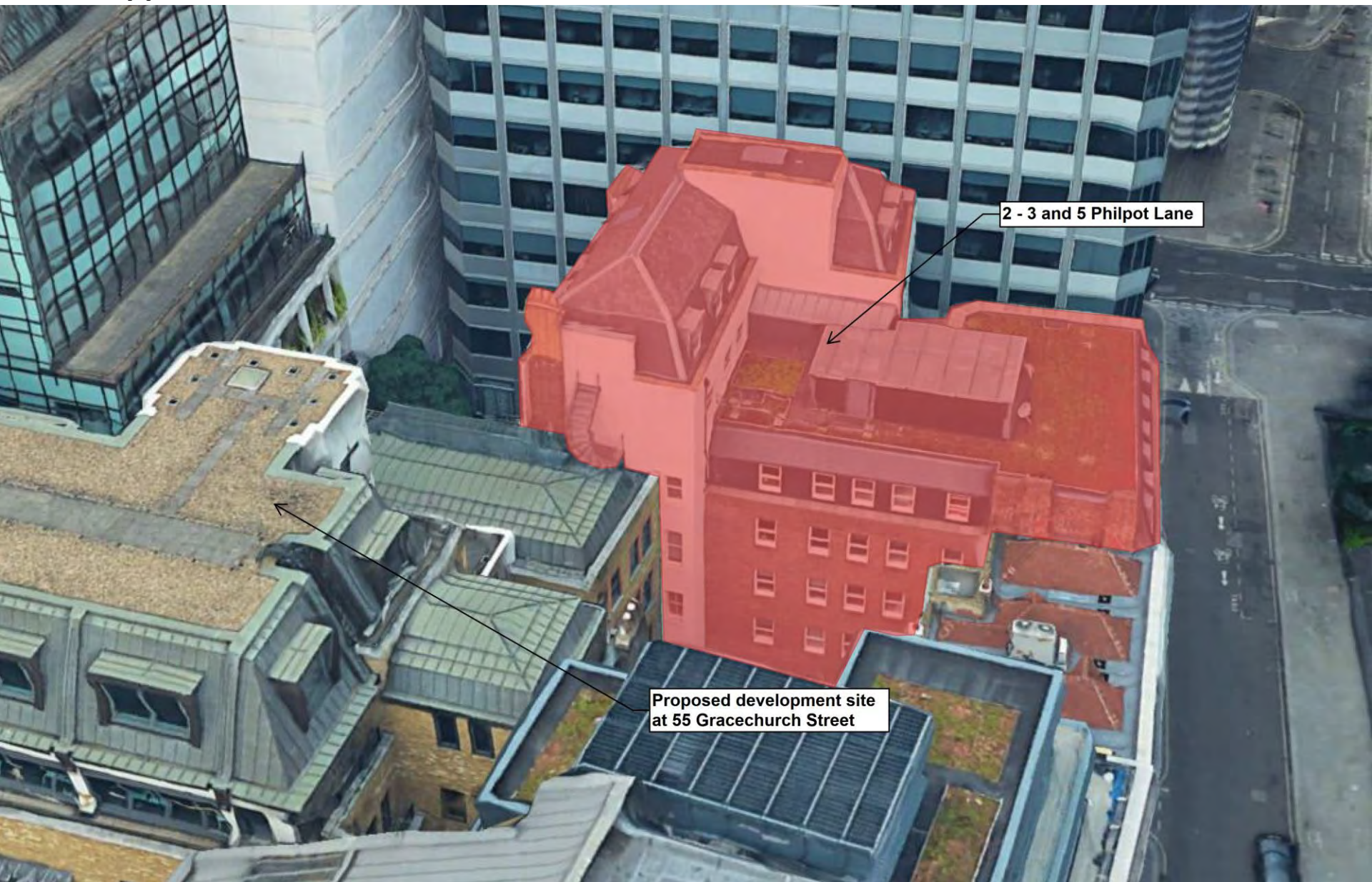
PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

PROPOSED REASON FOR REFUSAL 6:

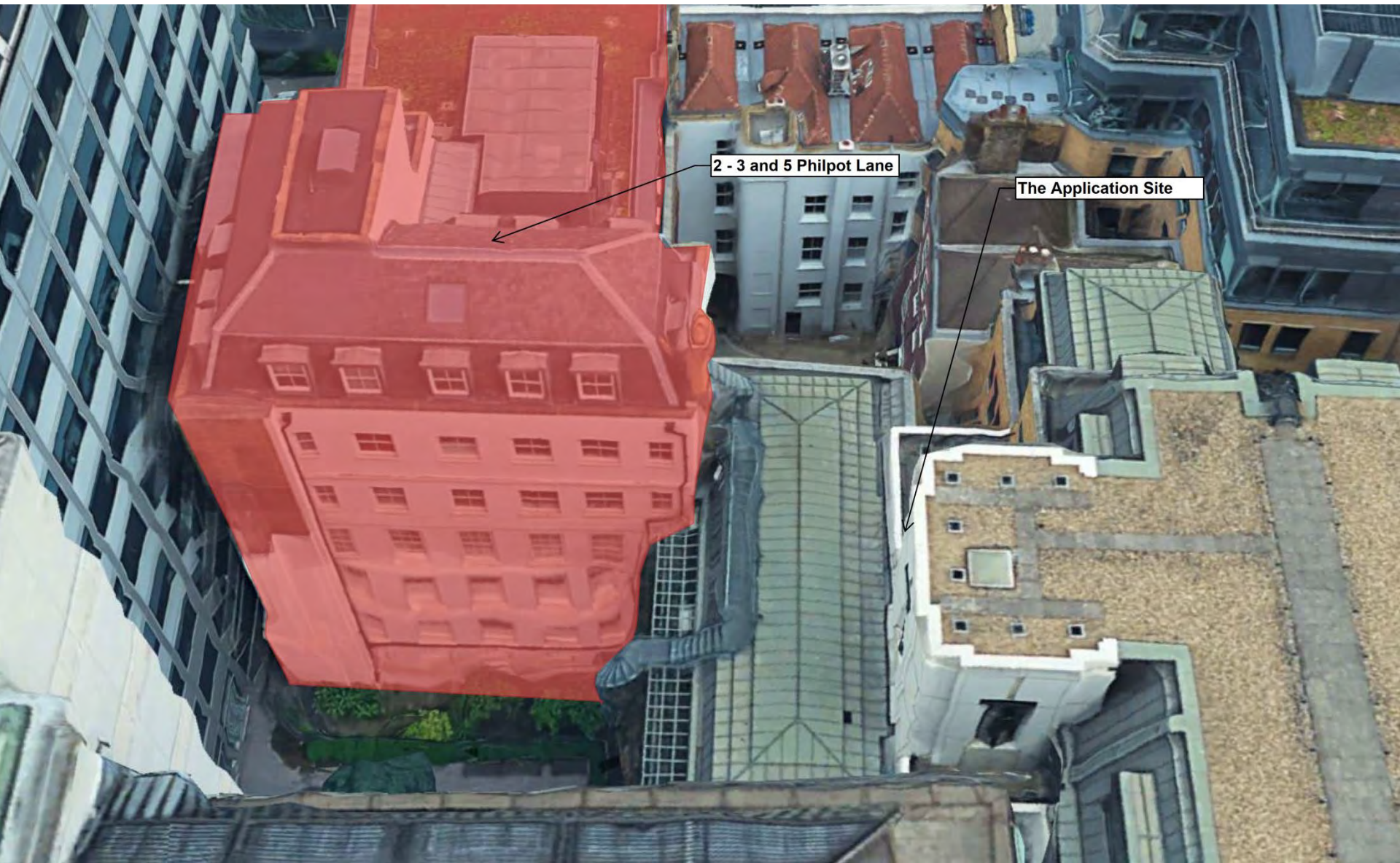
The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally effect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

Aerial Appendix 1



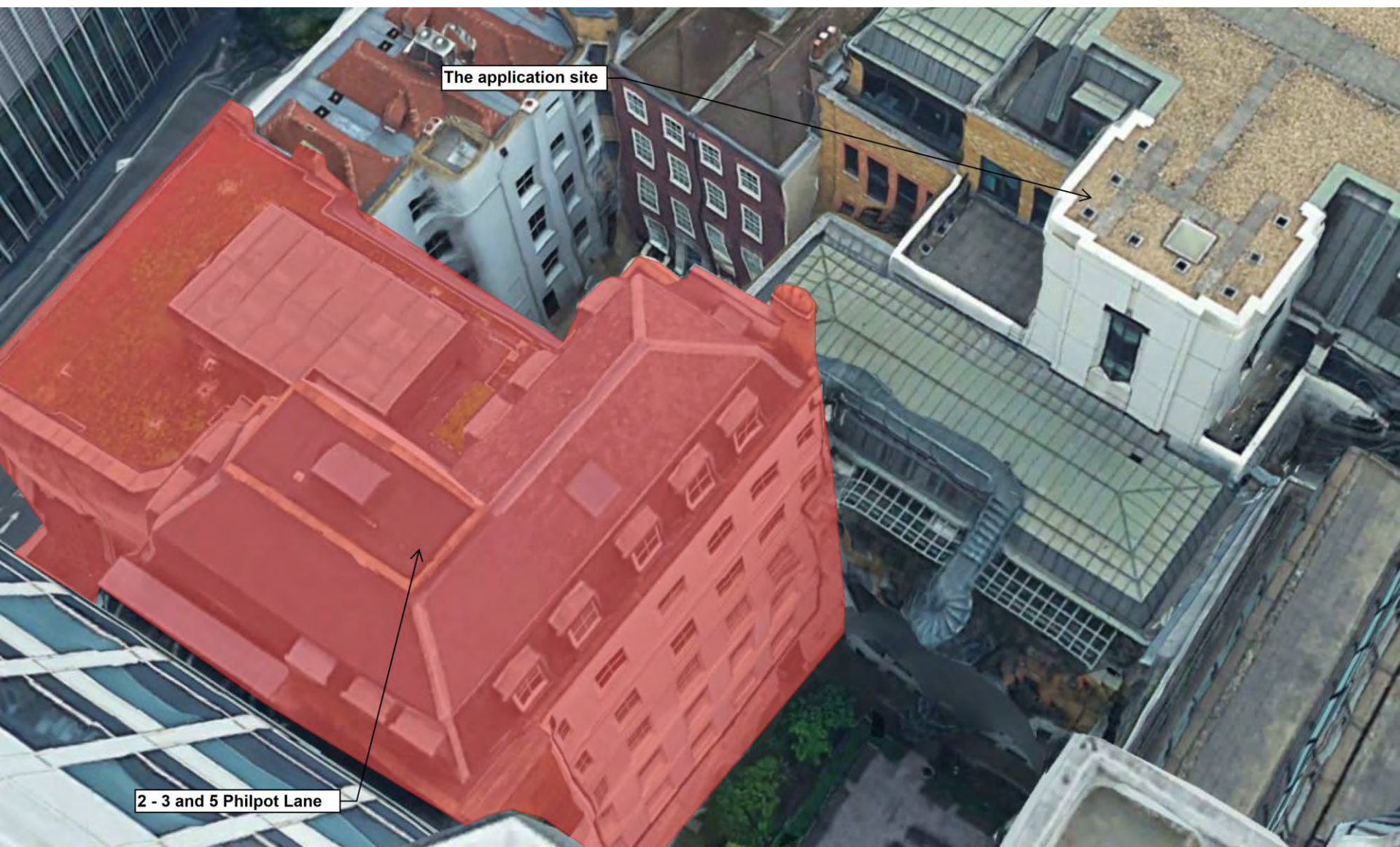
2 – 3 and 5 Philpot Lane from the south / south east, highlighted in red.

Aerial Appendix 2



2 – 3 and 5 Philpot Lane from the west, highlighted in red.

Aerial Appendix 3

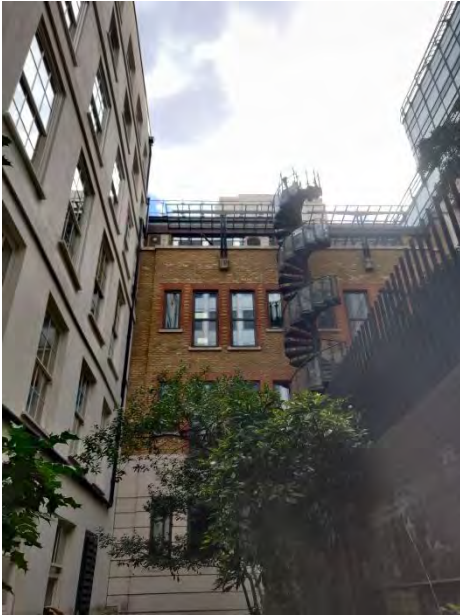


2 – 3 and 5 Philpot Lane from the north west, highlighted in red.

Aerial Appendix 4



Photograph Appendix 1



1. Northern façade and fire escape of the existing building
2. Lower ground floor and ground floor windows to 2 – 3 Philpot Lane
3. Western façade of 2- 3 Philpot Lane with fire escape
4. Western façade of 2 – 3 Philpot Lane from lower ground floor

Photograph Appendix 2



1. 5th floor of 2 – 3 Philpot Lane towards site
2. 5th floor of 2 – 3 Philpot Lane to ground floor
3. 5th floor of 2 – 3 Philpot Lane towards office building opposite.

Photograph Appendix 3



1. 2 – 3 Philpot Lane from the application site (chimney and fire escape)
2. View from the north of fire escape on the application site
3. View from the south of 2 – 3 Philpot Lane chimney

STEVENS&BOLTON

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Our ref: HEW.SJW.ST.1298.0764

By First Class Post and by
Email: ashley.patience@delvapatmanredler.co.uk

18 September 2020

Dear Sirs

PROPERTY: 55 GRACECHURCH STREET ADJACENT TO 2 - 3 PHILPOT LANE
OUR CLIENT: PHILPOT HOUSE LIMITED
PLANNING APPLICATION REFERENCE NUMBER : 20/00671/FULEIA ("THE PLANNING APPLICATION")

We write further to the submission of the Planning Application.

Our client will be lodging an objection to the Planning Application directly via the Planning Authority. Please confirm if you would like to receive a copy of that objection directly.

Without prejudice to our client's objections to the Planning Application, we set out below our client's concerns about the impact of your client's proposals on our client's property and its position generally.

Fire Escape

As you have acknowledged in your earlier correspondence, our client has a right of fire escape over the property which is the subject of the Planning Application.

We refer you to the Deed of Confirmation, Release and Grant dated 30 August 2006 and made between (1) The City of London Real Property Company (2) Land Securities PLC (3) LS City & West End Limited and (4) LS Portfolio Investments ("the August Deed"). Under the August Deed 2 – 3 Philpot Lane benefits from a right "*to pass on foot and wheelchair only along the Fire Escape Route into Fenchurch Street*".

The Fire Escape Route is the route down the existing fire escape staircase and along the Fire Escape Walkway on your client's property.

The August Deed is registered against your client's title (with title number NGL435633) at entry A9

Wey House, Farnham Road,
Guildford, Surrey GU1 4YD

of the Property Register.

Our client benefits from a further right pursuant to the Deed of Easement dated 30 December 2006 and made between (1) Land Securities PLC (2) LS City & West End Limited and (3) LS Portfolio Investments ("the December Deed") to *"pass on foot along the Fire Escape Walkway"* in order to access the Escape Route granted by the August Deed.

The December Deed is registered against your client's title (with title number NGL435622) at entry C12 of the charges register.

We enclose copies of both the August Deed and the December Deed for your reference.

We note from Proposed Plan – Level 3 (drawing PP-FPA-XX-03-DR-A-16103) that the fire escape has not been accommodated in your proposals. Please confirm by return how your client proposes to accommodate our client's rights in the proposed development.

Chimney attached to 2 – 3 Philpot Lane ("the Chimney Stack")

As set out previously (we refer to our letter of 7 August 2020 a copy of which is enclosed) our client considers the Chimney Stack is within its title. We have provided Party Wall Awards and historic plans to support this position.

It is disappointing therefore that the Existing Site Plan (drawing PP-FPA-XX-XX-DR-A-16001) presents the Chimney Stack as within the development site.

The Design and Access Statement submitted in support of the Planning Application suggests (at paragraph 2.4 page 19) *"the site includes a chimney stack attached to 2 -3 Philpot Lane"*. Your Environmental Statement further suggests (at paragraph 3.13) that *"there are heritage assets located within the northern boundary of the site [including] Chimney attached to the Grade II listed 2 and 2 Philpot Lane"*.

These statements are misleading on the basis the development site does not include the chimney stack which is entirely on our client's property.

We request you correct these documents before they are considered by the Planning Authority or explain on what basis your client contends the Chimney Stack falls within its title or it has a right to demolish it.

The Chimney Stack is identified on the Demolition Plan – Ground Floor (Drawing number PP-FPA-XX-00-DR-A-16602) as a structure to be demolished and excavated with a note that the removal of the chimney will be subject to a separate Application for Listed Building Consent. We are not aware any such application has yet been submitted, but our client will object in the event any such application is made.

Clearly your client's plans do not envisage the chimney stack remaining (we refer to the Demolition Plan and Proposed Site Plan, drawing PP-FPA-XX-XX-DR-A-16050 and Proposed Eastern Elevation, drawing PP-FPA-XX-XX-DR-A-16302). Notably there is no mention of its demolition within the Construction Environmental Management Plan and neither is it included in paragraph 91 of the Environment Report, which is in our view misleading.

Our client's position is that the Chimney Stack is within its boundaries and should therefore be accommodated within any plans. Our client has no intention of transferring the Chimney Stack to your client.

Piling and cladding – encroachment

We refer to the Proposed Plans for the Basement, Levels 1, 1 Mezzanine, 2 and 3 (drawing numbers PP-FPA-XX-B1-DR-A-16098; PP-FPA-XX-B1M-DR-A-16099; PP-FPA-XX-B2-DR-A-16097 and PP-FPA-XX-B3-DR-A-16095) which indicate the piling for your client's development will encroach on our client's property. You have no rights to build below our client's property.

Our client has serious concerns about the detriment to its own property of such works. All our client's rights including applying as appropriate for injunctive relief are reserved in the event you commence development on or near to our client's property without following the requirements of the Party Wall Act 1996 ("the Act"). However, for the avoidance of doubt the works you propose appear to go further than works permitted under the Act and will amount to a trespass.

Our client is also concerned that the cladding proposed to the upper floors will encroach on the airspace above our client's property, and will also amount to a trespass into the airspace, as to which all our client's rights are reserved including applying as appropriate for injunctive relief.

Rights to Oversail and Rights for Lifting Platforms

The feasibility of your client's development suggests extensive rights for cranes and machinery to oversail our client's Property. We note the Construction and Environmental Management Plan anticipates no oversailing outside of the site boundary but given the arrangement of the properties in the vicinity this seems highly unlikely.

The proposed plans for Level 8 and Level 6 (drawing numbers PP-FPA-XX-06-DR-A-16106 and PP-FPA-XX-08-DR-A-16109) appear to anticipate such oversailing. All our client's rights including applying as appropriate for injunctive relief are reserved.

For the avoidance of doubt no such oversailing rights are accepted and will be resisted. The nature of our client's tenant's business means our client would be in breach of its obligations to its tenant to agree to the grant of any such rights.

Disruption

As you are aware, our client's tenant operates short stay accommodation from 2 – 3 Philpot Lane. A significant period of building work on the adjoining property is likely to be very disruptive for their business and we therefore consider the hours of operation suggested in the Outline Construction Management Plan (page 19) to be too wide.

Our client's tenant's building is to be operated as a 'live and work' space in line with current trends for out of office working. Without prejudice to our client's objections generally to the proposed scheme, our client will be seeking more restricted hours of operation and all possible noise mitigation measures. We note your noise vibration report identifies that there will be significant adverse impact on 2 – 3 Philpot Lane as a result of construction vibration.

All our client's rights to claim against your client in the event the works amount to an actionable nuisance are entirely reserved including applying as appropriate for injunctive relief. For the avoidance of doubt, we consider work of the nature required for the proposal submitted will amount to a substantial interference in the enjoyment of our client's property, and to the extent our client suffers any losses it will look to your client to recover these.

Rights to maintain

Our client will require access to maintain the flank wall. Please confirm how, on the basis of your client's proposals, access for any necessary maintenance will be provided.

We look forward to hearing from you.

Yours faithfully



Stevens & Bolton LLP

Encs. Letter dated 7 August 2020
Deed of Easement dated 30 August 2006
Deed of Easement dated 30 December 2006

cc Mighty Oasis International Limited of Vistra Corporate Services Centre, Wickhams Cay II,
Tortola, VG1110, British Virgin Islands (By First Class Post and International Tracked)

Heritage Representation

55 Gracechurch Street, London (Application 20/00671/FULEIA)

Author: Ignus Froneman B.Arch.Stud ACIfA IHBC

Date: 07 October 2020

On behalf of: Store Property Investments Limited

Ref: 0224

INTRODUCTION

- 1.1 This Note has been prepared by Ignus Froneman, Director at Cogent Consulting, and contains a representation on behalf of Store Property Investments Limited. The representation addresses the heritage impacts of the proposed redevelopment of 55 Gracechurch Street, London (City of London Application 20/00671/FULEIA) on the closest listed building, Nos. 2-3 Philpot Lane. The Note focuses on heritage matters relating to this building, although the nearby listed building at No. 4 Brabant Court is also considered, where relevant.
- 1.2 The building has not been subject to a full documentary research, but the information supplied in the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (August 2020), prepared by Citydesigner, has been referred to, alongside research undertaken by Ann Robey on behalf of Store Property Investments Limited in 2011, including a report by Julian Harrap, dated 1985, for the Georgian Group (**Appendix 1**). The author of this note has undertaken further online documentary research and has inspected the building in its context in September 2020, but it was partially occupied at the time of the site visit and only limited areas have been internally inspected.

OVERVIEW OF HISTORIC BACKGROUND

- 1.3 According to Historic England's online National Heritage List, Nos. 2 and 3 Philpot Lane was first listed on 5 June 1972. The list description, as is commonplace for listings of this time, is relatively short:

"In Court at rear of No 1. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed."

1.4 The *Pevsner* guide¹ describes Philpot Lane, and Nos. 2-3:

"Named after Sir John Philpot, Lord Mayor 1378-9, who owned property hereabouts. Before that called after St Andrew Hubbard, burnt in 1666 and not rebuilt: it stood opposite the S junction with Eastcheap."

Well-documented C17-C18 houses (w side) nicely demonstrate the tendency of greater dwellings of that time to lurk off the highways. Nos. 2-3 (N end) face a little court, reached through an archway from a demolished mid-c 19 building. Three stuccoed bays, part of the house of Nathaniel Letten, merchant, c. 1670, later divided and heightened by one storey. Handsome flat door hood on big brackets. Refurbished by David Landaw & Partners 1987-9, with rear extension."

1.5 Before that, in 1985, Julian Harrap wrote a detailed account of the building, which noted the following:

- i. The west wall of the building was probably five bays wide, with 'various windows which appear to have been added at the south' and it was three storeys tall.
- ii. The two top storeys were added later; an early 19th century extension and then a war damaged replacement top storey.
- iii. Observations of some original elements suggest an original construction date of late 17th or early 18th century.
- iv. The great height and large first floor windows indicate grand rooms.
- v. The present front entrance was probably originally the back entrance, with the front facing the courtyard to the west.

1.6 According to Ann Robey, in 1838 the house went into multiple occupation, with the southern arm (or wing) of Nos. 3 & 4 entered from the south, and for a while it was known as No. 5 Brabant Court. In 1846 Nos. 2 & 3 were described as '*a capital messuage with courtyard abutting Philpot Lane, now known as Nos. 2 & 3, comprising a warehouse and room and counting house over premises to George Killick on the southside of the said No. 3, with an entrance from Brabant Court, known as No.5 Brabant Court, which warehouse and counting house are occupied by Messrs Lewis Nokes [?] Wholesale tea dealers, while nos. 2 and 3 are let out in separate rooms and chambers to tenants*'.

1.7 The building was most likely built as the high status house of a City merchant, although it has evidently been re-used, having been used as part of a bank in the 19th century, as well as offices, and the premises of a wine merchant. The building would have undergone alterations as part of these cycles of re-use. That is not unusual for a City

¹ *The Buildings of England, London 1: The City of London* (2002 edition) pp577-8.

house such as this, and this history of adaptation adds to the time depth and interest of the building.

- 1.8 The building was also damaged in WWII, when the top and the eastern return to Philpot Lane were partially rebuilt. Perhaps the best illustration of this is the sequence of oblique aerial photos, which record the building at different angles, and in different light, from 1922 to 1947. Extracts of these are replicated below and the south-western chimneystack, to be demolished as part of the proposed development, is highlighted with a red arrow for ease of reference.



Fig 1: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, 1922, from the SW. © Britain from Above EPW007740 ENGLAND.



Fig 2: Detailed extract from an oblique aerial photo of the eastern half of the City of London, 1938, from the east. © Britain from Above EPW057040 ENGLAND.

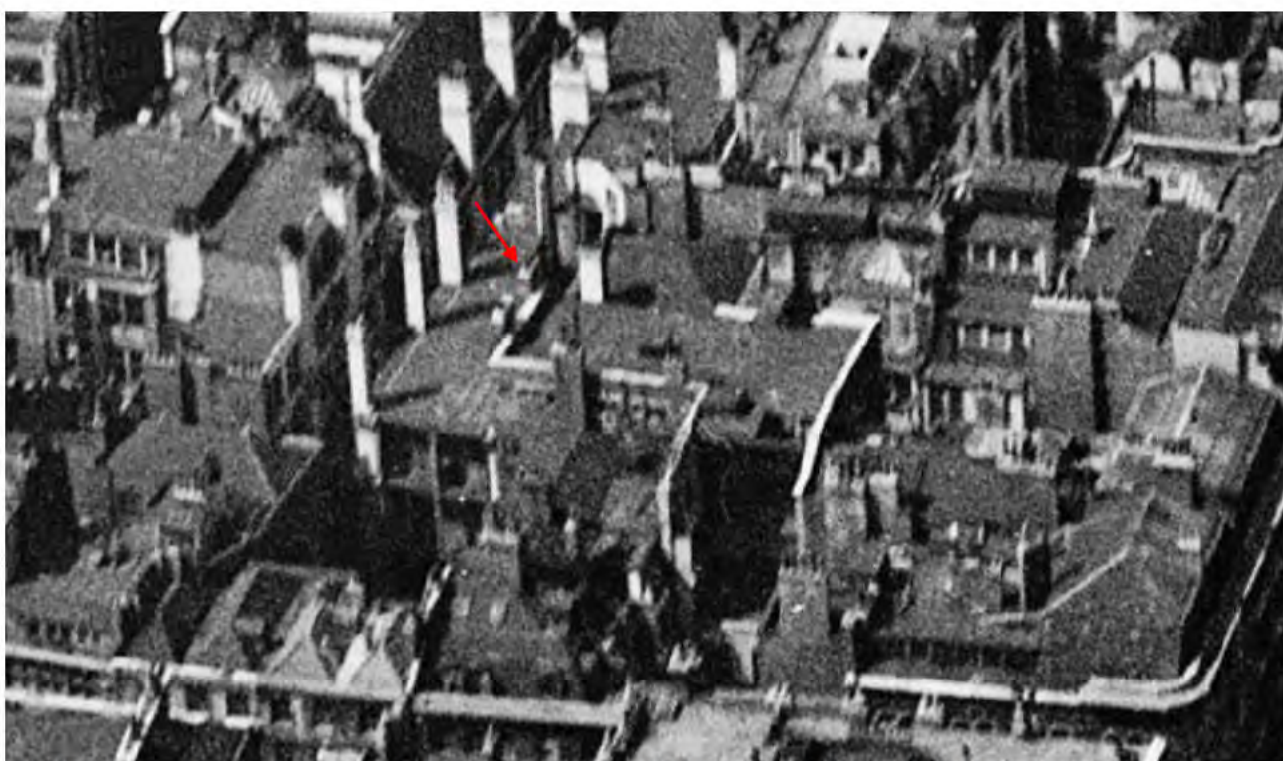


Fig 3: Detailed extract from an oblique aerial photo of Leadenhall Street and the city, London, from the east. © Britain from Above EAW000510 ENGLAND.



Fig 4: Detailed extract from an oblique aerial photo of the area around Monument, Gracechurch Street and King William Street, London, from the south, 1946. © Britain from Above EAW013047 ENGLAND.



Fig 5: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, London, 1947, from the south. © Britain from Above EAW011174 ENGLAND.

- 1.9 It is possible to tell from the sequence of oblique aerial photos that the building would have had a steep roof to the west in 1922, but seemingly with a taller east elevation, which had a shallower roof over. Over the years there were consistently two chimneystacks to the south elevation, which must reflect the internal use of the rooms

at the southern end of the building, and may include its adaptive reuse. It is possible to tell that the top storey, and certainly part of the east elevation, was rebuilt in the 1940s. The typical dense historic courtyard arrangement of the City block within which the building is set is also evident on the aerial photos, with buildings crowded around small courtyards and alleyways. Some of the buildings were taller than others, but the courtyards were defined by buildings of broadly consistent scale and height.

- 1.10 The former house has undoubtedly been altered over the years and the former rear warehouse type abutment on Brabant Court, as recorded on the 1978 photo (**Fig 6**), has been replaced with a modern apartment block.



Fig 6: The building to the north of Brabant Court in 1978; this has now been replaced. © City of London: London Metropolitan Archives <http://collage.cityoflondon.gov.uk>.

- 1.11 In the wider context there has been much replacement and rebuilding, with only fragmentary parts of the 18th century townscape surviving, especially within the **courtyards. No. 4 Brabant Court is an example of another merchant's house off Philpot Lane**, and in the absence of very much else of this period, aside from the Philpot Lane frontage (Nos. 7 & 8, listed grade II*), there is relatively little left of this once common, but now rare, historic townscape.

OBSERVATIONS ABOUT SIGNIFICANCE AND SETTING

- 1.12 As has been stated at paragraph 8.B.35 of the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (the HTVIA), *"Although significantly altered, these listed buildings on Philpot Lane and Brabant Court are of historic and architectural interest owing to their age, architectural quality and original details [...]"*
- 1.13 As a very brief and very broad summary of significance, this statement is correct. However, its brevity does not allow for a good understanding of how this significance can still be appreciated or understood, and how parts of the building, or its setting, are capable of assisting in its understanding, and of revealing its significance.
- 1.14 The HTVIA, in the same paragraph as quoted above, also includes a very brief summary of the setting of the buildings in the group that is assessed, and how that contributes to their significance:
- "The setting of this group of listed buildings has changed considerably with larger scale and tall contemporary buildings. The mix of historic and new, small scale and tall buildings, along with the constantly evolving nature of the City is part of the character of their immediate setting and does not detract from their significance, which lies principally in their age, history and surviving architectural details."*
- 1.15 It is here where the statement omits to say anything about the value of the rare merchants' houses on the west side of Philpot Lane, which now still *"demonstrate the tendency of greater dwellings of that time to lurk off the highways"* as Pevsner put it. It is possible to stand at the grade II listed merchant's house at No. 4 Brabant court and look at Nos. 2-3 Philpot Lane, as can be seen from **Photo 1** below. The photo shows that the depth of Nos. 2-3 Philpot Lane can be seen from Brabant Court, along with the chimneystack, both of which help to reveal something of the nature of this **building, and allows for an understanding that these are two former merchants' houses.** The chimneystack is a well-detailed domestic feature that visually ties the Brabant Court corner of the former house with the rest of the building and makes it instantly understandable (in spite of the modern spiral escape staircase that is also seen).



Photo 1: The grade II listed merchant's house at No. 4 Brabant court (left), looking towards Nos. 2-3 Philpot Lane (right).

- 1.16 The next section of this representation considers some of the pertinent guidance set out in Historic England's *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* referred to as GPA3 hereafter. The HTVIA does not contain any such equivalent assessment.
- 1.17 Paragraph 9 of GPA3, under the heading "*Change over time*", notes that settings of heritage assets change over time. Understanding this history of change will help to determine how further development **within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset**. Settings of heritage assets which closely resemble their original setting are likely to contribute particularly strongly to significance. Settings that have changed may also enhance significance, e.g. where the townscape character has been shaped by cycles of change over the long term. Settings may also have suffered negative impact from inappropriate past developments and may be enhanced by the removal of the inappropriate structure(s).
- 1.18 Nos. 2-3 Philpot Lane is an example of a building in a setting that has undergone considerable change. In certain respects, the **building's** setting bears very little resemblance to its original setting (e.g. the large scale modern adjoining blocks on Fenchurch/Gracechurch Streets, 9-11 storeys); this aspect of the present-day setting does not add to or reinforce its significance. The tall building at 20 Fenchurch Street is also an obvious case in point, although with the difference that it sits within a different street block and is morphologically distinct from the courtyard block of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane. However, despite much rebuilding and the modern replacement buildings, there is still a sense of the **morphology of the historic street block and the former merchant's houses set within this context**, and visible from Brabant Court (where the visual intrusion of the blocks on Fenchurch/Gracechurch Streets is not felt). Although some later development has increased the height of the street block and eroded some of its character, particularly on Fenchurch/Gracechurch Streets, something of the original scale remains.
- 1.19 Given the high rate of the loss of the historic setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane, the residual sense of the original **arrangement, and the ability to understand these two former merchants' houses within the context of each other** is all the more important, and the residual visual relationship between them, as is illustrated in **Photo 1**, is all the more relevant. That includes the ability to perceive the depth of Nos. 2-3 Philpot Lane, along with the chimneystack. Paragraph 11 of GPA3, under the heading "*Views and setting*" **Highlights views which contribute more to understanding the significance of a heritage asset** include those where relationships between the asset and other heritage assets are particularly

relevant. This is clearly a case **where the relationships between the former merchants' houses contribute to their understanding.** Paragraph 26 of GPA3 notes that, when assessing whether the setting of a heritage asset makes a contribution to its significance, and the extent and/or nature of that contribution, the ***"physical surroundings of the asset, including its relationship with other heritage assets"*** is one of four things to consider, again highlighting the importance of this relationship.

- 1.20 **Paragraph 9 of GPA3, under the heading *"Cumulative change"* highlights that,** where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, consideration still needs to be given to whether additional change will further detract from (or can enhance), the significance of the asset. An example of negative change is severing the last link between an asset and its original setting.
- 1.21 This is relevant for two reasons. The changes to the setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane do not mean that further change is inconsequential, or does not need to be assessed in detail. Secondly, the proposed development would go some way towards severing any meaningful link between the two listed buildings; of course the corner of Nos. 2-3 Philpot Lane would remain in Brabant Court, but the legibility of the building – assisted in no small part by the chimneystack and south elevation – would be largely lost.
- 1.22 **The heading *"Access and setting"* as part of paragraph 9 of GPA3 is relevant to the** western courtyard of Nos. 2-3 Philpot Lane, which is likely to have been historically the principal elevation, as is evidenced by the plat bands and the residual cornice band, as well as the fenestration arrangement – all of this indicate that this was not designed as the back elevation of the building. Although this courtyard is not publicly accessible, it remains relevant, to the extent that the space contributes to the appreciation of the building, and its significance; this was the space that the building would originally have addressed. The same is true for the alleyway that gives access to the courtyard from Fenchurch Street. The quality and character of the courtyard has been somewhat compromised by the larger blocks to the north and west, which makes it a dark and slightly compromised space, but remains important as the space once addressed by the façade. It is also important as a residual courtyard space reminiscent of the historic courtyards the building would have been associated with (it is clear that by the 19th century much infill had occurred, though some of that has been reversed).
- 1.23 **Again, under paragraph 9 of GPA3, the section headed *"Setting and urban design"*** notes that the protection and enhancement of setting is intimately linked to townscape and urban design considerations. These often relate to townscape attributes such as enclosure, definition of spaces and spatial qualities. On the one hand the enclosure of courtyard spaces in the context of the listed buildings at No. 4 Brabant Court and Nos.

2-3 Philpot Lane is important: without the enclosure of the courtyards, there is no obviously definition of these spaces. On the other hand, as can be seen from the historic aerial images, there is also a distinction between the spatial quality and character of positive enclosure, and the type of enclosure that has resulted from the larger blocks on Fenchurch Street and Gracechurch Street (9-11 storeys). The latter have created something of a canyon-effect and the spatial quality and character of the courtyard and the passageway to it from Fenchurch Street has suffered.

- 1.24 The proposed development would see the creation of a sheer wall of 30 storeys enclosing the courtyard to the south. Such an enclosure of this small courtyard space, immediately to the west of Nos. 2-3 Philpot Lane, would create an wholly disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology (again, the tall building at 20 Fenchurch Street is not part of the urban fabric of the street block within which the listed buildings are set and, being separate, it has a different relationship with them). The quality of the courtyard space would be severely compromised.
- 1.25 The image below (**Fig 7**), from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303) illustrates the disproportionate sense of enclosure that would significantly distort the urban morphology and compromise the historic courtyard.

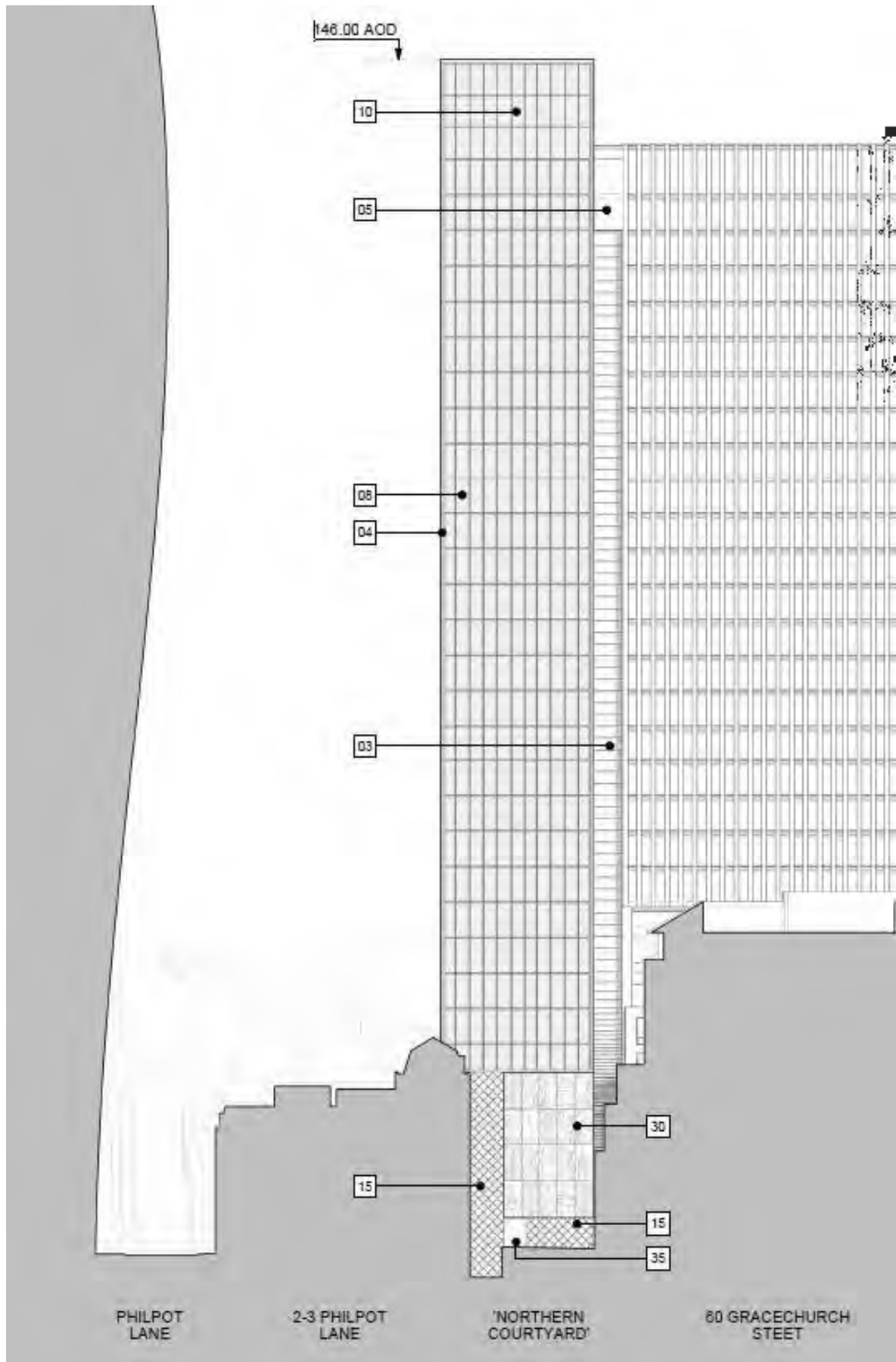


Fig 7: Extract from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303).

- 1.26 The final heading under paragraph 9 of GPA3 is entitled "*Setting and economic viability*". The guidance notes that the economic viability of a heritage asset can be reduced if the contribution made by its setting is diminished by badly designed or insensitively located development. In this case, it is hard to see how the economic viability of the listed building would not be reduced by the proposed sheer wall of 30 storeys in height immediately to the south of it, enclosing the courtyard. The building already faces a relatively dark lightwell (at basement level) and courtyard above. It is in use as a hotel with apartments but the desirability of these lodgings would diminish with a 30 storey tower effectively blocking the light from the southern aspect of the courtyard. Some of this can be seen from the drone photo at **Photo 2**; note the angle of the shadows.



Photo 2: A vertical drone photo of the courtyard to the west of the grade II listed Nos. 2-3 Philpot Lane. The photo is orientated with north roughly to the left and the west elevation of the listed building is at the top. The application site is to the right.

- 1.27 The "*Assessment Step 2 Checklist*" in the text box on page 11 of GPA3 identifies typical things that an assessment may need to consider. Those most relevant to this case are cited below and their relevance is briefly discussed. The following are noted under the asset's physical surroundings:
- 1.28 Other heritage assets: This is clearly a case where the relationships between the former merchants' houses contribute to their understanding, as has already been discussed.

- 1.29 Definition, scale and 'grain' of surrounding spaces: As has been noted above, the type of enclosure of the small courtyard space to the west of Nos. 2-3 Philpot Lane that the sheer wall of 30 storeys would create, would be wholly disproportionate. This would significantly distort the urban morphology and sense of scale to the courtyard space.
- 1.30 Openness, enclosure: It may be added that the sense of space and openness provided by the sky in this tight urban context of alleys and courtyards encapsulates more than simply the spacing (i.e. dimensions) between buildings. It also encompasses the three dimensional sense of space, and the ability to see the sky above from within these courtyards. The proposed development would remove much, if not all of the sky seen to the south of the listed building on **Photo 3**. The courtyard at Brabant Court would also be significantly impacted, immediately to the south of Nos. 2-3 Philpot Lane and to the west of No. 4 Brabant Court. The proposed development would all but obliterate the narrow sky gap that defines the passageway to the north of the courtyard at Nos. 2-3 Philpot Lane, as can be seen from **Photo 4**.



Photo 3: The west elevation of Nos. 2-3 Philpot Lane, seen here addressing the courtyard to the west and the sky gap that would be occupied by the proposed development.



Photo 4: The passageway to the north of the courtyard at Nos. 2-3 Philpot Lane. The sky gap would be occupied by a 30 storey tower.

- 1.31 History and degree of change over time: As has been noted, there has been much redevelopment of the street blocks in the context of Nos. 2-3 Philpot Lane and No. 4 Brabant Court, meaning that these residual historical elements are especially important. Also, more recent development has gone taller than the historic townscape, especially the blocks on Fenchurch Street and Gracechurch Street, and these have diminished the quality and character of the courtyard to the west of the listed building. However, the street block has not been affected by more dramatic height, or skyscrapers. The proposed 30 storey tower would significantly and irreversibly change this.
- 1.32 Under the experience of the asset, the surrounding townscape character is also highlighted. This is again relevant to the way in which the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court can be experienced, together, in a courtyard arrangement that still, broadly, reflects something of the historic townscape, and which would be significantly harmed by the proposed tower, set within the depth of the street block.
- 1.33 A final observation is that, according to paragraph 8.B.36 of the HTVIA:
"On Brabant Court, the lower 'podium' part of the proposed development [to the east, adjacent to the listed No. 4 Brabant Court] is of a similar height to that of the existing buildings facing the Court, and has been carefully considered in terms of scale, materials and details to respond sensitively to this group of listed buildings. The taller element steps back from the lower podium ..."
- 1.34 Similarly, according to section 4.3.5 of the submitted Design and Access Statement:
"The proposed brick structure is aligned to the parapet of the adjoining 4 Brabant Court. [...] The upper levels of the proposal [to the east, adjacent to the listed No. 4 Brabant Court] are set back three metres to help modulate the difference in scale between the scheme and the courtyard buildings."
- 1.35 Both statements imply that the setback to Brabant Court was given careful consideration and was designed to 'sensitively' respond to the listed building. It is therefore particularly striking that no such sensitivity was recognised in respect of the western courtyard, where the proposed building would not only be located immediately next to the listed building at Nos. 2-3 Philpot Lane, but in fact partially overlap it. There is no setback. Instead, the proposed development demolishes the chimneystack of the listed building and subsumes it into a sheer, 30 storey wall. It is as if the care and sensitivity reserved for Brabant Court had been abandoned where the development

is hard up against a listed building, and the proposed building was designed instead as if there was no listed building.

OBSERVATIONS ABOUT THE PHYSICAL IMPACT OF THE PROPOSED DEVELOPMENT

1.36 The proposed development would see the demolition of the only remaining chimneystack to the listed building (there is a truncated stack at the north, but in its truncated state it is less legible). Although it is clear from the brickwork that the top of the stack has been rebuilt, it is also clear that the lower part of the stack is of some age (**Photo 6**).



Photo 6: The south elevation of the listed building at Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.37 The stack corresponds with chimneybreasts internally, and it is an external expression of the internal arrangement of the listed building. It is instantly recognisable as a traditional feature and it helps to reveal the former domestic function of the building, especially when seen from Brabant Court or when seen in conjunction with the formally arranged west elevation, formerly the front of the house (**Photo 7**).



Photo 7: Oblique view of the west elevation of Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.38 It would also appear that the top part of the west elevation of the listed building, where the abutting modern existing structure steps back (**Photo 8**) would become subsumed by the new building (**Fig 8**), although this is not entirely clear from the drawings.

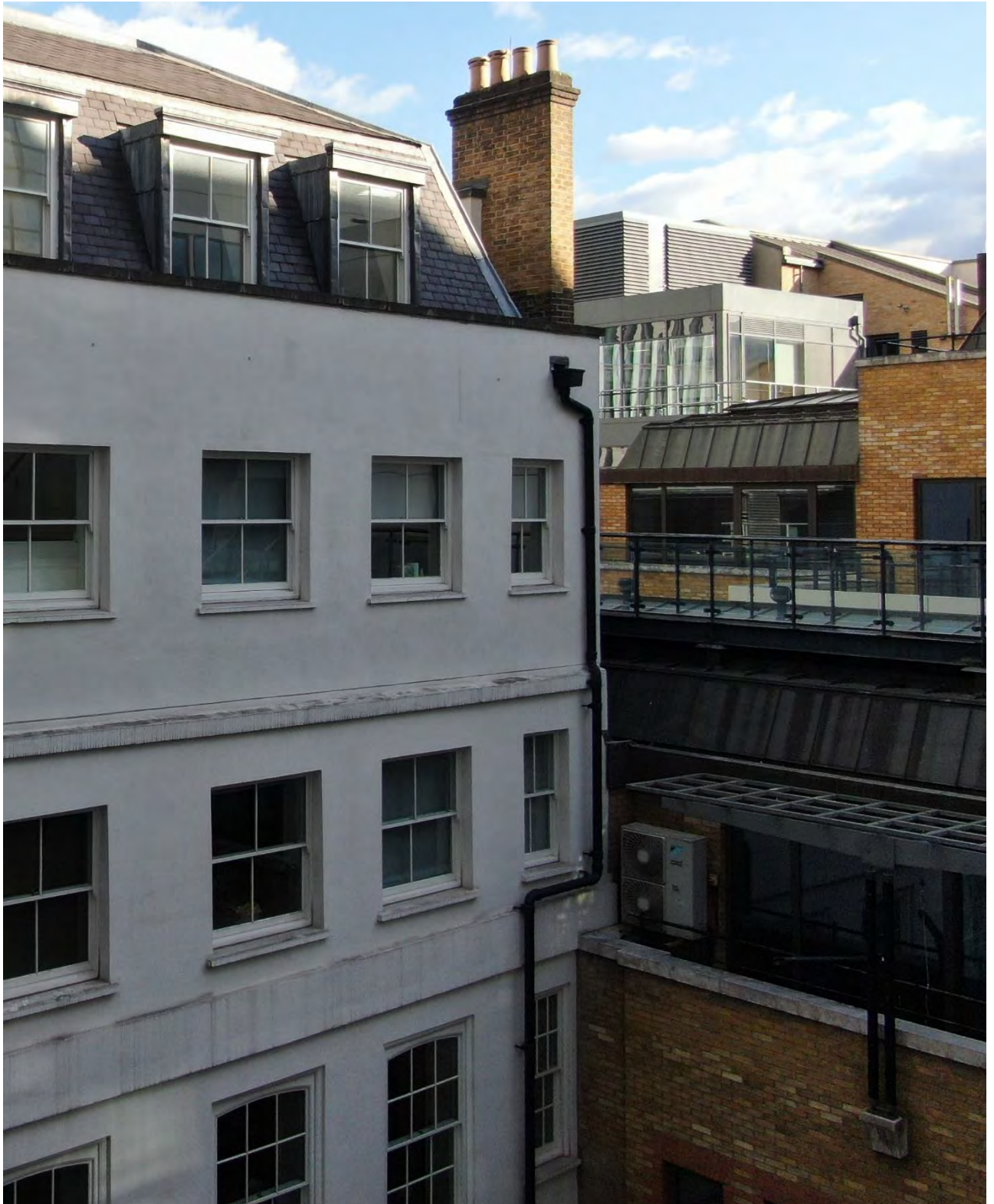


Photo 5: The top part of the west elevation of the listed building, where the existing structure steps back.



Fig 8: Extract from the submitted Proposed Section D-D (drawing PP-FPA-XX-XX-DR-A-16403).

- 1.39 The removal of the chimneystack would result in the loss of evidential value to the listed building and it would affect its legibility. This would harm the significance of the listed building, which would be compounded by the replacement of the stack with a 30 storey sheer elevation.
- 1.40 No listed building consent application has been submitted and it is not possible to comment in detail on the impact of this alteration to the listed building, or potential harm that would arise from the way in which the new building would overlap the listed building. In the absence of this detailed information, it is not possible to determine the potential impacts of this part of the proposed development.

CONCLUSIONS

- 1.41 The summary and very basic impact assessment in the HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3, and by omitting this; the applicant has failed to demonstrate adequate assessment regarding the proposals impact on nos. 2 – 3 Philpot Lane and no. 4 Brabant Court.
- 1.42 This representation has demonstrated the contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the existing urban morphology, and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed buildings at 2 – 3 Philpot Lane and 4 Brabant Court.
- 1.43 In addition, the removal of the chimneystack would compound the harm through the removal of a feature of the building that assists in its legibility through the loss of historic fabric and evidential value.
- 1.44 No other heritage assets have been assessed in this representation, although it is possible that the HTVIA has equally not properly assessed impacts on other heritage assets, meaning that the conclusions of the document may well be unreliable.

APPENDIX 1:

Report by Julian Harrap, 1985, for the Georgian Group

Your reference
Our reference

2 and 3 PHILPOT LANE LONDON EC4

The house stands in backland surrounded by new office development. The west elevation of the house faces a courtyard. Entrance to the house is from Philpot Lane via a walled passageway. The house is of four floors over a basement with sub-basement. It is constructed of brick with timber floors and has sash windows punctuating the brickwork at regular intervals. An excellent fragment of late 17th/18th century brickwork remains in the north west corner. This has red-dressed reveals to the windows below rubbed brick arches, with old beaded flush box frames. At second floor level is a shallow projecting rubbed brick moulded band course and at third floor level a substantial dentilled cornice of rubbed brick. The remaining part of this elevation appears to have been reconstructed in the early 19th century. A buttress wall has been constructed against the eastern end of the north wall. The east elevation is three windows wide and there is an early mid-18th century doorcase at the north east corner, through which entry is provided to a raised ground floor. The south wall of the building abutts a new building. The west wall of the house was probably five windows wide originally and probably three floors high. The line of the band course at second floor level is evident, as is the line of the main cornice at third floor level. There is an abutting chimney breast at the northern end of this wall and various additional windows appear to have been added at the south end. There is a stone incorporated in the elevation at area level asserting that the wall belonged to C J King in 1871.

*Should pre-date
Window arch
of 1709
(sash boxes set
back 4")
but, according
to Crickshorn
many windows
continued to
be built
flush with wall
till early
1730's*

Above the original cornice level are two further storeys of accommodation, the lower one perhaps added in the early 19th century when the present staircase was installed and the upper one re-formed after war damage in 1951. The interior of the building is very substantially concealed by facings, linings, false floors and false ceilings. Few fragments of the original phase of construction can be seen, but the following items seem consistent with an original construction date between 1690-1710. The sub-basement has a large timber beam perhaps 500mm sq. of oak and this shows evidence of having supported coggled floors. The upper basement covers the full extent of the site including a vault under the entrance passageway to Philpot Lane. At ground floor level, behind the north elevation of the building, are large timber baulks framed together to form the floor structure, with a principal beam running east-west the full width of the building and eastern wing. The area of the basement to the south is divided into two rooms by massive walls and the ceiling sags considerably in the central area, possibly because two large columns bear on this floor above. The existing ground floor is entirely encased with later finishes and partitions arranged as the attached plans. The most interesting features are two early 18th century Tuscan columns aligning with the second bay from the south. These must have once been part of a grand entrance hall, which would be consistent with a commercial use of the ground floor at the time of initial construction. At first floor level, the great height and very large windows are indicative of grand rooms. The floor void between ground and first floor is reportedly two to three feet deep which would be capable of concealing a deep cornice. The windows on the north elevation and some on the west elevation retain large ovolo beaded shutters with plain panels.

} check

There is a chimney breast on the south wall and on the east wall of this floor. At second floor level there are substantial remains of a late 17th century-early 18th century interior. Particularly valuable is a lined opening consisting of two fluted doric columns supporting a four centred arch, with six raised and fielded soffit panels and a key stone. This would have given access from main house to wing, before the lift was installed. In the north west corner of the plan is an almost complete 18th century interior with unusually raised and fielded panel shutter reveals to the window on the north elevation, a full box cornice and ovolo panelled walls. At the southern end of the plan entered through a very good eight panelled door is another grand room with full box cornice and perhaps plane moulding, enhanced with a mouse moulding. A fragment of box cornice remains adjacent to the eastern fire place on this floor. The middle room has a simple 19th century cornice. The third and fourth floors are of very little interest, but it is significant that the 19th century stair continues to the third floor level.

With the evidence described, there are grounds to suggest that this structure was once a grand City Merchants house, perhaps constructed in the late 17th/ early 18th century, probably retaining its original plan form except that the grand stair at ground and first floor has been removed and the well filled in. The present front entrance to the building was probably the back entrance and access to the wing would probably have been through lobbies where the lift now runs up through the building. The plan form of the building could well have been very similar to that remaining at second floor level with two large and one small principal rooms per floor.

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In order to reach a considered conclusion about the merit and worth of the building an architectural and archaeological investigation should be undertaken, with a view to testing the hypothesis of internal arrangement derived from this inspection. Only when more information is available, could a proper value be attached to the building from an architectural and historical viewpoint. With leases due to fall in over the next two to three years, sectional investigation and even repair, could be a practical proposition. The present application to completely gut the building would have to be resisted until further information was available.

Julian Harrap Architects

March 1985



**Lambert
Smith
Hampton**

www.lsh.co.uk

Objection to Planning Application

For the proposed development at

**55 Gracechurch Street
London EC3V 0EE**

On behalf of

**Store Property Investments
Limited**

Prepared by
Lambert Smith Hampton
United Kingdom House
180 Oxford Street
London
W1D 1NN

October 2020



1.0 Introduction

- 1.1 We write on behalf of our client, Store Property Investments Limited, to strenuously **object** to the proposals submitted under planning application reference 20/00671/FULEIA. The proposals were received by the City of London Corporation on 24 August 2020 and validated on 1 September 2020. The application particulars are outlined below.

Application reference: 20/00671/FULEIA

Description of Development: *Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146m AOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.*

Address: 55 Gracechurch Street London EC3V 0EE

- 1.2 Our client, Store Property, has a number of serious concerns relating to inadequacies and discrepancies in respect of the documentation submitted in support of the application, including issues regarding Heritage, Daylight, Sunlight and Overshadowing, Wind and Microclimate and adverse impacts on the operation and viability of our client's own premises. There are also a number of deficiencies in terms of the documents submitted, and in particular the failure by the applicant to submit an assessment of the impacts on 2 – 3 and 5 Philpot Lane and associated properties in the immediate vicinity. All of the points raised are considered in further detail within this submission and also assessed against the current planning policy framework for the City of London. In summary, the proposals represent a gross overdevelopment of the site and fail to adequately address the relationship of the site with the surrounding context.
- 1.3 Our client is the owner of 2 – 3 and 5 Philpot Lane, which is set to suffer significant adverse impacts caused by the proposed development. The property is currently in use as a hotel with 36 apartments across 7 floors (lower ground floor, ground floor plus five). 2 – 3 Philpot Lane is Grade II Statutory Listed. In this regard, a separate Heritage Objection Report (*by Cogent Heritage*) has been undertaken to assess the potential impacts of the proposal on this building. Number 5 Philpot Lane is not statutorily listed but does comprise hotel accommodation and is in the demise of our client.
- 1.4 Within this objection report, we outline why the proposals are contrary to the policies set out within the adopted and emerging development plan, which broadly comprises the City of

London Local Plan (2015), the City Plan 2036 (2020), the London Plan (2016, as amended) and the Intend to Publish London Plan (2019). This letter also sets out the reasons for refusal.

- 1.5 This objection is accompanied by a photographic and aerial appendix of the site which is referred to and attached. This report is split into sections outlining the background and context for the objection, the planning assessment across a variety of themes, additional considerations for the LPA which are material to the determination of the planning application and a summary. The contents are outlined below.

1. Introduction
2. 2 – 3 and 5 Philpot Lane
3. Planning Assessment
4. Principle and Design
 - a. *Siting of a tall building in this location*
 - b. *Justification for a tall building in this location*
 - c. *Design approach*
 - d. *Access*
5. Heritage
6. Daylight, Sunlight and Overshadowing
7. Wind and Microclimate
8. Impact on the viability of the existing hotel use
9. Other considerations
 - a. *Site Boundary*
 - b. *Existing escape stair*
 - c. *Demolition and construction*
 - d. *Construction Methodology*
 - e. *Consultation*
 - f. *Summary*
10. Conclusions

- 1.6 Sections 3 – 8 of this objection report outline the planning reasons why this proposal should be refused. Section 9 identifies a range of additional considerations which do not appear to have been addressed by the applicant in their submission. The cumulative adverse effects arising from the proposals amounts to serious concerns about how well prepared the application is and what due diligence has been undertaken in order to satisfy the City of London that the proposals can be delivered in a safe and appropriate way.

- 1.7 In addition to the planning concerns, there are also a range of legal issues that the applicant or their agents have not responded to, which are outlined in a letter from Stevens & Bolton LLP dated 18 September 2020, which is appended. These issues principally concern the legal rights of our client regarding the fire escape, the ownership boundary (specially the chimney stack),

the construction methods, over sailing, disruption and maintenance issues. As these are legal matters, they will not be discussed in significant detail within this representation but they nevertheless cast severe doubt on the deliverability of the scheme.

2.0 2 – 3 and 5 Philpot Lane

- 2.1 Our client owns the freehold to 2 – 3 and 5 Philpot Lane, which accommodates a hotel with 36 fully serviced apartments owned and operated by City Apartments. City Apartments provides high quality, furnished hotel apartments for business and tourist visitors for both short term and long term stays.
- 2.2 For clarity, we have marked our client's ownership and interests on the submitted site location plan in Figure 1, which is indicated to the north east of the application site in block shading. Additionally, further photographic and aerial information is contained with the Appendix.



Fig. 1 - Location Plan of the application site (red outline) and clients site (red shade)

- 2.3 With regards to designations, Number 5 Philpot Lane is not listed however Numbers 2 and 3 Philpot Lane are Statutory Grade II listed and were first listed on 5 June 1972. The list description is relatively short but states:

"In Court at rear of No 1. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed."

- 2.4 The entrance to 2 – 3 and 5 Philpot Lane is from Philpot Lane through an attractive archway with black iron gates. There is a small central courtyard used for arriving guests which is often used as an informal amenity space and small gatherings as it provides a quiet area away from Philpot Lane and Fenchurch Street.
- 2.5 The images below show a typical hotel apartment, which comprise a bedroom, living space and bathroom.



Fig. 2 – Typical living space for hotel occupants

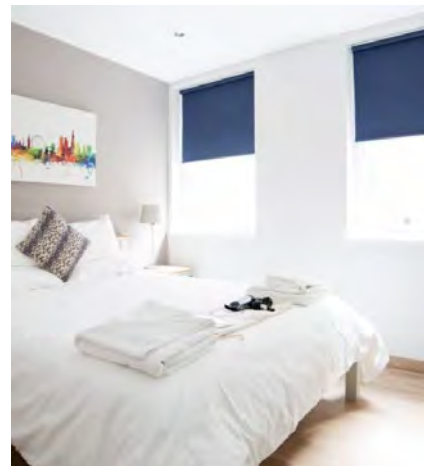


Fig. 3 – Typical bedroom for hotel occupants

- 2.6 The hotel is arranged over seven storeys (lower ground and ground plus five) with outlooks from the bedrooms and living spaces predominantly to the south (towards the 'Northern Courtyard') and west (towards 'Brabant Court').

3.0 Planning Assessment

3.1 On behalf of our client, we have reviewed the necessary planning application material and made an assessment of the proposals against both adopted and emerging planning policy. This comprises:

- The City of London Local Plan (2015);
- The City of London Local Plan Proposals Map (2015);
- The London Plan (2016, as amended).

3.2 The emerging policy background is as follows:

- The City Plan 2036 (proposed submission version)
- The New London Plan (Intend to Publish Version 2019)

3.3 In this regard, we have given due weight to the emerging policy background as so far it is material to the decision making of this proposal. With regards to the City Plan, this is considered limited, but relevant. With regards to the New London Plan, we have accorded this significant weight due to its advanced stage in the examination process.

3.4 We have also reviewed a number of other policy documents, including:

- The City Plan 2036 Policies Map;
- The City of London Wind Guidelines (2019)
- Archaeology and Development Guidance SPD (adopted July 2017);
- City of London Open Spaces Strategy (adopted January 2015);
- Eastcheap Conservation Area Character Summary and Management Strategy SPD (adopted March 2013).

3.5 There are various other documents that are material to the decision making process that do not form part of the Development Plan including various adopted Supplementary Planning Documents and Guidance although these are not considered material in the objections put forward as part of this report.

4.0 Principle of the Proposed Development and Design

- 4.1 This section will focus on the acceptability of siting a tall building in this location and the building's design, with specific assessment on the impacts related to 2 – 3 and 5 Philpot Lane.
- 4.2 Our client has a significant vested interest in ensuring that appropriate high-quality developments are permitted in City of London. It is on this basis that our client objects in the strongest possible terms to the proposals, which are spatially inappropriate with regard to the policies contained within the existing and emerging Local Plan and will, as a result, damage the viability of an existing business.
- 4.3 As identified in the description, the proposals consist of the demolition of all existing buildings and the erection of a thirty storey building (ground plus twenty-nine) comprising office, retail and a range of other uses in the building.

Siting of a tall building in this location

- 4.4 Policy D9 of The Intend to Publish Draft London Plan outlines a wide range of criteria to be assessed against including definition; locations; impacts; and public access. Policy D9 allows Local Planning Authorities to set the definition of tall buildings and where they are located. In Development Plans, tall buildings should be identified on maps and should only be developed in locations that are identified.
- 4.5 In accordance with Policy D9 of the Intend to Publish London Plan, the City of London Corporations "Core Strategy Policy CS14: Tall Buildings" sets the suitability criteria for the development of tall buildings in the City. The policy states that the City of London will support *'tall buildings of world class architecture and sustainable and accessible design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level'* subject to four key criteria, including being situated on suitable sites in the City's Eastern Cluster; refusing permission for tall buildings in inappropriate areas; only allowing proposals for tall buildings on suitable sites which have regard to the City Skyline, the character and amenity of neighbouring buildings and its impact on heritage assets.
- 4.6 The emerging City Plan "Strategic Policy S12 (Tall Buildings)" states that *'tall buildings with world class architecture and sustainable architecture will be encouraged on suitable sites, having regard to a range of criteria'* which includes effect on the skyline, character and amenity of the surroundings, impact on heritage assets, the provision of high quality public realm and environmental impacts.

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- 4.7 With the submitted Planning Statement, the applicant appears to place great weight of spatial planning acceptability and justification on the basis that the proposals are in general conformity of the Eastern Cluster Policy Area, outlined within the Local Plan and the site being located within the “City Cluster” of the emerging City Plan.
- 4.8 It is important to note that the site is not located within the ‘Eastern Cluster’ Policy Area or located wholly within the ‘City Cluster’ and therefore does not automatically have the policy weighting to support taller buildings on suitable sites. Weight cannot be afforded to the content of these policies (Eastern Cluster Policy in the adopted plan or City Cluster Policy in the emerging City Plan) as the site is not located in these areas.
- 4.9 The applicant also points to 20 Fenchurch Street as being precedent for tall building development outside of the core development areas, however this site is considered to be an outlier when compared to the direction of travel within emerging policy documents.
- 4.10 Sites adjacent to the application site, however, are within the ‘City Cluster’. The draft City Plan 2036 states that all of the City of London is sensitive to development of tall buildings and the City Cluster represents the most appropriate area for encouraging tall buildings in the City. Strategic Policy S21 (City Cluster) states, amongst other things, that delivering tall buildings on appropriate sites, including on “Renewal Opportunity Sites” will be encouraged. The City Cluster policy map identifies the surrounding plots of land as “Renewal Opportunity Sites”. This presents a significant and compelling case not to allow a tall building in this location as it will firstly impede on the neighbouring “Renewal Opportunity Site” to come forward in a comprehensive form through an end-of block development but also result in a development which is located out of the area which is considered to taller buildings (i.e. The City Cluster).
- 4.11 Additionally, the site lies partly within the Eastcheap Conservation Area. Whilst it is argued that the tallest elements of the building are not located within the CA, the wider impacts and association of this location has not been fully considered and the proposal has not appropriately demonstrated that it does not impact on the setting or relationship with the Conservation Area and surrounding buildings. This is discussed in more detail within the Heritage Representation by Cogent Heritage.
- 4.12 In summary, and contrary to the applicants planning statement, the location of the site does not fall into an area that is readily accepted to accommodate a tall building and therefore the applicant must demonstrate acceptability across a range of criteria. This is discussed below.

Justification for a tall building in this location

- 4.13 In accordance with the Development Plan, the emerging London Plan and emerging City Plan 2036, should the site be considered suitable in principle for a tall building, the proposals will be required to satisfy a range of criteria related to design, urban design/townscape, heritage and environmental impacts (including wind, daylight & sunlight). The adopted and emerging policies relating to tall buildings also require development proposals to meet the highest quality of design to reduce and mitigate their impact on surrounding properties.
- 4.14 The policy tests are outlined below (note: CS14 has the same criteria as S12 therefore are being considered together).

S12 (Tall Buildings) Policy Test CS14 (Tall Buildings) Policy Test	Assessment
<i>the potential effect on the City skyline, the wider London skyline and historic skyline features</i>	<p>The applicant has produced HTVIA and Design and Access Statement which has sought to demonstrate the impact of the proposed building on the City skyline.</p> <p>In many views outlined within the HTVIA, the proposal would continue the merging of the historical elements of the city southwards, presenting a solid mass of building when assessed against 20 Fenchurch Street and the cumulative scenario. This is especially prevalent in views from Butlers Wharf (View 10) and City Wharf (View 11).</p> <p>In many ways, the siting of the proposal is unfortunate, as 20 Fenchurch Street presents a significant and overbearing mass of a building which 55 Gracechurch Street adds to. It is clear that, when assessing the proposals from a distance, this part of the City should be dropping away in height significantly, especially when the height of 70 Gracechurch Street is taken into consideration.</p> <p>There is also the pertinent issue of view 19 in particular, which has a significant adverse impact on the setting of the Monument. Historic England has raised this as a significant concern within their objection letter of 2 October 2020.</p> <p>It is also the view of our client that the proposals cause significant harm to the City skyline and historic skyline features.</p>
<i>the character and amenity of their surroundings, including the relationship</i>	<p>The proposed building is located mid-terrace (block) and would present a tall building directly adjacent to mid-rise city blocks which is at odds with the fabric and grain of the existing</p>

<p><i>with existing tall buildings</i></p>	<p>buildings. The City has very successfully accommodated tall buildings, with exemplar architecture and high quality urban design across many sites in the City. There are numerous examples of where tall buildings have a successful relationship with the existing streetscape and townscape, provide ample open space and pedestrian movement and result in high-quality urban and spatial relationships with neighbouring buildings and development plots.</p> <p>In the case of 55 Gracechurch Street, the oppressive nature of the height and the direct relationship with neighbouring buildings is in direct conflict to the scale and grain of the existing setting.</p> <p>The narrow alleyways of Brabant Court, Talbot Court and St Benet's Place are unable to give the space required at the base of the building to result in a high quality environment. The proposals, therefore, appear cramped.</p> <p>The relationship with 20 Fenchurch Street is awkward, sitting slightly forward and when viewed from the south, presenting a mass of building which is oppressive, and detracts from the existing skyline which presents a collection of different designs and an interesting array of architectural style.</p> <p>All of this results in a proposal which is dominant and lacks any kind of positive relationship when considered against the current character of the area and existing tall buildings.</p> <p>Regarding amenity, the proposals have failed to assess the impacts on neighbouring properties and entrance spaces, which are discussed later in this objection.</p>
<p><i>the impact on the significance of heritage assets and their immediate and wider settings</i></p>	<p>See section 4 and the associated <i>Heritage Objection</i> for a summary of the impact of the proposals on the significance of heritage assets.</p> <p>The proposals introduce a tall building into this predominantly courtyard area, immediately adjacent to listed buildings which are discussed in more detail later within this objection. The proposed development would appear out of place and at odds with its surroundings, significantly impacting on the ability to appreciate the architectural significance of the neighbouring listed buildings.</p> <p>It is also considered that the proposal adversely impacts on the Eastcheap Conservation Area by virtue of its dominance and overbearing nature.</p> <p>In summary, allowing development on this mid-block site would begin the erosion of the finer grain, historic elements of the City and present an overbearing development with little consideration of the relationship or respect of neighbouring heritage assets including Statutory Listed Buildings and</p>

	<p>Conservation Areas.</p> <p>The adverse impact on adjacent listed buildings would be significant.</p>
<i>the provision of a high-quality public realm at street level</i>	<p>See the following sections for further details assessment relating to urban design, public realm and movement.</p> <p>In summary, the proposal does not provide high-quality public realm at street level. It is hemmed in from all directions aside from the west and the narrow streets and lanes it sits adjacent to are woefully inadequate to cope with 30 storey building with no set-off or appreciation for the existing context.</p>
<i>the environmental impact the tall building may have on the surrounding area, including the capacity of the City's streets and spaces to accommodate the development.</i>	<p>See sections 5 and 6 for an assessment against the submitted Daylight, Sunlight and Overshadowing Assessment and Wind and Microclimate Report.</p> <p>In summary, the application documentation fails to adequately assess the environmental impacts on neighbouring buildings and therefore cannot be considered to be robust.</p>

- 4.15 Regarding the assessment required within Policy D9 of the Intend to Publish London Plan, an assessment has been made against the relevant criteria.

Intend to Publish London Plan Policy D9 (Tall Buildings)	Assessment
Visual Impact	<p>The mid-range and short-range views of the proposal highlight the buildings failure to respond positively to the form and proportions of the surrounding neighbourhood.</p> <p>In particular, the proposal has a limited relationship with the street and lacks pedestrian scale and character in particular.</p> <p>The proposal does not reinforce the spatial hierarchy of the area, falling outside of the designated area promoted for the development of tall buildings. This results in an edge of cluster development which fails to positively respond to the character of the area.</p>
Functional Impact	<p>The proposal will have clear functional impacts on neighbouring properties, principally as a result of removing the fire escape to</p>

	<p>2 – 3 and 5 Philpot Lane.</p> <p>The opening of routes around and across the site are likely to have a detrimental impact on neighbouring properties so the public benefit of this does not outweigh the likely harm.</p>
Environmental Impact	<p>Wind, daylight and sunlight have not been adequately assessed with regard to the neighbouring buildings. It is clear that the comfort and enjoyment of neighbouring premises will be unacceptably impacted and harmed.</p>

- 4.16 Contrary to the assertions within the applicants Planning Statement and Design and Access Statement, this area is not characterised by very tall buildings but instead mid-rise block formations which at least have some regard to adjacent relationships and bring a sense of scale and character to the area. The proposals, by virtue of its oppressive height and relationship with neighbouring buildings, results in low quality urban design characteristics, presents a significant overbearing presence to neighbouring buildings and fetters the ability of neighbouring sites to develop appropriately.
- 4.17 It is considered that the proposals fail to demonstrate a range of the core principles required to allow a tall building on this site, and the public benefits of the proposal do not outweigh the significant failings. We therefore request that the proposals are refused and the proposed reason for refusal is outlined below:

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

Design approach

- 4.18 The policy basis for assessing the detailed design approach to development is held within a range of policies within the existing and emerging Development Plan and included the policies related to tall buildings as outlined previously in 4.4 – 4.6 of this report. Also relevant are emerging policies D3 (Optimising site capacity through the design-led approach), D4 (Delivering

good design), D5 (Inclusive design) and D8 (Public Realm) of the Intend to Publish Draft London Plan, policies CS10 (Design) and DM10.1 (New development) of the adopted City of London Local Plan and Policy S8 (Design) and D2 (New development) of the emerging Local Plan 2036.

- 4.19 Whilst the detailed design approach, including fenestration and architectural detailing could be considered subjective, the urban design approach to the base of the building and relationship to its surroundings is clearly problematic, in the way there is little relevance or consideration of the synergy or correlation between neighbouring buildings.
- 4.20 Additionally, there is little reference to potential sensitive uses at the adjacent site and the *Opportunities and Constraints diagram* (3.1 of the submitted DAS) fails to recognise these sensitive uses. This is a *fundamental* failure by the applicant to properly and robustly assess the surrounding area.
- 4.21 Where tall buildings are acceptable in principle, their design must ensure safe and comfortable levels of wind, daylight and sunlight, solar glare and solar convergence within nearby buildings and the public realm within the vicinity of the building. This is made abundantly clear in a range of policies and supplementary guidance.
- 4.22 The proposed tower could be described as contemporary and it is considered that this has almost no consideration to the human-scale historic townscape, as seen in numerous views submitted within the HTVIA. The tower does not integrate into the base of the proposal and appears uncharacteristic in form and the building appears as an uncharacteristic solid mass in terms of its scale and prominence.
- 4.23 It is our opinion that the Design Team has considered this building in relative isolation and has given little thought to the relationships and urban design characteristics of the area and fails to meet the fundamental aim and objectives of Policy DM10.1 to ensure that “*the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways*”.
- 4.24 The submitted proposed elevation and section drawings demonstrate this clearly, with *Proposed Elevation – North – Northern Courtyard (PP-FPA-XX-XX-DR-A-16303)* highlighting this stark relationship towards the existing buildings surrounding the proposal. *Proposed Elevation – Ground Level East - Brabant Court (PP-FPA-XX-XX-DR-A-16312)* also outlines the proposals impact, this time from Brabant Court.

- 4.25 The Design and Access Statement dedicates five pages of explanation about the future proposals of the Northern Courtyard without once referencing the relationship with the neighbouring uses or potential impacts on the adjacent property.
- 4.26 Therefore, in summary, the proposals are totally unacceptable, having regard to the aims and objectives of the City of London Local Plan, the emerging City Plan 2036 and the London Plan which seeks to encourage appropriate development across the City of London, the proposals will fall far short of meeting or exceeding those ambitions.

Ground floor access

- 4.27 Emerging City Plan 2036 Policy DE4 ('Pedestrian Permeability') states that development will be required to contribute towards the improvement of pedestrian permeability in the City by providing legible, good quality, safe and low pollution pedestrian connections between spaces; where feasible providing new pedestrian routes through buildings and development sites that respect the City's historic street pattern; where feasible providing publicly accessible ground floors; and, providing pedestrian routes of an adequate width that are step free.
- 4.28 Whilst our client generally supports the opening of routes through the city to improve permeability, the proposed routes through the Northern Courtyard and Brabant Court would have the potential to significantly impact on the quality of accommodation provided by the hotel operator.
- 4.29 The applicant is proposing to open up a closed route through Brabant Court, directly adjacent to ground floor hotel bedrooms and living spaces. There is no consideration of how neighbouring uses may be impacted by this and no mitigation provided. Given the Design and Access Statement has undertaken a study looking at hourly pedestrian flow capacity of between 500 and 1500 per hour, it is critical that the amenity and safety considerations are fully assessed and mitigated. In the absence of this, the proposal ought to be refused and our proposed reason for refusal is set out below.

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

5.0 Heritage

5.1 Both the adopted and emerging City Plan are clear in their support for the conservation and enhancement of existing heritage assets. Policy HE1 (Managing Change to Heritage Assets) states that *“Development should conserve and enhance the special architectural or historic interest and the significance of heritage assets and their settings. The demolition or removal of designated heritage assets will be resisted”*.

5.2 A separate Heritage Objection, by Cogent Heritage, has been prepared to assess the impacts of the proposals on heritage matters relating to 2- 3 Philpot Lane and, although not in the ownership of the client, the nearby listed building at No. 4 Brabant Court has also been considered, where relevant.

5.3 The Heritage Objection provides a detailed summary of the site including:

- A historical summary of the site and surrounding area;
- Observations regarding the significance and setting of the building; and
- Observations about the physical impact of the proposed development.

5.4 The conclusions of the Heritage Objection are outlined below:

- i. The HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3 and, by omitting this, the applicant has failed to demonstrate adequate assessment regarding the impact of the proposals on 2 – 3 Philpot Lane and 4 Brabant Court.
- ii. The contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed building at 2 – 3 Philpot Lane and 4 Brabant Court.
- iii. The removal of the chimneystack, which our client in no way consents to, would compound the harm through the removal of a feature of the building that assists in its legibility and through the loss of historic fabric and evidential value.

5.5 Historic England's objection letter dated 2 October 2020 supports the view that the proposals would cause harm to designated heritage assets.

- 5.6 It is therefore considered that the proposals would cause irreversible damage to the setting and significance of the existing heritage assets, as follows.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

6.0 Daylight / Sunlight

- 6.1 Adopted Local Plan policies 10.7 (Daylight and sunlight) and policy D8 (Daylight and sunlight) of the emerging City Plan both place emphasis on development proposals requiring to demonstrate that the daylight and sunlight available to nearby dwellings and open spaces is not reduced noticeably to unacceptable levels.
- 6.2 The applicant has produced a Daylight, Sunlight, Overshadowing and Solar Glare assessment which is included within the Environmental Statement (along with additional information outlined in the appendices). The report assesses the proposed scheme in the context of a number of scenarios including with cumulative schemes.
- 6.3 The submitted report has also sought to assess the impacts on sensitive properties and sensitive religious buildings. This is shown in the map below, taken from the applicants' submission.

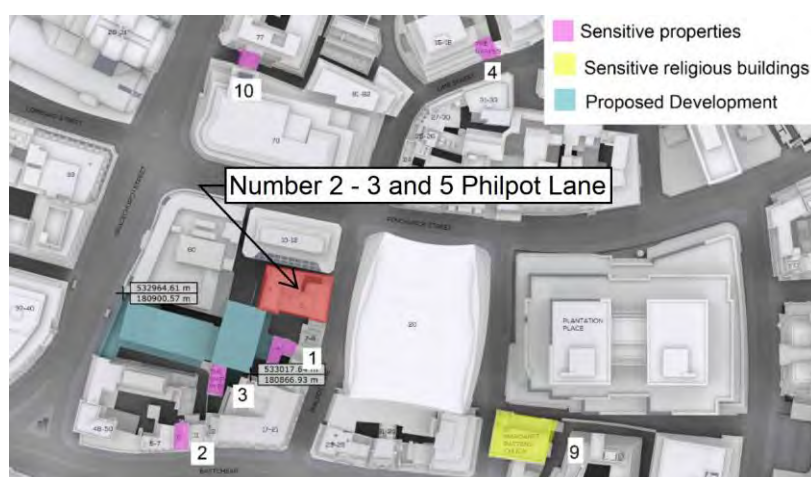


Fig. 4 - An extract from the applicants Daylight / Sunlight submission showing the assessed properties in the vicinity of the site

- 6.4 As outlined within the previous sections of this objection report, 2 – 3 Philpot Lane lie directly to the north east of the proposed tower and has a sensitive use as a hotel. These are not only bedrooms but include studios and living rooms for those tourist and business visitors to London who stay for much longer periods than a single week or weekend.
- 6.5 5 Philpot Lane has the same use and the bedrooms and living areas for the occupants generally have aspects to the south onto Brabrant Court. The relationship of the buildings is outlined in further detail in the aerial and photograph appendix.
- 6.6 Following a thorough review of the report, it does not appear that the properties at number 2 – 3 and 5 Philpot Lane have been assessed in any form to identify the potential impacts on those

rooms and occupiers with regards to daylight, sunlight and overshadowing. Policy DM10.7 is clear in stating that development will be resisted where it would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels. The hotel is a sensitive use, with bedrooms and living spaces which have not been subject to any form of consideration.

- 6.7 Additionally, and whilst not in the demise of the applicant, the Northern Courtyard does not appear to have been assessed for overshadowing.
- 6.8 The relationship between the two buildings can best be seen from the Northern Courtyard, where a 30 storey building will be erected directly adjacent to the flank wall of the hotel.



Fig. 5 - Proposed "Northern Courtyard" with hotel uses perpendicular to the proposals



Fig 6 - The existing Northern Courtyard

- 6.9 It is therefore considered, without any supporting evidence to the contrary, that a proposal of 30 storeys in height, directly adjacent to a sensitive use would have a significant and material impact on the daylight and sunlight of those occupants. We therefore consider that the proposal ought to be refused on this basis, as set out below.

PROPOSED REASON FOR REFUSAL 1:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

7.0 Microclimate

7.1 Adopted City Local Plan Policy DM10.1 ('New development') seeks to ensure that development does not cause unacceptable wind impacts. Emerging City Plan 2036 Policy S8 ('Design') requires development to optimise microclimate conditions including in relation to wind and thermal comfort and air quality. Emerging Policy DE2 ('New Development') reiterates that design and materials must avoid unacceptable wind impacts. The City of London have also produced guidance relating to Wind and Microclimate and how applicants should approach this assessment.

7.2 The applicant has produced a Wind and Microclimate assessment which has sought to assess a range of scenarios. The assessment includes the production of RWDI and CFD testing, which is in general conformity with the guidance contained within the Wind and Microclimate report.

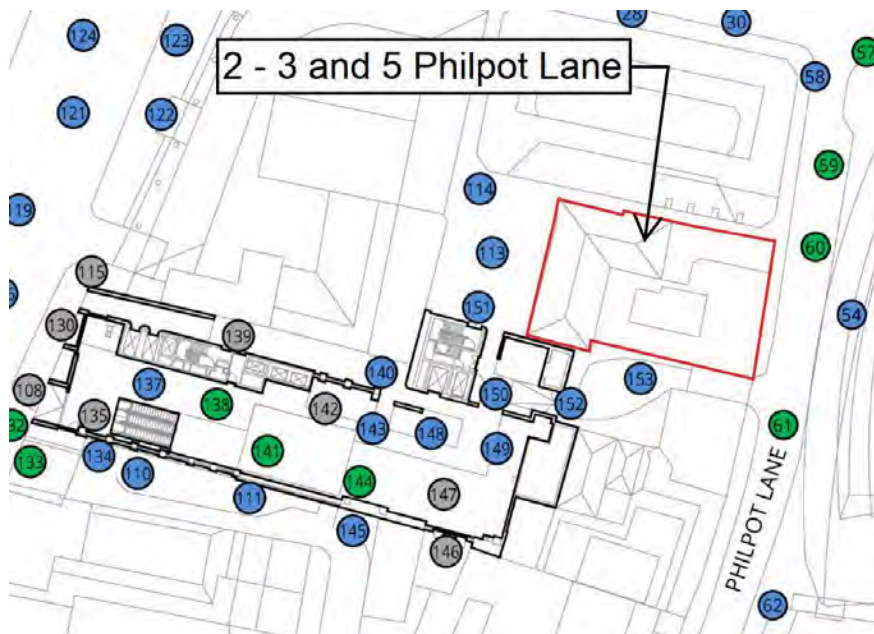


Figure 7 - An extract from the applicants Wind and Microclimate Appendix

7.3 Nevertheless, it is considered that the application documents have not tested the potential impacts of the proposals on the external amenity space of 2 – 3 and 5 Philpot Avenue, nor the entrance doorways to those buildings. These are identified in the images below.



Fig. 8 – External amenity space for residents of 2 – 3 and 5 Philpot Lane



Fig. 9 – Resident entrance to 2 – 3 and 5 Philpot Lane

- 7.4 As the City of London Planning Department can attest, the wind environment is already significantly compromised in this area as a result of recent developments such as 20 Fenchurch Street. Therefore, robust testing is required which includes private entrances and amenity space.
- 7.5 This assessment process has not been undertaken robustly and has the potential to significantly impact the existing building, its entrance and amenity space. Accordingly, it is considered that the application proposals should be refused on microclimate grounds and a proposed reason for refusal is set out below.

PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

8.0 Impact on the viability of the existing hotel use

- 8.1 City Apartments Ltd operate a successful and viable hotel and serviced apartment business, however COVID-19 has been testing for the overall operation of the use. The business relies on providing high-quality apartments for visitors to London, helping the City of London and the London Plan meet its aims and objectives, which includes ensuring there is a suitable provision of tourist and business services including hotels.
- 8.2 Our client has recently undertaken a costly upgrade of the facilities within 2 – 3 and 5 Philpot Lane, which has included extensive works to the Grade II Listed element of the site to ensure the continuing beneficial use of this historic building along with providing a high quality service for visitors to London, in line with Local Plan policy DM11.3.
- 8.3 Adopted and emerging policy supports hotel trade in the city and the emerging policy evidence bases estimate that visitor numbers are likely to increase – especially demand for visitor accommodation. Policy CV1 (Protection of Existing Visitor, Arts and Cultural Activities) sets out that proposals resulting in the loss of these facilities will be resisted. Whilst this is generally related to land use, the implications of the proposed development could extinguish the existing use at 2 – 3 and 5 Philpot Lane, which would be a detriment to the local and regional tourist economy. Policy E10 (Visitor Infrastructure) of the draft London Plan supports a sufficient supply of serviced visitor accommodation.
- 8.4 As demonstrated in the preceding paragraphs, the proposal will have a detrimental impact on both 2 – 3 and 5 Philpot Lane and the operation of the existing business on the site. In a time where retaining existing businesses are under particular stress, the City of London is duty bound to protect these businesses from any unacceptable impacts. We therefore request that the application is refused on the grounds that it will have a detrimental impact on local tourism and the economy and will also threaten the economic viability of the listed buildings.

PROPOSED REASON FOR REFUSAL 6:

The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally affect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

9.0 Other matters for consideration

- 9.1 The following matters relate to additional points of fact or concern which may have implications on the way that the proposals can progress and how the development can be constructed. The below items have also been raised directly with the applicant in a letter on 18 September from Stevens and Bolton LLP.

Site boundary

- 9.2 The red line boundary, which is highlighted on the Site Location Plan and Existing Site Plan, appears to assume that part of the neighbouring property at 2 – 3 Philpot Lane is within the control of the applicant, although this is incorrect.
- 9.3 The Design and Access Statement submitted in support of the Planning Application suggests (at paragraph 2.4 page 19) *“the site includes a chimney stack attached to 2 -3 Philpot Lane”* whilst the Environmental Statement further suggests (at paragraph 3.13) that *“there are heritage assets located within the northern boundary of the site [including] Chimney attached to the Grade II listed 2 and 3 Philpot Lane”*.
- 9.4 The chimney is within the control and ownership of our clients property, meaning the site cannot be delivered without our clients consent, which our client has no intention of giving.
- 9.5 On a secondary point, the Chimney Stack is identified on the Demolition Plan – Ground Floor (Drawing number PP-FPA-XX-00-DR-A-16602) as a structure to be demolished. The applicant proposes that the chimney will be subject to a separate Application for Listed Building Consent.
- 9.6 Following a review of the City of London Planning Database, this does not appear to have been submitted and our client has signalled their intention to, quite correctly, vehemently object to demolition of part of their building.
- 9.7 Finally, and despite the application form stating otherwise, our client has not received the relevant statutory notices regarding this application. The registered address of 2 – 3 and 5 Philpot Lane (Store Property Investment Limited main office) has been open throughout the recent pandemic so if this was served correctly, it could not have been missed.

Existing Escape Stair

- 9.8 Our client has a right of fire escape over the existing property at 55 Gracechurch Street. Further information as to the location and direction of this is contained within the photographic appendix.

- 9.9 Following a review of the proposals, the fire escape has not been considered or in any way accommodated. This is clearly problematic for our client, as it would fetter the ability to use this escape at a future date along with potentially fettering the ability for any future use or development.
- 9.10 The legal implications of this have been set out within a letter dated 18 September 2020 from our client's solicitors to the applicant which includes the Deeds and confirmation that the 2 – 3 Philpot Lane benefits from a right "to pass on foot and wheelchair only along the Fire Escape Route into Fenchurch Street". It now falls to the applicant to review this and explain how our client's requirements can be addressed.

Demolition and Construction

- 9.11 Notwithstanding the fundamental objections to the proposals outlined within sections 3 – 7 of this letter, we have also assessed the Outline Construction Environmental Management Plan, which is likely to be conditioned as part of any future consent. Whilst it is only possible to draw broad conclusions on the document at this stage, there are a range of concerns that our client wishes to raise.
- i. There is limited acknowledgement of potential impacts on neighbouring buildings, especially during the de-construction period. Any further submission should state in detail how neighbouring properties and their occupiers will be safeguarded, informed and consulted when major stages of work take place.
 - ii. The dust and noise impacts associated with demolition, piling and construction have not been considered in so far as there are sensitive uses in adjacent buildings. This is likely to have a significant adverse impact on the occupiers and their business.
 - iii. Construction scaffold is proposed to be located directly adjacent to hotel room windows, with apparently no commentary on safeguarding, privacy or amenity impacts and how these will be addressed. This would seemingly require approval from neighbouring properties and therefore our client will be required to approve the proposed construction methodology. Any further submission should state in detail how this will be requested and managed throughout the demolition and construction period of three years, along with any required mitigation.
 - iv. The build process is more than three years and by placing construction apparatus next to the windows of up to 10 apartments, has will have significant impacts on the viability of an existing business. The Outline CEMP does not acknowledge or set out how these impacts can be mitigated. In summary, the Outline CEMP appears to be an off-the-shelf report with little site specific analysis into how the proposals will be constructed.

Construction Methodology

9.12 Following a review of the drawings, it is evident that the proposals adjoin and potentially build below / on top of the property at 2 – 3 Philpot Lane and it seems inconceivable that this is not the case given the proximity to this property and the proposals to demolish the existing chimney. Our client has not and does not intend to grant consent for any such works.

Consultation

9.13 The NPPF is clear in outlining that effective engagement between applicants and communities is essential for achieving well-designed places. Paragraph 128 of the NPPF states that *“applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”*.

9.14 In this regard, the Planning Statement outlines that discussions have been had with stakeholders and an online public exhibition was held between 6th July and 17th July 2020. For reference, the application was received by the Council on 24 August 2020. As a planning consultancy with significant experience in consultation and major developments, we can attest that it would not have been possible to run collaborative and open consultation just 6-weeks prior to the submission of a major planning application as this allows for virtually no time at all for stakeholders' comments to be taken on board or mitigated by the design team.

9.15 In addition, our client has not received any meaningful communication, in the form of plans or details, from the applicant prior to the submission of the application. A representative of the applicant contacted our client on 21 July (post exhibition) to discuss the land ownership however, despite the submission of a planning application imminently; the representative could not discuss the proposals as they were subject to a *‘non-disclosure agreement’*. If the applicant was willing to discuss the details of the proposals prior to submission, some of the issues outlined above could have been raised and clarified. Our client subsequently wrote to raise specific enquiries of the applicant in relation to the chimney and the fire escape (as set out in the letter of 18 September 2020) and those enquiries have not been answered.

9.16 Whilst not a reason for refusal against adopted and emerging policy and guidance, in accordance with the NPPF, the City of London should not look at these proposals more favourably as the proposals have not been subject to meaningful consultation with a range of appropriate stakeholders.

Summary

9.17 The cumulative impacts of the above give rise to significant concerns that the proposals have not been developed having due and proper regard to the rights of neighbouring properties.

10.0 Conclusions

- 10.1 We have considered this application planning permission against the terms of the Development Plan and other material considerations. We conclude that the proposals are not consistent with National Planning Policy Guidance and the general terms of policies within the City of London Development Plan. We have considered the relevant material considerations, none of which out-weigh the reasons why planning permission should be allowed.
- 10.2 The application is deficient in detail and contrary to the Council's planning policies. There are no planning merits and no justification whatsoever for the grant of planning permissions and the only decision that a reasonable local planning authority could possibly make is a decision of refusal. Reasons for refusal are plentiful.
- 10.3 The location of a tall building on this is considered unacceptable in principle, resulting in a range of impacts including most pertinently severe design and amenity impacts for 2 – 3 and 5 Philpot Lane. The location, being mid-block, is not suitable for a very tall building and presents an urban design solution that is not harmonious to the existing environment.
- 10.4 As a result, the proposal will result in serious harm to an existing business that is already under significant strain from the current pandemic. The proposal will result in an oppressive 30-storey tower directly adjacent to our client's property with little to no consideration of the wide range of impacts on the listed status of the building or its operational use.
- 10.5 The heritage impacts, as outlined within this planning representation and the heritage representation, would be severe and irreversible causing substantial harm to the character and appearance of the historic environment. The local planning authority must be diligent in its duties as set out in s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and assess the proposals robustly having due regard to the requirements of the National Planning Policy Framework and London Plan in relation to preserving or enhancing the significance of designated heritage assets.
- 10.6 Should the City of London consider the proposals to be acceptable in principle, then a range of additional matters require urgent consideration to ensure they can be appropriately assessed to ensure no adverse impacts will arise in terms of daylight, sunlight, wind and microclimate.
- 10.7 To conclude, the proposals in their current form should be refused by the City of London for the reasons outlined above. Should this not happen, our client has signalled their intention to challenge the lawfulness of any future decision. Our client also reserves the right to supplement the above objection in respect of specific matters relating to the applications and to be re-consulted regarding any further amendments or additional documentation submitted. In

summary, the proposals represent a gross overdevelopment of the site and fail to adequately address the relationship of the site with the surrounding context.

- 10.8 Caution and common sense needs to prevail with this development. It is therefore respectfully requested that this applications is refused or withdrawn. Recommendations regarding the reasons for refusal are set out below.

PROPOSED REASON FOR REFUSAL 1:

The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).

PROPOSED REASON FOR REFUSAL 2:

The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.

PROPOSED REASON FOR REFUSAL 3:

The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).

PROPOSED REASON FOR REFUSAL 4:

The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5 Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.

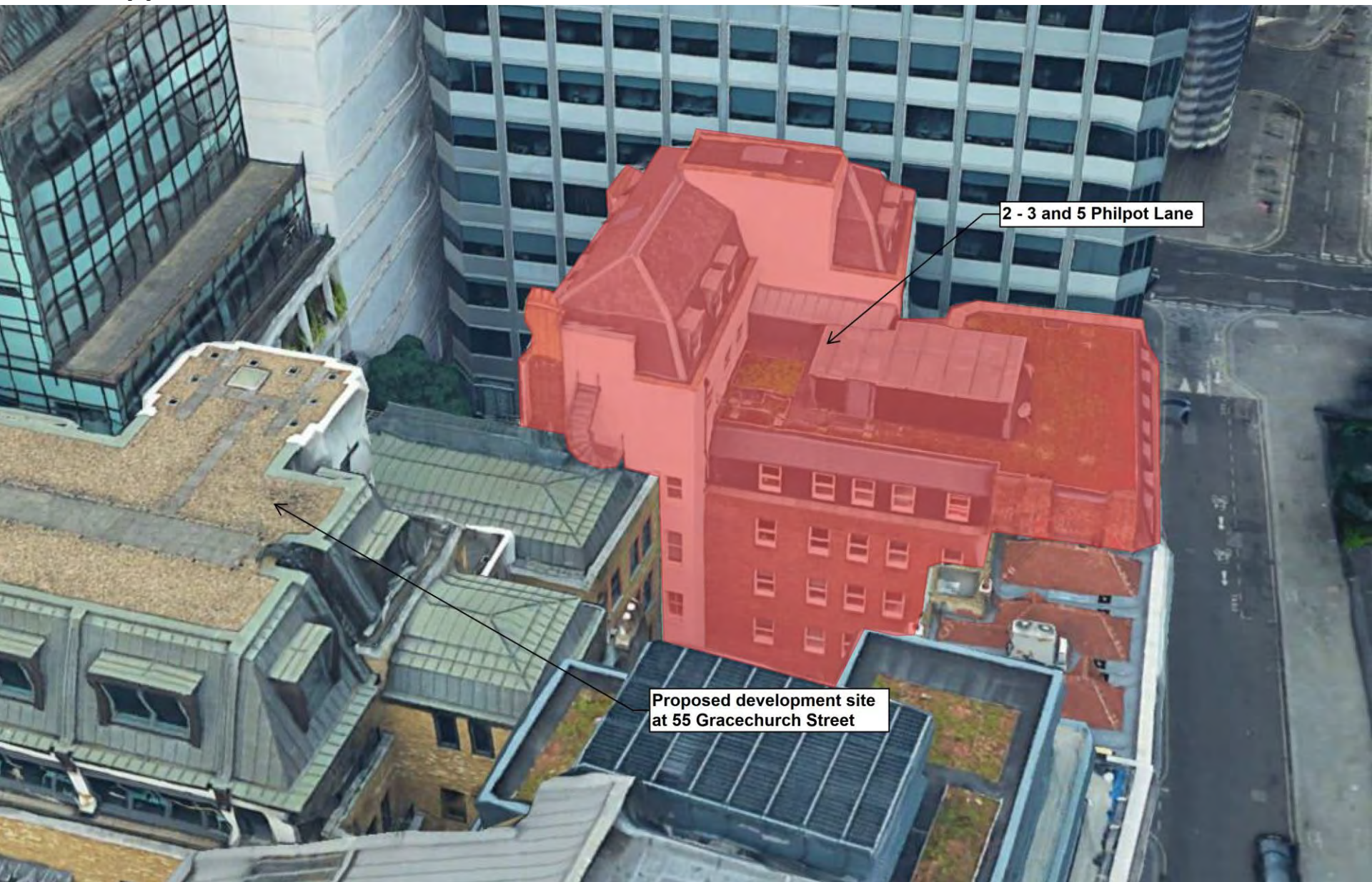
PROPOSED REASON FOR REFUSAL 5:

The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.

PROPOSED REASON FOR REFUSAL 6:

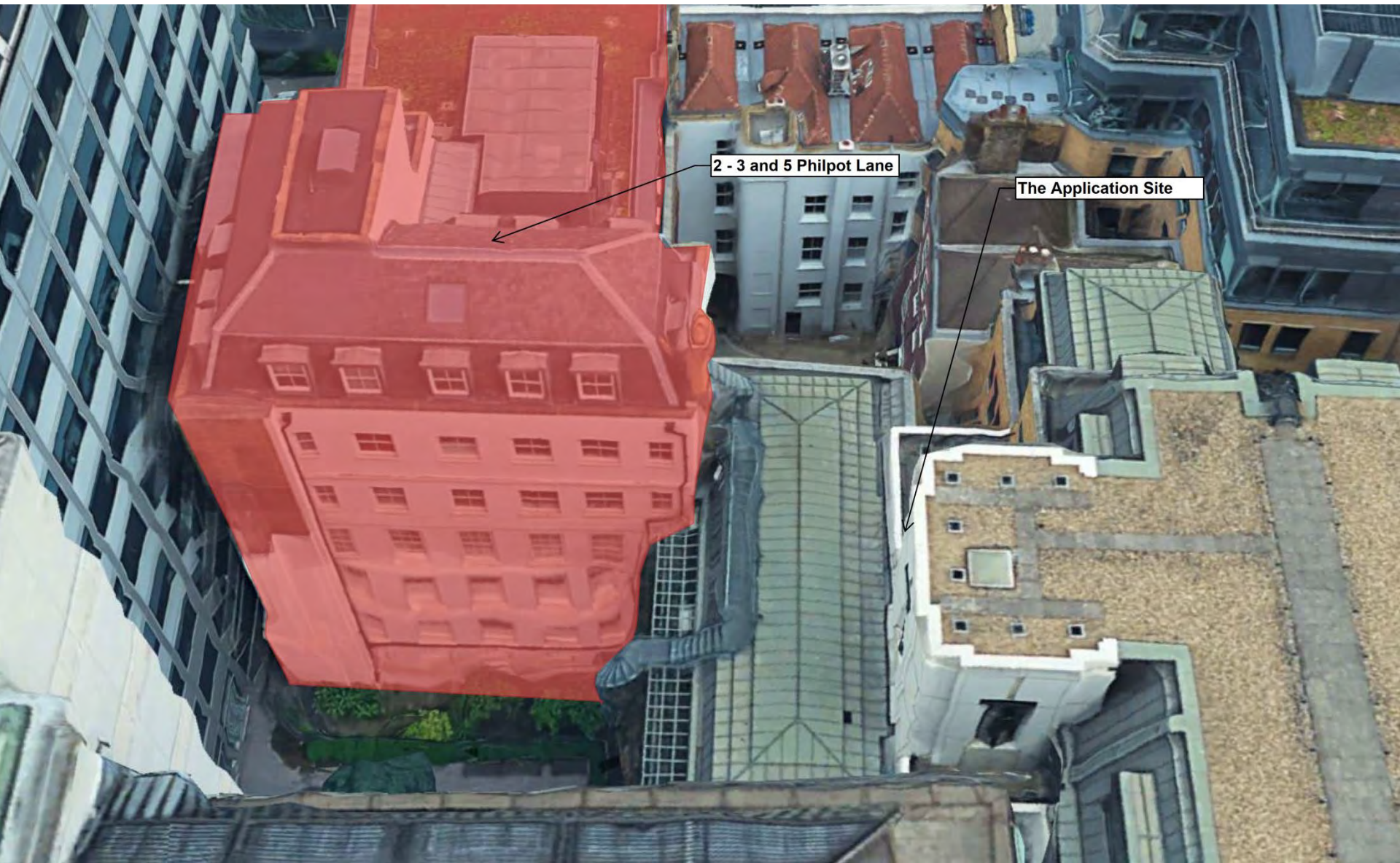
The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally effect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.

Aerial Appendix 1



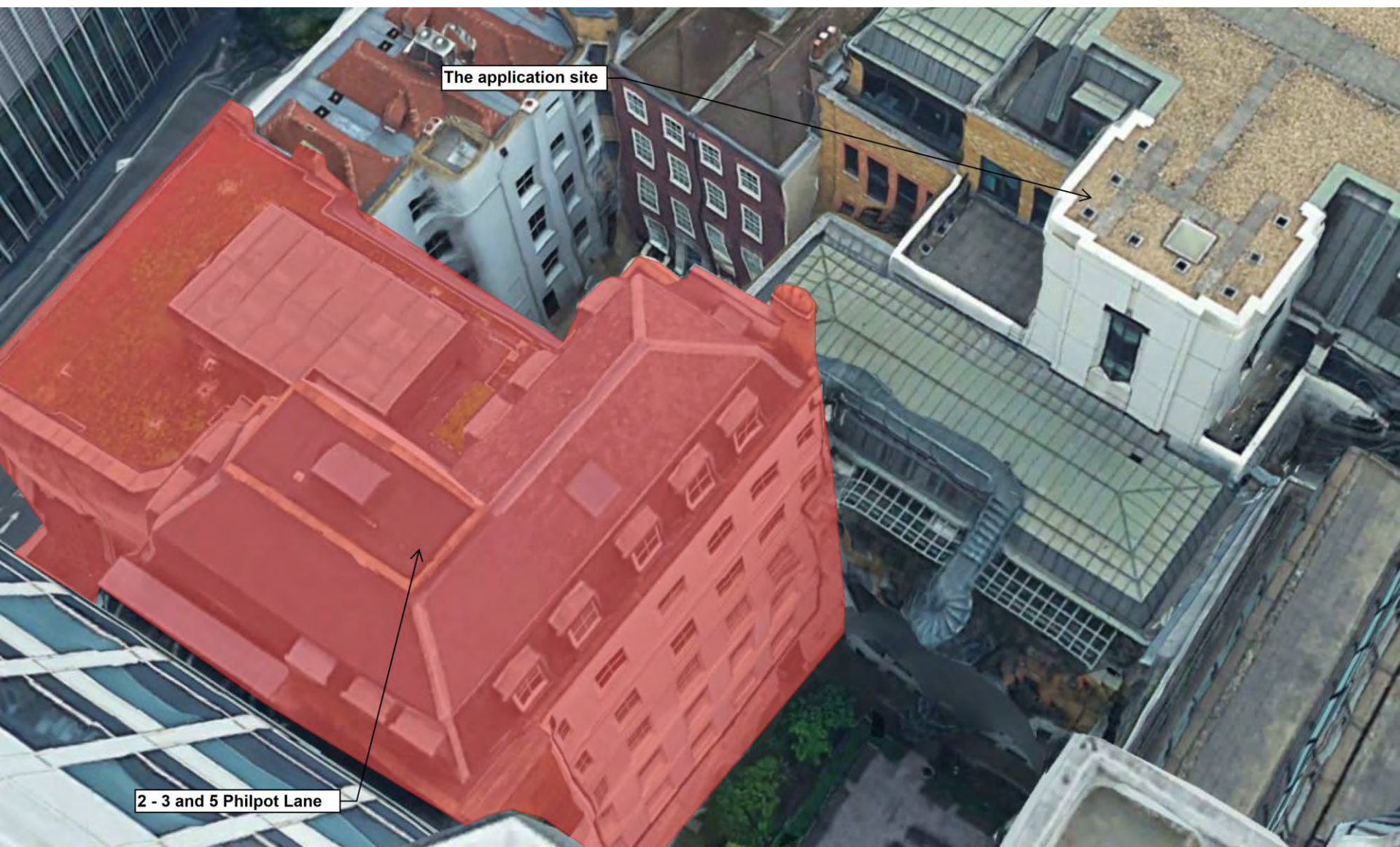
2 – 3 and 5 Philpot Lane from the south / south east, highlighted in red.

Aerial Appendix 2



2 – 3 and 5 Philpot Lane from the west, highlighted in red.

Aerial Appendix 3

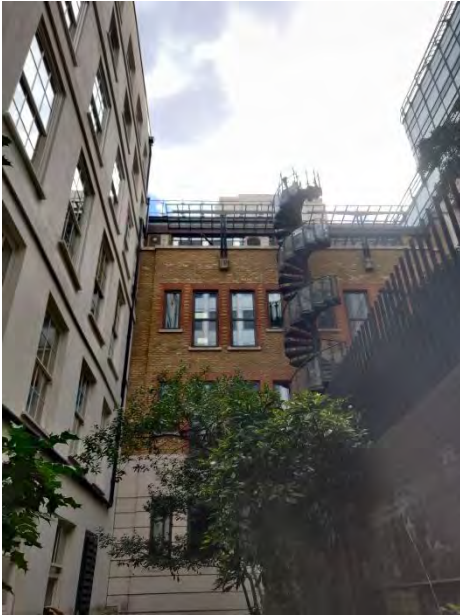


2 – 3 and 5 Philpot Lane from the north west, highlighted in red.

Aerial Appendix 4



Photograph Appendix 1



1. Northern façade and fire escape of the existing building
2. Lower ground floor and ground floor windows to 2 – 3 Philpot Lane
3. Western façade of 2- 3 Philpot Lane with fire escape
4. Western façade of 2 – 3 Philpot Lane from lower ground floor

Photograph Appendix 2



1. 5th floor of 2 – 3 Philpot Lane towards site
2. 5th floor of 2 – 3 Philpot Lane to ground floor
3. 5th floor of 2 – 3 Philpot Lane towards office building opposite.

Photograph Appendix 3



1. 2 – 3 Philpot Lane from the application site (chimney and fire escape)
2. View from the north of fire escape on the application site
3. View from the south of 2 – 3 Philpot Lane chimney

Heritage Representation

55 Gracechurch Street, London (Application 20/00671/FULEIA)

Author: Ignus Froneman B.Arch.Stud ACIfA IHBC

Date: 07 October 2020

On behalf of: Store Property Investments Limited

Ref: 0224

INTRODUCTION

- 1.1 This Note has been prepared by Ignus Froneman, Director at Cogent Consulting, and contains a representation on behalf of Store Property Investments Limited. The representation addresses the heritage impacts of the proposed redevelopment of 55 Gracechurch Street, London (City of London Application 20/00671/FULEIA) on the closest listed building, Nos. 2-3 Philpot Lane. The Note focuses on heritage matters relating to this building, although the nearby listed building at No. 4 Brabant Court is also considered, where relevant.
- 1.2 The building has not been subject to a full documentary research, but the information supplied in the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (August 2020), prepared by Citydesigner, has been referred to, alongside research undertaken by Ann Robey on behalf of Store Property Investments Limited in 2011, including a report by Julian Harrap, dated 1985, for the Georgian Group (**Appendix 1**). The author of this note has undertaken further online documentary research and has inspected the building in its context in September 2020, but it was partially occupied at the time of the site visit and only limited areas have been internally inspected.

OVERVIEW OF HISTORIC BACKGROUND

- 1.3 According to Historic England's online National Heritage List, Nos. 2 and 3 Philpot Lane was first listed on 5 June 1972. The list description, as is commonplace for listings of this time, is relatively short:

"In Court at rear of No 1. Apparently early C18, much altered. Narrow front, now stuccoed, of 5 storeys. 3 windows. Corniced, stone doorway with carved brackets and panelled pilasters but modern fanlight. Plain railing to stone steps. Good north elevation of red brick with moulded dressings and rebuilt parapet. West elevation similar but altered and now stuccoed."

1.4 The *Pevsner* guide¹ describes Philpot Lane, and Nos. 2-3:

"Named after Sir John Philpot, Lord Mayor 1378-9, who owned property hereabouts. Before that called after St Andrew Hubbard, burnt in 1666 and not rebuilt: it stood opposite the S junction with Eastcheap."

Well-documented C17-C18 houses (w side) nicely demonstrate the tendency of greater dwellings of that time to lurk off the highways. Nos. 2-3 (N end) face a little court, reached through an archway from a demolished mid-c 19 building. Three stuccoed bays, part of the house of Nathaniel Letten, merchant, c. 1670, later divided and heightened by one storey. Handsome flat door hood on big brackets. Refurbished by David Landaw & Partners 1987-9, with rear extension."

1.5 Before that, in 1985, Julian Harrap wrote a detailed account of the building, which noted the following:

- i. The west wall of the building was probably five bays wide, with 'various windows which appear to have been added at the south' and it was three storeys tall.
- ii. The two top storeys were added later; an early 19th century extension and then a war damaged replacement top storey.
- iii. Observations of some original elements suggest an original construction date of late 17th or early 18th century.
- iv. The great height and large first floor windows indicate grand rooms.
- v. The present front entrance was probably originally the back entrance, with the front facing the courtyard to the west.

1.6 According to Ann Robey, in 1838 the house went into multiple occupation, with the southern arm (or wing) of Nos. 3 & 4 entered from the south, and for a while it was known as No. 5 Brabant Court. In 1846 Nos. 2 & 3 were described as '*a capital messuage with courtyard abutting Philpot Lane, now known as Nos. 2 & 3, comprising a warehouse and room and counting house over premises to George Killick on the southside of the said No. 3, with an entrance from Brabant Court, known as No.5 Brabant Court, which warehouse and counting house are occupied by Messrs Lewis Nokes [?] Wholesale tea dealers, while nos. 2 and 3 are let out in separate rooms and chambers to tenants*'.

1.7 The building was most likely built as the high status house of a City merchant, although it has evidently been re-used, having been used as part of a bank in the 19th century, as well as offices, and the premises of a wine merchant. The building would have undergone alterations as part of these cycles of re-use. That is not unusual for a City

¹ *The Buildings of England, London 1: The City of London* (2002 edition) pp577-8.

house such as this, and this history of adaptation adds to the time depth and interest of the building.

- 1.8 The building was also damaged in WWII, when the top and the eastern return to Philpot Lane were partially rebuilt. Perhaps the best illustration of this is the sequence of oblique aerial photos, which record the building at different angles, and in different light, from 1922 to 1947. Extracts of these are replicated below and the south-western chimneystack, to be demolished as part of the proposed development, is highlighted with a red arrow for ease of reference.



Fig 1: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, 1922, from the SW. © Britain from Above EPW007740 ENGLAND.



Fig 2: Detailed extract from an oblique aerial photo of the eastern half of the City of London, 1938, from the east. © Britain from Above EPW057040 ENGLAND.

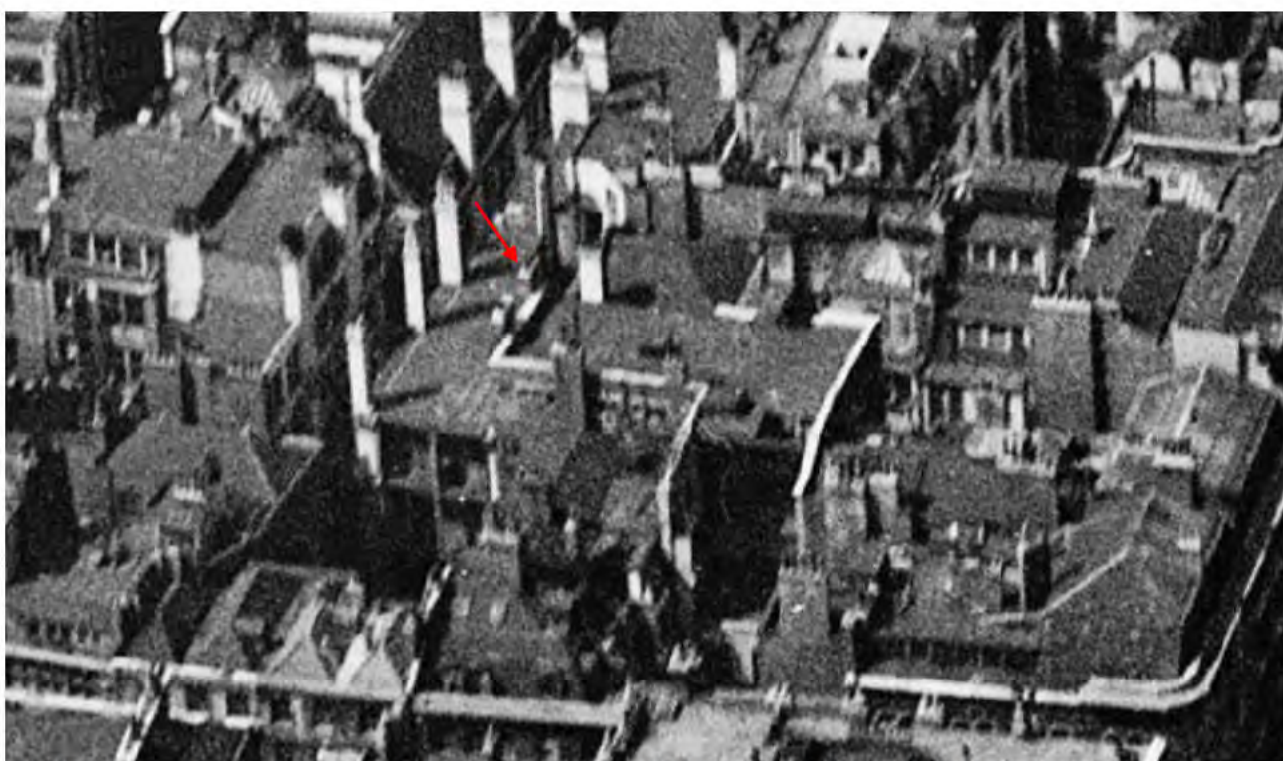


Fig 3: Detailed extract from an oblique aerial photo of Leadenhall Street and the city, London, from the east. © Britain from Above EAW000510 ENGLAND.



Fig 4: Detailed extract from an oblique aerial photo of the area around Monument, Gracechurch Street and King William Street, London, from the south, 1946. © Britain from Above EAW013047 ENGLAND.



Fig 5: Detailed extract from an oblique aerial photo of Gracechurch Street and environs, London, 1947, from the south. © Britain from Above EAW011174 ENGLAND.

- 1.9 It is possible to tell from the sequence of oblique aerial photos that the building would have had a steep roof to the west in 1922, but seemingly with a taller east elevation, which had a shallower roof over. Over the years there were consistently two chimneystacks to the south elevation, which must reflect the internal use of the rooms

at the southern end of the building, and may include its adaptive reuse. It is possible to tell that the top storey, and certainly part of the east elevation, was rebuilt in the 1940s. The typical dense historic courtyard arrangement of the City block within which the building is set is also evident on the aerial photos, with buildings crowded around small courtyards and alleyways. Some of the buildings were taller than others, but the courtyards were defined by buildings of broadly consistent scale and height.

- 1.10 The former house has undoubtedly been altered over the years and the former rear warehouse type abutment on Brabant Court, as recorded on the 1978 photo (**Fig 6**), has been replaced with a modern apartment block.



Fig 6: The building to the north of Brabant Court in 1978; this has now been replaced. © City of London: London Metropolitan Archives <http://collage.cityoflondon.gov.uk>.

- 1.11 In the wider context there has been much replacement and rebuilding, with only fragmentary parts of the 18th century townscape surviving, especially within the **courtyards. No. 4 Brabant Court is an example of another merchant's house off Philpot Lane**, and in the absence of very much else of this period, aside from the Philpot Lane frontage (Nos. 7 & 8, listed grade II*), there is relatively little left of this once common, but now rare, historic townscape.

OBSERVATIONS ABOUT SIGNIFICANCE AND SETTING

- 1.12 As has been stated at paragraph 8.B.35 of the submitted *Environmental Impact Assessment Volume 2: Heritage, Townscape and Visual Impact Assessment* (the HTVIA), *"Although significantly altered, these listed buildings on Philpot Lane and Brabant Court are of historic and architectural interest owing to their age, architectural quality and original details [...]"*
- 1.13 As a very brief and very broad summary of significance, this statement is correct. However, its brevity does not allow for a good understanding of how this significance can still be appreciated or understood, and how parts of the building, or its setting, are capable of assisting in its understanding, and of revealing its significance.
- 1.14 The HTVIA, in the same paragraph as quoted above, also includes a very brief summary of the setting of the buildings in the group that is assessed, and how that contributes to their significance:
- "The setting of this group of listed buildings has changed considerably with larger scale and tall contemporary buildings. The mix of historic and new, small scale and tall buildings, along with the constantly evolving nature of the City is part of the character of their immediate setting and does not detract from their significance, which lies principally in their age, history and surviving architectural details."*
- 1.15 It is here where the statement omits to say anything about the value of the rare merchants' houses on the west side of Philpot Lane, which now still *"demonstrate the tendency of greater dwellings of that time to lurk off the highways"* as Pevsner put it. It is possible to stand at the grade II listed merchant's house at No. 4 Brabant court and look at Nos. 2-3 Philpot Lane, as can be seen from **Photo 1** below. The photo shows that the depth of Nos. 2-3 Philpot Lane can be seen from Brabant Court, along with the chimneystack, both of which help to reveal something of the nature of this **building, and allows for an understanding that these are two former merchants' houses.** The chimneystack is a well-detailed domestic feature that visually ties the Brabant Court corner of the former house with the rest of the building and makes it instantly understandable (in spite of the modern spiral escape staircase that is also seen).



Photo 1: The grade II listed merchant's house at No. 4 Brabant court (left), looking towards Nos. 2-3 Philpot Lane (right).

- 1.16 The next section of this representation considers some of the pertinent guidance set out in Historic England's *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* referred to as GPA3 hereafter. The HTVIA does not contain any such equivalent assessment.
- 1.17 Paragraph 9 of GPA3, under the heading "*Change over time*", notes that settings of heritage assets change over time. Understanding this history of change will help to determine how further development **within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset**. Settings of heritage assets which closely resemble their original setting are likely to contribute particularly strongly to significance. Settings that have changed may also enhance significance, e.g. where the townscape character has been shaped by cycles of change over the long term. Settings may also have suffered negative impact from inappropriate past developments and may be enhanced by the removal of the inappropriate structure(s).
- 1.18 Nos. 2-3 Philpot Lane is an example of a building in a setting that has undergone considerable change. In certain respects, the **building's** setting bears very little resemblance to its original setting (e.g. the large scale modern adjoining blocks on Fenchurch/Gracechurch Streets, 9-11 storeys); this aspect of the present-day setting does not add to or reinforce its significance. The tall building at 20 Fenchurch Street is also an obvious case in point, although with the difference that it sits within a different street block and is morphologically distinct from the courtyard block of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane. However, despite much rebuilding and the modern replacement buildings, there is still a sense of the **morphology of the historic street block and the former merchant's houses set within this context**, and visible from Brabant Court (where the visual intrusion of the blocks on Fenchurch/Gracechurch Streets is not felt). Although some later development has increased the height of the street block and eroded some of its character, particularly on Fenchurch/Gracechurch Streets, something of the original scale remains.
- 1.19 Given the high rate of the loss of the historic setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane, the residual sense of the original **arrangement, and the ability to understand these two former merchants' houses within the context of each other** is all the more important, and the residual visual relationship between them, as is illustrated in **Photo 1**, is all the more relevant. That includes the ability to perceive the depth of Nos. 2-3 Philpot Lane, along with the chimneystack. Paragraph 11 of GPA3, under the heading "*Views and setting*" **Highlights views which contribute more to understanding the significance of a heritage asset** include those where relationships between the asset and other heritage assets are particularly

relevant. This is clearly a case **where the relationships between the former merchants' houses contribute to their understanding.** Paragraph 26 of GPA3 notes that, when assessing whether the setting of a heritage asset makes a contribution to its significance, and the extent and/or nature of that contribution, the ***"physical surroundings of the asset, including its relationship with other heritage assets"*** is one of four things to consider, again highlighting the importance of this relationship.

- 1.20 **Paragraph 9 of GPA3, under the heading *"Cumulative change"* highlights that,** where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, consideration still needs to be given to whether additional change will further detract from (or can enhance), the significance of the asset. An example of negative change is severing the last link between an asset and its original setting.
- 1.21 This is relevant for two reasons. The changes to the setting of the listed buildings at No. 4 Brabant Court and Nos. 2-3 Philpot Lane do not mean that further change is inconsequential, or does not need to be assessed in detail. Secondly, the proposed development would go some way towards severing any meaningful link between the two listed buildings; of course the corner of Nos. 2-3 Philpot Lane would remain in Brabant Court, but the legibility of the building – assisted in no small part by the chimneystack and south elevation – would be largely lost.
- 1.22 **The heading *"Access and setting"* as part of paragraph 9 of GPA3 is relevant to the** western courtyard of Nos. 2-3 Philpot Lane, which is likely to have been historically the principal elevation, as is evidenced by the plat bands and the residual cornice band, as well as the fenestration arrangement – all of this indicate that this was not designed as the back elevation of the building. Although this courtyard is not publicly accessible, it remains relevant, to the extent that the space contributes to the appreciation of the building, and its significance; this was the space that the building would originally have addressed. The same is true for the alleyway that gives access to the courtyard from Fenchurch Street. The quality and character of the courtyard has been somewhat compromised by the larger blocks to the north and west, which makes it a dark and slightly compromised space, but remains important as the space once addressed by the façade. It is also important as a residual courtyard space reminiscent of the historic courtyards the building would have been associated with (it is clear that by the 19th century much infill had occurred, though some of that has been reversed).
- 1.23 **Again, under paragraph 9 of GPA3, the section headed *"Setting and urban design"*** notes that the protection and enhancement of setting is intimately linked to townscape and urban design considerations. These often relate to townscape attributes such as enclosure, definition of spaces and spatial qualities. On the one hand the enclosure of courtyard spaces in the context of the listed buildings at No. 4 Brabant Court and Nos.

2-3 Philpot Lane is important: without the enclosure of the courtyards, there is no obviously definition of these spaces. On the other hand, as can be seen from the historic aerial images, there is also a distinction between the spatial quality and character of positive enclosure, and the type of enclosure that has resulted from the larger blocks on Fenchurch Street and Gracechurch Street (9-11 storeys). The latter have created something of a canyon-effect and the spatial quality and character of the courtyard and the passageway to it from Fenchurch Street has suffered.

- 1.24 The proposed development would see the creation of a sheer wall of 30 storeys enclosing the courtyard to the south. Such an enclosure of this small courtyard space, immediately to the west of Nos. 2-3 Philpot Lane, would create an wholly disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology (again, the tall building at 20 Fenchurch Street is not part of the urban fabric of the street block within which the listed buildings are set and, being separate, it has a different relationship with them). The quality of the courtyard space would be severely compromised.
- 1.25 The image below (**Fig 7**), from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303) illustrates the disproportionate sense of enclosure that would significantly distort the urban morphology and compromise the historic courtyard.

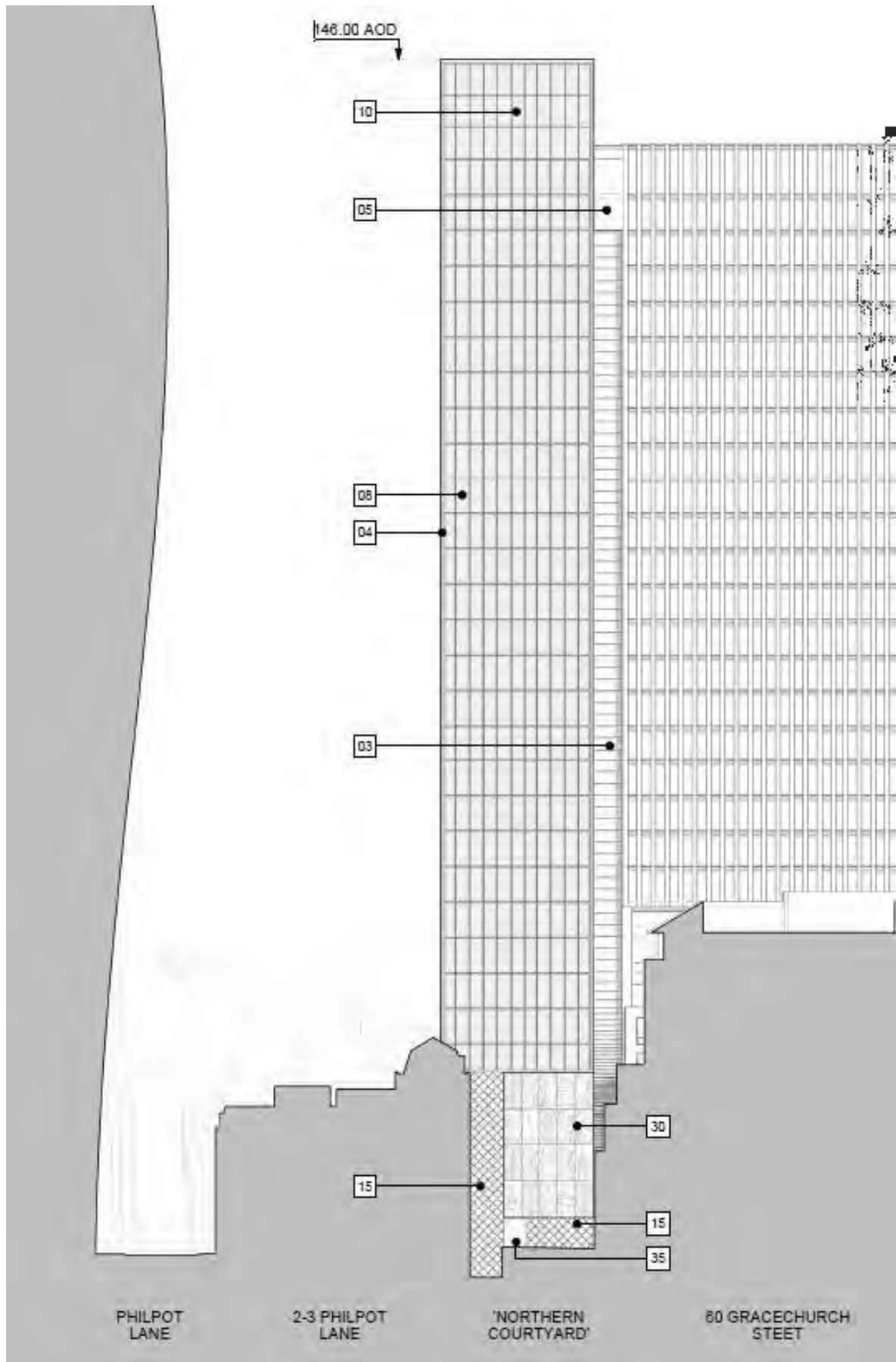


Fig 7: Extract from the submitted Proposed Elevation - North - Northern Courtyard (drawing PP-FPA-XX-XX-DR-A-16303).

- 1.26 The final heading under paragraph 9 of GPA3 is entitled "*Setting and economic viability*". The guidance notes that the economic viability of a heritage asset can be reduced if the contribution made by its setting is diminished by badly designed or insensitively located development. In this case, it is hard to see how the economic viability of the listed building would not be reduced by the proposed sheer wall of 30 storeys in height immediately to the south of it, enclosing the courtyard. The building already faces a relatively dark lightwell (at basement level) and courtyard above. It is in use as a hotel with apartments but the desirability of these lodgings would diminish with a 30 storey tower effectively blocking the light from the southern aspect of the courtyard. Some of this can be seen from the drone photo at **Photo 2**; note the angle of the shadows.



Photo 2: A vertical drone photo of the courtyard to the west of the grade II listed Nos. 2-3 Philpot Lane. The photo is orientated with north roughly to the left and the west elevation of the listed building is at the top. The application site is to the right.

- 1.27 The "*Assessment Step 2 Checklist*" in the text box on page 11 of GPA3 identifies typical things that an assessment may need to consider. Those most relevant to this case are cited below and their relevance is briefly discussed. The following are noted under the asset's physical surroundings:
- 1.28 Other heritage assets: This is clearly a case where the relationships between the former merchants' houses contribute to their understanding, as has already been discussed.

- 1.29 Definition, scale and 'grain' of surrounding spaces: As has been noted above, the type of enclosure of the small courtyard space to the west of Nos. 2-3 Philpot Lane that the sheer wall of 30 storeys would create, would be wholly disproportionate. This would significantly distort the urban morphology and sense of scale to the courtyard space.
- 1.30 Openness, enclosure: It may be added that the sense of space and openness provided by the sky in this tight urban context of alleys and courtyards encapsulates more than simply the spacing (i.e. dimensions) between buildings. It also encompasses the three dimensional sense of space, and the ability to see the sky above from within these courtyards. The proposed development would remove much, if not all of the sky seen to the south of the listed building on **Photo 3**. The courtyard at Brabant Court would also be significantly impacted, immediately to the south of Nos. 2-3 Philpot Lane and to the west of No. 4 Brabant Court. The proposed development would all but obliterate the narrow sky gap that defines the passageway to the north of the courtyard at Nos. 2-3 Philpot Lane, as can be seen from **Photo 4**.



Photo 3: The west elevation of Nos. 2-3 Philpot Lane, seen here addressing the courtyard to the west and the sky gap that would be occupied by the proposed development.



Photo 4: The passageway to the north of the courtyard at Nos. 2-3 Philpot Lane. The sky gap would be occupied by a 30 storey tower.

- 1.31 History and degree of change over time: As has been noted, there has been much redevelopment of the street blocks in the context of Nos. 2-3 Philpot Lane and No. 4 Brabant Court, meaning that these residual historical elements are especially important. Also, more recent development has gone taller than the historic townscape, especially the blocks on Fenchurch Street and Gracechurch Street, and these have diminished the quality and character of the courtyard to the west of the listed building. However, the street block has not been affected by more dramatic height, or skyscrapers. The proposed 30 storey tower would significantly and irreversibly change this.
- 1.32 Under the experience of the asset, the surrounding townscape character is also highlighted. This is again relevant to the way in which the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court can be experienced, together, in a courtyard arrangement that still, broadly, reflects something of the historic townscape, and which would be significantly harmed by the proposed tower, set within the depth of the street block.
- 1.33 A final observation is that, according to paragraph 8.B.36 of the HTVIA:
"On Brabant Court, the lower 'podium' part of the proposed development [to the east, adjacent to the listed No. 4 Brabant Court] is of a similar height to that of the existing buildings facing the Court, and has been carefully considered in terms of scale, materials and details to respond sensitively to this group of listed buildings. The taller element steps back from the lower podium ..."
- 1.34 Similarly, according to section 4.3.5 of the submitted Design and Access Statement:
"The proposed brick structure is aligned to the parapet of the adjoining 4 Brabant Court. [...] The upper levels of the proposal [to the east, adjacent to the listed No. 4 Brabant Court] are set back three metres to help modulate the difference in scale between the scheme and the courtyard buildings."
- 1.35 Both statements imply that the setback to Brabant Court was given careful consideration and was designed to 'sensitively' respond to the listed building. It is therefore particularly striking that no such sensitivity was recognised in respect of the western courtyard, where the proposed building would not only be located immediately next to the listed building at Nos. 2-3 Philpot Lane, but in fact partially overlap it. There is no setback. Instead, the proposed development demolishes the chimneystack of the listed building and subsumes it into a sheer, 30 storey wall. It is as if the care and sensitivity reserved for Brabant Court had been abandoned where the development

is hard up against a listed building, and the proposed building was designed instead as if there was no listed building.

OBSERVATIONS ABOUT THE PHYSICAL IMPACT OF THE PROPOSED DEVELOPMENT

1.36 The proposed development would see the demolition of the only remaining chimneystack to the listed building (there is a truncated stack at the north, but in its truncated state it is less legible). Although it is clear from the brickwork that the top of the stack has been rebuilt, it is also clear that the lower part of the stack is of some age (**Photo 6**).



Photo 6: The south elevation of the listed building at Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

1.37 The stack corresponds with chimneybreasts internally, and it is an external expression of the internal arrangement of the listed building. It is instantly recognisable as a traditional feature and it helps to reveal the former domestic function of the building, especially when seen from Brabant Court or when seen in conjunction with the formally arranged west elevation, formerly the front of the house (**Photo 7**).



Photo 7: Oblique view of the west elevation of Nos. 2-3 Philpot Lane, with the existing stack that would be demolished and subsumed into a 32 storey tower.

- 1.38 It would also appear that the top part of the west elevation of the listed building, where the abutting modern existing structure steps back (**Photo 8**) would become subsumed by the new building (**Fig 8**), although this is not entirely clear from the drawings.

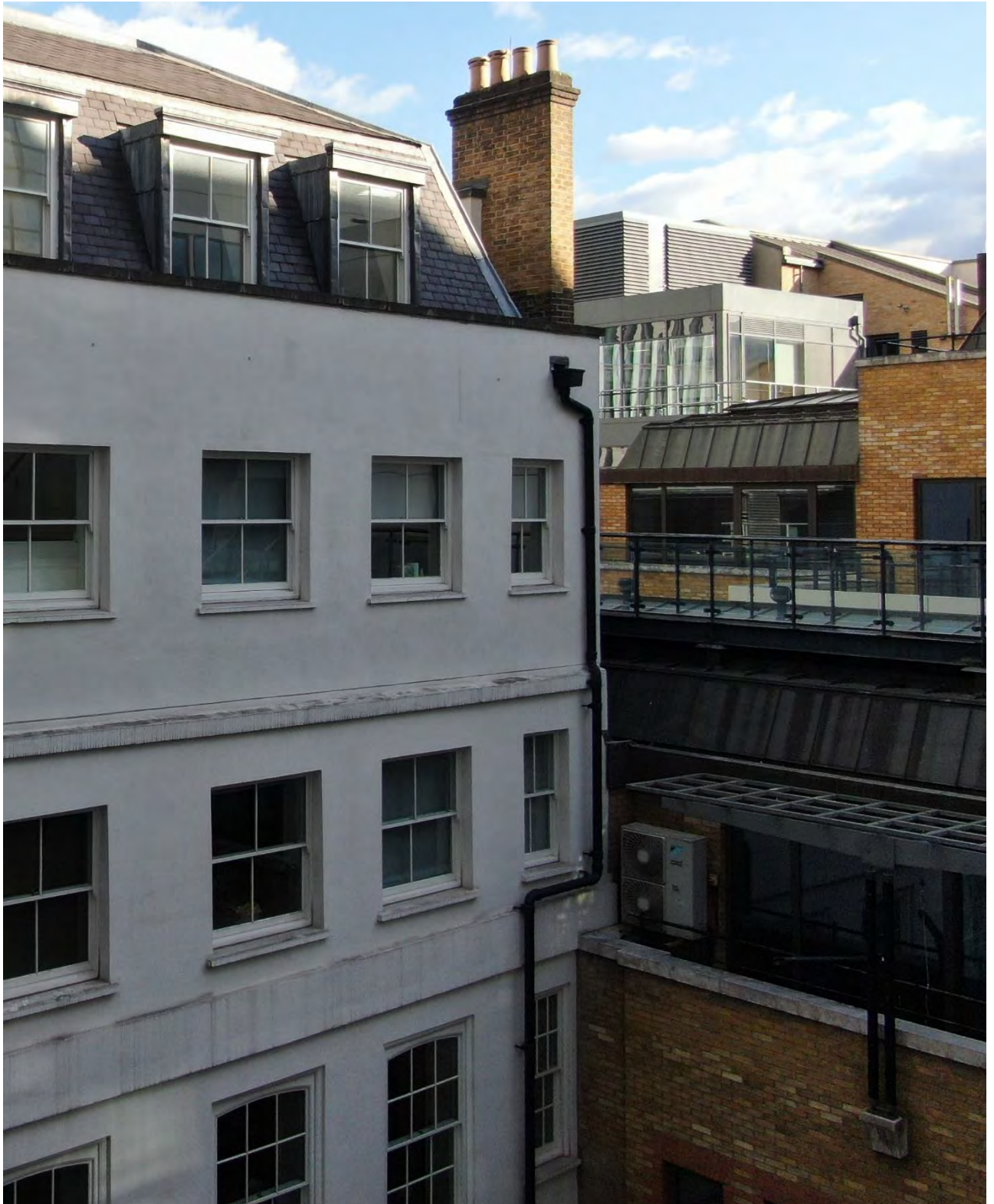


Photo 5: The top part of the west elevation of the listed building, where the existing structure steps back.



Fig 8: Extract from the submitted Proposed Section D-D (drawing PP-FPA-XX-XX-DR-A-16403).

- 1.39 The removal of the chimneystack would result in the loss of evidential value to the listed building and it would affect its legibility. This would harm the significance of the listed building, which would be compounded by the replacement of the stack with a 30 storey sheer elevation.
- 1.40 No listed building consent application has been submitted and it is not possible to comment in detail on the impact of this alteration to the listed building, or potential harm that would arise from the way in which the new building would overlap the listed building. In the absence of this detailed information, it is not possible to determine the potential impacts of this part of the proposed development.

CONCLUSIONS

- 1.41 The summary and very basic impact assessment in the HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3, and by omitting this; the applicant has failed to demonstrate adequate assessment regarding the proposals impact on nos. 2 – 3 Philpot Lane and no. 4 Brabant Court.
- 1.42 This representation has demonstrated the contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the existing urban morphology, and the proposed 30 storey tower would significantly and irreversibly change the significance and setting of the listed buildings at 2 – 3 Philpot Lane and 4 Brabant Court.
- 1.43 In addition, the removal of the chimneystack would compound the harm through the removal of a feature of the building that assists in its legibility through the loss of historic fabric and evidential value.
- 1.44 No other heritage assets have been assessed in this representation, although it is possible that the HTVIA has equally not properly assessed impacts on other heritage assets, meaning that the conclusions of the document may well be unreliable.

APPENDIX 1:

Report by Julian Harrap, 1985, for the Georgian Group

Your reference
Our reference

2 and 3 PHILPOT LANE LONDON EC4

The house stands in backland surrounded by new office development. The west elevation of the house faces a courtyard. Entrance to the house is from Philpot Lane via a walled passageway. The house is of four floors over a basement with sub-basement. It is constructed of brick with timber floors and has sash windows punctuating the brickwork at regular intervals. An excellent fragment of late 17th/18th century brickwork remains in the north west corner. This has red-dressed reveals to the windows below rubbed brick arches, with old beaded flush box frames. At second floor level is a shallow projecting rubbed brick moulded band course and at third floor level a substantial dentilled cornice of rubbed brick. The remaining part of this elevation appears to have been reconstructed in the early 19th century. A buttress wall has been constructed against the eastern end of the north wall. The east elevation is three windows wide and there is an early mid-18th century doorcase at the north east corner, through which entry is provided to a raised ground floor. The south wall of the building abutts a new building. The west wall of the house was probably five windows wide originally and probably three floors high. The line of the band course at second floor level is evident, as is the line of the main cornice at third floor level. There is an abutting chimney breast at the northern end of this wall and various additional windows appear to have been added at the south end. There is a stone incorporated in the elevation at area level asserting that the wall belonged to C J King in 1871.

*Should pre-date
Window arch
of 1709
(sash boxes set
back 4")
but, according
to Crickshorn
many windows
continued to
be built
flush with wall
till early
1730's*

Above the original cornice level are two further storeys of accommodation, the lower one perhaps added in the early 19th century when the present staircase was installed and the upper one re-formed after war damage in 1951. The interior of the building is very substantially concealed by facings, linings, false floors and false ceilings. Few fragments of the original phase of construction can be seen, but the following items seem consistent with an original construction date between 1690-1710. The sub-basement has a large timber beam perhaps 500mm sq. of oak and this shows evidence of having supported coggled floors. The upper basement covers the full extent of the site including a vault under the entrance passageway to Philpot Lane. At ground floor level, behind the north elevation of the building, are large timber baulks framed together to form the floor structure, with a principal beam running east-west the full width of the building and eastern wing. The area of the basement to the south is divided into two rooms by massive walls and the ceiling sags considerably in the central area, possibly because two large columns bear on this floor above. The existing ground floor is entirely encased with later finishes and partitions arranged as the attached plans. The most interesting features are two early 18th century Tuscan columns aligning with the second bay from the south. These must have once been part of a grand entrance hall, which would be consistent with a commercial use of the ground floor at the time of initial construction. At first floor level, the great height and very large windows are indicative of grand rooms. The floor void between ground and first floor is reportedly two to three feet deep which would be capable of concealing a deep cornice. The windows on the north elevation and some on the west elevation retain large ovolo beaded shutters with plain panels.

} check

There is a chimney breast on the south wall and on the east wall of this floor. At second floor level there are substantial remains of a late 17th century-early 18th century interior. Particularly valuable is a lined opening consisting of two fluted doric columns supporting a four centred arch, with six raised and fielded soffit panels and a key stone. This would have given access from main house to wing, before the lift was installed. In the north west corner of the plan is an almost complete 18th century interior with unusually raised and fielded panel shutter reveals to the window on the north elevation, a full box cornice and ovolo panelled walls. At the southern end of the plan entered through a very good eight panelled door is another grand room with full box cornice and perhaps plane moulding, enhanced with a mouse moulding. A fragment of box cornice remains adjacent to the eastern fire place on this floor. The middle room has a simple 19th century cornice. The third and fourth floors are of very little interest, but it is significant that the 19th century stair continues to the third floor level.

With the evidence described, there are grounds to suggest that this structure was once a grand City Merchants house, perhaps constructed in the late 17th/ early 18th century, probably retaining its original plan form except that the grand stair at ground and first floor has been removed and the well filled in. The present front entrance to the building was probably the back entrance and access to the wing would probably have been through lobbies where the lift now runs up through the building. The plan form of the building could well have been very similar to that remaining at second floor level with two large and one small principal rooms per floor.

Wal
Chartered S
Also RIBA

4/...

In order to reach a considered conclusion about the merit and worth of the building an architectural and archaeological investigation should be undertaken, with a view to testing the hypothesis of internal arrangement derived from this inspection. Only when more information is available, could a proper value be attached to the building from an architectural and historical viewpoint. With leases due to fall in over the next two to three years, sectional investigation and even repair, could be a practical proposition. The present application to completely gut the building would have to be resisted until further information was available.

Julian Harrap Architects

March 1985

From: [Aidan Cosgrave](#)
To: [Williams, Sonia](#); [PLN - Comments](#)
Cc: [Ellie Smith](#)
Subject: RE: Planning application ref. 20/00671/FULEIA - 55 Gracechurch Street
Date: 20 October 2020 00:04:21
Attachments: [image207671.png](#)
[image003055.png](#)
[image004.png](#)
[image011.png](#)
[image012.png](#)
[image013.jpg](#)
[image014.png](#)

Dear Ms Williams

I am writing on behalf of my clients, 51-54 Gracechurch Street (No.1) Limited and 51-54 Gracechurch Street (No.2) Limited, being the freehold owners of 51-54 Gracechurch Street and 8-9 Talbot Court, to confirm their objection to the planning application ref. 20/00671/FULEIA for the redevelopment of 55 Gracechurch Street.

My clients object to the proposed development for the following reasons:-

1. Excessive bulk, height and massing, which would be outside the designated Eastern Cluster of the Local Plan and would create an overbearing relationship with the neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, and would harm the significance of a number of heritage assets;
2. Significant adverse impact on daylight to neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, which would be harmful to the health and wellbeing of their occupiers and result in increased reliance upon electric lighting and increased energy consumption;
3. Adverse effects on existing users of Talbot Court due to proposed servicing arrangements and use of retractable bollards.
4. Traffic generation and highway safety
5. Potential for adverse effects from wind
6. Adverse environmental effects during construction


My clients respectfully request that the Committee refuses permission for the proposed development.

Yours sincerely

Aidan Cosgrave

Aidan Cosgrave BSc(Hons) MRICS

Partner

0207 936 3668 | 

Aidan.Cosgrave@delvapatmanredler.co.uk

www.delvapatmanredler.co.uk

Rights of Light | Party Walls | Dilapidations | Measured Surveys | Daylight & Sunlight | Access Licences | Occupier Services | Boundary Determination



LONDON Thavies Inn House, 3-4 Holborn Circus, London, EC1N 2HA

LIVERPOOL The Plaza, 100 Old Hall Street, Liverpool, L3 9QJ

Coronavirus (COVID-19) Planning: We remain fully set up to work normally during the coronavirus outbreak.

Our main office and direct line phone numbers and email addresses continue to work as normal for all staff who need to work remotely.

From: [REDACTED]
To: [Williams, Sonia](#)
Cc: [REDACTED]
Subject: RE: Planning application ref. 20/00671/FULEIA - 55 Gracechurch Street
Date: 04 November 2020 16:12:49
Attachments:

Dear Ms Williams

I write further to my email dated 20 October 2020 and, again, on behalf of my clients, 51-54 Gracechurch Street (No.1) Limited and 51-54 Gracechurch Street (No.2) Limited, being the freehold owners of 51-54 Gracechurch Street. My clients hereby retract from their reasons for objection the following grounds: harm to heritage assets, traffic generation and adverse effects of wind, and clarify that their objection on highway safety grounds relates to the proposed servicing arrangements and use of retractable bollards in Talbot Court. My clients maintain their objection on the other grounds stated in my email of 20 October 2020.

Yours sincerely

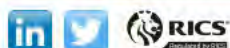
Aidan Cosgrave

Aidan Cosgrave BSc(Hons) MRICS

[REDACTED] **DELVA PATMAN REDLER**
www.delvapatmanredler.co.uk Chartered Surveyors



Rights of Light | Party Walls | Dilapidations | Measured Surveys | Daylight & Sunlight | Access Licences | Occupier Services | Boundary Determination



LONDON Thavies Inn House, 3-4 Holborn Circus, London, EC1N 2HA

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Coronavirus (COVID-19) Planning: We remain fully set up to work normally during the coronavirus outbreak. Our main office and direct line phone numbers and email addresses continue to work as normal for all staff who need to work remotely.

From: Aidan Cosgrave [REDACTED]
Sent: 20 October 2020 00:04
To: Williams, Sonia <Sonia.Williams@cityoflondon.gov.uk>; PLNComments@cityoflondon.gov.uk
Cc: [REDACTED]
Subject: RE: Planning application ref. 20/00671/FULEIA - 55 Gracechurch Street

Dear Ms Williams

I am writing on behalf of my clients, 51-54 Gracechurch Street (No.1) Limited and 51-54 Gracechurch Street (No.2) Limited, being the freehold owners of 51-54 Gracechurch Street and 8-9 Talbot Court, to confirm their objection to the planning application ref. 20/00671/FULEIA for the redevelopment of 55 Gracechurch Street.

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including 51-54 Gracechurch Street and 8-9 Talbot Court, and would harm the significance of a number of heritage assets;

2. Significant adverse impact on daylight to neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, which would be harmful to the health and wellbeing of their occupiers and result in increased reliance upon electric lighting and increased energy consumption;
3. Adverse effects on existing users of Talbot Court due to proposed servicing arrangements and use of retractable bollards.
4. Traffic generation and highway safety
5. Potential for adverse effects from wind
6. Adverse environmental effects during construction

My clients respectfully request that the Committee refuses permission for the proposed development.

Yours sincerely

Aidan Cosgrave

Aidan Cosgrave BSc(Hons) MRICS

Partner



www.delvapatmanredler.co.uk

DELVA PATMAN REDLER
Chartered Surveyors



Rights of Light | Party Walls | Dilapidations | Measured Surveys | Daylight & Sunlight | Access Licences | Occupier Services | Boundary Determination



LONDON Thavies Inn House, 3-4 Holborn Circus, London, EC1N 2HA

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Coronavirus (COVID-19) Planning: We remain fully set up to work normally during the coronavirus outbreak. Our main office and direct line phone numbers and email addresses continue to work as normal for all staff who need to work remotely.

27/10/20

Application: Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and a garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.

LPA ID: 20/00671/FULEIA

Address: 55 Gracechurch Street London, EC3V 0EE

Dear Sonia Williams,

Thank you for informing the Georgian Group of the above application for Planning Permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining this application.

Significance of Area and Surrounding Assets

The site of 55 Gracechurch street sits within close proximity to three conservation area, these being: Eastcheap Conservation which sits immediately to the east; Leadenhall Conservation Area to the North and Bank Conservation Area to the West. Within the aforementioned conservation areas, there are several designated heritage assets of national importance. Within this letter, it is only those buildings that date within The Georgian Group's remit (1700-1840) which I will discuss - this does not mean that any buildings I do not describe will not be harmed by the proposed development.

St Mary Woolnoth Church is located to the west of the site within the Bank Conservation Area and is a grade I designated heritage asset. Constructed between 1716-1727 and designed by Nicholas Hawksmoor with the assistance of John James, the church is of considerable architectural and artistic interest, and historic interest. It was Hawksmoor's only city church and is a unique work of English Baroque architecture.

Proposal

6 Fitzroy Square, London W1T 5DX

www.georgiangroup.org.uk

Registered Charity No. 209934

Patron HRH The Prince of Wales

Vice-Patron The Rt Rev. and Rt Hon. Lord Chartres GCVO

President The Duchess of Argyll

Chairman Paul Zisman

Secretary David Adshead



THE GEORGIAN GROUP

The applicant intends to demolish all of the existing building on the site of 55 Gracechurch street. On the site will be a new building rising to 29 storeys above the ground-floor level which will be used as a mixed-use office building. A full description of the proposed works can be found at the head of this letter.

The Georgian Group Advice

The new building will be clearly visible when viewing St Mary Woolnoth Church from the Bank interchange. Currently, the view of the church from this position is largely undisturbed and this enhances the significance of this grade I designated heritage asset, allowing for the two square turrets located on the central tower to be appreciated. The introduction of the 30-storey building will cause harm to the setting of the church and also the significance of the church as a landmark within the City of London.

Recommendation

The Georgian Group objects to the application in its current form.

Your Local Authority should be minded to abide by the policies set out within the London Plan - especially policy 7.7. Policy 7.7 states that 'the impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings'.

The Group would additionally like to remind your local authority of its obligations in line with section 66 (1) and 72 (1) of the Planning (Listed Building and Conservation Area) Act 1990. Within the Act, it states that special regard should be given to the desirability of preserving a building or its setting; and in reference to conservation areas (section 72), that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Your Authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely,

Edward Waller (Conservation Adviser for South East England and London)

6 Fitzroy Square, London W1T 5DX



www.georgiangroup.org.uk

Registered Charity No. 209934

Patron HRH The Prince of Wales

Vice-Patron The Rt Rev. and Rt Hon. Lord Chartres GCVO


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Secretary David Adshead

FORMAL COMMENTS TO ADJOINING BOROUGH

LBS Registered Number: 20/OB/0048

Date of issue of this decision: 04/11/2020



www.southwark.gov.uk

LBS Reg. No.: 20/OB/0048
Your Ref No.:

Date of Issue of Decision: 04/11/2020

Applicant Sonia Williams
 City of London

With reference to your consultation on the following development:

Request for observations from City of London for: Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD (reference: 20/00671/FULEIA).

At 55 Gracechurch Street London EC3V 0EE

In accordance with your letter received on 4 September 2020 and supporting documents.

The Council's formal response is

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FORMAL COMMENTS TO ADJOINING BOROUGH

LBS Registered Number: 20/OB/0048

Date of issue of this decision: 04/11/2020



www.southwark.gov.uk

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FORMAL COMMENTS TO ADJOINING BOROUGH

LBS Registered Number: 20/OB/0048

Date of issue of this decision: 04/11/2020



www.southwark.gov.uk

Victoria Lewis

Objection is raised to the proposed development on the following grounds:

The proposal is for a new 29-storey tower at 55 Gracechurch Street, near to the development known as the 'Walkie Talkie' tower in Fenchurch Street. The proposal is designed as two simple extruded rectangular forms clad in steel and glass. Its height appears to simply echo that of the Walkie Talkie tower, but the design is much less refined than its neighbour, and more pragmatic in character.

The proposed development, due to its alignment and its substantial scale, would combine with the Walkie Talkie in a number of views from the Southwark River Walk and would interact substantially with the Grade I Listed Tower Bridge when viewed from the riverside at Butlers Wharf. It is considered that the interaction in View 10 is likely to cause harm to this view,

FORMAL COMMENTS TO ADJOINING BOROUGH

LBS Registered Number: 20/OB/0048

Date of issue of this decision: 04/11/2020



www.southwark.gov.uk

adding to the visual clutter and extending the tall buildings cluster at the City further to the west.

In Views 11 and 12 from the River Walk the proposed development would be isolated from its neighbour and more prominent in the river view, rising sheer behind on the river frontage. Its simple, rectangular design appears more stark in these views and detracts from this sensitive river setting. The proposal appears to mark a new south-west edge to the City Cluster and appears to rise abruptly from a well-established street-scene. As a consequence, its relationship to the City cluster appears unresolved.

The harm which the development would cause to these important river views must be recognised. The proposal should be substantially amended to reduce its scale in order avoid its harmful visual impact on the setting of Tower Bridge and its river frontage setting.

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FORMAL COMMENTS TO ADJOINING BOROUGH

LBS Registered Number: 20/OB/0048

Date of issue of this decision: 04/11/2020



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Signed: *Simon Bevan*

Director of Planning

Site address: 55 Gracechurch Street London EC3V 0EE

Reference: 20/OB/0048

;

Comments for Planning Application 20/00671/FULEIA

Application Summary

Application Number: 20/00671/FULEIA

Address: 55 Gracechurch Street London EC3V 0EE

Proposal: Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.
The proposal would provide 34,004sq.m gea of Class E offices; 2486sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1573sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.
This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Electronic copies of the ES can also be issued by Trium Environmental Consulting LLP; for further details contact hello@triumenv.co.uk or Tel: +44 (0) 203 887 7118.

Case Officer: Sonia Williams

Customer Details

Name: Mrs Meghan Allen

Address: Clareville House 26-27 Oxendon Street London

Comment Details

Commenter Type: Other

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

Comment Reasons:

Comment: Sonia

Are you able to confirm the statutory consultation period for this application? Are you able to accept representations after this date?

I appreciate that we are at a relatively early stage in the process but do you have a feel for timing for determination?

Thank you in advance for your assistance.

Kind regards

Meghan



55 Gracechurch Street

Applicant's Response to Planning Application Representations

Application ref: 20/00671/FULEIA

Mighty Oasis International Limited

DP9 Limited

DP9 Ltd
100 Pall Mall

London

SW1Y 5NQ
Tel: 020 7004 1700
Fax: 020 7004 1790

1. INTRODUCTION

- 1.1 This Report is prepared by DP9 in response to representations submitted to the City of London's public consultation on current planning application ref: 20/00671/FULEIA.
- 1.2 The purpose of this Report is to identify and address all individual comments contained within the representations, with a view to demonstrating the acceptability of the planning application proposals and alleviating any concerns contained within representations. It is worth noting that this response is issued alongside a set of additional planning application documentation including amended proposed drawings, which will be subject to a re-consultation exercise. Additional and amended documentation is referred to where of relevance.
- 1.3 This Report has been prepared with input of the following professional consultants who form part of the applicant's consultant team:
- **Fletcher Priest Architects;**
 - **Spacehub** (landscape architects);
 - **Trium Environmental** (EIA coordinators);

-
- **Citydesigner** (heritage and townscape consultants);
 - **Momentum** (transport consultants);
 - **RWDI and Wirth** (wind consultants);
 - **GIA** (daylight, sunlight, overshadowing and solar glare consultants).

1.4 For each representation, the Report extracts all substantive comments (shown in italics) and queries and provides an answer to each.

2. OVERVIEW OF REPRESENTATIONS

2.1. All representations received to date are set out in Table 1. Parties that have submitted representations have been set into the following categories¹, which correspond to the sections of this Report:

- a) **Public bodies;**
- b) **Other bodies;** and
- c) **Neighbouring and nearby landowners.**

Table 1 – overview of consultation responses

Date	Submitted by	Type
10/09/2020	Royal Borough of Greenwich	Public body
10/09/2020	TfL Crossrail Safeguarding	Public body
11/09/2020	NATS Safeguarding	Other body
11/09/2020	London City Airport	Other body

¹ Note – no local resident or individual representations have been submitted/published to date.

15/09/2020	Historic Royal Palaces	Public body
17/09/2020	Westminster City Council	Public body
29/09/2020	London Borough of Tower Hamlets	Public body
02/10/2020	PL 10 S.à.r.l, freeholders of 10 Philpot Lane	Neighbouring landowner
02/10/2020	Historic England	Public body
05/10/2020	Transport for London	Public body
05/10/2020	Environment Agency	Public body
09/10/2020	City of London Conservation Area Advisory Committee	Other body
16/09/2020	Victorian Society	Other body
19/10/2020	Store Property Investments Limited, freeholders of 2-3 Philpot Lane	Neighbouring landowner
19/10/2020	City Apartments Limited, Leaseholders of 2-3 Philpot Lane	Neighbouring landowner
20/10/2020	51-54 Gracechurch Street (No.1) Limited and 51-54 Gracechurch Street (No.2) Limited	Neighbouring landowner
27/10/2020	The Georgian Group	Other body
04/11/2020	Southwark Council	Public body

3. PUBLIC BODY REPRESENTATIONS

Royal Borough of Greenwich

Comment ref	Comment	Response
RBG1	<i>The Royal Borough has now formally considered the matter and raises no objections. The Council has NO further observations to make.</i>	Noted – no response.

Transport for London (Crossrail Safeguarding)

Comment ref	Comment	Response
TFLCS1	<i>The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited does not wish to make any comment on the application as submitted.</i>	Noted – no response.

Historic Royal Palaces

Comment ref	Comment	Response
HRP1	<i>In views from the Tower, the development appears on the west side of the emerging cluster. We regret the 'legitimisation' of including 20 Fenchurch in the City Cluster and the potential consequences that will have, but do not object to this particular proposal because its impact on the Tower World Heritage Site would not be significant.</i>	We note HRP's view that the scheme would not have a significant impact on the Tower of London World Heritage site and have no response.

Westminster City Council

Comment ref	Comment	Response
WCC1	<i>The City Council has considered the proposals described below and has decided it DOES NOT WISH TO COMMENT ON THE PROPOSAL(S).</i>	Noted, no response.

London Borough of Tower Hamlets

Comment ref	Comment	Response
LBTH1	<i>No comments</i>	Noted, no response.

Historic England

Comment ref	Comment	Response
HE1	<i>Tower Bridge: View 10 Butler's Wharf in the accompanying townscape analysis report is a view looking upstream towards Tower Bridge, with the City cluster beyond. The existing building at No. 20 Fenchurch Street is prominently visible in the backdrop of Tower Bridge, framed by the Grade I listed bridge's iconic form. The proposed new development would add considerable additional built form to this framed view and further reduce the amount of clear sky within the space between the two towers and upper and lower decks of the bridge that allows the unique form of the bridge to be appreciated and understood. The result is that the new proposals would add some harm to the</i>	<p>It is acknowledged in the HTVIA that there will be an increase in visible mass seen through the Bridge, however this will be experienced as part of the visual interaction of the Bridge with background buildings in the City, in kinetic views. The effect on the setting of the Grade I Tower Bridge is therefore considered to be neutral not least because of the satisfactory handling of the massing, the stepping down and the high quality of the design as experienced in the kinetic sequence along the Butler's Wharf embankment.</p> <p>Further analysis is provided in: Chapter 8 (section B, pages 53 and 54) and Chapter 10 (View 10) of the HTVIA.</p>

	<i>considerable harm already caused by the presence of No. 20 Fenchurch Street to the significance of Tower Bridge through development within its setting.</i>	
HE2	<i>The Tower:</i> View 50a Tower of London: Inner Wall/East of Wakefield Tower is a view from within the Inner Ward of the Tower of London towards the historic group of buildings that make up the Queen's House. The tall building at No. 20 Fenchurch Street rises above the historic group as described above. The proposed new building will appear alongside No. 20 Fenchurch Street adding a layer of new development to the view and reducing the prominence of the historic buildings. In this case, the harm to the significance of the Tower of London through an increase of modern development in its backdrop would be minor, but the status of the Tower as a World Heritage Site means that preserving its significance must be given the greatest possible weight.	<p>In respect of the Tower of London, the visibility of the proposed scheme is considered to be minor in comparison to the Eastern Cluster buildings, and it ameliorates the singular powerful form of 20 Fenchurch Street in a number of views. Its addition is not considered to affect the Outstanding Universal Value (OUV) of the World Heritage Site. Historic Royal Palaces agree that it does not harm the OUV and have stated that they do not object to this proposal as <i>"its impact on the Tower of London WHS would not be significant"</i>.</p> <p>Further analysis is provided in: Chapter 8 (section A, pages 39 to 46) and Chapter 10 (Views 11, 45 to 49 and 50A to 50F) of the HTVIA.</p>
HE3	<i>The Tower:</i> View 50d Tower of London: Inner Ward - North-west corner of the White Tower is a view towards the Chapel of St. Peter ad Vincula and the Victorian barracks block. The tall building at No. 20 Fenchurch Street rises above the roofline of the chapel. As in View 50a, the proposed new building	The response to HE2 applies equally to this comment.

	<p><i>will appear as new development alongside No. 20 Fenchurch Street. The proposal would increase the amount of modern development encroaching into the Inner Ward and appearing in the backdrop of the chapel, and would therefore cause minor additional harm to its significance and that of the Tower of London in general. Overall the cumulative harm caused by successive developments in the City Cluster encroaching upon Tower as seen from the Inner Ward would increase, but would remain at a low level as the new development is well integrated into the established cluster of commercial office buildings. However, again the status of the Tower as a World Heritage Site means that preserving its significance must be given the greatest possible weight.</i></p>	
HE4	<p>The Monument: <i>View 19 Lower Thames Street outside the gates of the Church of St. Magnus the Martyr looks north towards the Monument with the City cluster in the background. The location of the view is significant, as it was along the alignment of Old London Bridge, and historically was part of an important processional route into the City from the south. The Monument appears prominently with most of its classical column visible and towering over</i></p>	<p>It is not unusual that tall buildings in the historic environment of the City may result in some level of harm to the setting of nearby heritage assets. In the case of the proposed development, it occurs only in one instance shown in View 19 of the visual assessment. From this position, it appears as a backdrop to Wren's Grade I listed Monument, although it largely only affects the shaft of the Monument and not the 'capital' where the viewing platform is, and</p>

	<p><i>the neighbouring development in much the same way it has since completion in the late 17th century. The new proposal would appear in the backdrop of the Monument, rising to the level of the viewing platform. It would cause marked harm to the significance of the Grade I listed building and scheduled monument by encroaching upon its setting and reducing its intended prominence from this important view leading into the City from the south.</i></p>	<p>which remains with generous amounts of sky behind it. Nevertheless, the loss of sky behind the upper part of the shaft constitutes a low level of less than substantial harm while being mitigated by the high quality of the architecture. The decision to make a simple form with an uncomplicated facade treatment, i.e. a plain backdrop, is a result of an early understanding of this effect on an important setting and testing throughout design development. In views south from Bishopsgate and Gracechurch Street (View 42A to 42E), the proposed development improves the view of the gilded top of the Monument where the current site building interferes with the lower part of it from certain positions. The contrasting rectilinear form of the proposed scheme draws the viewer's eye to the gilded top where currently it is somewhat lost amongst the foreground buildings in these views. The balance of these effects reduces the overall harm.</p> <p>Further analysis is provided in: Chapter 8 (section B, pages 50 to 52) and Chapter 10 (Views 13, 19, 20 and 21) of the HTVIA.</p>
HE5	<p><i>Finally, the proposals would cause harm to the significance of the Church of St. Mary Woolnoth by impacting upon its setting in the view from Bank</i></p>	<p>In views of Hawksmoor's Grade I listed Church of St Mary Woolnoth, when approaching Bank junction, (shown in View 39A of the visual assessment), the</p>

	<i>Interchange towards the development site. The distinctive silhouette of the towers of the Grade I listed church and the way in which Hawksmoor has composed a dramatic interplay of forms, currently accentuated by open sky beyond, would be encroached upon and disturbed by the proposed new development appearing in the backdrop, thereby causing a degree of harm.</i>	<p>viewer is aware of No.20 Fenchurch Street's presence in the background and the more immediate lower office backdrop to this powerful but small church. The proposed development will sit in harmony with the geometry of the Church's west towers. At the same time, it lessens the otherwise overpowering scale of No.20 Fenchurch Street. There is no harm recorded in this view, partly on account of the hostile vehicular surroundings of the viewpoint and a result of the high quality of design that balances out any potential harm from its visibility. As the Church is approached from the front of the Mansion House and, alternatively, approaching from Lombard Street, the best views of the Church are experienced, where its form and detail can be better appreciated; here the development will play no part.</p> <p>Further analysis is provided in: Chapter 8 (section B, pages 69 to 70) and Chapter 10 (View 39A to 39C) of the HTVIA.</p>
HE6	<i>The replacement of the existing building, which is not of architectural or historic interest, would not in our view cause harm to heritage significance.</i>	Noted, no comment.
HE7	<i>However, the impacts identified above to the settings of designated heritage assets beyond the</i>	The analysis within the HTVIA finds one instance of harm as set out above in response to HE4, the setting

	<i>application site would result in a series of harmful impacts to assets of the highest possible significance. The NPPF requires great weight to be given to the conservation of designated heritage assets, and the more significant the asset, the greater the weight that should be given (paragraph 193). The significance of the designated assets affected by the proposals means that the greatest possible weight should be given to their conservation.</i>	of the Monument when viewed from the position of View 19 in the HTVIA. This is considered to be at the lower end of less than substantial harm. The HTVIA does not identify any other instances of harm to the setting or significance of other designated heritage assets.
HE8	<i>As the proposals have an impact on the Tower WHS we also advise that you ensure that a Heritage Impact Statement in line with ICOMOS guidance has been submitted.</i>	The HTVIA assessment on the Tower of London (chapter 8, section A) follows the stepped 'assessment framework' set out in the Mayor of London's World Heritage Sites Guidance on Settings SPG 2012, which is in line with ICOMOS guidance. This is confirmed in paragraph 5.2 of the SPG, <i>"This framework is based on ICOMOS guidance on undertaking Heritage Impact Assessments for World Heritage Sites and has been adapted for use in the UK context."</i>
HE9	<i>Where a development proposal causes harm, and the harm has been minimised and is less than substantial, Local Authorities need to weigh the residual harm against the public benefits of the proposal (paragraph 196). We recognise the opportunities for enhancement of the public realm through the reinstatement of a network of</i>	Citydesigner is of the view that potential harm to heritage has been minimised through sensitive and high quality design and less than substantial harm at the lower end occurs only to the setting of The Monument when viewed from near the gates of the Church of St Magnus the Martyr (View 19 in the HTVIA). This is

	<p><i>permeable alleyways that once characterised the area. The urban design improvements in and around the site might also be welcome, and the images we have seen suggest the proposals would enhance the settings of the adjacent listed buildings around Brabant Court. However, we do not think these benefits would outweigh the harm to the historic environment that would result from the current scheme.</i></p>	<p>balanced by the improved visibility of its gilded top in views looking down Gracechurch Street.</p> <p>The heritage and public benefits of the scheme are extensive, including the reinstatement of historic routes, the improved setting to the listed buildings around Brabant Court, and the provision of a free-to-enter public viewing gallery offering unique public views of The Monument. Citydesigner is of the view that the heritage and other public benefits clearly outweigh the one instance of less than substantial harm at the lower end.</p>
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Transport for London (Transport Policy and Highways)

Comment ref	Comment	Response
TFL1	<p><i>The proposal will provide 24 short stay cycle spaces. This falls short of the 112 short stay cycle spaces needed to meet the minimum requirements set out in policy T5 of the draft London Plan. However, TfL acknowledges the proposal will provide 492 long stay cycle spaces. This exceeds the minimum spaces set out in the Intend to Publish London Plan. Given the applicants commitment to provide more than the</i></p>	<p>Noted, no response.</p>

	<i>required long stay cycle parking in compensation for the shortfall in short stay parking, TfL is satisfied with the overall amount of cycle parking proposed.</i>	
TFL2	<i>In line with Policy T7 of the Intend to Publish London Plan, development proposals should facilitate sustainable deliveries. Therefore, the 3 cargo bike spaces proposed on the ground floor for daytime deliveries are welcomed by TfL.</i>	Noted, no response.
TFL3	<i>The Intend to Publish London Plan requires development proposals to demonstrate how cycle parking will accommodate larger cycles, including adapted cycles for disabled people. TfL notes that 5% of the long stay cycle spaces and all the 24 short stay cycle spaces will be in the form of Sheffield stands. TfL requests the applicant to confirm that the Sheffield Stands will be able to cater for larger and adapted cycles.</i>	<p>There are 16 non-standard cycle parking spaces currently on St Benet's Place which are used by users of the gym currently on site, which is not proposed to be retained in the scheme.</p> <p>Four of the proposed short stay parking spaces would be located in St Benet's Place.</p>
TFL4	<i>TfL supports the provision of the shower facilities and lockers associated with the cycle parking.</i>	Noted, no response.
TFL5	<i>All long stay cycle parking will be located within the building at lower ground levels. These spaces will be accessed via two dedicated cycle lifts, with access from St Benet's Place. TfL requests the applicant provides information on the lift dimensions, layout, spacing and manoeuvring areas around the cycle</i>	This information is included in a Transport Assessment Addendum prepared by Momentum and submitted to the City of London.

	<i>parking, including information on how many people and cycles can fit into the lift at once.</i>	
TFL6	<i>TfL strongly supports the car free nature of this development.</i>	Noted, no response.
TFL7	<i>Where a development is car free, disabled persons parking should still be provided in line with policy T6 of the Intend to Publish London Plan. This should be in the form of an off-street parking bay. Acknowledging the sites space restrictions, TfL would not object in principle to the provision of only one disabled parking bay only on site.</i>	No accessible parking spaces are proposed on site due to the unavailability of a suitable location. The Transport Assessment prepared by Momentum notes the proximity to accessible parking spaces nearby and discusses the potential for support to increase local provision by providing an off-street accessible car parking space on Philpot Lane (accessed from the site via Brabant Court or Eastcheap), the closest feasible location.
TFL8	<i>In table 3.5, page 26 of the Transport Assessment, the Central line service through Bank is closer to 30 trains per hour rather than 20 trains per hour. Similarly, the Jubilee line through London Bridge. TfL suspects the assessment is focused on specific services rather than all the trains passing through the stations.</i>	This information is included in a Transport Assessment Addendum prepared by Momentum and submitted to the City of London.. The additional impact assessments refer to NUMBAT data, as recommended by TfL. It is considered that an update to the ES Chapter is not necessary given the changes would only have a positive effect.
TFL9	<i>Additionally, on page 26 of the TA, the frequency of the London Underground trains during AM/PM hour is provided, but it is not specified which hour this is for. Also, the frequencies presented do no match</i>	This information is included in a Transport Assessment Addendum prepared by Momentum and submitted to the City of London. The additional impact assessments refer to NUMBAT data, as recommended by TfL. It is considered that an update to the ES Chapter is not

	<i>exactly with the Numbat frequencies TfL have published.</i>	necessary given the changes would only have a positive effect.
TFL10	<i>TfL acknowledges that the applicant has carried out a good assessment of the impact on train service capacity from the additional demand generated by the development. However, no appraisal of the impact on the stations affected have been undertaken. TfL expects the impact to be low, however, the applicant is still required to identify the distribution between the stations and what the change in flows and capacity would be, especially regarding gate lines and escalators.</i>	<p>While this request could be considered to be relatively onerous noting TfL's admission that the impact would be low and was not specifically identified during pre-application engagement with TfL (where the issue was specifically discussed), Momentum confirms that this additional assessment work is provided in the Transport Assessment Addendum. It is also acknowledged and understood that this form of assessment will be a standard requirement for TfL, moving forward.</p> <p>Momentum confirms that the additional work will not affect their Environmental Statement Transport and Highways Assessment.</p>
TFL11	<i>As explained in the pre-app comments, TfL accepts the ATZ being undertaken as a desk-based study due to the Covid-19 pandemic and travel restrictions.</i>	Noted, no response.
TFL12	<i>TfL and City of London are working to deliver a Safer Junctions scheme to improve the junction of Fenchurch Street and Gracechurch Street and all external works proposed as part of the ATZ assessment should complement and integrate safely and successfully with that safety improvement</i>	TfL is requested to clarify under what circumstances the contribution may be sought and what is meant by a "proportionate and reasonable financial contribution", preferably with an estimated figure, which will allow the applicant to confirm their position.

	<i>project. We may request a proportionate and reasonable financial contribution to enable the timely delivery of this scheme in line with policies T2 Healthy Streets and T4 Assessing and mitigating transport impacts) of the Intend to Publish London Plan.</i>	It is noted that this figure does not necessarily need to be agreed prior to Planning Committee but an indication is sought urgently.
TFL13	<i>In line with policy T2 (Healthy Streets), TfL welcomes the proposed seating located on Talbot Court, however, please may the applicant confirm what the useable footway width would be when the seating is in use.</i>	This information is included in a Transport Assessment Addendum prepared by Momentum and submitted to the City of London.
TFL14	<i>TfL understands that the lifts when not in operation will provide an area for pop-up retail and street furniture. TfL questions where the furniture associated with these facilities will be stored when the lift is in use by a delivery vehicle.</i>	There is storage space (36sqm) located on the mezzanine level (B1 Mezzanine) which would accommodate the furniture referred to.
TFL15	<i>The proposed Bus Stop layout is not acceptable to TfL as there are technical and practical problems with the layout. There are also long term maintenance issues associated with locating a bus shelter on private land in a non-standard format.</i>	Momentum is of the view that the issues identified should not be insurmountable and would seek to work with TfL and City of London Highways to find a workable solution. It is noted that the relocation of the bus stop is only indicatively shown as mitigation at this stage (see Proposed Ground Floor Plan annotation stating “ <i>indicative location for relocated bus shelter, subject to future consideration</i> ”), although it has been considered in the context of PCL assessment. It is

		<p>also noted that the context has changed somewhat since the submission of the Planning Application with the City of London widening the footway, an opportunity already highlighted by TfL. Therefore, it is considered that discussions regarding the location of bus stop should be reserved for determination by a suitably worded Planning Condition, potentially requiring further PCL assessment work to ensure the agreed option is acceptable in this regard. There is no need or benefit to resolving this issue prior to Planning Committee as an acceptable solution can be found and there will be a benefit to retaining flexibility at this early stage in the development process. The Transport Assessment Addendum sets out further information in relation to the proposed approach.</p>
TFL16	<p><i>The applicant claims the bus shelter position is the cause of the poor pedestrian comfort level, however that can't be true, because the shelter is cantilever over the footway.</i></p>	<p>Momentum took a different view in preparing its PCL assessment due to its assessment of the obvious likelihood of people standing at and within the bus shelter and as noted within TfL's PCL Guidance Document. However, it is noted that if the TfL position is correct then the submitted PCL assessment is very much a "worst case scenario" with regard to the existing bus stop location and the actual results could be improved, retaining acceptability. This could open up the potential for a retained edge-of-pavement bus</p>

		stop location subject to future negotiation and agreement in response to a planning condition. It is relevant that the footway has been widened beyond the current bus stop location in response to COVID-19 resilience, so movement will be required in the long-term in any event.
TFL17	<i>The proposal should not remove the bus stop flag but should permit TfL or the City of London to reposition the bus shelter to an alternative location if needed.</i>	No comments beyond those to TFL15 and TFL16.
TFL18	<i>TfL appears to have a scheme to reallocate carriageway to cycling and footway. Providing a shelter as proposed would constrain our ability to deliver the scheme, as the bus stop and shelter would end up further apart.</i>	The bus shelter relocation is not formally proposed and therefore does not constrain future TfL schemes provided a solution that retains an acceptable footway width/PCL. To be clear, Momentum would support in principle an edge-of-footway bus shelter if the TfL footway widening scheme were to come forward. As set out in response to TFL15 and in the Transport Assessment Addendum, this issue is likely to be best dealt with through the imposition of a suitably worded Planning Condition.
TFL19	<i>Although a commentary of the Road Safety Audit (RSA) was provided on page 111 of the RSA, a full copy was not found alongside the application. TfL requires the applicant to send the Stage 1 Road</i>	The Road Safety Audit summary was provided in the Transport Assessment and a full version has been supplied to TfL and the City of London Corporation.

	<i>Safety Audit and the designers' response before the City decides the application.</i>	
TFL20	<i>TfL supports the adoption of CLOCS standards for all delivery vehicles and the use of FORS accredited contractors. This supports the Mayor's Vision Zero approach which aims to eradicate all deaths and serious injuries from the Capital's road.</i>	Noted, no response.
TFL21	<i>The CEMP states that the Transport for London Road Network (TLRN) will be used as part of the route for construction traffic. Therefore, TfL must be consulted on the access routes to and from the site prior to the commencement of work.</i>	Noted, no response.
TFL22	<i>The CEMP should outline the likely number of construction trips generated and mitigation should be proposed to limit the number of construction vehicles.</i>	This information is provided in the Outline Construction Logistics Plan submitted in support of the Planning Application.
TFL23	<i>TfL welcomes the use of a booking system to arrange construction deliveries to reduce construction induced congestion.</i>	Noted, no response.
TFL24	<i>The applicant will need to fully consider the siting of any abnormal load / crane (if needed) directly above the shallow Metropolitan Line.</i>	This issue will be considered carefully during the development of a Construction Environmental Management Plan and construction method statements more generally.
TFL25	<i>2 mechanical lifts accessed from Talbot Court are proposed to enable vehicle access to the basement</i>	Noted. The Transport Assessment sets out the approach to maintenance of the lifts and a Delivery and

	<i>levels of the building. These lifts will likely require maintenance at some point. To ensure maintenance can occur without impacting the operation of deliveries, TfL encourages all maintenance work to take place on weekends and suggests both lifts do not undergo maintenance at the same time to ensure one lift is always still operational, providing the maintenance is not urgent.</i>	Servicing Plan (expected to be required by Condition/Obligation) can provide more detail on maintenance. This is a building management issue and the applicant is aware of the need for a robust strategy.
TFL26	<i>At the pre-application stage, TfL raised concerns about the potential failure of the vehicular lifts and the possibility of entrapment. Mitigation of this risk was requested. TfL acknowledges this has been addressed in the DSMP and is satisfied with the proposed steps that would be taken in the event of a lift breakdown/failure. However, the Delivery and Servicing Plan (DSP) should demonstrate how servicing activity would be able to continue safely in the event of lifts breaking, especially as pop-up retail is proposed directly over the servicing lifts.</i>	<p>The Framework Delivery and Servicing Plan sets out the approach to maintenance and, as noted, the Delivery and Servicing Plan will provide more detail including addressing the points raised in this comment.</p> <p>It should be noted that pop-up retail will operate during daytime hours and the lifts will operate overnight, so any incidents would be expected to be resolved/mitigated prior to daytime use of the space. The operation of the ground floor will be carefully managed given the positive proposals for adaptable use that make best use of space.</p>
TFL27	<i>There appears to be a canopy situated above the vehicle lift on Talbot Court. The height of this canopy need to be provided.</i>	The canopy is 6.3m above ground to its underside.
TFL28	<i>TfL encourages the inclusion of three cargo bike spaces at ground level. TfL would expect to see all</i>	The approach set out in the Framework Delivery and Servicing Plan accords with this request.

	<i>daytime deliveries to be made by cargo bikes or foot. No vehicle deliveries should be coming on site outside of the designated delivery hours.</i>	
TFL29	<i>TfL notes the implementation of the Electric Vehicle (EV) charging facilities in the loading bay area, allowing EV's to re-charge during delivery. This is line with policy T7 of the Intend to Publish London Plan.</i>	Noted, no response.
TFL30	<i>A DSP will be required. TfL suggests this should be secured by a condition.</i>	Noted, agreed and no response.
TFL31	<i>TfL supports the use of a delivery booking system. However, deliveries will be occurring from the start. Therefore, this system should be implemented from occupation rather than within one year of occupation.</i>	Noted, the applicant is willing to commit to this being a requirement from first occupation.
TFL32	<i>Talbot Court is a public highway, consequently the following statement made within the application documents: 'Vehicles that do not book an allocated slot would not be permitted to enter Talbot Court' is unacceptable. The development does not have control over who can use and drive Talbot Court.</i>	An alternative HVM arrangement has been identified following further consultation with the City of London and City of London Police. The revised proposal is reflected on the revised proposed ground floor plan and does not include bollards across Talbot Court, ensuring unencumbered vehicle access.

Environment Agency

Comment ref	Comment	Response
EA1	<i>Having reviewed the submitted plans and site location, there are no environmental constraints that fall within our remit as a statutory consultee at this site and we therefore have no comments to make on this planning application.</i>	Noted, no response.

London Borough of Southwark

Comment ref	Comment	Response
LBS1	<i>The proposal is for a new 29-storey tower at 55 Gracechurch Street, near to the development known as the 'Walkie Talkie' tower in Fenchurch Street. The proposal is designed as two simple extruded rectangular forms clad in steel and glass. Its height appears to simply echo that of the Walkie Talkie tower, but the design is much less refined than its neighbour, and more pragmatic in character.</i>	The height doesn't 'simply echo' that of the Walkie Talkie (20 Fenchurch Street); it is lower in height and clearly steps down in form. Contrary to it being less refined than 20 Fenchurch Street, it is in fact more refined through its simplicity, an architectural achievement of some measure and one that is designed to soften the overtly individualistic and visually challenging form of 20 Fenchurch Street. The development's interaction with the latter and Tower Bridge is a massing and townscape virtue in this regard.
LBS2	<i>The proposed development, due to its alignment and its substantial scale, would combine with the Walkie</i>	The HTVIA view assessment for View 10 records a moderate and balanced effect on the view; there is no

	<i>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.</i>	effect on the significance of the Grade I listed bridge itself, taking into account the longstanding juxtaposition between it and the City's cluster. To describe the City's world-famous cluster of high buildings as 'visual clutter' to which the proposed development adds, seems misjudged.
LBS3	<i>In Views 11 and 12 from the River Walk the proposed development would be isolated from its neighbour and more prominent in the river view, rising sheer behind on the river frontage. Its simple, rectangular design appears more stark in these views and detracts from this sensitive river setting. The proposal appears to mark a new south-west edge to the City Cluster and appears to rise abruptly from a well-established street-scene. As a consequence, its relationship to the City cluster appears unresolved. The harm which the development would cause to these important river views must be recognised. The proposal should be substantially amended to reduce its scale in order avoid its harmful visual impact on the setting of Tower Bridge and its river frontage setting.</i>	The criticism that the proposed development 'would be isolated from its neighbour' contradicts the earlier comment that it 'combines' with its neighbour in other views. This observation is no more than a record of the gap between the two buildings when seen across the Thames in kinetic views. The phrases 'rising sheer behind on the river frontage' and 'its rectangular design appears more stark' do not adequately explain the notion that it 'detracts from the sensitive river setting'. The actual riverfront buildings are well established, and their characteristics and significance will remain just as visible and understood as they have been in the context of the City's evolving cluster. Similarly, the statement that the proposed development appears unresolved in relation to the cluster is not adequately explained by the comments. In conclusion, it is not accepted that there is harm to the significance

		of the Grade I listed Tower Bridge as a result of the proposed development.
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4. OTHER BODY REPRESENTATIONS

NATS Safeguarding

Comment ref	Comment	Response
NATS1	<i>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</i>	Noted, no response.

London City Airport

Comment ref	Comment	Response
LCY1	<i>London City Airport suggests the following condition/s are added to this application. London City Airport's response must change to an objection unless these conditions are applied to this planning permission: <u>"No cranes or scaffolding shall be erected on the site unless and until construction methodology and diagrams clearly presenting the location, maximum operating height, radius and</u></i>	Noted, no objection to the proposed condition.

	<u><i>start/finish dates for the use of cranes during the Development has been submitted to and approved by the Local Planning Authority, the Local Planning Authority having consulted London City Airport."</i></u>	
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City of London Conservation Area Advisory Committee

Comment ref	Comment	Response
CAAC1	<i>The Committee strongly objected to this proposal. Whilst there were no objections to the loss of the existing buildings, the height and bulk of the proposed replacement represented 'tall building creep' into an area characterised by buildings of seven or eight storeys which neither enhanced the Eastcheap Conservation Area nor the neighbouring Conservation Areas in this core area of the City.</i>	<p>It is acknowledged that the proposed development would result in the development of a tall building. However, the applicant does not accept that this would amount to 'creep', rather that it would be carefully planned and considered development to the southern edge of the City Cluster as defined in the emerging City Plan 2036, thus making a contribution to the City's envisaged southward extension of the Cluster from its current adopted state as the Eastern Cluster. It should be noted that both the adopted City Local Plan 2015 and emerging City Plan 2036 identify the site of the proposed building as outside of areas that are considered inappropriate for tall buildings.</p> <p>The proposed development has been designed to be sensitive to its neighbouring buildings of lower height,</p>

		<p>with the tall elements rising above a lower podium, with a richly landscaped 6th floor publicly accessible garden. The stepping of the two forms is informed from the views which show it as the last likely tall building immediately to the south-west of the Eastern Cluster and at the periphery of and partially within the emerging City Cluster. Stepping up from the periphery and rising towards the peak of the Cluster is not only appropriate in theory, it is also helpful in softening the singularity of No.20 Fenchurch Street. The change to the setting of Eastcheap and other neighbouring conservation areas as a result of the proposed development will be significant but its effect is not considered to harm the significance (character and appearance) of any of these conservation areas owing to the carefully considered and high quality of the proposed design.</p> <p>The proposed development has been subject to a Heritage, Townscape and Visual Impact Assessment (HTVIA) which concludes that the proposed development in isolation would better reveal the significance of the Eastcheap Conservation Area, by way of the reinstated historic east-west link through Brabant Court and St Benet's Place, the improved</p>
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		<p>settings of the listed buildings near Brabant Court (as acknowledged by HE), and replacement of the narrow lightwell to the south of the site, with new public realm. It would have no effect on the significance of the Bank or Leadenhall Market Conservation Areas. It further concludes that there would be no effects on the significance of the Conservation Areas when considered alongside cumulative schemes. We note the findings of the HTVIA are not contested in the representation.</p> <p>Further analysis is provided in: Chapter 6 (pages 31 to 34) Chapter 8 (section C, pages 80 to 86) and Chapter 10 (Views 39A to 39C, 40, 41, 42A to 42E, 44 and 53 to 58)</p>
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Victorian Society

Comment ref	Comment	Response
VS1	<i>55 Gracechurch Street is out of our remit, and we therefore have no comment to make on its demolition. However, the scale of the existing building is much more sympathetic to the scale of Gracechurch Street, a prominent thoroughfare in the City. Moreover, it broadly respects the building</i>	It is acknowledged that the proposed development would result in the development of a tall building. It should be noted that both the adopted City Local Plan 2015 and emerging City Plan 2036 identify the site of the proposed building as outside of areas that are considered inappropriate for tall buildings.

<p><i>heights of surrounding heritage assets, including 39-40 Lombard Street, and the Grade II* 33 & 35 Eastcheap to the south east. The settings of these surrounding listed buildings make this a sensitive site, and this is only increased by its proximity to Eastcheap Conservation Area, noted in the appraisal for the architectural quality of its listed and unlisted buildings. Bank Conservation Area is also located to the west, and the Leadenhall Conservation Area to the north of the site. Listed buildings and conservation areas were designated to protect the rich history and architectural quality of the City of London, and the NPPF requires appropriate weight should be given to the preservation of their significance. The construction of a 30-storey building in this location would not do this and would instead cause great and unwarranted harm to these heritage assets. The prominent and listed 39-40 Lombard St. building would be dwarfed, despite its own large scale, and the significance of buildings along Eastcheap further reduced. The views produced within the application also demonstrate the alarming extent to which Gracechurch Street would be overshadowed. The proposed building moreover shows little respect to the conservation areas around</i></p>	<p>As stated in response to the comments of the CAAC, proposed development has been designed to be sensitive to its neighbouring buildings of lower height, with the tall elements rising above a lower podium, with a richly landscaped 6th floor publicly accessible garden. The stepping of the two forms is informed from the views which show it as the last likely tall building immediately to the south-west of the Eastern Cluster and at the periphery of and partially within the emerging City Cluster. Stepping up from the periphery and rising towards the peak of the Cluster is not only appropriate in theory, it is also helpful in softening the singularity of No.20 Fenchurch Street. The change to the setting of Eastcheap and other neighbouring conservation areas as a result of the proposed development will be significant but its effect is not considered to harm the significance (character and appearance) of any of these conservation areas owing to the carefully considered and high quality of the proposed design.</p> <p>The HTVIA concludes that the proposed development in isolation would better reveal the significance of the Eastcheap Conservation Area by way of the reinstated</p>
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	<i>it, seeking instead to respond to the scale and materiality of the skyscrapers to the north.</i>	<p>historic east-west link through Brabant Court and St Benet's Place, the improved settings of the listed buildings near Brabant Court (as acknowledged by HE), and replacement of the lightwell to the south of the site, with new publicly accessible space. It would have no effect on the significance of the Bank or Leadenhall Market Conservation Areas. It further concludes that there would be no effects on the significance of the Conservation Areas when considered alongside cumulative schemes. The HTVIA considers the proposed development to have no effect on the significance of 39-40 Lombard Street or 33 & 35 Eastcheap either in isolation or in cumulative scenarios (see Chapter 8, Section B). We note the findings of the HTVIA are not contested in the representation.</p> <p>Further analysis is provided in: Chapter 6 (pages 31 to 34) Chapter 8 (section C, pages 80 to 86) and Chapter 10 (Views 39A to 39C, 40, 41, 42A to 42E, 44 and 53 to 58).</p>
VS2	<i>Most worrying is the precedent that this building could set, and the harm this would cause to the City in the long term. The Eastern Cluster is located to the north of the site, with a clear separation. 20 Fenchurch Street 'The Walkie Talkie' is an anomaly,</i>	<p>The proposed development would not be a "starting point" for the southward progression of tall buildings (as acknowledged by the comment with reference to 20 Fenchurch Street). The emerging City Plan 2036 seeks to move the Eastern Cluster southwards in its</p>

	<p><i>constructed much further towards the river. It is imperative that this should not be seen a starting point for bringing the front line of tall buildings forward. The cumulative impact of similar development over time would irreversibly alter the character of the City and its significance viewed from the River Thames. Moreover, the impact on some of the most important buildings in London, such as the Tower of London, and Tower Bridge would be considerable.</i></p>	<p>transformation to the City Cluster and this proposal has been in the public domain for longer than the proposed development.</p> <p>Neither the adopted Eastern Cluster boundary nor the emerging City Cluster boundary is envisaged to be hard edges with “clear separation” as suggested in the representation. The site is partially within the area of the City Cluster in the emerging City Plan 2036 and is therefore reasonably referred to in the Planning Statement supporting the application as a “periphery site”.</p> <p>It should be noted that both the adopted City Local Plan 2015 and emerging City Plan 2036 identify the site of the proposed building as outside of areas that are considered inappropriate for tall buildings.</p>
VS3	<p><i>Policy 7.7 of the London Plan states that “the impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings...” Paragraph 193 of the NPPF states that “great weight should be given to the asset’s conservation”. This includes the setting of heritage assets. The construction of this building</i></p>	<p>As stated above in response to VS2, both the adopted City Local Plan 2015 and emerging City Plan 2036 identify the site of the proposed building as outside of areas that are considered inappropriate for tall buildings.</p> <p>The character of the City of London is distinctive for its rich townscape character consisting of both historic and contemporary, often high, buildings. These must be of</p>

	<i>would cause great, and unjustified, harm to a number of heritage assets. This would include those nationally recognised, and those designated by the Council to protect their borough's heritage. The precedent which would be set would only increase this harm, and the principle of such a tall building in this location is therefore insupportable.</i>	the highest architectural quality and sensitivity to their context for this dynamic dual characteristic to be maintained in a balanced way. The proposed scheme has been designed with this duality in mind and a full knowledge of the heritage assets near the site. The juxtaposition of traditional scale historic buildings alongside high quality tall buildings does not in itself constitute harm in such a context as the City. This scheme is considered to be a sensitive, high quality response to its broader and immediate context, in the latter case a group of listed buildings and 20 Fenchurch Street beyond them.
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The Georgian Group

Comment ref	Comment	Response
GG1	<i>The new building will be clearly visible when viewing St Mary Woolnoth Church from the Bank interchange. Currently, the view of the church from this position is largely undisturbed and this enhances the significance of this grade I designated heritage asset, allowing for the two square turrets located on the central tower to be appreciated. The introduction of the 30-storey building will cause harm to the</i>	As stated previously in response to HE5 above, in views of the Grade I listed Church of St Mary Woolnoth, when approaching Bank junction, (View 39A of Chapter 10 of the HTVIA), the viewer is aware of No.20 Fenchurch Street's presence in the background and the more immediate lower office backdrop to this powerful but small church. The proposed development will sit in harmony with the geometry of the Church's west

	<i>setting of the church and also the significance of the church as a landmark within the City of London.</i>	<p>towers while lessening the otherwise overpowering scale of No.20 Fenchurch Street. The busy and hostile vehicular surroundings of the viewpoint make it an unpleasant position for a viewer to stand and appreciate the significance of the Church. In addition, the high quality of design balances out any potential harm due to its visibility from this viewpoint. As the viewer approaches the Church from the front of the Mansion House, or alternatively from Lombard Street, the best views of the Church are experienced within a less busy environment; the development will not be seen in these closer views. It is therefore concluded there is no overall harm to the significance of the Church or the ability to appreciate it.</p> <p>Further analysis is provided in: Chapter 8 (section B, pages 69 to 70) and Chapter 10 (Views 39A to 39C)</p>
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5. NEIGHBOURING AND NEARBY LANDOWNER REPRESENTATIONS

PL 10 S.à.r.l (freeholders of 10 Philpot Lane)

Comment ref	Comment	Response
IMPACT ON HERIAGE AND TOWNSCAPE (COMMENTS TAKEN FROM THE MAIN REPORT AND SUPPORTING LICHFIELDS HERITAGE, TOWNSCAPE AND VISUAL IMPACT REPORT)		
10PL1	<p><i>[The building] falls considerably below the requirement for world class architecture and represents a missed opportunity to enhance the skyline.</i></p> <p><i>In comparison to other landmark buildings in the Eastern Cluster ('the Gherkin', the Grade I listed Lloyds Building and 122 Leadenhall Street ('the Cheese grater'), amongst others), landmark buildings outside the Eastern Cluster (20 Fenchurch Street) and elsewhere in London ('the Shard') which have distinctive and memorable forms with international renown as part of London's skyline, designed by world-renowned architects, there is little to distinguish the proposal for 55 Gracechurch Street from other tall buildings in London's skyline, and the</i></p>	<p>The scheme, by award-winning Fletcher Priest Architects, naturally follows the 'L' shaped site by dividing into two rectilinear forms set at 90 degrees, joined by an expressed ventilation slot. The eastern element is set north-south and is higher by two floors and the western rectangle is set east-west. The stepped skyline, materiality, elevational details and the 'fifth elevation' on top have all been carefully considered to enrich street level views, the City's skyline and upper level views from No 20 Fenchurch's public gallery. The decision to make a simple form with an uncomplicated facade treatment is a result of an early understanding of nearby important heritage assets and potential effects on views. The proposed scheme is considered to be a sensitive response to its heritage context and one of high architectural quality.</p>

	<i>addition to it would be of a form found in many urban skylines throughout the world.</i>	Further analysis is provided in: Chapter 6 (pages 31 to 34) and Chapter 10 (All views) of the HTVIA.
10PL2	<i>Within Brabant Court, the proposed development replaces coherent active, low-rise townscape with a blank wall containing the arched walkway entrance. The wall has been modelled to include a textured, diaper-work pattern within the brick and 'greening' which help to mitigate the starkness of the blank façade. However, when compared to the existing position – that of coherent, active townscape with regular fenestration and clear articulation of elevational hierarchy – the proposed development represents an adverse change to the townscape. The low, narrow window does not reflect the regularity of fenestration characteristic of the courtyard, nor does it relate to the windows of the adjacent listed building.</i>	<p>The proposed development vastly improves the quality of the public realm on Brabant Court with the reinstatement of a historic east-west route from Philpot Lane to Gracechurch Street through a permeable ground floor. The proposed architecture is of a much higher quality than the current building. This is also acknowledged by Historic England (in their letter dated 2nd October 2020) who state that the <i>"proposals would enhance the settings of the listed buildings around Brabant Court"</i>.</p> <p>Further analysis is provided in: Chapter 8 (section B, pages 55 to 57) and Chapter 10 (View 57) of the HTVIA.</p>
10PL3	<i>Both views 42A and B demonstrate how the tower of the proposal sits uncomfortably close to the gilded top of the Monument (which was integral to its original design and therefore significance), competing with, and drawing one's eye away from the Monument, and further decreasing the</i>	As stated above at point 4, the views looking south along Bishopsgate and Gracechurch Street are considered to reveal and draw the viewer's eye to the gilded top of the Monument, which is currently marred by the existing building. The simplicity of the scheme's design in both form and materiality means that it does not compete with the Monument in these views; in fact

	<i>prominence of the listed structure from its current state.</i>	<p>the schemes highlights it through counterpoint.</p> <p>Further analysis is provided in: Chapter 10 (Views 42A to 42E) of the HTVIA.</p>
10PL4	<p><i>The legibility of the church [St Mary Woolnoth] as a landmark, and ability to appreciate its architectural significance, would be considerably decreased as a result of the proposed development appearing behind the two square turrets as seen in View 39A, removing the blue-sky background and adding significant height above the tower in distant axial views of the church's east front. This would decrease the distinction of the towers from the wider mid-rise townscape in the middle ground. While there are other close-up views in which the blue sky background would be preserved, it is the more distant views which particularly contribute to its status as a landmark. In comparison to 20 Fenchurch Street (which appears to the side of, and frames views of, the church's tower), the proposed development appears directly behind it. The fan-shaped roofline of 20 Fenchurch Street enhances the background views of the church as seen in View 39A, creating a stepped transition from the dome of 1 Cornhill to the tower of the church which draws</i></p>	<p>As stated in response to HE5 and GG1 above, in views of Hawksmoor's Grade I listed Church of St Mary Woolnoth, when approaching Bank junction, (shown in View 39A of the visual assessment), the viewer is aware of No.20 Fenchurch Street's presence in the background and the more immediate lower office backdrop to this powerful but small church. The proposed development will sit in harmony with the geometry of the Church's west towers. It also lessens the otherwise overpowering scale of No.20 Fenchurch Street. The partial visibility of the proposed scheme from this view position is not considered to harm the significance of the Church, partly on account of the hostile vehicular surroundings of the viewpoint and as a result of the high quality of the proposed design. As the Church is approached from the front of the Mansion House and, alternatively, approaching from Lombard Street, the best views of the Church are experienced from where its form and detail can be better appreciated; the development will play no part in these views.</p>

	<i>one's eye to its turrets. The proposed development instead adds additional bulk in front of 20 Fenchurch obscuring its curved edge, and behind the church's tower, having a negative effect on the skyline by distracting from the view of the church.</i>	Further analysis is provided in: Chapter 8 (section B, pages 69 to 70) and Chapter 10 (View 39A to 39C) of the HTVIA.
10PL5	<i>As set out in para. 4.17, the intrusion of the proposed development in the background view [of St Magnus the Martyr Church] would reduce the legibility of the Monument in this view, harming the setting of the church.</i>	<p>The visibility of the proposed development in the background of the Monument from the gates of the Church of St Magnus the Martyr (as seen in View 19) would affect the church's wider northern setting but not its significance or the ability to appreciate it. This view is not one identified in the City's Protected Views SPD. Notably, the view from the Queen's Walk on the south bank of the river, an important view in the Protected Views SPD, from where both the Monument and the church are seen in relation to each other is unharmed.</p> <p>Further analysis is provided in: Chapter 8 (section B, pages 50 to 52 and pages 62 and 63) and Chapter 10 (Views 13 and 19).</p>
10PL6	<i>The proposed development sits to the north of the Monument, outside the designated immediate setting' but in the next city block to the north of this designated area. However, while the Protected Views SPD does not identify any panoramas to the</i>	The Protected Views SPD states that the northern views from the Monument, which are not included in the five principal views, are considered to "collectively form a spectacular panorama of diverse City buildings", and "the principal axial views are provided by King William

	<p><i>north which are protected, in practice the panoramic, 360-degree views in all directions from the viewing platform of the Monument are integral to its special interest. Originally, the Monument would have towered over all of the surrounding development. Over time, redevelopment of its surroundings has changed the scale of the surrounding townscape to low/mid-rise buildings, though the consistency of the height of buildings in short- and mid-range views has helped to preserve the ability to view and understand the development of London over centuries. Views from the Monument across the townscape are integral to its significance as they allow the viewer the ability to understand the post-Fire rebuilding of the city centre. The proposal would effectively screen the majority of the Eastern Cluster, including its high-quality and iconic buildings such as 30 St Mary Axe ('the Gherkin') and 122 Leadenhall Street, as well as the Grade I Lloyds Building (causing harm to the ability to appreciate the Grade I building's architectural interest as a result of the loss of ability to view it from the Monument, a key historic viewing location).</i></p>	<p>Street and Gracechurch Street / Bishopsgate, leading the eye into the Bank conservation area and the fringe of the City's Eastern Cluster of tall buildings to the north." The proposed development does not impinge on views to the Bank Conservation Area along King William Street and Gracechurch Street, and the historic townscape remains visible. It obscures most of the Eastern Cluster but introduces a building of high quality architecture which can be enjoyed at close quarters. The loss of the partial upper level view of the Grade I listed Lloyds Building, seen amongst other buildings, would not harm its significance which is best appreciated from street level where its sculptural form and elements can be clearly seen.</p> <p>Further analysis is provided in: Chapter 8 (section B, pages 50 to 52) and Chapter 10 (View 21) of the HTVIA.</p>
10PL7	<p><i>The [Eastcheap] conservation area appraisal notes a number of key views making a strong contribution to</i></p>	<p>It is acknowledged in the HTVIA that the proposed development will result in a significant change to</p>

	<i>the character of the area. An oblique view west along Eastcheap to Nos. 11-19 is noted – this is No. 53 as shown in the HTVIA. The tower appears to project out from behind the façade and roof of No. 19, an awkward and uncharacteristic protrusion introduced into a blue-sky backdrop. This would harm the ability to appreciate the townscape of the conservation area due to the dominance and conspicuousness of the proposed development's tower.</i>	<p>setting of listed buildings within Eastcheap Conservation Area, but the juxtaposition of historic buildings and contemporary buildings is a common phenomenon in the City and the change in setting is not considered to harm the significance of the conservation area or the listed buildings within it.</p> <p>Further analysis is provided in: Chapter 8 (section B, pages 58 to 59 and section C, pages 81 to 82) and Chapter 10 (Views 52 and 53) of the HTVIA.</p>
10PL8	<i>In addition, there would be harm to 2-3 Philpot Lane. The HTVIA notes this is subject to separate application for listed building consent to remove a chimneystack. The building is of significance and architectural interest as a rare survival of a post-Fire house in the City; and the chimney is integral to the historic functioning of the house and is a key part of its architectural character – even if rebuilt (it is not known when). Removal of the chimneystack would therefore harm the special interest and significance of the listed building.</i>	<p>Historic research on the Grade II listed building at Nos. 2-3 Philpot Lane has revealed that the building has undergone extensive change since its late 17th/early 18th century origins. The date of the chimney in relation to the original house is set out in the Heritage Statement that accompanies a separate LBC application (ref: 20/00769/LBC). Its loss is not considered to harm either the significance of the listed building or that of the Eastcheap Conservation Area in which it lies.</p> <p>Further analysis is provided in: Chapter 8 (section B, pages 55 to 57) and Heritage Statement for Listed Building Consent, October 2020.</p>
10PL9	<i>[The building] does not take account of the character of the surroundings, notably the prevailing scale of</i>	It is acknowledged that the proposed design is for a tall building within a townscape that includes lower, small

	<i>development in the three adjacent conservation areas and other non-designation but complementary townscape on Gracechurch Street.</i>	<p>scale historic buildings within nearby conservation areas. This is typical of the townscape character of the City, which is distinctive for its mix of historic and contemporary buildings, reflecting its history of continual change. The proposed design has taken this fully into account. Also see response to comment 10PL16 below.</p> <p>Further details can be found in the Design and Access Statement and Chapter 6 (pg 31-34) of the HTVIA which summarises the key principles and details of the design.</p>
10PL10	<i>[The building] creates a substantial and alien protrusion in the centre of the city block in an area of low/mid-rise courtyard character which is uncharacteristic of the townscape.</i>	The response to 10PL9 applies to this comment.
10PL11	<i>[The building] affects the quality of townscape views on the ground and screens existing views of dynamic and varied townscape/roofscape and buildings of the highest significance as seen from The Monument.</i>	<p>It is considered that townscape views at street level are improved as a result of the high architectural quality of the proposed design, as demonstrated in the visual assessment within Chapter 10 of the HTVIA. Only in one case is an adverse effect identified namely, the view of the Grade I listed Monument from the gates of the Church of St Magnus the Martyr.</p> <p>The view from the Monument retains views of the historic townscape of the Bank Conservation Area. It</p>

		obscures the Eastern Cluster but allows viewers to enjoy the high quality of the proposed design at close quarters. The comments in response to 10PL6 applies here.
10PL12	<i>[The building] would cause harm to the significance of a number of the heritage assets of the highest importance including the Grade I Church of St Mary Woolnoth, the Grade I Church of St Magnus the Martyr, the Grade I Monument and the Grade II* 7 and 8 Philpot Lane.</i>	This comment has been addressed in response to comments 10PL2, 10PL3, 10PL4 and 10PL5.
10PL13	<i>[The building] would result in harm to the character of a small portion of the Eastcheap Conservation Area and harm more widely to its setting (including harm to the setting of Grade II Brabant Court), as well as harm to the significance of the Grade II 2 and 3 Philpot Lane due to the impact upon its setting and removal of its chimneystack. There would also be harm to the setting of the Leadenhall Market and Bank Conservation Areas.</i>	This comment is addressed in response to comments 10PL7 and 10PL8. It is to be noted that HE consider the proposals to enhance the settings of the listed buildings around Brabant Court. The building would further improve the character of Eastcheap Conservation Area by replacing a narrow lightwell with an enlarged planted publicly accessible space, where the proposed building steps back from the existing building line, to outside the conservation area boundary.
10PL14	<i>For the reasons set out in the Lichfield's Review, we do not agree with a range of the findings of the Heritage, Townscape and Visual Impact Assessment ("HTVIA") and have concerns as to the balanced and objective consideration of the findings of the assessment. In addition the HTVIA appears to</i>	The HTVIA assessments have been carried out based on a detailed and accepted assessment methodology (Chapter 2 of the HTVIA). It sets out analysis for heritage assets in a proportionate manner (as required by para 189 of the NPPF) identifying specific aspects of significance and assessing whether any of those aspects

	<i>underplay the impact of the proposed development on the setting of a range of other very important heritage assets.</i>	of significance or the ability to appreciate that significance is affected.
10PL15	<i>It is, for these reasons, clear in review of the HTVIA submitted with the planning application that the proposed development will, at the very least, cause less than substantial harm, to the character of a range of heritage assets by virtue of its height, form and design and does not satisfy a number of key requirements of Policy CS14. The proposed rectangular interconnected design falls well below the required standard of world class architecture and would clash with those buildings that do meet this standard in the immediate vicinity.</i>	The assessments in the HTVIA show that the proposed development does satisfy all the requirements of the Policy CS14. The proposed design has taken full account of the history of the site and its immediate surroundings, the current character of this part of the City including the settings of heritage assets, and has been sensitively designed to improve the quality of public realm through a permeable ground floor and the enhancement of adjacent open spaces (also listed in the response to 2PL5 below). It is not in an area considered inappropriate for tall buildings as defined on the Policies map. Further analysis of the design approach and qualities of the design are set out in Chapter 6 of the HTVIA and the DAS.
10PL16	<i>Whilst the applicant makes reference to and acknowledges major change to the skyline composition as a consequence of the development, it fails to grapple with the specific terms of [Policy DM10.1 of the adopted Local Plan]. As a consequence, very limited reference to massing, form and scale is included in the HTVIA.</i>	The bulk and massing of the scheme responds directly to the position of the site at the south-western edge of the emerging City Cluster and to the west of 20 Fenchurch Street. It responds to the historic grain of the City and indeed restores the specific historic lanes thereby creating an enriched pedestrian permeability. The podium element not only follows the traditional parapet line of Gracechurch Street but assists in

		improving views of the Monument as they are revealed moving south along Gracechurch Street (Views 42A to 42E). While the two tower elements express a contemporary architecture with vertical texture to their surfaces, the podium is of masonry and is skilfully composed in proportion and scale to traditional Gracechurch Street frontages. Where the building faces courtyards to the north and east, it responds with an architecture appropriate to each condition.
10PL17	<i>This approach, to put it at its lowest level, oversimplifies the townscape and visual assessment process by failing to fully grapple with the requirements of Policy DM 10.1. As a consequence, the assessment fails to provide any detailed and proper consideration of the “general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality” and then falls short of adequately explaining the proposal’s contribution of the development to “the character of streets, squares, lanes, alleys and passageways”. It is our opinion that this is a failure of the submitted assessment and that the requirements of Policy DM 10.1 remain to be properly addressed by the applicant.</i>	This comment is a repeat of 10PL16 and has been addressed in the responses to 10PL15 and 10PL16.

10PL18	<i>We believe, in any event, that any robust and effective assessment of the planning application against planning policy would demonstrate that the proposed development will dilute and harm the special architectural qualities and distinctiveness of the City of London.</i>	The special architectural qualities and distinctiveness of the City of London lie in its rich palimpsest of new and old, small scale and large scale, and world-class architecture. It is considered that the proposed development is a fitting high-quality response to this character of the City and will enrich its townscape.
10PL19	<i>In short, we consider that the planning balance when considered through the lens of established and emerging policy is very firmly tipped against the planning application proposal.</i>	The proposal includes numerous benefits which include the addition of high quality architecture to the City's townscape, the increased permeability through the site, reinstating historic east-west links and opening up the potential for new north-south links, improved public realm, high quality mixed-use spaces, and a 6 th floor publicly accessible garden and walkway allowing views to historic monuments to the east, south and west. The public realm improvements are set out in more detail in the response to point PL2 5 below.
Adequacy of the Environmental Assessment		
10PL20	<p><i>It is not currently clear whether the submitted Environmental Statement adequately considers and assesses the proposed development.</i></p> <p><i>The application documents, including the Environmental Statement, all refer to the proposed development as being office led (Class B1) with flexible retail use (Classes A1-A5) at ground and first</i></p>	<p>It is noted that the text does not expressly state that there is an issue, but rather raises two points which we summarise as follows:</p> <p>(i) An assertion that the amendment to the description to include reference to Class E enables a</p>

<p><i>floor. The impact of the proposed development has therefore been assessed against these proposed uses to determine whether it is acceptable and appropriate in this location.</i></p> <p><i>Paragraph 5.4 of the Planning Statement explicitly states that notwithstanding the recent amendments brought forward in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the planning application is to be determined in accordance with reference to the Use Classes as defined in the Town and Country Planning (Use Classes) Order 1987 as at 31 August 2020.</i></p> <p><i>Notwithstanding the above, the City of London's planning website has amended the description of the proposed development so that it no longer refers to the Use Classes Order as at 31 August 2020 but refers instead to the new Use Class E that came into force on 1 September 2020. The changes of use permitted through the creation of Class E represent a marked change from the previous position, and amending the description of the development in this way would allow a significantly different range of uses to that stated in the application and which</i></p>	<p>wider range of uses than that those stated in the application, and those assessed in the ES.</p> <p>(ii) A challenge to the City to ensure they are satisfied the ES and other assessments comprised in the application remain suitable in light of the asserted effect of the amended development description.</p> <p>Looking at these in turn:</p> <p>(i) The assertion that a wider range of uses may be permitted is not borne out when reviewing the new description. The wording retains the same clear and express 'descriptions' of the specific uses being clearly sought in application documentation (office, flexible retail (including drinking establishment and hot food takeaway), viewing gallery, and terrace). It does not state or purport to state that the development seeks unrestricted Class E business and commercial uses. The additional Use class 'labels' merely reflect the appropriate Use Class most closely aligned to the specific uses being sought by the development and reflects the Use Classes on the date on which the City determined the application to be valid, 1st September 2020. The floorspace figures accurately reflect those detailed in the application submission. Based on the</p>
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	<p><i>formed the basis of assessment in the Environmental Statement.</i></p> <p><i>As a result of the above inconsistency the City of London need to determine that the Environmental Statement, as well as other assessments, submitted as part of the application are suitable following the amendment to the description of development and continue to adequately assess the proposed development.</i></p>	<p>description (even as revised), it will be necessary to carry out, complete and bring into use the specific uses as set out in development description and in accordance with the approved plans. Only after that has taken place, would the user of the building potentially benefit from the revised Use Class Order to effect changes of use without the need for additional express consent (save where these might otherwise be restricted by specific planning conditions). This sequence would apply equally under the original description submitted with the application as it would under the amended description. In other words, the consequence of the revisions would not be that the whole building could from the outset be developed and opened in alternative Class E uses, though the changes in the UCO would affect future changes of use as they do for any property.</p> <p>(ii) The application documentation including the Environmental Statement is based on the actual uses proposed, namely office, flexible retail space and public terrace uses. On the basis that the change to the description of development has not actually changed the uses which are being sought by the application, this is not considered to be an issue.</p>
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		<p>On the basis that both descriptions represent the same proposals and are consistent with what actual uses are applied for and assess in the ES – and noting that the City’s validation date is the 1st September (after the Use Class Order Amendments took effect) – we do not consider that there is any need to revert back to using the previous use classes in the description of development nor are any amendments to submitted documents required.</p>
TRANSPORT AND SERVICING		
10PL21	<p><i>The pedestrian network in the vicinity of the proposed development is heavily congested, as identified in the Pedestrian Comfort Level (PCL) assessment. The proposed development will put an additional burden on this infrastructure and whilst the proposal seeks to mitigate this impact through the relocation of the existing bus shelter, this does not appear to be a practical solution for a number of reasons. Should the bus stop not be on the side of the road, as is standard, there is an increased likelihood of not being able to flag the bus to stop. There is also a concern as to the general visibility of the revised location for bus users to stand and to wait without causing obstruction to pedestrians. Of</i></p>	<p>The PCL assessment focuses on a worst-case narrow point opposite the proposed development. The proposal has a limited area of influence as the site has a 14m wide frontage to Gracechurch Street and the pavements increase in width to the north and south of the site.</p> <p>Whilst it is acknowledged that this area accommodates high pedestrian volumes, the PCL assessment concluded that the proposed development would deliver an improvements in future baseline scenarios, generally improving PCLs through the reinstatement of historic routes through the site.</p>

	<p><i>the most significance is the likelihood that users of the relocated bus shelter will have to make conflicting movements across the footway and the flow of pedestrians so as to access the bus in a timely manner, a problem that will be compounded for users with mobility or disability concerns.</i></p>	<p>The bus stop relocation is considered to be a positive solution which merits further investigation, however, it is not formally proposed and the proposal could be subject to future discussions/agreement with TfL and City of London Highways as expressed in response to TfL comments. This exercise could be supported by further PCL assessment if required and it is noted that the footway in this location has been widened since the submission of the planning application.</p> <p>The PCL assessment finds that the proposed development would deliver an acceptable impact in future baseline scenarios, generally improving PCLs through the reinstatement of historic routes through the site.</p> <p>The bus stop relocation is considered to be a positive solution which merits further investigation, however, it is not formally proposed and the proposal could be subject to future discussions/agreement with TfL and City of London Highways as expressed in response to TfL comments. This exercise could be supported by further PCL assessment if required and it is noted that the footway in this location has been widened since the submission of the planning application.</p>
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10PL22	<p><i>The transport documents identify that the proposed development will be serviced using Talbot Close (sic), which will utilise two relatively small vehicle lifts as part of the ground floor public realm for use overnight. It is understood that the proposed lift sizes will provide a maximum vehicle length of 7.21m for the service of up to a 7.5 tonne panel van which results in very little clearance for anticipated vehicles to access the lift and a constrained layout at basement level which requires onerous turning manoeuvres. There is a clear practical concern that if the lifts are not easy to access or use, it may result in delivery vehicles not using the loading facilities at all, and instead unloading on Talbot Court and simply using the lifts for the movement of goods – a practice which we understand is commonplace at the moment. Not only could such a use lead to congestion on Talbot Court, which serves other uses such as the public house, it could result in safety issues with vehicles reversing into Talbot Court across the footway from Gracechurch Street, with the associated highway safety risks. There appears to be a general lack of contingency planning should the proposed servicing arrangements not be available for any reason.</i></p>	<p>The Applicant is committed to overnight servicing from 11pm – 7am (potentially 9pm – 7am Sunday and Monday) and expects a planning condition/obligation in this regard which would apply to future occupants. This will ensure deliveries are restricted to overnight, save for any made by cargo bike which would have a dedicated space within the building.</p> <p>It is proposed that servicing vehicles will be required to service the building from within the site and forward entry and exit manoeuvres are proposed. The proposed servicing facilities have undergone extensive design development and analysis. Momentum has demonstrated to both CoL and TfL that:</p> <ol style="list-style-type: none"> 1. the development can feasibly be serviced with smaller vehicles. 2. The space provided will allow for vehicles to access the loading areas with appropriate clearances provided. 3. Extensive contingency planning has been produced and documented in the comprehensive DSMP document which covers low probability events such as lift malfunction and contingency measures of how the site would be serviced on those rare occasions. In this
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		<p>regard, we disagree with the statement that there is a lack of contingency planning, noting TfL and CoL has confirmed that we have suitably addressed contingency concerns.</p> <p>Concerns have been raised regarding safety, however, the development will accommodate all vehicles on site and furthermore – overnight which removes vehicles currently servicing the site.</p>
10PL23	<i>It is also noted that the servicing assessment submitted is based on Net Internal Area, although a sensitivity test based on Gross External Area, the assessment indicates that the number of daily deliveries exceeds the theoretical capacity, being 48 daily servicing movements.</i>	<p>As noted within the DSMP, this sensitivity test was requested by CoL for reassurance. Also as noted within the DSMP, there would be three cargo bikes provided on-site, which are not considered within the servicing assessments, as well as the ability to extend servicing hours beyond the proposed eight-hour servicing window on Sundays and Mondays. Together there would be sufficient capacity to accommodate the demand generated by the sensitivity test.</p> <p>CoL has accepted the 48 daily servicing movements as a worst case and that the proposed contingency planning would address the potential for this level of demand to occur.</p>
10PL24	<i>With regard to trip generation potential of the proposed development, it is not clear why a survey of</i>	The trip rates applied within the assessments were presented to CoL and TfL at the pre application stage.

	<i>the existing site has not been undertaken and this should be clarified by the applicant. The trip generation is set out in section 5.3 of the Transport Assessment and is not split between uses and therefore it is difficult to understand the data and how the total trip generation has been calculated, which should also be clarified by the applicant. In light of the uncertainties identified above, further investigation of the site selection process within TRICS is required as it is not clear if the applicant has provided a like for like comparison of existing and proposed office uses. From an initial review, it appears as though an assessment may have been undertaken for the existing office based on floorspace and the proposed office based on number of employees. Further clarification is required.</i>	Office number estimates were referred to in order to validate the trip generation figures for the office component of the development and confirmed that the numbers were reasonable.
10PL25	<i>Finally, we note that a Healthy Streets Checklist assessment does not appear to have been provided. This is typically required by the GLA for highways/public realm works greater than around £100,000 in value. As such, we would be grateful if further details could be provided as to why a Healthy Streets Checklist assessment has not been provided.</i>	An Active Travel Assessment was included as part of the Transport Assessment. The public realm works are subject to detailed design and a Healthy Streets Checklist would be provided at a later stage if required by TfL. TfL has not requested a Healthy Streets Checklist Assessment.
WIND IMPACTS		

10PL26	<i>A request to provide a comparison of the simulated atmospheric boundary layer in the wind tunnel with the output from the wind climate model of the proposed development site for consistency with the City of London Guidelines. If any mismatch between the target and the measured profile should be present, commentary should be provided on the relevance of this mismatch to the results of the wind tunnel study.</i>	The simulated boundary layer in the wind tunnel was generated to closely match that of the Proposed Development Site in line with the methodology and atmospheric boundary layer profile set out in the City of London Wind Microclimate Guidelines. The wind tunnel profiles used by RWDI are proprietary, having been developed to ensure close conformity to the atmospheric boundary layer for a wide range of urban and suburban environments.
10PL27	<i>A request to provide the blockage ratio for the worst case configuration (most build up/worst wind direction) for wind tunnel tests to demonstrate compliance with the City of London Guidelines and confirmation as to how blockage is calculated.</i>	An open wind tunnel was used for the wind tunnel assessment (as opposed to a closed return wind tunnel), with the model sitting outside of the wind tunnel mouth (please refer to Figure 11.1 of Chapter 11: Wind Microclimate). As such, the blockage is not significant as the flow is not constrained by working section walls.
10PL28	<i>A request to provide a short report showing and discussing the comparison between the CFD and wind tunnel results submitted. It is noted that the results of the wind tunnel studies and CFD studies are presented separately. In particular ES Chapter 11 only contains the results of the wind tunnel studies. While it is acknowledged that the full set of information for the peer review might have been documented, it is impractical to review two separate</i>	Plots displaying the wind conditions are shown in both the CFD and Wind Tunnel reports and can be compared. Specific clarifications can be provided if requested. The windiest season in the RWDI wind tunnel assessment is the winter season, and therefore the plots for the windiest season in the wind tunnel assessment and winter season in the CFD plots can be compared.

	<i>documents that present results in different ways. For instance the results of the wind tunnel studies are presented for the windiest season while those of CFD studies for the winter season. The reviewer cannot assume that this be the same without confirmation from the respective wind consultants.</i>	
10PL29	<i>Confirmation that the final configuration of the building and the surrounds/landscaping analysed through CFD and wind tunnel studies correspond to the latest building design.</i>	RWDI and Wirth confirm that the building and the surroundings/landscaping analysed in wind tunnel and CFD studies represent the latest proposed development.
10PL30	<i>A request for the description of the methodology adopted for the CFD studies to include all relevant input parameters (for example methodology, number of cells, profile etc). The appropriateness of the CFD study cannot be reviewed as the report mainly presents the results of the study.</i>	Please refer to Appendix A for a technical summary prepared by Wirth.
DAYLIGHT AND SUNLIGHT IMPACTS		
10PL31	<i>Anstey Horne have identified that there would be a material impact upon daylight [of No 10 Philpot Lane] which is not surprising as the proposed scheme will present a 30 storey obstruction, the width of which will extend across the full extent of the rear boundary of our building and significantly beyond, to that a number of windows will face a continuous 30 storey wall of obstruction.</i>	<p>GIA assesses that 10 Philpot Lane is not in residential use by virtue of no council tax entries being shown on the VOA website. This is confirmed in the representation.</p> <p>As set out within the Environmental Statement Chapter for Daylight and Sunlight; commercial spaces such as offices and retail areas are not considered sensitive</p>

	<p><i>In particular, we are concerned with the impacts of the proposed development on the offices on the lower floors of our property that are lit through windows in two facades of a small lightwell. Some of the rooms served by those windows are not well lit in the existing condition and the proposed development would virtually obliterate that existing light, leaving them with little or no natural light. One or two floors above that have a greater level of existing light and that too will be virtually obliterated in certain rooms. These impacts will definitely impact upon the use and enjoyment of the relevant office space. In effect, the development entirely ignores the windows in our property.</i></p> <p><i>The impact upon our building was scoped out of the daylight and sunlight assessment undertaken by GIA on behalf of the applicant. In Anstey Horne's opinion our building should have been included because of its close proximity to the site, but absent a technical assessment from GIA at present it is still clear and evident that any reductions in daylight are likely to be materially beyond the 20% guideline set out in the BRE document.</i></p>	<p>receptors and are therefore not assessed, an approach that is industry standard and recommended by BRE Guidelines: Site Layout Planning for Daylight and Sunlight 2011, A Guide to Good Practice (Section 2.2). The adopted and emerging Development Plan do not require assessment of daylight and sunlight impact to commercial properties.</p> <p>We would also note that the proximity to the site has no bearing on which properties are assessed, as this is solely based on sensitive receptors as detailed above.</p>
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Store Property Investments Limited and City Apartments Limited (freeholder and leaseholders of 2-3 Philpot Lane, with matching representations)

The table addresses all relevant comments contained in each of the representations submitted by Lambert Smith Hampton on behalf of Store Property Investments Limited and City Apartments Limited.

Comment ref	Comment	Response
Principle of the Proposed Development and Design		
2PL1	<p>Policy D9 of The Intend to Publish Draft London Plan outlines a wide range of criteria to be assessed against including definition; locations; impacts; and public access. Policy D9 allows Local Planning Authorities to set the definition of tall buildings and where they are located. In Development Plans, tall buildings should be identified on maps and should only be developed in locations that are identified.</p> <p>In accordance with Policy D9 of the Intend to Publish London Plan, the City of London Corporations "Core Strategy Policy CS14: Tall Buildings" sets the</p>	<p>The adopted City Local Plan 2015, at paragraph 3.1.4.1 defines tall buildings as <i>"those which significantly exceed the height of their general surroundings"</i>. It is acknowledged that by this definition the proposed development is a tall building.</p> <p>The proposed building is not sited in an area considered inappropriate for tall buildings in either the adopted City Plan 2015 or the emerging City Plan 2036 and therefore the City's position is that it will permit tall buildings only on sites that are considered suitable in the context of the City skyline, the character and</p>

	<p>suitability criteria for the development of tall buildings in the City. The policy states that the City of London will support <i>‘tall buildings of world class architecture and sustainable and accessible design in suitable locations and to ensure that they take full account of the character of their surroundings, enhance the skyline and provide a high quality public realm at ground level’</i> subject to four key criteria, including being situated on suitable sites in the City’s Eastern Cluster; refusing permission for tall buildings in inappropriate areas; only allowing proposals for tall buildings on suitable sites which have regard to the City Skyline, the character and amenity of neighbouring buildings and its impact on heritage assets.</p> <p>The emerging City Plan “Strategic Policy S12 (Tall Buildings)” states that <i>‘tall buildings with world class architecture and sustainable architecture will be encouraged on suitable sites, having regard to a range of criteria’</i> which includes effect on the skyline, character and amenity of the surroundings, impact on heritage assets, the provision of high quality public realm and environmental impacts.</p>	<p>amenity of their surroundings, including the relationship with existing tall buildings, the significance of heritage assets and their settings and the effect on historic skyline features. Emerging Policy S12 seeks to add additional criteria as noted in the representation.</p> <p>The Planning Statement clearly acknowledges the site’s position in relation to the adopted Eastern Cluster and emerging City Cluster and the justification for the proposed development is not based on an erroneous assessment of the location of the site in relation to these features. The assessment of the acceptability of the proposed development is correctly considered in line with relevant tests for sites outside of areas inappropriate for tall buildings. There are examples of tall buildings being considered to be acceptable outside of the Eastern Cluster within the City of London, including most recently the scheme at site bounded by Fenchurch Street, Mark Lane, Dunster Court And Mincing Lane (19/01307/FULEIA), which occupies a similar proximity to the Eastern Cluster and on 14th May 2020 received a Resolution to Grant Planning Permission for a 165.1m AOD tower.</p>
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	<p>With the submitted Planning Statement, the applicant appears to place great weight of spatial planning acceptability and justification on the basis that the proposals are in general conformity of the Eastern Cluster Policy Area, outlined within the Local Plan and the site being located within the “City Cluster” of the emerging City Plan.</p> <p>It is important to note that the site is not located within the ‘Eastern Cluster’ Policy Area or located wholly within the ‘City Cluster’ and therefore does not automatically have the policy weighting to support taller buildings on suitable sites. Weight cannot be afforded to the content of these policies (Eastern Cluster Policy in the adopted plan or City Cluster Policy in the emerging City Plan) as the site is not located in these areas.</p> <p>The applicant also points to 20 Fenchurch Street as being precedent for tall building development outside of the core development areas, however this site is considered to be an outlier when compared to the direction of travel within emerging policy documents.</p>	<p>The representation suggests that the proposed development could inhibit the redevelopment of renewal opportunity sites to the north as identified in the City Plan 2036. Firstly, the site is considered to be partially within the renewal opportunity site. Secondly, the applicant team refute any suggestion that the ability to redevelopment sites to the north would be impeded and note that no reasoning is supplied for this assertion. The proposed development retains the historic pattern of streets in the vicinity including St Benet’s Place, which lies between the proposed development and Allianz House to the north, meaning separation would be maintained. The proposed development is actually cognisant of future development opportunity sites, for example through making an allowance for a future pedestrian link through the “northern courtyard” subject to the agreement and action of neighbouring landowners.</p> <p>It should be noted that the proposed building does not cover the very small part of the site that lies within the Eastcheap Conservation Area, an area considered inappropriate for tall buildings. Instead, this area is proposed for an attractive courtyard that makes better use of a currently inaccessible space.</p>
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	<p>Sites adjacent to the application site, however, are within the 'City Cluster'. The draft City Plan 2036 states that all of the City of London is sensitive to development of tall buildings and the City Cluster represents the most appropriate area for encouraging tall buildings in the City. Strategic Policy S21 (City Cluster) states, amongst other things, that delivering tall buildings on appropriate sites, including on "Renewal Opportunity Sites" will be encouraged. The City Cluster policy map identifies the surrounding plots of land as "Renewal Opportunity Sites". This presents a significant and compelling case not to allow a tall building in this location as it will firstly impede on the neighbouring "Renewal Opportunity Site" to come forward in a comprehensive form through an end-of block development but also result in a development which is located out of the area which is considered to taller buildings (i.e. The City Cluster).</p> <p>Additionally, the site lies partly within the Eastcheap Conservation Area. Whilst it is argued that the tallest elements of the building are not located within the CA, the wider impacts and association of this location has not been fully considered and the</p>	<p>The small part of the site that falls within the Eastcheap Conservation Area is currently occupied by a thin slither of the existing building and an inaccessible lightwell. The replacement of the existing building with the proposed building, which steps back from the current building line and will be outside the conservation area boundary, would result in the opening up and enlargement of this space for public use. This is set out in more detail in the DAS Addendum.</p> <p>The presence of 20 Fenchurch Street is not used as justification for the proposed development and is clearly referred to as an outlier to the Eastern Cluster in the HTVIA, however, the relationship with 20 Fenchurch Street and the contribution of the scheme to its setting is correctly considered throughout submission documents.</p> <p>As previously stated at 10PL2, there is considered to be no harm to the settings or significance of neighbouring listed buildings on Brabant Court which lie within the Eastcheap Conservation Area.</p>
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	<p>proposal has not appropriately demonstrated that it does not impact on the setting or relationship with the Conservation Area and surrounding buildings. This is discussed in more detail within the Heritage Representation by Cogent Heritage.</p> <p>In summary, and contrary to the applicants planning statement, the location of the site does not fall into an area that is readily accepted to accommodate a tall building and therefore the applicant must demonstrate acceptability across a range of criteria. This is discussed below.</p>	
TALL BUILDING JUSTIFICATION		
2PL2	<p><i>[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 1 - “the potential effect on the City skyline, the wider London skyline and historic skyline features”]</i></p> <p><i>The applicant has produced HTVIA and Design and Access Statement which has sought to demonstrate the impact of the proposed building on the City skyline. In many views outlined within the HTVIA, the proposal would continue the merging of the historical elements of the city southwards,</i></p>	<p>The proposed scheme is considered to relate successfully to the larger scale and taller buildings of the Eastern Cluster to its north by way of its lower height, restrained architectural expression and subtly stepped profile which is appropriately deferential to the more animated architecture and skyline of the Eastern Cluster buildings. It is evident from the visual material provided in the HTVIA that it does not detract from the Eastern Cluster buildings or interfere with any protected historic skyline features.</p>

	<p><i>presenting a solid mass of building when assessed against 20 Fenchurch Street and the cumulative scenario. This is especially prevalent in views from Butlers Wharf (View 10) and City Wharf (View 11). In many ways, the siting of the proposal is unfortunate, as 20 Fenchurch Street presents a significant and overbearing mass of a building which 55 Gracechurch Street adds to. It is clear that, when assessing the proposals from a distance, this part of the City should be dropping away in height significantly, especially when the height of 70 Gracechurch Street is taken into consideration. There is also the pertinent issue of view 19 in particular, which has a significant adverse impact on the setting of the Monument. Historic England has raised this as a significant concern within their objection letter of 2 October 2020. It is also the view of our client that the proposals cause significant harm to the City skyline and historic skyline features.</i></p>	<p>In the case of the Grade I listed Monument, where an adverse effect is acknowledged in the view from in front of the Church of St Magnus (not a view specified in the Protected Views SPD), its capital with gilded top and its skyline are unaffected.</p> <p>In response to harm in the other views listed here, previous comments made in response to HE1 to HE9 and 10PL11 and 10PL12 apply.</p>
2PL3	<p><i>[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 2 - “the character and amenity of their surroundings,</i></p>	<p>As in the previous response at 2PL2, the proposed scheme is considered to relate successfully to the larger scale and taller buildings of the Eastern Cluster by way of its lower height and restrained architectural expression. The proposition of a high building on this</p>

	<p><i>including the relationship with existing tall buildings”]</i></p> <p><i>The proposed building is located mid-terrace (block) and would present a tall building directly adjacent to mid-rise city blocks which is at odds with the fabric and grain of the existing buildings. The City has very successfully accommodated tall buildings, with exemplar architecture and high quality urban design across many sites in the City. There are numerous examples of where tall buildings have a successful relationship with the existing streetscape and townscape, provide ample open space and pedestrian movement and result in high-quality urban and spatial relationships with neighbouring buildings and development plots.</i></p> <p><i>In the case of 55 Gracechurch Street, the oppressive nature of the height and the direct relationship with neighbouring buildings is in direct conflict to the scale and grain of the existing setting. The narrow alleyways of Brabant Court, Talbot Court and St Benet’s Place are unable to give the space required at the base of the building to result in a high</i></p>	<p>site is premised on the fact that 20 Fenchurch Street can be better integrated into the cityscape by the introduction of slightly lower buildings surrounding it, thus modifying its overt and unfortunate isolation. The proposal is therefore considered to be a positive addition to this part of the City.</p> <p>The lower podium level, separated from the tower by the 6th floor garden terrace/walkway on the west, and set back from the podium on the east, creates a visual separation that allows it to relate successfully to the existing streetscape, while the architectural treatment of the street and courtyard facades have been derived from their particular architectural character and spatial conditions, along with historical references. The high level of permeability of the ground floor allows it to ‘extend’ and connect the narrow alleyways while retaining their alleyway/courtyard character; this is a distinct improvement to the current condition without diluting their special character.</p>
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	<p><i>quality environment. The proposals, therefore, appear cramped.</i></p> <p><i>The relationship with 20 Fenchurch Street is awkward, sitting slightly forward and when viewed from the south, presenting a mass of building which is oppressive, and detracts from the existing skyline which presents a collection of different designs and an interesting array of architectural style.</i></p> <p><i>All of this results in a proposal which is dominant and lacks any kind of positive relationship when considered against the current character of the area and existing tall buildings.</i></p> <p><i>Regarding amenity, the proposals have failed to assess the impacts on neighbouring properties and entrance spaces, which are discussed later in this objection.</i></p>	
2PL4	<p><i>[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 3 - “the impact on the significance of heritage assets and their immediate and wider settings”]</i></p>	<p>As previously set out in response to comments VS3 and 2PL3, a mixed urban character encompassing old and new, small and large scale, the historic and contemporary is part of the City’s distinctive townscape. The juxtaposition of traditional scale historic buildings alongside high quality tall buildings</p>

	<p><i>See section 4 and the associated Heritage Objection for a summary of the impact of the proposals on the significance of heritage assets.</i></p> <p><i>The proposals introduce a tall building into this predominantly courtyard area, immediately adjacent to listed buildings which are discussed in more detail later within this objection. The proposed development would appear out of place and at odds with its surroundings, significantly impacting on the ability to appreciate the architectural significance of the neighbouring listed buildings.</i></p> <p><i>It is also considered that the proposal adversely impacts on the Eastcheap Conservation Area by virtue of its dominance and overbearing nature. In summary, allowing development on this mid-block site would begin the erosion of the finer grain, historic elements of the City and present an overbearing development with little consideration of the relationship or respect of neighbouring heritage assets including Statutory Listed Buildings and Conservation Areas.</i></p>	<p>does not in itself constitute harm in such a context as the City. The proposed development would add a contemporary building of high architectural quality which complements through contrast the special interest of the neighbouring listed buildings, in particular those on Brabant Court.</p> <p>It does not erode the historic grain, in fact it restores it through the reinstatement of the historic east-west route from Philpot Lane to Gracechurch Street, complemented by the permeable ground floor, and offers the potential for a north-south connection.</p> <p>The responses to comments at CAAC1 and VS1 apply here in relation to the effects on the Eastcheap Conservation Area.</p>
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	<i>The adverse impact on adjacent listed buildings would be significant.</i>	
2PL5	<p><i>[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 4 – “the provision of a high-quality public realm at street level”]</i></p> <p><i>See the following sections for further details assessment relating to urban design, public realm and movement.</i></p> <p><i>In summary, the proposal does not provide high-quality public realm at street level. It is hemmed in from all directions aside from the west and the narrow streets and lanes it sits adjacent to are woefully inadequate to cope with 30 storey building with no set-off or appreciation for the existing context.</i></p>	<p>The applicant team strongly contest the assertion that the proposed development does not provide high quality public realm in the context of its mid-terrace position. The street level public realm provides generous routes and widths to cater for the anticipated footfall through the site while providing a significant contribution to public realm as follows:</p> <ul style="list-style-type: none"> – A west-east historic permissive route through the site would be reinstated, connecting St Benet’s Place and Talbot Court to Brabant Court. The form and arrangement of this route reflects modern requirements in terms of generous widths and accessibility whilst building upon the unique character of the City of London with its network of ginnels and alleyways; – The ground floor plane would have considerable public access; – Provision is made for potential future north-south permissive routes through the site subject to future discussions/agreement with neighbouring landowners;

		<ul style="list-style-type: none"> – Creation of a new publicly accessible courtyard (the south east courtyard) in a currently inaccessible area; – Significant improvements to the perceived nature of Talbot Court by providing a pedestrian-focused streetscape (resurfacing, , active frontages); – Significant improvements to the public realm in St Benet’s Place (resurfacing and activation); – Significant improvements to the public realm in Brabant Court (activation); and – Improvements to Gracechurch Street (resurfacing, Talbot Court junction improvement).
2PL6	<p><i>[Test of compliance with adopted City Local Plan 2015 Policy CS14 (Tall Buildings) and emerging City Plan 2036 Policy S12 (Tall Buildings) – criteria 5 – “the environmental impact the tall building may have on the surrounding area, including the capacity of the City’s streets and spaces to accommodate the development”]</i></p> <p><i>See sections 5 and 6 for an assessment against the submitted Daylight, Sunlight and Overshadowing Assessment and Wind and Microclimate Report.</i></p>	Comments addressed separately in direct response to daylight/sunlight and wind microclimate comments.

	<i>In summary, the application documentation fails to adequately assess the environmental impacts on neighbouring buildings and therefore cannot be considered to be robust.</i>	
2PL7	<p><i>[Test of compliance with Policy D9 of the Intend to Publish New London Plan – visual impact]</i></p> <p><i>The mid-range and short-range views of the proposal highlight the buildings failure to respond positively to the form and proportions of the surrounding neighbourhood.</i></p> <p><i>In particular, the proposal has a limited relationship with the street and lacks pedestrian scale and character in particular.</i></p> <p><i>The proposal does not reinforce the spatial hierarchy of the area, falling outside of the designated area promoted for the development of tall buildings. This results in an edge of cluster development which fails to positively respond to the character of the area.</i></p>	Responses to comments VS1, VS3, 10PL16 and 10PL18 apply here.
2PL8	<i>[Test of compliance with Policy D9 of the Intend to Publish New London Plan – functional impact]</i>	The fire escape over 55 Gracechurch Street is currently bricked over and inaccessible.

	<i>The proposal will have clear functional impacts on neighbouring properties, principally as a result of removing the fire escape to 2 – 3 and 5 Philpot Lane. The opening of routes around and across the site are likely to have a detrimental impact on neighbouring properties so the public benefit of this does not outweigh the likely harm.</i>	It is apparent from the revised internal layouts (fitted kitchens across the southern walls internally) and external works (infilling of the doors) that 2-3 Philpot Lane has abandoned the historic means of escape route over the site. This followed the amalgamation of 2-3 and 5 Philpot Lane as Philpot House and associated change in fire strategy. The proposed lift core and Tower structure do not enclosure over the former door openings, and thus should 2-3 Philpot Lane require that the escape route is maintained, alternative provision can be made for a new escape stair onto the L02 green roof and out through the building. Discussions with the owners of 2-3 Philpot Lane are ongoing in this regard.
2PL9	<i>[Test of compliance with Policy D9 of the Intend to Publish New London Plan – environmental impact]</i> <i>Wind, daylight and sunlight have not been adequately assessed with regard to the neighbouring buildings. It is clear that the comfort and enjoyment of neighbouring premises will be unacceptably impacted and harmed.</i>	These issues are addressed below in response to specific comments.
2PL10	<i>Contrary to the assertions within the applicants Planning Statement and Design and Access Statement, this area is not characterised by very tall buildings but instead mid-rise block formations</i>	The application submission documents correctly and accurately define the sites immediate and wider setting in the context of features such as the Eastern Cluster and other tall buildings (e.g. 20 Fenchurch Street) and

	<i>which at least have some regard to adjacent relationships and bring a sense of scale and character to the area. The proposals, by virtue of its oppressive height and relationship with neighbouring buildings, results in low quality urban design characteristics, presents a significant overbearing presence to neighbouring buildings and fetters the ability of neighbouring sites to develop appropriately.</i>	<p>surrounding Conservation Areas characterised more typically by mid-height blocks as stated.</p> <p>The applicant team do not agree that the proposed development would be overbearing and, as stated in response to 2PL1, refute the suggestion that it would inhibit or fetter the redevelopment of neighbouring sites, a claim that is not supported with evidence.</p>
2PL11	<p><i>It is considered that the proposals fail to demonstrate a range of the core principles required to allow a tall building on this site, and the public benefits of the proposal do not outweigh the significant failings. We therefore request that the proposals are refused and the proposed reason for refusal is outlined below:</i></p> <p><i>PROPOSED REASON FOR REFUSAL 1:</i></p> <p><i><u>The proposals for a tall building in this location are unacceptable in principle due to the proposed buildings spatial location, impact on the skyline, historic skyline features, the amenity of neighbouring buildings and the lack of high quality public realm, contrary to Core Strategy Policy CS14 (Tall Buildings), Policy S12 (Tall Buildings) of the emerging City Local</u></i></p>	<p>The Applicant's team disagree with the view that the "<u>spatial location</u>" of the proposed building means a tall building is unacceptable in principle and this position is not consistent with policy. The proposed building footprint is wholly outside of areas considered inappropriate for tall buildings in both the adopted City of London Local Plan 2015 and the emerging City Plan 2036.</p> <p>For the reasons stated in 2PL1-2PL10, the applicant does not agree with the proposed reason for refusal.</p>

	<u><i>Plan and Policy D9 (Tall Buildings) of the draft London Plan (Intend to Publish Version).</i></u>	
2PL12	<i>Whilst the detailed design approach, including fenestration and architectural detailing could be considered subjective, the urban design approach to the base of the building and relationship to its surroundings is clearly problematic, in the way there is little relevance or consideration of the synergy or correlation between neighbouring buildings.</i>	The project team disagrees with this view, considerable work has gone into designing a building which responds to the varied local context. The proposed building would open up and improve a number of historic courts and alleyways through the block with the building responding to the unique characteristics of each frontage set by neighbouring buildings of merit.
2PL13	<i>Additionally, there is little reference to potential sensitive uses at the adjacent site and the Opportunities and Constraints diagram (3.1 of the submitted DAS) fails to recognise these sensitive uses. This is a fundamental failure by the applicant to properly and robustly assess the surrounding area.</i>	The hotel use is not considered sensitive in terms of daylight and sunlight impact, whereas all residential developments in the locality have been assessed. Noise will be managed at both the construction and operational stages and is not expected to be irregular when compared to other commercial buildings in the City.
2PL14	<i>The proposed tower could be described as contemporary and it is considered that this has almost no consideration to the human-scale historic townscape, as seen in numerous views submitted within the HTVIA. The tower does not integrate into the base of the proposal and appears uncharacteristic in form and the building appears as</i>	Responses to comments VS1, VS3, 10PL16 and 10PL18 apply here.

	<i>an uncharacteristic solid mass in terms of its scale and prominence.</i>	
2PL15	<i>It is our opinion that the Design Team has considered this building in relative isolation and has given little thought to the relationships and urban design characteristics of the area and fails to meet the fundamental aim and objectives of Policy DM10.1 to ensure that “the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways”.</i>	This has been addressed in the response to comment 10PL16.
2PL16	<i>The Design and Access Statement dedicates five pages of explanation about the future proposals of the Northern Courtyard without once referencing the relationship with the neighbouring uses or potential impacts on the adjacent property.</i>	<p>The Design and Access Statement and Planning Application submission documents clearly reference the importance of engagement with neighbouring landowners prior to advancing any proposal to open up access into the Northern Courtyard. The proposals do not seek approval for an access into the Northern Courtyard.</p> <p>The consideration of neighbouring properties is inherent in the design with the proposal removing the overlooking and light spill from the existing offices of</p>

		55GCS into the Northern Courtyard and Brabant Court. This will substantially reduce the impact of 55GCS on the neighbouring buildings.
GROUND FLOOR ACCESS		
2PL17	<p><i>Whilst our client generally supports the opening of routes through the city to improve permeability, the proposed routes through the Northern Courtyard and Brabant Court would have the potential to significantly impact on the quality of accommodation provided by the hotel operator.</i></p> <p><i>The applicant is proposing to open up a closed route through Brabant Court, directly adjacent to ground floor hotel bedrooms and living spaces. There is no consideration of how neighbouring uses may be impacted by this and no mitigation provided. Given the Design and Access Statement has undertaken a study looking at hourly pedestrian flow capacity of between 500 and 1500 per hour, it is critical that the amenity and safety considerations are fully assessed and mitigated. In the absence of this, the proposal ought to be refused and our proposed reason for refusal is set out below.</i></p> <p>PROPOSED REASON FOR REFUSAL 2:</p>	<p>The planning application does not propose a route into the Northern Courtyard. This is marked as an opportunity subject to future discussions and agreement with neighbouring landowners. The supporting documentation does not expect the delivery of this route in carrying out assessments.</p> <p>Therefore, it is considered that there is no need for this objection and the associated amenity impacts referenced in the proposed reason for refusal.</p> <p>It is noted that there are wider considerations in the proposed reason for refusal, however, these issues are considered to be adequately addressed above.</p>

	<i><u>The proposed building, by virtue of its excessive height and bulk does not relate appropriately to the character of the existing streets or neighbouring buildings and results significant adverse impacts to the amenity of occupiers at 2 – 3 and 5 Philpot Lane, and is contrary to policies D3, D4, D5 and D8 of the Intend to Publish Draft London Plan, policies CS10 and DM10.1 of the adopted City of London Local Plan and Policy S8 and D2 of the emerging Local Plan 2036.</u></i>	
HERITAGE		
2PL18	<i>The HTVIA does not properly consider the impacts on the setting of the listed buildings at Nos. 2-3 Philpot Lane and No. 4 Brabant Court. The HTVIA fails to contain any assessment against guidance contained within GPA3 and, by omitting this, the applicant has failed to demonstrate adequate assessment regarding the impact of the proposals on 2 – 3 Philpot Lane and 4 Brabant Court.</i>	The HTVIA methodology for heritage assessments refers to HE's GPA Note 3 and is set out in paras 2.27 to 2.32, pg 5-6 of the HTVIA. The methodology takes into account NPPF policies, relevant guidance from the NPPG and HE's GPA Note 3 and is considered to be a robust and accepted methodology.
2PL19	<i>The contribution of the setting of these buildings to their significance would clearly be harmed by the proposed development. The proposal would result in a disproportionate sense of enclosure that would significantly distort and disfigure the urban morphology and the proposed 30 storey tower would</i>	It is accepted that the proposal would result in change to the setting of the nearby listed buildings, but this change is not considered to be harmful to the setting or the significance of the heritage assets, or the ability to appreciate their significance.

	<i>significantly and irreversibly change the significance and setting of the listed building at 2 – 3 Philpot Lane and 4 Brabant Court.</i>	The urban morphology near the site is not distorted by the proposals, it is in fact clarified by returning alleyways to meaningful purpose, the dynamic contrast between scales bringing an emphasis and better revealing the historic grain and pedestrian permeability.
2PL20	<i>The removal of the chimneystack, which our client in no way consents to, would compound the harm through the removal of a feature of the building that assists in its legibility and through the loss of historic fabric and evidential value.</i>	The south-western chimney of 2-3 Philpot Lane is a later addition to the original late 17 th /early 18 th century building, with a late 20 th century extension to its upper part which is the only part that is visible in oblique views from Brabant Court. As can be seen from the photographs within the HTVIA, the Heritage Statement accompanying the separate LBC application (20/00769/LBC) and on page 8 of the Heritage Representation by Cogent Consulting. The removal of this non-original chimney will not affect the significance (or the legibility) of this heritage asset which is principally enjoyed from Philpot Lane from where this chimney is not visible. The response to comment 10PL8 also applies.
2PL21	<i>Our client is a custodian of the Grade II listed property which is subject to irreversible damage as a result of the development proposals. Upkeep and maintenance of the building is required both internally and externally to ensure the property does</i>	As set out in the paragraph above, the development proposals will not harm the significance of the listed building or its ability to contribute to the character of the area.

	<i>not fall into disrepair whilst also running a business which supports London's tourism, business and cultural economy. Part of this is ensuring that the heritage asset can contribute towards the character and viability of the area and has a suitable end use which supports and makes a positive contribution towards London's economy in line with Para. 192 of the NPPF.</i>	
2PL22	<p><i>It is therefore considered that the proposals would cause irreversible damage to the setting and significance of the existing heritage assets, as follows.</i></p> <p><u>PROPOSED REASON FOR REFUSAL 3:</u></p> <p><u>The proposals are considered to have significant heritage impacts on neighbouring Grade II listed buildings (2 – 3 Philpot Lane and 4 Brabant Court) and the removal of historical features, including the existing chimney on 2 – 3 Philpot Lane, would significantly and irreversibly impact the setting and significance of those listed buildings contrary to policies CS12 and DM12.1 of the adopted Local Plan and S11 and HE1 of the emerging City Plan (2036).</u></p>	<p>As stated above at 2PL19, it is accepted that the proposal would result in change to the setting of the nearby listed buildings, but this change would not result in harm to the setting or the significance of the heritage assets, or the ability to appreciate their significance. The proposals would in fact result in an enhancement to their settings through public realm improvements and reinstatement of historic alleyways – HE has noted this in their letter of 2nd October 2020. There would be no harm to the significance of the two listed buildings as a result of the proposals.</p>
LOSS OF PRIVACY AND NOISE		
2PL23	<i>The proposals would open up routes through the site, which have not been fully considered. The hotel</i>	Brabant Court is an existing public right of way and the proposals do not seek to alter its status. There is

	<p><i>bedrooms and living spaces look towards Babrant (sic) Court and the 'Northern Courtyard' at ground floor level. It appears that no consideration has been given to the potential impacts this could cause with a very significant number of people passing by those windows every day.</i></p> <p><i>This would result in a lack of privacy for those occupants and also potential noise issues from people travelling through that area.</i></p>	<p>currently no restriction on people entering the court and passing by windows within it. The proposed development seeks to facilitate a route through the site to Brabant Court and this is seen as a positive reinstatement of a historic City route.</p>
2PL24	<p><i>Additionally, during construction, there will be a range of impacts (discussed later in more detail) but scaffolding will be erected directly adjacent to windows, severely compromising the privacy of City Apartments' future guests.</i></p>	<p>A Construction Environmental Management Plan will be agreed with the City of London and will consider the relationship with neighbouring properties during construction, the hours of which will be limited.</p>
DAYLIGHT/SUNLIGHT		
2PL25	<p><i>Following a thorough review of the report, it does not appear that the properties at number 2 – 3 and 5 Philpot Lane have been assessed in any form to identify the potential impacts on those rooms and occupiers with regards to daylight, sunlight and overshadowing. Policy DM10.7 is clear in stating that development will be resisted where it would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to</i></p>	<p>We are of the understanding that the apartments at 2-3 & 5 Philpot Lane are used as a hotel (C1 Use Class), rather than dwellings (C3 Use Class). Hotel use was permitted in Planning Application ref: 10/00435/FULL and we have not identified any subsequent permissions for use as dwellings.</p> <p>As set out within the Environmental Statement Chapter for Daylight and Sunlight, hotels are not considered</p>

<p><i>unacceptable levels. The hotel is a sensitive use, with bedrooms and living spaces which have not been subject to any form of consideration.</i></p> <p><i>Additionally, and whilst not in the demise of the applicant, the Northern Courtyard does not appear to have been assessed for overshadowing.</i></p> <p><i>The relationship between the two buildings can best be seen from the Northern Courtyard, where a 30 storey building will be erected directly adjacent to the flank wall of the hotel.</i></p> <p><i>It is therefore considered, without any supporting evidence to the contrary, that a proposal of 30 storeys in height, directly adjacent to a sensitive use would have a significant and material impact on the daylight and sunlight of those occupants. We therefore consider that the proposal ought to be refused on this basis, as set out below.</i></p> <p>PROPOSED REASON FOR REFUSAL: <u><i>The proposed development, by virtue of its lack of assessment regarding daylight, sunlight and overshadowing to the dwellings at 2 – 3 and 5</i></u></p>	<p>sensitive receptors and are therefore not assessed, an approach that is industry standard and recommended by BRE Guidelines: Site Layout Planning for Daylight and Sunlight 2011, A Guide to Good Practice (Section 2.2). The adopted and emerging Development Plan do not require assessment of daylight and sunlight impact to hotels.</p> <p>The ES assessment does not consider overshadowing impact to the Northern Courtyard as a private open space and this approach was not challenged in the EIA Scoping Opinion issued by the City of London Corporation. However, the applicant has prepared an overshadowing assessment which is submitted with the additional documentation. This shows that the space as existing fails the BRE overshadowing recommendation of two hours of sunshine at the Spring Equinox.</p>
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	<u><i>Philpot Lane would not demonstrate an acceptable impact on those sensitive uses and would cause unacceptable harm to those occupiers contrary to policies DM10.7 and DM10.1 of the adopted Local Plan and policies D2 and D8 of the emerging City Plan. 2036.</i></u>	
WIND MICROCLIMATE		
2PL26	<p><i>it is considered that the application documents have not tested the potential impacts of the proposals on the external amenity space of 2 – 3 and 5 Philpot Avenue, nor the entrance doorways to those buildings. These are identified in the images below.</i></p> <p><i>As the City of London Planning Department can attest, the wind environment is already significantly compromised in this area as a result of recent developments such as 20 Fenchurch Street. Therefore, robust testing is required which includes private entrances and amenity space.</i></p> <p><i>This assessment process has not been undertaken robustly and has the potential to significantly impact the existing building, its entrance and amenity space. Accordingly, it is considered that the application proposals should be refused on microclimate</i></p>	<p>The entrances of 2-3 and 5 Philpot Lane, along with the amenity spaces have been modelled within the CFD wind microclimate assessment. Conditions at the entrances are standing which is acceptable for use. Conditions within the external amenity space are frequent sitting, with occasional sitting and standing in passageways. Hence these conditions are acceptable for use.</p>

	<p><i>grounds and a proposed reason for refusal is set out below.</i></p> <p>PROPOSED REASON FOR REFUSAL 5: <i><u>The proposed development, by virtue of its lack of assessment regarding wind and microclimate to the properties at 2 – 3 and 5 Philpot Lane does not confirm that these spaces will not be adversely impacted as a result of the proposals, contrary to DM101 and Policy S8 of the Local Plan, policy DE2 of the emerging City Plan and the City of London guidance relating to Wind and Microclimate.</u></i></p>	
IMPACT ON THE VIABILITY OF THE EXISTING HOTEL USE		
2PL27	<p><i>Adopted and emerging policy supports hotel trade in the city and the emerging policy evidence bases estimate that visitor numbers are likely to increase – especially demand for visitor accommodation. Policy CV1 (Protection of Existing Visitor, Arts and Cultural Activities) sets out that proposals resulting in the loss of these facilities will be resisted. Whilst this is generally related to land use, the implications of the proposed development could extinguish the existing use at 2 – 3 and 5 Philpot Lane, which would be a detriment to the local and regional tourist economy. Policy E10 (Visitor Infrastructure) of the draft London</i></p>	<p>There is no evidence for the claim that the proposed development will affect the viability of the hotel use at 2-3 Philpot Lane and the claim appears to be speculative.</p> <p>To the contrary, we consider that the proposed development would make a significant contribution to the visitor economy through the delivery of visitor facilities in the form of the public garden terrace. We expect that this, coupled with the significant uplift in commercial floorspace that the scheme would deliver, as well as provision of retail uses, would be to the</p>

	<p><i>Plan supports a sufficient supply of serviced visitor accommodation.</i></p> <p><i>As demonstrated in the preceding paragraphs, the proposal will have a detrimental impact on both 2 – 3 and 5 Philpot Lane and the operation of the existing business on the site. In a time where retaining existing businesses are under particular stress, the City of London is duty bound to protect these businesses from any unacceptable impacts. We therefore request that the application is refused on the grounds that it will have a detrimental impact on local tourism and the economy and will also threaten the economic viability of the listed buildings.</i></p> <p><i>PROPOSED REASON FOR REFUSAL 6:</i> <i><u>The proposed development, by virtue of its amenity, daylight, sunlight, wind and microclimate impacts on the neighbouring hotel use, would detrimentally affect the viability of an existing business, contrary to policy CV1 of the Local Plan, policy S6 of the emerging City Plan and policy E10 of the draft London Plan, all which seek to protect existing businesses and uses which contribute towards culture and visitors.</u></i></p>	<p>benefit of the visitor economy in the City and the demand for hotel bed spaces in the vicinity.</p>
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OTHER MATTERS FOR CONSIDERATION		
2PL28	<p><i>The red line boundary, which is the highlighted on the Site Location Plan and Existing Site Plan, appears to assume that part of the neighbouring property at 2 – 3 Philpot Lane is within the control of the applicant, although this is incorrect.</i></p> <p><i>The Design and Access Statement submitted in support of the Planning Application suggests (at paragraph 2.4 page 19) “the site includes a chimney stack attached to 2 -3 Philpot Lane” whilst the Environmental Statement further suggests (at paragraph 3.13) that “there are heritage assets located within the northern boundary of the site [including] Chimney attached to the Grade II listed 2 and 3 Philpot Lane”.</i></p> <p><i>The chimney is within the control and ownership of our client’s property, meaning the site cannot be delivered without our clients consent, which our client has no intention of giving.</i></p> <p><i>On a secondary point, the Chimney Stack is identified on the Demolition Plan – Ground Floor (Drawing number PP-FPA-XX-00-DR-A-16602) as a structure to</i></p>	<p>The red line boundary does not match the applicant’s ownership boundary. There is no requirement for planning application red lines to do so. It is acknowledged that works outside of the boundary would require third party agreements but that these do not need to be in place prior to the determination of the planning application.</p> <p>The applicant’s party wall surveyor advises that the ownership of the chimney stack to 2-3 Philpot Lane is presently unknown. However, based upon site inspections and available historic party wall awards, is presently of the view that it is in the ownership of the applicant. Further survey work is ongoing to assist in determining ownership with this neighbour. It is noted that this matter does not need to be resolved prior to the determination of a planning application as property matters are not generally material planning considerations.</p> <p>A Listed Building Consent application has now been submitted (20/00769/LBC)</p>

	<p><i>be demolished. The applicant proposes that the chimney will be subject to a separate Application for Listed Building Consent.</i></p> <p><i>Following a review of the City of London Planning Database, this does not appear to have been submitted and our client has signalled their intention to, quite correctly, vehemently object to demolition of part of their building.</i></p> <p><i>Finally, and despite the application form stating otherwise, our client has not received the relevant statutory notices regarding this application. The registered address of 2 – 3 and 5 Philpot Lane (Store Property Investment Limited main office) has been open throughout the recent pandemic so if this was served correctly, it could not have been missed.</i></p>	<p>The applicant's property lawyers carried out a search prior to the submission of the planning application and identified Philpot House Limited as the freeholders of 2-3 Philpot Lane, whom notice was correctly served on to the company registered address. As an aside, it is noted that the registered address of Philpot House Limited is the same as Store Property Investments Limited (Farr House, 4 New Park Road, Chichester, West Sussex PO19 7XA). The applicant considers that notice was correctly served.</p>
2PL29	<p><i>Our client has a right of fire escape over the existing property at 55 Gracechurch Street. Further information as to the location and direction of this is contained within the photographic appendix.</i></p> <p><i>Following a review of the proposals, the fire escape has not been considered or in any way</i></p>	<p>Please refer to comment 2PL8.</p>

	<p><i>accommodated. This is clearly problematic for our client, as it would fetter the ability to use this escape at a future date along with potentially fettering the ability for any future use or development.</i></p> <p><i>The legal implications of this have been set out within a letter dated 18 September 2020 from our client's solicitors to the applicant which includes the Deeds and confirmation that the 2 – 3 Philpot Lane benefits from a right "to pass on foot and wheelchair only along the Fire Escape Route into Fenchurch Street". It now falls to the applicant to review this and explain how our client's requirements can be addressed.</i></p>	
2PL30	<p><i>Notwithstanding the fundamental objections to the proposals outlined within sections 3 – 7 of this letter, we have also assessed the Outline Construction Environmental Management Plan, which is likely to be conditioned as part of any future consent. Whilst it is only possible to draw broad conclusions on the document at this stage, there are a range of concerns that our client wishes to raise.</i></p> <p><i>There is limited acknowledgement of potential impacts on neighbouring buildings, especially during</i></p>	<p>Noted and a future CEMP could address these issues in consultation with neighbouring landowners. While the Outline CEMP takes account of all City-wide requirements, it has been developed with specific reference to the Site and therefore the view that it is 'off-the-shelf' is contested.</p>

	<p><i>the de-construction period. Any further submission should state in detail how neighbouring properties and their occupiers will be safeguarded, informed and consulted when major stages of work take place.</i></p> <p><i>The dust and noise impacts associated with demolition, piling and construction have not been considered in so far as there are sensitive uses in adjacent buildings. This is likely to have a significant adverse impact on the occupiers and their business.</i></p> <p><i>Construction scaffold is proposed to be located directly adjacent to hotel room windows, with apparently no commentary on safeguarding, privacy or amenity impacts and how these will be addressed. This would seemingly require approval from neighbouring properties and therefore our client will be required to approve the proposed construction methodology. Any further submission should state in detail how this will be requested and managed throughout the demolition and construction period of three years, along with any required mitigation.</i></p> <p><i>The build process is more than three years and by placing construction apparatus next to the windows</i></p>	
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	<i>of up to 10 apartments, has will have significant impacts on the viability of an existing business. The Outline CEMP does not acknowledge or set out how these impacts can be mitigated. In summary, the Outline CEMP appears to be an off-the-shelf report with little site specific analysis into how the proposals will be constructed.</i>	
2PL31	<i>Following a review of the drawings, it is evident that the proposals adjoin and potentially build below / on top of the property at 2 – 3 Philpot Lane and it seems inconceivable that this is not the case given the proximity to this property and the proposals to demolish the existing chimney. Our client has not and does not intend to grant consent for any such works.</i>	<p>The Applicant's Party Wall Surveyor responded to the neighbour on 21st October 2020 as follows:</p> <p><i>"Alleged Piling and Cladding encroachment</i></p> <p><i>Following the rationale above, being that the southern wall of 2-3 Philpot Lane is in fact an historic party wall, the proposed piling and associated capping beam, whilst encroaching on the land presently occupied by the chimney stack, would remain in my client's [the applicant's] title, as the boundary line would run through the centre of the historic party wall.</i></p> <p><i>Similarly, where the cladding has presently been designed to overhang the southern part of the party wall, such cladding would remain within the 55 Gracechurch Street Title and constitute a raising of half the thickness of a party wall on a cantilever. This</i></p>

		<p><i>principle was discussed with Mr Lovelock on the telephone many weeks ago, following your client's indication that Mr Lovelock would be instructed in this matter.</i></p> <p><i>I have worked on several other tall buildings in the City of London where the modern façade of the said building has been raised on a cantilever above half the thickness of an historic party wall within the client's [the applicant's] title.</i></p> <p><i>In connection with access rights associated with such works, S. 8 of the Party Wall etc Act 1996 affords statutory rights of access, where such works are executed in pursuance of that Act. This would include the raising of the party wall and raising a new wall against a party wall.</i></p> <p><i>Again, it is important that we meet with your party wall surveyor as soon as possible, following circulation of all available historic and survey information, in order that the principles of the boundary, party wall status and associated access rights can be discussed and agreed."</i></p>
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		It is noted that this matter does not need to be resolved prior to the determination of a planning application as property/boundary matters are not generally material planning considerations.
2PL32	<p><i>The NPPF is clear in outlining that effective engagement between applicants and communities is essential for achieving well-designed places. Paragraph 128 of the NPPF states that “applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.</i></p> <p><i>In this regard, the Planning Statement outlines that discussions have been had with stakeholders and an online public exhibition was held between 6th July and 17th July 2020. For reference, the application was received by the Council on 24 August 2020. As a planning consultancy with significant experience in consultation and major developments, we can attest that it would not have been possible to run collaborative and open consultation just 6-weeks prior to the submission of a major planning application as this allows for virtually no time at all for stakeholders’ comments to be taken on board or mitigated by the design team.</i></p>	<p>We believe that we have demonstrated a proactive and effective approach to community and stakeholder engagement on the proposals for 55 Gracechurch Street in line with the NPPF.</p> <p>Discussions with local stakeholders including local and neighbouring ward members began in January 2019 and have continued until submission and beyond and have shaped the application that was submitted to the City of London.</p> <p>Due to the, ongoing restrictions on social gatherings caused by the Covid-19 pandemic, a traditional public consultation exercise was not possible and this necessitated a move to online public consultation – an approach that was discussed and agreed with CoL Officers in advance.</p> <p>Rather than minimising the opportunity for genuine, open and collaborative engagement, this approach allowed stakeholders a greater opportunity to view and</p>

	<p><i>In addition, our client has not received any meaningful communication, in the form of plans or details, from the applicant prior to the submission of the application. A representative of the applicant contacted our client on 21 July (post exhibition) to discuss the land ownership however, despite the submission of a planning application imminently; the representative could not discuss the proposals as they were subject to a 'non-disclosure agreement'. If the applicant was willing to discuss the details of the proposals prior to submission, some of the issues outlined above could have been raised and clarified. Our client subsequently wrote to raise specific enquiries of the applicant in relation to the chimney and the fire escape (as set out in the letter of 18 September 2020) and those enquiries have not been answered.</i></p> <p><i>Whilst not a reason for refusal against adopted and emerging policy and guidance, in accordance with the NPPF, the City of London should not look at these proposals more favourably as the proposals have not</i></p>	<p>respond to the proposals than through traditional means. Whereas traditionally, an in person public exhibition would be held over a fixed period of two or three days in a fixed location(s) in the City, the online consultation remained open and accessible to all stakeholders regardless of their location for two weeks from 8th July – 22nd July. This exercise saw over 2,000 page views and over 630 unique home page visitors – far in excess of the numbers of visitors that could be realistically expected at a traditional drop in event in pre-Covid times, with the feedback received overwhelmingly positive.</p> <p>The Applicant advised of the launch of the consultation through the distribution of a leaflet to approximately 1,000 commercial and residential properties in closest proximity to the site and the publication of a local media advert in the Evening Standard.</p> <p>The Applicant has also taken a proactive approach to engagement with its closest neighbours and wrote to each of the nine properties surrounding the site at 55 Gracechurch Street in advance of the public consultation. This letter ensured the neighbouring properties were informed of the proposals prior to the</p>
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	<i>been subject to meaningful consultation with a range of appropriate stakeholders.</i>	<p>public consultation and sought to arrange a meeting and site visit to discuss the proposals and any potential impacts on neighbouring properties well in advance of the submission of the planning application.</p> <p>Further to this letter, and in addition to the consultation website further images of the proposals were also made available to neighbouring properties on request. A number of these site inspections and meetings were held in July 2020, with members of the project team visiting neighbouring properties, providing further information on the proposals and answering any questions they had about the planning application.</p>
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51-54 Gracechurch Street (No.1) Limited and 51-54 Gracechurch Street (No.2) Limited (freeholders of 51-54 Gracechurch Street)

Comment ref	Comment	Response
51GS1	<i>Excessive bulk, height and massing, which would be outside the designated Eastern Cluster of the Local Plan and would create an overbearing relationship with the neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, and would harm the significance of a number of heritage assets</i>	The proposed development is not considered to be of an excessive bulk, height and massing as addressed in the planning application submission documents and addressed throughout this Report. Nor is it considered to be overbearing given the careful siting of tower elements and the considered podium design.

		As stated in response to 10PL16, the bulk and massing of the scheme responds directly to the position of the site at the south-western edge of the emerging City Cluster and to the west of 20 Fenchurch Street. It responds to the historic grain of the City and restores the specific historic lanes thereby creating an enriched pedestrian permeability. The podium element follows the traditional parapet line of Gracechurch Street while the two tower elements express a contemporary architecture with vertical texture to their surfaces, the podium is of masonry and is skilfully composed in proportion and scale to traditional Gracechurch Street frontages. Where the building faces courtyards to the north and east, it responds with an architecture appropriate to each condition.
51GS2	<i>Significant adverse impact on daylight to neighbouring buildings, including 51-54 Gracechurch Street and 8-9 Talbot Court, which would be harmful to the health and wellbeing of their occupiers and result in increased reliance upon electric lighting and increased energy consumption</i>	As set out within the Environmental Statement Chapter for Daylight and Sunlight, commercial uses are not considered sensitive receptors and are therefore not assessed, an approach that is industry standard and recommended by BRE Guidelines: Site Layout Planning for Daylight and Sunlight 2011, A Guide to Good Practice (Section 2.2). The adopted and emerging Development Plan do not require assessment of daylight and sunlight impact to hotels.

51GS3	<i>Adverse effects on existing users of Talbot Court due to proposed servicing arrangements and use of retractable bollards.</i>	An alternative approach is now proposed which no longer seeks to provide bollards across the Talbot Court entrance.
51GS4	<i>Traffic generation and highway safety.</i>	The proposed development would be car free and so the only traffic generated by the development would be servicing which would be taken overnight when pedestrians would not be in the vicinity. Vehicles would enter and exit Talbot Court in forward gear (turning within the site).
51GS5	<i>Potential for adverse effects from wind.</i>	Wind impact is addressed throughout the submission and responses to detailed points are included in this note.
51GS6	<i>Adverse environmental effects during construction.</i>	An Outline Construction Environmental Management Plan and Outline Construction Logistics Plan are submitted with the Planning Application and would be agreed prior to commencement. These would ensure construction impact is effectively managed.

ENDS

DP9 Limited

27.11.2020

APPENDIX A – CFD METHODOLOGY



Wirth Research – Wind Engineering
Technical Summary
55 Gracechurch Street, City of London

13.10.2020



The CFD was performed using Ansys Fluent.

Meshed using a hybrid mesh of hexahedral, tetrahedral and prismatic elements:

- On site building edge length: 0.05m - 0.3m
- Surrounding context edge length: 0.3m - 1m

The total mesh size was between 163 and 259 million cells, depending on the scenario. Mesh detail is shown in Figure 1

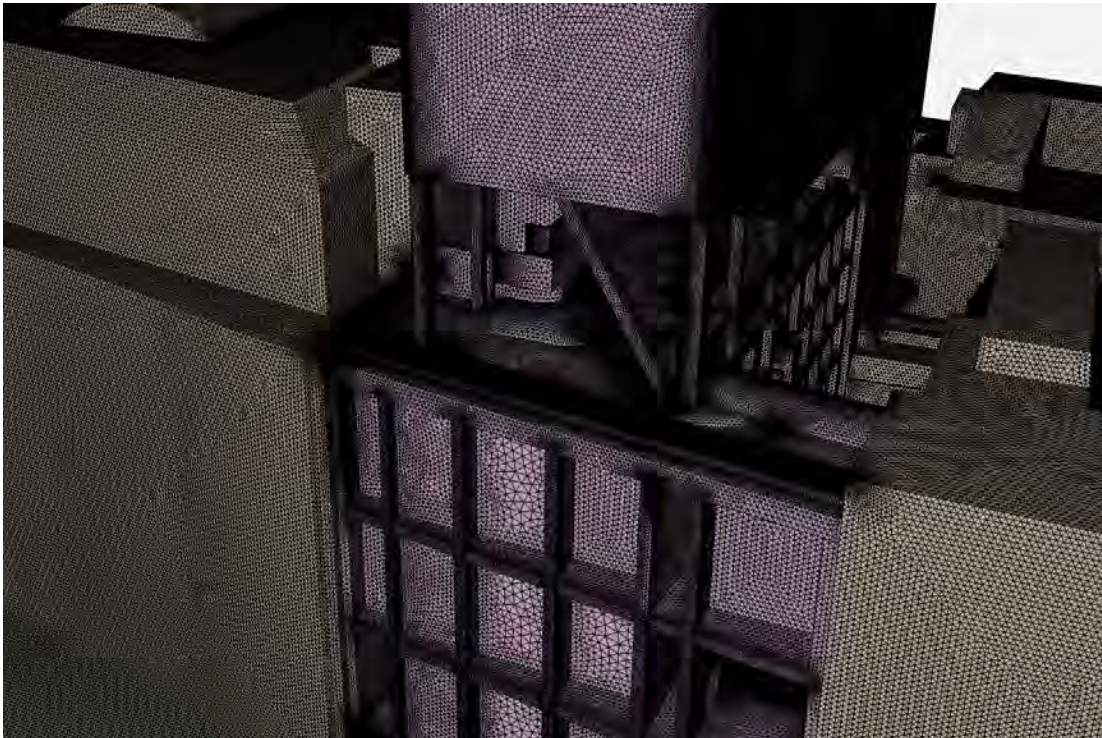


Figure 1: Mesh Detail on Site Buildings

Buildings within 400m of the site were included.

The domain was 3420mx1800m, with a blockage ratio of 0.8%

Run using the industry standard Realisable k-epsilon turbulence model with non-equilibrium wall functions.

The simulations were steady state and isothermal.

A combination of 2nd and 3rd order discretisation schemes was used.

Convergence was measured as the residuals of the continuity, x-velocity, y-velocity, z-velocity, k and epsilon equations all falling by at least 2 orders of magnitude, and by measured static pressure on the site buildings varying by less than 1% over the final 100 iterations.

The wind speed is corrected into a “gust-equivalent” mean. Which is calculated using a proprietary method which uses the Turbulent Kinetic Energy (TKE) field and the velocity field from the CFD to estimate the gust velocity across the domain.

The use of TKE has been questioned due to the known limitations of RANS in predicting absolute TKE values, but for the purposes of generating GEM only the additional TKE generated by the flow structures within the domain is relevant.

There is published literature which demonstrates that discrepancies between mean velocities from CFD and GEM from wind tunnels are mainly concerned with the gustiness associated with flow accelerations around the corners of buildings.

As can be seen on the left of Figure 2, the TKE field generated shows a clear increase in TKE in the region of corner accelerations.

The WR method has been correlated against wind tunnel data. The studies used for this are confidential, but an anonymised section is shown to the right of Figure 2 to demonstrate the benefits from changing from mean velocity to GEM.

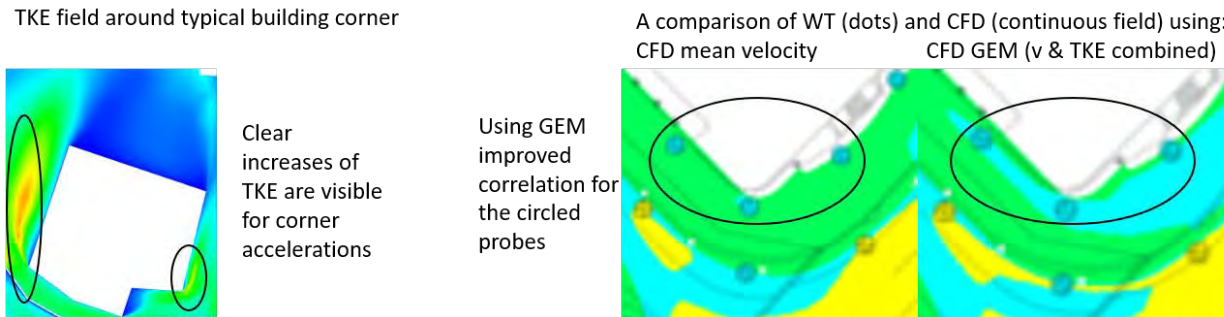


Figure 2: TKE and GEM using WR method

When trees are required to be modelled, they are incorporated by setting a momentum sink and turbulence source, in keeping with the method described by Mochida et al in “Examining tree canopy models for CFD prediction of wind environment at pedestrian level” (Journal of Wind Engineering 96, p1667-1677, 2008). This method accounts for the tree type/leaf, height, canopy spread and trunk height, and is correlated to physical measurements.

All trees are modelled in winter leaf conditions, to ensure their impact is not over-stated.

The simulations were performed from 36 equally spaced wind directions.

The measured wind speeds were compared with the directional Weibull coefficients provided in the Wind Microclimate Guidelines for Developments in the City of London to obtain pedestrian comfort and safety categorisation.

The target wind profile was defined in the City of London guidelines, comparison with the measured profile from the CFD is shown below.

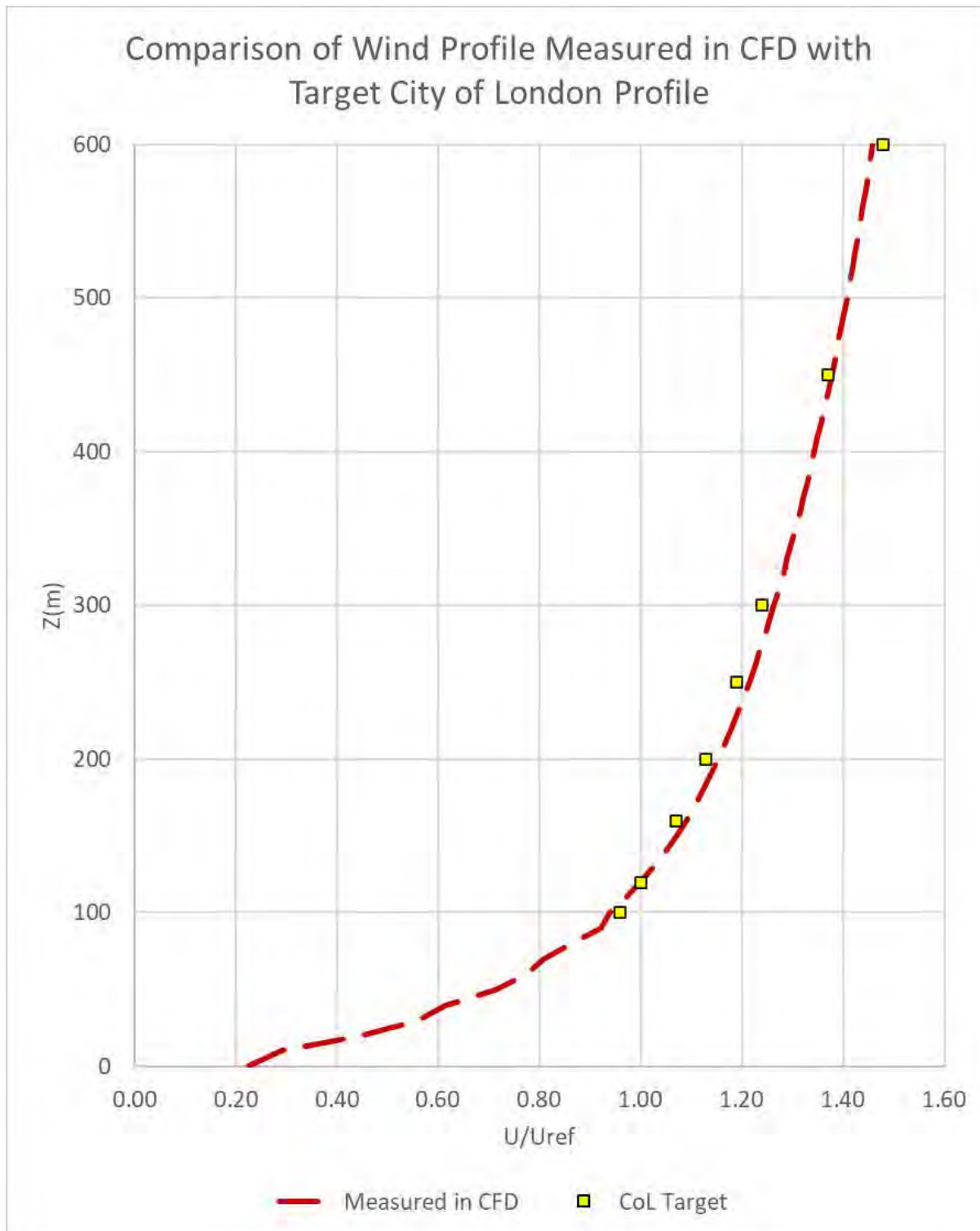


Figure 3: Wind Profile for 55 Gracechurch Street Study

Comments for Planning Application 20/00671/FULEIA

Application Summary

Application Number: 20/00671/FULEIA

Address: 55 Gracechurch Street London EC3V 0EE

Proposal: Demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys (146mAOD) including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development. |cr|REVISIONS and ADDENDUMS RECEIVED. THESE INCLUDE: revised drawings to incorporate a revised HVM bollard layout, revisions to elevational design detailing, alterations to ground floor layout and to cycle parking provision, Design and Access Statement Addendum, ES Addendum (relating to daylight, sunlight, overshadowing and solar glare effects and wind microclimate effects), Transport Assessment Addendum, revised BREEAM pre-assessment, revised Construction Environmental Management Plan all as detailed in DP9 cover letter dated 11 December 2020.|cr|The proposal would provide 34,004sq.m gea of Class E offices; 2456sq.m gea flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis); 1603sq.m sui generis public viewing gallery and garden; total floorspace 38,063sq.m gea; overall height 146.05sq.m AOD.|cr|This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Electronic copies of the ES can also be issued by Trium Environmental Consulting LLP; for further details contact hello@triumenv.co.uk or Tel: +44 (0) 203 887 7118.|cr||cr||cr|

Case Officer: Sonia Williams

Customer Details

Name: Mrs Elizabeth Webb

Address: The Aldgate School St James's Passage, Dukes Place London

Comment Details

Commenter Type: Other

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Other

Comment:Planning application reference: 20/00671/FULEIA

The school would like to show support for the planning application at 55 Gracechurch Street. It will provide a number of positive benefits to our school community and their education:

- Provision of new pedestrian routes which are away from traffic providing clean air as our children walk to the new building.

- Provision of a new public space for our school community to use just 10 minutes from the school
- A place for the local community to gather benefitting their wellbeing
- A new garden area on the upper floor providing a green canopy for the community to sit in; away from traffic and providing a sanctuary.
- An educational space for the children to learn in and have lessons in; in particular in relation to plants and how they are affected by climate change and also the historic streets in which the building is situated.

E. Webb

From: [REDACTED]
Subject: RE: 20-00671-FULEIA 55 Gracechurch Street Objection - Store Property Investments Limited
Date: 06 January 2021 14:36:10
Attachments: [twitter-icon_3158ced2-ad79-4f6b-ad3c-9d7809c12eef.png](#)
[linkedin-icon_f023d411-4e40-46cf-950a-93f3b0610caf.png](#)
[lsh-knows_064b08e9-0987-4d3f-8cd5-96b79b2321a0.png](#)

FAO Sonia Williams

Good afternoon Sonia,

Further to the representations made by Lambert Smith Hampton on behalf of Store Property Investments Limited and City Apartments in October 2020, we would like to confirm that our clients objections still stand. The applicant has failed to adequately respond to the matters raised in our representation and in some cases have dismissed our clients concerns completely. The responses by the applicant (and their representatives) also contains what we believe to be factual inaccuracies relating to the chimney and escape stair.

Please do not hesitate to contact me if you have any questions.

Kind regards

Rob



Robert Reeds MRTPI

Associate Director - Planning Development & Regeneration
UK House, 180 Oxford Street, London, W1D 1NN



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From: Reeds Robert
Sent: 19 October 2020 13:59
To: 'PLNComments@cityoflondon.gov.uk'
Cc: 'plans@cityoflondon.gov.uk'; O'Neill Mary-Jane
Subject: 20-00671-FULEIA 55 Gracechurch Street Objection - Store Property Investments Limited

FAO Gwyn Richards and Sonia Williams

Dear Sir / Madam,

Please find attached all documentation relating to an objection to the proposed development at 55 Gracechurch Street which is currently being considered by your department. The objection is made on behalf of **Store Property Investments Limited**.

- Cover letter
- Objection Report - 20-00671-FULEIA 55 Gracechurch Street Objection (Store Property Investments Ltd)_Obj
 - o Appendix - 20-00671-FULEIA 55 Gracechurch Street Appendix (Store Property Investments Ltd)
- Stevens & Bolton LLP letter - SB to Delva Patman Redler 18092020_1
- Heritage Objection - 2020 10 04 - 55 Gracechurch Street Heritage Representation 0224

If you could kindly confirm that the objection has been registered, it would be much appreciated.

Any questions or queries, please do not hesitate to ask.

Kind regards

Rob

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NTR Planning Ltd
Property • Planning • Consulting



Clareville House
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SW1Y 4EL



3798/SW2/NTR/MEG

12th January 2021

Department of the Built Environment
City of London
PO Box 270
Guildhall
London EC2P 2EJ
For the attention of Sonia Williams

Dear Sonia

Re: Representations in relation to Planning Application ref. 20/00671/FULEIA
At: 55 Gracechurch Street, London EC3V 0EE

I am writing on behalf of our clients, Property Class England 3 GmbH & Co. KG (owners of Allianz House, no. 60 Gracechurch Street) to make representations in relation to the above application. Our clients object to this application on grounds that the redevelopment of this site would have a significant adverse impact on the amenities of occupiers of Allianz House. Indeed, whilst our client has no intention to redevelop Allianz House, the application would also have a significant adverse impact on its future development potential and would therefore be at odds with local plan objectives. It is outside the growth/renewal areas (Eastern Cluster/City Cluster/Renewal Opportunity Area) as identified in the existing and emerging local plan and would hinder the realisation of these policy objectives. The proposed building is discordant with the scale and character of the adjacent building and the surrounding area and would have an adverse impact on Heritage assets of acknowledged importance, contrary to London and Local plan policy.

Amenity of existing occupiers

Allianz House is currently occupied with retail uses at ground floor and offices above. The owners and existing tenants have concern that their existing amenities would be adversely affected by the development proposals. London plan (policy 7.6) and local plan policy (CS14), as well as emerging London plan policy D9 and Local Plan policy S12 confirm that tall buildings will only be acceptable where there is no adverse impact on the amenity of their surroundings. The daylight/sunlight report submitted with this application (as available on the Council's public access webpage) makes no reference to Allianz House and as such the applicants have failed to demonstrate that there would be no adverse impact on the daylight/sunlight. The applicants also propose a public viewing gallery on the 6th floor. This is a triple height space and would directly overlook upper level windows on the southern elevation of no. 60 Gracechurch Street. There is the prospect of loss of privacy to the occupiers of the existing building from the high



level public access garden. The applicants have not explored these amenity impacts fully, such that we can be satisfied that there would be no adverse impact. Our objections relate specifically to Allianz House, however these concerns may equally apply to other neighbouring buildings and the Council must be satisfied that no adverse impacts will occur elsewhere.

Growth/Renewal and Impact on Future Development Potential

As stated above, no. 55 Gracechurch Street is outside of the Eastern Cluster (adopted plan allocation, policy CS7) and the City Cluster (emerging plan allocation, policy S21) and therefore outside the area where there is a policy presumption in favour of growth and large-scale development (including tall buildings on suitable sites). On sites outside these cluster areas, tall buildings will only be considered suitable where regard has been had to the potential effect on the City skyline; the character and amenity of their surroundings, including relationship with existing tall building; the significance of heritage assets and their settings; and the effect on the historic skyline. Our client's site (Allianz House) is within the City Cluster and is identified as a Renewal Opportunity site, wherein the relevant emerging plan policies seek to accommodate significant growth. There is stated policy presumption in favour of the delivery of tall building on Renewal Opportunity sites, such as Allianz House, and the redevelopment of no. 55 in isolation would hinder future development opportunities on this prominent and important corner site, at odds with the aspirations of emerging plan policy.

London Plan policy is clear that any redevelopment must have regard to form, function and structure of an area and the scale, mass and orientation of surrounding buildings (London Plan policy 7.4). The 29 storey building proposed at no. 55 is of a vastly different scale and character to the local context. No. 55 is a mid terrace plot which is physically linked to its neighbours and closely inter-related in scale, function and character. The redevelopment of no. 55 in isolation, in this mid terrace location, would have potential to blight the future development potential of Allianz House, contrary to emerging plan policy.

The Principle of Development

Our clients object to the principle of the redevelopment of this site with a tall building. The London plan (policy 7.7) is clear that tall and large buildings should be part of a plan led approach to changing or developing an area, a policy aspiration that has been emphasised recently in Mr Jenrick's letter to the Mayor, where he directed a strengthening of Tall Buildings policy to ensure that developments are only brought forward in appropriate and clearly defined areas, as determined by the boroughs. The City of London has identified areas for growth through tall buildings (Eastern/City Cluster and Renewal Opportunity Areas) in accordance with London plan policy. The application site lies outside them and is not a suitable site for a tall building.

The development of a tall building in this mid terrace location would be discordant with the scale and character of the area and would hinder the development potential of the corner plot which is specifically earmarked for renewal. The development would therefore be contrary adopted and emerging plan policy. Our client's property is an important corner plot within the identified area of change and is expected to contribute to the growth in office, employment and complementary floorspace. It has a relationship with other sites within the Eastern/City cluster



(opposite and to the north). It has clear linkages in terms of use (designated 'Principle Shopping Centre' frontage along both sides of Gracechurch and Fenchurch Street) and built form. The opportunities for the renewal and regeneration of this site must not be blighted by inappropriate development at no. 55 Gracechurch Street, which itself is contrary to policy.

Design

London and Local plan policies seek to promote a high standard of design, requiring development to have regard to its surroundings and the historic and local character of the City (London Plan policy 7.7, Local Plan policy CS10). The large scale of the building proposed at no. 55 Gracechurch Street is at odds with the character of the area, which is generally made up of 7/8 story office blocks, of similar scale and proportion. The development of a mid terrace block with a tall building, with mid-rise city blocks adjacent and opposite goes against the scale and grain of the immediate neighbouring buildings and would be at odds with good design principles, which would focus height and mass towards corner locations (such as no. 60 Gracechurch Street). The development would be contrary to design policies in the London and Local plan.

You will be aware that there is a current live planning application for the redevelopment of no. 70 Gracechurch Street (to the north of Allianz house, on the opposite side of Fenchurch Street - planning application ref. 20/00816/FULEIA). The cumulative impact of the two development's, which are 29 and 33 storeys' respectively, either side of a modest mid-rise office block, would clearly be significant. The applicants have not sufficiently considered this cumulative impact to confirm no adverse impact.

Heritage

The application site is in close proximity to two conservation areas (Eastcheap and Leadenhall conservation areas) and a number of listed buildings, including the Grade 1* listed Monument and the Tower of London World Heritage Site. London plan policy 7.8 and Local Plan policy CS7 seek to protect Heritage assets and are clear that proposals for tall buildings must conserve heritage assets and their settings. Historic England has expressed serious concerns over the development on the basis of its impact on the Tower of London (World Heritage Site), the Church of Mary Woolnoth and Tower Bridge. Most importantly, they are concerned about the impact on the Monument, when viewed from the Church of St Magnus the Martyr. As I am sure you are aware, they have indicated that they are unable to support the application in its current form. This further confirms the unacceptability of the proposal.

Other Matters

Although not a planning matter, it is noteworthy that the application site includes a small parcel of land within our client's ownership and control. At the time of writing, our clients have no agreement in place with the applicants in respect of this land and as such any planning permission is incapable of being implemented.

In the light of the above, we respectfully request that this application is refused on the basis that the applicants have not demonstrated that there would be no adverse impact on the amenities of existing occupiers of the adjacent building (Allianz house); it is discordant with the City of



London's policy aspiration which seeks to focus growth and renewal in the Eastern/City cluster area and may hinder the future development potential of Allianz House; the development is out of character with its immediate surroundings and contrary to design policies in the London and Local plan; and the development, in its current form, would have an adverse impact on heritage assets of acknowledged importance.

We would be grateful to receive confirmation of receipt of this correspondence and to be informed of progress with this application hereafter.

Yours sincerely

A black rectangular box redacting the signature of Meghan Allen.

Meghan Allen
Associate
NTR Planning

A black rectangular box redacting the contact information of Meghan Allen.