

Planning & Transportation Committee – 16 February 2021

Addendum for Agenda item 4.

Planning application 20/00816/FULEIA 70 Gracechurch Street London EC3V 0HR

1. Letters of representation

Two letters of no objection have been received from the London Borough of Lambeth and the London Borough of Camden (attached).

GLA Stage 1 Letter has been received, the draft comments were received in time to be addressed within the officer report.

TfL Stage 1 Letter has been received, the draft comments were received in time to be addressed within the officer report.

2. Further representation from Freeholder of 2-4 Bulls Head Passage

An objection has been received from the Freeholder of 2-4 Bulls Head Passage which they have requested be brought to the attention of Committee. Their request to address the Committee directly was received after the specified deadline and so could not be agreed to.

The objection (attached) is as follows:

- The present building is approx 10 storeys, and to build a 33-storey high building so close to Leadenhall Market (which is immediately adjacent) will have a damaging effect to both the amenity and light of this historical market. I also note that, unlike the Walkie Talkie building, there is no provision for space around the building to ameliorate these effects.
- The boundary of the building is also approx 20 metres from Bulls Head. Unlike the new development on the corner of Leadenhall St and Gracechurch St, this proposal is south of the market and will overshadow the entire area, including our business and the residential leasehold flats for which we are responsible
- The building will also overshadow our satellite dishes preventing us from receiving access to the signals
- I am concerned that I have only learnt of this application from the leaseholders and am unaware of notices to us and am concerned that we have not had a chance to object earlier. I am concerned that the planning officials have marked this application for acceptance and believe that the committee should delay any decision so that further consideration should be made in relation to the impact of the proposals, especially since Covid is interrupting the normal consultation process.

Officer response: The points raised are addressed in full in the officer report. The S106 associated with the application requires a TV interference survey be provided. Full consultation was undertaken on the application: Site notices were displayed on the site on 05.11.2020 and 12.01.2021; Press notices were published on 10.11.2020 and 12.01.2021; and residents of 4 Bulls Head passage were consulted on 09.11.2020 and 13.01.2021.

3. Further representation from residents of 2-4 Bulls Head Passage

A letter has been received from Right of Light Consulting on behalf of the residents of flats A, B and C, 4 Bulls Head Passage. In summary, the letter outlines the following concerns:

- The study has been prepared without a site visit to inspect the internal arrangements of the properties;
- The study collectively summarised the residential windows within 2-3 and 4 Bulls Head Passage as a total of 16 windows across 9 rooms;
- The study does not include a window key to indicate which windows the results apply to specific properties;
- The results of the five windows tested in respect of 4 Bulls Head Passage cannot be reconciled with the objectors windows;
- The three rooms considered for NSL are habitable multi-use living rooms and not bedrooms; and
- The objectors consider the loss of daylight and sunlight to their properties will be substantially greater than the GIA results indicate.

The applicant has addressed the points raised and these points of clarity have been sent to the objectors. The applicant's response is attached in full. The objector's response to this letter is also attached in full.

Officer Response: The applicant's response addresses the concerns raised in the letter from Right of Light Consulting. Whilst the flats at 4 Bulls Head Passage were mislabelled (as 2-3 Bulls Head Passage) in the Daylight and Sunlight addendum, there is nothing to suggest that the assessment that was carried out in respect of these properties was inaccurate, and officers are satisfied that they have the necessary information before them to assess the impact of the development on these properties (and advise the committee of this). Objections have been received from the owners of each of these properties (including the freehold owner) objecting to the impact that the development would have on their daylight and sunlight, and these objections are considered as part of the officer report to the committee and in this addendum. Officers accept the points made by applicants in their letter dated 15th February 2021. It is normal practice for these reports to be prepared without a site visit to inspect the internal arrangements of each individual dwelling and the reports are often based on planning history searches and the best information available. The officer recommendation and conclusions remain unchanged.

Due to the mislabelling of the properties within the GIA Addendum the committee report contains an error. This does not change the assessment in relation to daylight, sunlight and overall conclusions. The following paragraphs of the committee report should read:

A, B and C, 4 Bulls Head Passage

372. A total of 16 windows serving 9 rooms were assessed for daylight. For VSC, 8 would meet BRE criteria and 8 would see losses greater than recommended in BRE Guidelines and would experience a reduction of 20% or more.
373. Of the 8 affected windows, 7 would experience alterations between 20-29.9% which is considered Minor Adverse and 1 would experience an alteration of 33.7% which is considered Moderate Adverse. All 8 windows have low baseline values, ranging from approximately 5-10% VSC and therefore the percentage alteration is disproportionate to what the occupant would experience.
374. For NSL, 2 of the 9 rooms would experience alterations between 20-29.9% which is considered Minor Adverse.
375. Overall, owing to the low VSL and NSL baseline values of this property, it is considered that the daylight overall effect is Minor Adverse.

A, B and C, 4 Bulls Head Passage

394. A total of 9 rooms were assessed for sunlight within this building, of which 5 would meet the BRE Criteria for APSH and Winter PSH.
395. 4 rooms would see reductions in APSH from 20-29.9% which is considered Minor Adverse. Each of the rooms would retain between 16-18% APSH, which is considered good within a city centre location.
396. No reductions in Winter PSH would occur. The overall effect to sunlight at this property is considered Negligible.

4. Corrections/Amendments to officer's report

Clarification on the sunlight assessment. 4 Brabant Court was excluded from the sunlight assessment due to the orientation of its relevant windows. This is in accordance with BRE Guidance which states that only windows with an orientation within 90 degrees of south need be assessed.

451. The following, most significant opportunity areas for reducing operational embodied energy consumption have been identified going forward into the detailed design phase:

- Use of low carbon steel cement replacements for the concrete (e.g. Ground Granulated Blast-furnace Slag (GGBS) and fly-ash) which would reduce the total embodied carbon emissions for the development
- Re-use of raised access flooring
- Considering alternatives to terracotta façade elements
- Using low carbon refrigerant gas and reduced leakage rate
- Using low carbon materials for the internal elements and fit-out.

5. Correction and amendments to conditions

Various conditions relating to BREEAM, circular Economy and Whole Life Carbon have been amended following a review of the London Plan wording to make sure it is accurately reflected in the conditions. This review crossed over with the report deadline, the amendments are minor and are included in full below. Additionally, officers have sought to tighten up condition 36 relating to a signage strategy. The revised conditions are below.

Condition 3:

Prior to the commencement of the development a detailed Circular Economy Statement shall be submitted to and approved in writing by the Local Planning Authority, that demonstrates that the Statement has been prepared in accordance with the GLA Circular Economy Guidance and that the development is designed to meet the relevant targets set out in the GLA Circular Economy Guidance. The development shall be carried out in accordance with the approved details and operated & managed in accordance with the approved details throughout the lifecycle of the development.

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

Condition 4:

Prior to the commencement of the development a detailed Whole Life Cycle Carbon assessment shall be submitted to and approved in writing by the GLA at

ZeroCarbonPlanning@london.gov.uk and the Local Planning Authority, demonstrating that the Whole Life Cycle Carbon emissions savings of the development achieve at least the GLA benchmarks and setting out further opportunities to achieve the GLA's aspirational benchmarks set out in the GLA's Whole Life-Cycle Assessment Guidance. The assessment should include details of measures to reduce carbon emissions throughout the whole life cycle of the development and provide calculations in line with the Mayor of London's guidance on Whole Life Cycle Carbon Assessments, and the development shall be carried out in accordance with the approved details and operated and managed in accordance with the approved assessment for the life cycle of the development.

REASON : To ensure that the GLA and the Local Planning Authority may be satisfied with the detail of the proposed development so that it maximises the reduction of carbon emissions of the development throughout the whole life cycle of the development in accordance with the following policies in the Development Plan and draft Development Plans: Publication London Plan: D3, SI 2, SI 7 - Local Plan: CS 17, DM 15.2, DM 17.2 - Draft City Plan 2036: CE 1. These details are required prior to demolition and construction work commencing in order to be able to account for embodied carbon emissions resulting from the demolition and construction phase (including recycling and reuse of materials) of the development.

Condition 35:

Once the building construction is completed and prior to the development being occupied (or, if earlier, prior to the development being handed over to a new owner or proposed occupier) a post-completion report shall be submitted to and approved in writing by the local planning authority to demonstrate that the targets and actual outcomes achieved are in compliance with or exceed the proposed targets stated in the approved Circular Economy Statement for the development.

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

Condition 36:

Prior to occupation of the building the following details relating to signage shall be submitted to and approved in writing by the Local Planning Authority and all signage placed on the development site shall be in accordance with the approved details:

- (a) A Signage strategy for the retail units within the development shall be submitted;
- (b) A Signage strategy relating to the public viewing gallery and winter garden shall be submitted and this strategy shall make provision for clear signs to be placed in prominent positions on the development site, including signage indicating the access point for the public viewing gallery and winter garden; and
- (c) The signage relating to the public viewing gallery and winter garden shall also be included within the overall strategy.

All signage relating to the public viewing gallery and winter garden (as approved in the signage strategy) must be erected and in place on the development site prior to occupation of the building.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM10.1, DM10.5, DM10.8, DM12.1, DM12.2 and DM15.7.

Condition 42:

Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the development being occupied (or if earlier, prior to the development being handed over to a new owner or proposed occupier,) the post-construction Whole Life-Cycle Carbon (WLC) Assessment (to be completed in accordance with and in line with the criteria set out in in the GLA's WLC Assessment Guidance) shall be submitted to the Local Planning Authority and the GLA at:

ZeroCarbonPlanning@london.gov.uk. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI 2 of the Publication London Plan.