

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	13 December 2022
<b>Subject:</b> Ibex House 42 - 47 Minories London EC3N 1DY Alteration and extension to the existing building at ground and lower ground floor on Haydon Street and Portsoken St with the incorporation of courtyard garden areas, an on-site servicing bay and blue badge parking areas adjacent; Roof level extensions at the 8th and 9th floors; Alterations to the ground floor Minories facade, including level access provision; Alteration and creation of roof terraces and green roofs; replacement / upgrade of balustrades on all elevations; internal reconfiguration of lower levels to incorporate a new mezzanine level, internal cycle storage, and refuse store; creation of a new learning / cultural centre (sui generis) at the ground floor corner of Portsoken Street and Minories;; and retention of existing public house (sui generis) at ground floor / lower ground corner of Haydon Street and Minories including elevational alterations.	<b>Public</b>
<b>Ward:</b> Tower	<b>For Decision</b>
<b>Registered No:</b> 21/00793/FULMAJ	<b>Registered on:</b> 28 October 2021
<b>Conservation Area:</b>	<b>Listed Building:</b> Grade II

### Summary

The application proposes alterations to and extension of the existing building at ground and lower ground floor on Haydon Street and Portsoken St with the incorporation of courtyard garden areas, an on-site servicing bay and blue badge parking areas adjacent. ; Alterations to the ground floor Minories facade, including level access provision; Alteration and creation of roof terraces and green roofs; replacement / upgrade of balustrades on all elevations; internal reconfiguration of lower levels to incorporate a new mezzanine level, internal cycle storage, and refuse store; creation of a new learning / cultural centre (sui generis) at the ground floor corner of Portsoken Street and Minories; and retention of existing public house (sui generis) at ground floor / lower ground corner of Haydon Street and Minories including elevational alterations.

Thirteen objections were received across both the planning application and listed building consent applications during the first round of statutory consultation in December 2021. No further comments have been received following the second round of full formal statutory consultation in October and November 2022 at the time of writing. The objections received are summarised in a table in the main body of this report.

The original submission was formally amended in October 2022 following Officer comments and other consultee responses. The amendments included (but were not limited to) a new on-site servicing strategy, increased cycle parking, increased original fabric retention, reduction to the size of the ground level pavilion extensions and refinement of their design, provision of level access from the primary frontage of the site, an improved public and cultural benefit offering and amended commitments to public realm improvements and S278 works.

The proposed extensions at the ground levels and the 8<sup>th</sup> and 9<sup>th</sup> floors would equate to 1812sq.m overall (GEA). Internally, and as part of the works, various alterations to the allocation of existing uses within the building are proposed to occur, which would result in a total of 22,689sq.m (GIA) of Class E office space, with new flexible reception, meeting areas and new external outdoor amenity spaces. The proposed scheme, along with previously consented refurbishment works to levels 1 to 7, would lift the building from Grade B to Grade A quality office accommodation.

A further 124sq.m (GIA) would be dedicated to an active café use on Portsoken Street along with 161sq.m (GIA) of dedicated space to a new cultural learning and exhibition use (sui generis) at ground level on the corner of Minories and Portsoken Street. Moreover, the internal alterations would result in an increase to size of the existing public house from 227sq.m to 563 sqm.

The scheme would enable the continued and optimal use of the building, accommodating new ways of working reflected in flexible floorplates, meeting spaces and outdoor amenity areas. This supports post-Covid recovery as identified in the 'London Recharged: Our Vision for London in 2025' report.

Historic England and the Amenity Societies were consulted. Historic England the 20th Century Society raised concerns with the original iteration of the proposal in late 2021. Following receipt of amendments to the scheme in October 2022, Historic England advise the proposals address their concerns and their objection has been withdrawn. No further comments have been received from the 20<sup>th</sup> Century Society.

The location and scale of the roof and ground floor extensions would integrate with the local context and would read as seamless and subordinate additions to Ibex House. The proposals are design led in response to the heritage significance, architectural aesthetic, and materials of Ibex House. The building would become more outward facing, legible and provide active ground floor elevations and uses enlivening the street scene with redesigned inclusive entrances and increased passive surveillance.

The widening of the pavement and consolidation of refuse and servicing and the integration of urban greening within the site would deliver an enhanced pedestrian experience.

The modest nature of the roof extension proposals and their virtually indiscernible appearance on the skyline would preserve the ability to recognise and appreciate the Tower of London as a strategically important landmark whilst according with associated visual management guidance. The roof extensions would have a negligible impact on the characteristics and composition of LVMF 10A.1 and LVMF25A.1-3 and their landmark elements, preserving the ability of the observer to recognise and appreciate the strategically important landmarks, in accordance with Local Plan Policy CS13(1), London Plan Policy HC4 and draft City Plan 2036 Policy S13 and guidance contained in the LVMF SPG.

The proposals would preserve the heritage significance and setting of The Writers House as a non-designated heritage asset.

The delivery of the proposals would result in minor adverse impacts to areas of high and moderate heritage significance of Ibex House as a designated heritage asset. The low level of less than substantial harm derives from elements of the pavilion extensions and the changes to the public house. There would be some slight erosion of the physical fabric and features through minor demolition and to the architectural form and original plan through the obscuration of parts of the building. For the most part however, the overall artistic, architectural and historic values are preserved and in parts are enhanced. The proposals would comply with DM 12.1, DM 12.2 and DM 12.3(1), draft City Plan 2036 policies S11 and HE1, and London Plan Policy HC1 (A, B, D and E) however elements of the proposals would draw conflict with DM 12.3 (2), emerging policy HE1 (1) and London Plan Policy HC1 (C).

The scheme would deliver public realm enhancements around the site, including the introduction of a raised table on Portsoken Street, upgrades to the northern wall of Portsoken Street Garden and footpath widening works on Haydon Street.

A total of 333 long stay and 53 short stay cycle parking space are proposed. This is a significant improvement on existing conditions where only 89 cycle spaces are provided externally within the southern and northern forecourts of the site. The long stay cycle parking would be provided at ground and basement levels, with associated showers and locker facilities, accessed a dedicated entrance off Haydon Street. The provision of cycle parking spaces and end of trip facilities would exceed the requirements of the London Plan.

A new on-site servicing strategy is proposed as part of this application and would occur within a new on-site servicing bay to be accessed from Haydon Street. This would significantly improve existing conditions, whereby the majority of servicing takes place on-street from Haydon Street. The proposed servicing strategy would bring the site into compliance with Local Plan (2015) Policy DM16.5 which seeks to ensure servicing is provided on-site where possible. Further improvements to existing servicing conditions would be secured through planning conditions limiting servicing and delivery hours (where none currently exist) and by securing a

consolidation strategy for deliveries under the S106 Agreement. These measures would reduce wider congestion and improve local traffic conditions in accordance with the draft City Plan 2036 Policy VT2.

The proposed scheme positively addresses the need to minimise operational and embodied carbon emissions and demonstrates improved climate resilience credentials for the building. The scheme responds appropriately to Circular Economy Principles through the retention of the existing building and would achieve a BREEAM 'very good' rating, improving to a targeted BREEAM 'excellent' rating through improvements in the detailed design.

The development includes new urban greening through green roofs, greening to terraces and lower ground winter gardens. The development would achieve an overall Urban Greening Factor of 0.18 based on the City of London methodology and 0.153 based on London Plan 2021 methodology. Whilst this does not meet the minimum requirements of 0.3, the proposal would significantly improve urban greening on the site where none currently exists, despite constraints associated with the listed nature of the building which is a mitigating factor.

A daylight and sunlight assessment has been undertaken to assess the impact on the daylight and sunlight received by neighbouring residential properties. The assessments have been undertaken in accordance with BRE Guidelines. The results demonstrate reductions in daylight and sunlight in all rooms of the assessed properties, would be within BRE Guidelines and are considered to be negligible.

There are no unacceptable adverse built development or operational impacts anticipated for the proposed development and uses, and the recommendation is subject to conditions to mitigate impacts to surrounding uses, which include the requirement to provide an operational management plan (secured by the S106 Agreement), a lighting strategy and conditions to manage the use of the proposed outdoor terraces.

Negative impacts during construction would be controlled as far as possible by the implementation of a robust Construction Environmental Management Plan and good site practices embodied therein; it is recognised that there are inevitable, albeit temporary consequences of development in a tight-knit urban environment and alongside residential neighbouring properties. Post construction, compliance with planning conditions would minimise any adverse impacts including with restricted hours of use for the terraces.

It is almost always the case that where major development proposals come forward there is at least some degree of non-compliance with planning policies, and in arriving at a decision it is necessary to assess all the policies and proposals in the plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.

In this case, the proposal complies with the majority of the development plan but draws conflict with policies relating to heritage (Local Plan 2015 Policy DM12.3 (2), emerging Local Plan 2036 Policy HE1 (1) and London Plan 2021 Policy HC1 (C). National Planning Guidance advises that conflict between development plan

policies adopted at the same time must be considered in the light of all material considerations including local priorities and needs, as guided by the NPPF.

Compliance with the development plan is to be considered by reference to the plan as a whole rather than asking whether the proposed development is in accordance with each and every policy in the plan. That approach recognises the fact that individual policies may pull in different directions, and that it would be difficult to find any project of significance that was wholly in accord with every relevant policy in the plan. Whilst there is some minor conflict with the heritage policies mentioned above, given the counteracting benefits which promote other policies, the proposals are considered to be acceptable. In this case, the proposals are considered to be in accordance with the development plan as a whole.

NPPF paragraph 202 requires that any less than substantial harm be balanced against the public benefits of the development proposal. The paragraph 202 balancing exercise is to be applied when considering the harm to the host building. Therefore, an evaluation of the public benefits and the weight afforded to them has been undertaken. Officers consider that the harm would be significantly outweighed by the benefits of the proposals including new cultural learning and exhibition space, public realm enhancements and the revitalisation of an iconic historic building and so the requirements of paragraph 202 are met. This conclusion is reached even when giving great weight to heritage significance as required under statutory duties.



When taking all matters into consideration, subject to the recommendations of this report, it is recommended that planning permission and listed building consent be granted.


### **Recommendation**

1. That planning permission be granted for the above proposal in accordance with the details set out in the attached schedules subject to:
  - a) planning obligations and other agreements being entered into under Section 106 of the Town & Country Planning Act 1990 and Section 278 of the Highway Act 1980 in respect of those matters set out in the report, the decision notices not to be issued until the Section 106 obligations have been executed;
2. that your Officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.

## APPLICATION DASHBOARD for **Ibex House, 42-27 Minories**

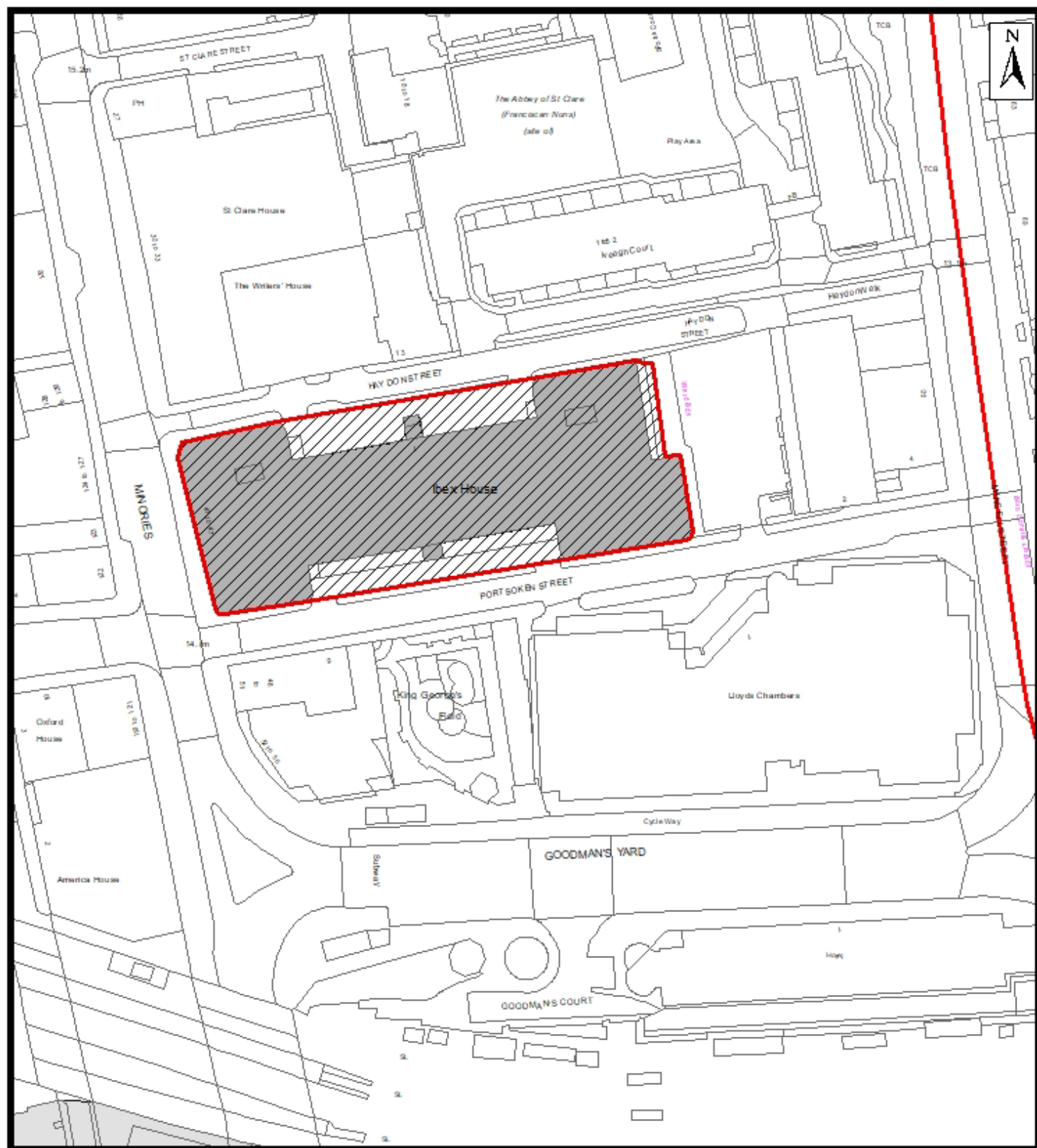
This dashboard provides a summary of the key metrics for the development and should be read in conjunction with the report as a whole.

TOPIC	INFORMATION			
1. SITE PHOTOS	EXISTING		PROPOSED	
				
2. HEIGHT	EXISTING		PROPOSED	
	Ten storeys (including roof plant level), plus basement and mezzanine. Maximum height: 49.80m (AOD)		Ten storeys, plus basement and mezzanine.  Maximum height: As existing	
3. FLOORSPACE GEA (SQM)	Floor space existing and proposed			
	EXISTING		PROPOSED	
	24,639 TOTAL		26,451 TOTAL	
4. EMPLOYMENT NUMBERS	EXISTING		PROPOSED	
	<ul style="list-style-type: none"><li>200 (approx.) based only on the floors affected by the development.</li></ul>		<ul style="list-style-type: none"><li>468 (approx.) based only on the floors affected by the development.</li></ul>	
5. VEHICLE / CYCLE PARKING	TYPE	EXISTING	POLICY REQUIREMENT	PROPOSED
	Car parking spaces	0	<u>0</u>	<b>0</b>
	Accessible car parking spaces	1	<u>1</u>	<b>2</b>
	Cycle long stay	89 (short and long)	318	<b>333</b>
	Cycle short stay		53	<b>53</b>
	Lockers	0	318	<b>300</b>
	Showers	0	32	<b>30</b>
6. HIGHWAY LOSS / GAIN	No change			
7. PUBLIC REALM GAIN	Improvements include: 1. Footway widening on Haydon Street; 2. Footway surface upgrades on Portsoken Street;			

	3. Removal of redundant vehicular crossovers on Portsoken Street 4. Construction of a raised table on Portsoken Street; 5. Upgrade to the northern wall/fence to Portsoken Street Garden.	
8. STREET TREES	EXISTING	PROPOSED
	<ul style="list-style-type: none"> <li>None existing</li> </ul>	<ul style="list-style-type: none"> <li>None proposed</li> </ul>
9. SERVICING VEHICLE TRIPS	EXISTING	PROPOSED
	<u>33</u>	<u>33</u>
10. RETAINED BUILDING ELEMENTS IN SITU	<ul style="list-style-type: none"> <li>100% of main building elements</li> </ul> <p>Minimal local demolition, mostly internal fabric and services Externally: windows and balustrades at top and low levels, some existing roof level elements, roof lights and fabric around the existing side entrances</p>	
11. OPERATIONAL CARBON EMISSION SAVINGS	<ul style="list-style-type: none"> <li>36% improvement (whole building) against Building Regulations Part L 2013 (policy target 35% improvement)</li> </ul> 	
12. OPERATIONAL CARBON EMISSIONS	Regulated and unregulated carbon emissions: <ul style="list-style-type: none"> <li>Existing building: 849.7 tCO<sub>2</sub>e/annum</li> <li>Proposed building: 619.9 tCO<sub>2</sub>e/annum</li> </ul>	
13. BREEAM RATING	<ul style="list-style-type: none"> <li>BREEAM UK Non-domestic Refurbishment and Fit-Out 2014 pre-assessment</li> </ul> <div> <div>Good</div> <div>Very Good</div> <div>Excellent</div> <div>Outstanding</div> </div>	
14. URBAN GREENING FACTOR	<ul style="list-style-type: none"> <li>0.153 (London Plan Policy target 0.3)</li> <li>0.18 (CoL Local Plan Policy target 0.4)</li> <li>The opportunity for greening the site is constrained by the limited amount of external space and the constraints associated with the listed building, where loading capabilities are restrained.</li> <li>Proposals have been developed to integrate greenery wherever possible, including on the roof of servicing structures and new terrace areas. These proposals improve the current condition where there is a lack of greenery of the existing buildings and surrounding streets.</li> </ul>	
15. AIR QUALITY	Air Quality Neutral for building emissions.	



# Site Location Plan



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ADDRESS:  
Ibex House

CASE No.  
21/00793/FULMAJ



**SITE LOCATION**



**LISTED BUILDINGS**



**CONSERVATION AREA BOUNDARY**



**CITY OF LONDON BOUNDARY**



ENVIRONMENT DEPARTMENT

## Photographs



Above: View looking east from the corner of Minories and Crosswall.



Above: View looking north from Portsoken Street Garden.





Above: View looking north from Minories.

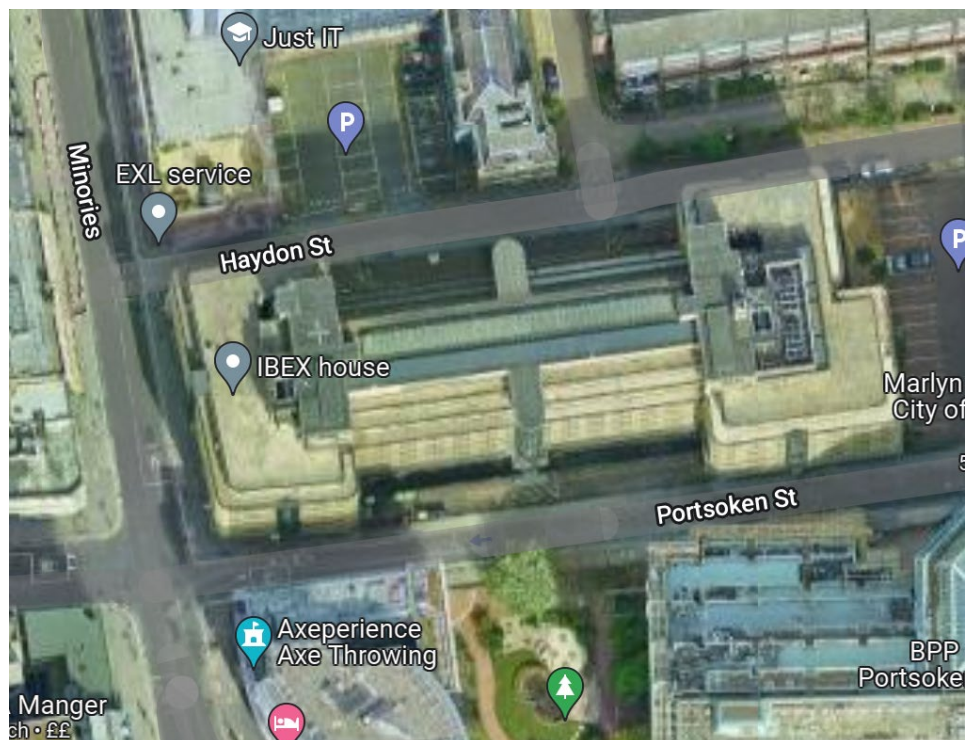


Above: View looking north-east on Portsoken Street.





Above: View looking south-west from Haydon Street.



Above: Aerial view of the application site.

## **Main Report**

### **The Site**

1. The site is located to the east of the City of London, in the Tower Ward, at 41-47 Minories. The site comprises an eleven storey (including basement) office building, with a commercial gym and integrated pub known as the “Peacock”.
2. The site is bound by Haydon Street to the north, Portsoken Street to the south and Minories to the west.
3. The building occupies a large rectangular plot with a total site area is 3221sqm.
4. The subject building, “Ibex House” is Grade II Listed. It is one of only a limited number of surviving 1930s building in the City of London. The building has a distinctive extended ‘H-shaped’ building footprint and was building in a moderne streamline art deco style, notable for its continuous horizontal window bands and curved corners.
5. Forecourts exist on the southern and northern sides of the building. These forecourts are currently used for outdoor cycle parking and bin storage.
6. The existing primary pedestrian access is from Minories on the principal elevation. Level access to the site from this entrance does not exist.
7. Currently, the building is not fully occupied with several of the office floors vacant and the commercial gym tenancy ceased. Further, the “Peacock” pub, which faces the corner of Minories and Haydon Street, is also vacant.

### **The Surroundings Area**

8. The site does not fall within a Conservation Area and the site is not located within the setting of nearby statutorily listed buildings.
9. The site is located within LVMF protected vista corridor (Point 25A.1)To the Tower of London) as set out by the Mayor of London.
10. The site is located just east of Aldgate within a mixed-use area, characterised predominantly by commercial uses but with a consistent presence of hotels, serviced apartments and residential uses. More specifically, the uses of immediately surrounding buildings include the following:
  - Marlyn Lodge – residential;
  - Prospero House – residential;
  - 52-56 Minories – ground floor retail and student accommodation;
  - Iveagh House – residential;

- 30-33 Minories – ground floor retail and office use;
  - Writers House – office use;
  - River House – ground floor retail and residential;
  - 122 Minories – ground floor retail and office use;
  - 124-127 Minories – office use;
  - St Johns House – ground floor retail and flexible residential;
11. Opposite the site on Portsoken Street is King George Field which is one of the smallest existing 'King George V Fields' and is a Site of Importance for Nature Conservation (SINC). The garden features a central pond surrounded by a small area of grass with a mix of shrub and herbaceous planting. There are several benches and tables as well as children's play equipment.
12. The surrounding area is well serviced by public transport connections, as it is within short walking distance of Aldgate underground station and Tower Hill underground station and is within a 15-minute walk of Liverpool Street Station. Several bus routes run close by on Minories and Aldgate High Street

### **Relevant Planning History**

13. Recent and relevant planning history is set out in the following Table 1 below:

**Table 1:**

Application reference	Proposal Description	Decision	Date of Issue
20/00989/FULL	Replacement of existing windows and fenestration (excluding west elevation).	Approved	12/05/2021
20/00990/LBC	Replacement of existing windows and fenestration (excluding west elevation) and refurbishment of internal office floorspace at first to seventh floor levels, including cores and circulation spaces, to upgrade working areas to modern standards.	Approved	12/05/2021
16/00326/FULL	Installation of steel handrail to south entrance and replacement of existing terrazzo steps.	Approved	02/06/2016
16/00346/LBC	Installation of steel handrail to south	Approved	02/06/2016

	entrance and replacement of existing terrazzo steps.		
14/01240/FULL	Installation of 41 black painted metal bicycle racks to the existing railings within the existing service area to the North and South of the building.	Approved	05/02/2015
14/01241/LBC	Installation of 41 black painted metal bicycle racks to the existing railings within the existing service area to the North and South of the building	Approved	05/02/2015

14. The works approved under application ref: 20/00990/LBC on 12 May 2021 have commenced on site and form what can be seen as “phase 1” of the total refurbishment scheme. This approval allowed for refurbishment works on floors 1 to 7 of the building which do not form part of the applications assessed in this report, with the exception of upgrades external terrace balustrades and surfaces on level 6 and 7.

### **The Proposed Development:**

15. Planning permission is sought for:
- Alteration and extension to the existing building at ground and lower ground floor on Hayden Street and Portsoken Street with the incorporation of courtyard garden areas, an on-site servicing bay and blue badge parking areas adjacent.
  - Roof level extensions at the 8th and 9th floors;
  - Alterations to the ground floor Minorities facade, including level access provision;
  - Alteration and creation of roof terraces and green roofs; replacement / upgrade of balustrades on all elevations.
  - Internal reconfiguration of lower levels to incorporate a new mezzanine level, internal cycle storage, and refuse store; creation of a new learning / cultural centre (sui generis) at the ground floor corner of Portsoken Street and Minorities; and
  - Retention of existing public house (sui generis) at ground floor / lower ground corner of Haydon Street and Minorities including elevational alterations.
16. Listed Building Consent is sought for:
- Alteration and extension to the existing building at ground and lower ground floor on Hayden Street and Portsoken Street with the

incorporation of courtyard garden areas, an on-site servicing bay and blue badge parking areas adjacent.

- ii. Roof level extensions at the 8th and 9th floors;
- iii. Alterations to the ground floor Minorities facade, including level access provision;
- iv. Alteration and creation of roof terraces and green roofs; replacement/upgrade of balustrades on all elevations;
- v. Internal reconfiguration of lower levels to incorporate a new mezzanine level, internal cycle storage, and refuse store; creation of a new learning /cultural centre at the ground floor corner of Portsoken Street and Minorities; and
- vi. Retention of existing public house at ground floor/lower ground corner of Haydon Street and Minorities including elevational alterations.

17. This report deals with the considerations for both applications.

18. The scheme proposes an uplift of 1812sq.m of new build Class E floor space (GEA), comprising primarily of office (Class E(a)) and a café (Class E(b)). The existing gym is proposed to be converted to office use (Class E) and an existing cafe (class E(b)) is proposed to be converted into a public exhibition/learning space (sui generis) as part of the scheme's cultural offering.

19. The existing and proposed floor space areas (GIA) relative to the whole building by use are set out in Table 2 and 3 below:

**Table 2:** Existing floorspace areas.

Use Class	GEA sqm	GIA sqm
Office (E)	21,469	20,632
Gym (E)	2,550	2,381
Café (E)	376	351
Pub (sui generis)	244	277
<b>Total</b>	<b>24,639</b>	<b>23,591</b>

**Table 3:** Proposed floorspace areas.

Use Class	GEA sqm	GIA sqm
Office (E)	23,693	22,689
Gym (E)	0	0
Café (E)	140	124
Pub (sui generis)	611	563
Exhibition/learning centre (sui generis)	177	161



Ancillary spaces/plan/cycle storage/shower facilities etc	1,829	1,288
<b>Total</b>	26,451	24,826

20. At the lower ground, mezzanine and upper ground floor levels, extension into the southern and northern forecourts of the site are proposed. These extensions are referred to as 'pavilions' in the Design and Access Statement and would provide new entrances, with level access provision, into the subject building.
21. The pavilion to the south off Portsoken Street would provide a new level access to the upper ground floor reception hub of the office building and would also be dedicated to a new café use. This entry/exit point would also provide a connection between the site and King George's Field. To the sides of this extension, still within the existing forecourt, winter gardens are proposed at lower ground floor level.
22. The pavilion to the north off Haydon Street would provide a further access point to the upper ground floor level reception hub. This pavilion would contain ancillary Class E office space. To the west of this pavilion, still within the existing forecourt, two on-site blue badge car parking spaces are proposed to be provided. To the east of the pavilion, a two-space on-site servicing bay is proposed, along with a staff entrance to the internal cycle storage area.
23. Both lower-level pavilions are proposed to be constructed with a green roof.
24. At the 8<sup>th</sup> floor level, an extension to the eastern and western wings of this level are proposed, comprising new office floor space. New external terrace areas are proposed to these wings as well as the south and north side of the central office area. New windows and existing windows to be replaced would be replaced with steel (crittall) framed double glazed windows.
25. At the 9<sup>th</sup> floor level, an extension is proposed to be constructed centrally between the two existing cores and servicing areas which would contain ancillary office space. New external terrace areas and green roofs would be provided on the wings of the 9<sup>th</sup> floor, to the east and west of the existing cores and service areas.
26. Existing balustrades are proposed to be replaced on levels 6,7,8 and 9. All new and replaced balustrading would be constructed of painted metal to a height of 1.2m.
27. The following amendments to the scheme were submitted in October 2022 following comments from Officers and other consultation responses:

- The incorporation of an on-site servicing solution off Haydon Street;
- The provision of two on-site blue badge parking;
- The provision of level access to the building from the primary Minorities entrance;
- Increase to the number of cycle parking spaces in accordance with London Plan Standards;
- A reduction to the size of the proposed ground floor pavilions on Haydon Street and Portsoken Street, refinement of their design and an increase to the extent of fabric retention;
- Confirmation the pub is to be retained with a combination of façade repair and alteration works;
- The provision of a public learning/cultural centre (sui generis) on the ground floor of the building on the corner of Portsoken and Haydon Street to enhance the public benefits offered by the scheme;
- The incorporation of a publicly accessible café within the pavilion extension off Portsoken Street which is to be publicly accessible.
- The deletion of the proposal to remove on-street carparking spaces on Portsoken Street and associated footpath widening and street tree planting works;
- Incorporation of a proposal to upgrade the fence between Portsoken Street and St George's Field to increase visual transparency; and
- Incorporation of a proposal to increase the width of the footpath on Haydon Street to ensure it is more accessible.

28. The proposed plans were further amended on 21 November 2022 to include the deletion of the northern glazed tower projection at roof level (as had been deleted on the southern side of the proposed extension).

### **Consultation:**

29. The Applicants have submitted a Statement of Community Involvement which outlines their engagement with stakeholders. Prior to submission of the application in September 2021, the applicant sought to engage with the local community via a consultation website. The website was promoted via letters which were sent on 2 July 2021 to 795 nearby residential and business address within proximity to the site, ward members, relevant cabinet members and Officers at the City of London Corporation. No responses were received at this time. A follow up consultation letter was distributed in August 2021. Four responses were received from the community to this second round of pre-application consultation.
30. Following formal submission, the planning application was advertised by notices on site and in the press and letters were sent to neighbouring residential occupiers in December 2021. In total, thirteen (13) objections were

received across the planning and listed building consent applications at this time.

31. The application was re-advertised on 17 October and 16 November 2022 by way of site and press notices and letters to surrounding residential properties, including nearby student accommodation following receipt of amendments to the scheme. No further public comments have been received at the time of writing, however officers will update the Committee as required.
32. It is important to highlight that Historic England raised concerns with the original iteration of the proposal in January 2022. Since the second round of formal consultation in October 2022 (following receipt of amendments to the scheme), Historic England have advised they are pleased to see their concerns have been addressed and wish to withdraw their previous concerns.
33. Copies of all received letters and emails making representations are attached in full and appended to this report. A summary of the representations received, and the consultation responses is set out in the tables below.
34. The views of other City of London departments have been taken into account in the preparation of this report and some detailed matters remain to be dealt with under conditions and the Section 106 agreement.

Consultation Responses	
<b>Thames Water</b>	No objection to the proposal with regard to wastewater network, sewage treatment works and infrastructure capacity. A condition requiring a piling method statement to be submitted is requested.
Officer Responses to Comments	The requested condition relating to the piling method statement is recommended to be included on the planning permission and is incorporated in the conditions schedule.
<b>Historic England</b>	<p>Raised concern with the original iteration of the scheme on the following grounds in January 2022:</p> <ul style="list-style-type: none"><li>• The extent of original fabric that would be removed on the lower levels on the south and north elevations to facilitate the 'pavilion' extensions would cause;</li><li>• The 9<sup>th</sup> floor level extension could be visible from within the tree line to the left of the White Tower of the Tower of London in views from the Southbank.</li><li>• The projections over the north and south glazed towers would challenge the existing glazed towers.</li></ul> <p>Advised on 22 November 2022 they are pleased to see the concerns raised in January 2022 have been</p>

	addressed by the proposed amendments and advised that they wish to withdraw their previous concerns (detailed above).
Officer Responses to Comments	<p>The amended proposal received in October 2022 included more fabric retention of the lower levels, a view confirming no impact to the White Tower of the Tower of London and deletion of the glazed projection on the southern side of the roof extensions. Subsequently, a further amended roof plan was received in November 2022 deleting the glazed projection from the northern side of the roof extensions.</p> <p>The matters raised by Historic England have been addressed.</p> <p>Further detailed assessment of the proposal on such matters is contained in the Design and Heritage section of this report</p>
<b>20<sup>th</sup> Century Society</b>	<p>Raised concern with the original iteration of the scheme on the following grounds:</p> <ul style="list-style-type: none"> <li>• The extent of fabric removal on the lower levels on the south and north elevations to facilitate the 'pavilion' extensions would cause harm;</li> <li>• The loss of the 'H-Plan' for of the building as a result of the lower-level extensions;</li> <li>• The projections over the north and south glazed towers would challenge the existing glazed towers.</li> </ul>
Officer Responses to Comments	<p>The amendments to the proposal received in October 2022 greatly reduce the extent of original fabric removal proposed at ground level of the building. Further, the size of the ground level extensions were reduced and refined in design terms. Subsequently, a further amended roof plan was received in November 2022 deleting the glazed projection from the northern side of the roof extensions.</p> <p>Whilst a further response from the 20<sup>th</sup> Century Society has not been received, it is considered that their original concerns have been addressed by the proposed amendments. Further detailed assessment of the proposal on such matters is contained in the Design and Heritage section of this report</p>
<b>London Underground</b>	No comment.
Officer Responses to Comments	N/A

<b>Historic Royal Palaces</b>	Response not received.
Officer Responses to Comments	N/A
<b>Victorian Heritage Society</b>	Response not received.
Officer Responses to Comments	N/A
<b>The Gardens Trust</b>	Response not received.
Officer Responses to Comments	N/A
<b>London Parks and Gardens Trust</b>	Response not received
Officer Responses to Comments	N/A
<b>Society for the Protection of Ancienry Buildings</b>	Response not received
Officer Responses to Comments	N/A
<b>National Amenity Societies and the Theatres</b>	Response not received
Officer Responses to Comments	N/A
<b>Council for British Archaeology</b>	Response not received
Officer Responses to Comments	N/A
<b>City Heritage Society</b>	Response not received
Officer Responses to Comments	N/A
<b>Georgian Group</b>	Response not received
Officer Responses to Comments	N/A
<b>Lead Local Flood Authority</b>	No objection subject to a condition requesting further details of green roofs in SuDs terms.
Officer Responses to Comments	The requested condition relating to green roof details is recommended to be included on the planning permission and is incorporated in the conditions schedule.
<b>City of London Department of Markets and Consumer Protection.</b>	No objection subject to recommended conditions relating to scheme of protective works, noise and amenity impact mitigation related conditions.
Officer Responses to Comments	The requested conditions are recommended to be included on the planning permission and have been incorporated into the conditions schedule.
<b>City of London Cleansing</b>	No objection to the proposed waste storage and collection facilities described within the submitted

	Transport Statement and the supporting email received from the Planning Agent (Savills) on 21 November 2022.
Officer Responses to Comments	Further details of the waste management strategy is recommended to be required as part of the Deliveries and Services Management Plan to be secured as part of the S106 Agreement.
<b>City of London Open Spaces</b>	Supportive of the proposed upgrades to the northern wall of Portsoken Street Garden proposed.
Officer Responses to Comments	These works are recommended to be secured under the S106 Agreement.
<b>City of London Transport Planning</b>	Supportive of the proposal, noting the proposed significant uplift in on-site cycle parking and facilities and the provision of an on-site servicing solution and blue badge parking. Requested the submission of a detailed Deliveries and Servicing Management Plan and Travel Plan to be secured as part of the S106 Agreement.
Officer Responses to Comments	The requested plans are recommended to be secured as part of the S106 Agreement.
<b>City of London Highways Department</b>	Advised they appreciate there is no longer a loss of parking bays proposed and the rearrangement of bays is for the purpose of providing better pedestrian access across Portsoken Street. Advised that parking bays on the raised table should be avoided and should be relocated as near as possible to their existing position and the raised table should extend to the garden entrance to provide pedestrians with a level cross surface at this point.
Officer Responses to Comments	The proposed S278 works include a raised table. The raised table shown on the proposed S278 works plan is labelled as to C.O.L specification. The size and layout of the raised table and any need for relocation of car parking spaces will be agreed as part of negotiations for the S106 Agreement.
<b>City of London Access Officer</b>	Supportive of the proposed improvements including the introduction of step-free access into the building and the provision of off-street blue badge parking and storage for larger cycles. Recommended some further alterations to the size of shower facilities to ensure they are wheelchair accessible and further details on the step free access from Minories.
Officer Responses to Comments	Further details on the step free access layouts and the internal layout of the shower facilities is recommended to be secured by condition.
<b>City of London District Surveyors – Fire</b>	No objection to the amended Fire Statement (received November 2022).
Officer Responses to Comments	N/A

Public Objections	
<b>Flat 508 Marlyn Lodge</b>	Objects to the proposal due to the potential impact of construction noise to residents of Marlyn Lodge and considers the development to not be necessary.
Officer Responses to Comments	<p>A Scheme of Protective Works and a Construction Logistics Plan are recommended to be required by conditions of the planning permission to ensure construction related amenity impacts are suitably mitigated and managed.</p> <p>The Applicant has also advised the additions are proposed to be constructed using a cross laminated timber (as opposed to new concrete framing and pouring). The use of this material would help to reduce the overall construction time.</p> <p>A detailed assessment of the principle of the development and amenity impacts is set out in detail in this report.</p>
<b>2 Portsoken Street</b>	Considers the proposal to be a flawed investment given many people now work from home (due to impacts from Covid) thus resulting in there being no need for additional commercial office space in the city.
Officer Responses to Comments	A detailed assessment of the proposal with respect to economic considerations is set out in this Economic Considerations section of this report.
<b>32 Admirals Court</b>	Objects because there is no parking in within the vicinity of the site which makes it difficult for maintenance services in the area.
Officer Responses to Comments	<p>The proposals were amended in September 2022 to no longer include the removal of on-street 'pay and display' car parking spaces as part of the scope of potential Section 278 works on Portsoken Street.</p> <p>Further, the proposals have been amended to include the incorporation of an on-site servicing solution off Haydon Street which will reduce on-street demand in the immediate vicinity of the site.</p>
<b>Flat 6, 6 Portsoken Street.</b>	Objects noting the proposal will significantly reduce natural light for all flats in Prospero House (6 Portsoken Street).
Officer Responses to Comments	The proposal is fully compliant with BRE Guidelines and no unacceptable reductions to the daylight and sunlight amenity of neighbouring residential dwellings would occur. Further assessment of this matter is set out in the Daylight and Sunlight Impact section of this report.

<b>Flat 10, 6 Portsoken Street</b>	Objects to the proposal due to potential construction noise impacts and reduction of daylight and sunlight access.
Officer Responses to Comments	<p>A Scheme of Protective Works and a Construction Logistics Plan are recommended to be required by conditions of the planning permission to ensure construction related amenity impacts are suitably mitigated and managed. The Applicant has also advised the additions are proposed to be constructed using a cross laminated timber (as opposed to new concrete framing and pouring). The use of this material would help to reduce the overall construction time.</p> <p>Having regard to daylight/sunlight impacts, the proposal is fully compliant with BRE Guidelines and no unacceptable reductions to the daylight and sunlight amenity of neighbouring residential dwellings would occur due to the proposed development. Further assessment of this matter is set out in the Daylight and Sunlight Impact section of this report.</p>
<b>Flat 1, 6 Portsoken Street</b>	Objects to the proposed roof extensions noting they will block light and result in noise impacts which would be a detriment to the neighbourhood.
Officer Responses to Comments	<p>The proposal is fully compliant with BRE Guidelines and no unacceptable reductions to the daylight and sunlight amenity of neighbouring residential dwellings would occur due to the proposed development. Further assessment of this matter is set out in the Daylight and Sunlight Impact section of this report.</p> <p>With respect to noise related impacts, conditions are recommended to be included on the planning permission to ensure the use of proposed roof terrace areas is controlled to mitigate against potential noise and disturbance impacts to nearby residential occupiers. This matter is further discussed in the Amenity section of this report.</p>
<b>Flat 15, 6 Portsoken Street</b>	Objects to the proposal due to daylight and sunlight impacts and loss of outlook. Further, raises concern with respect to the impacts of light pollution currently caused by the building which this proposal may worsen. Raises concern with the City's lack of concern for residential occupiers.
Officer Responses to Comments	Having regard to daylight and sunlight impacts, the proposal is fully compliant with BRE Guidelines and no unacceptable reductions to the daylight and sunlight amenity of neighbouring residential



	<p>dwelling would occur due to the proposed development. Further assessment of this matter is set out in the Daylight and Sunlight Impact section of this report.</p> <p>The submission of a detailed Lighting Scheme is recommended to be secured as a condition of the planning permission to ensure new lighting is in accordance with the City's Lighting Strategy. Further, the Applicant has advised the internal refurbishment of floors 1-7 (subject to a separate Listed Building Consent) will provide for the installation of motion sensor controls for lights within the existing building and also within the new floor space. This would improve existing light pollution issues described by the objector.</p>
<b>Flat 11, 6 Portsoken Street</b>	Objects to the proposal because the proposed roof extensions will block the view currently enjoyed by residents of Prospero House.
Officer Responses to Comments	The proposed roof extensions would infill space around and in-between existing built form and would not extend beyond the maximum height of the existing building. The outlook from residential dwellings would not be unreasonably altered. Further assessment of the proposed height and massing of the extensions is assessed in the Design and Heritage section of this report.
<b>Flat 12, 6 Portsoken Street</b>	Objects to the proposal due to potential noise and disturbance during construction, impacts from existing light pollution issues and daylight and sunlight loss impacts.
Officer Responses to Comments	<p>A Scheme of Protective Works and a Construction Logistics Plan are recommended to be required by conditions of the planning permission to ensure construction related amenity impacts are suitably mitigated and managed. The Applicant has also advised the additions are proposed to be constructed using a cross laminated timber (as opposed to new concrete framing and pouring). The use of this material would help to reduce the overall construction time.</p> <p>Having regard to daylight/sunlight impacts, the proposal is fully compliant with BRE Guidelines and no unacceptable reductions to the daylight and sunlight amenity of neighbouring residential dwellings would occur due to the proposed development. Further assessment of this matter is</p>

	<p>set out in the Daylight and Sunlight Impact section of this report</p> <p>A detailed Lighting Scheme is recommended to be secured as a condition of the planning permission to ensure new lighting is in accordance with the City's Lighting Strategy. Further, the Applicant has advised the internal refurbishment of floors 1-7 (subject to separate Listed Building Consent) will provide for the installation of motion sensor controls for lights within the existing building and also within the new floor space. This would improve existing light pollution issues described by the objector.</p>
<b>Ground Floor, Ibex House</b>	<p>Objects to the proposal noting little to no consultation has occurred between the Applicant and existing commercial tenants of Ibex House. Notes the lack of communication and 'respect' by the landlord indicates they are not likely to care about the concerns of residents and the integrity of the historical Art Deco building.</p>
Officer Responses to Comments	<p>Officers are satisfied that consultation has been undertaken as required. Concerns raised relating to the landlord are not a planning matter.</p>
<b>604 Marlyn Lodge, Portsoken Street</b>	<p>Objects to the proposed relocation of deliveries and servicing to Portsoken Street, noting this would adversely affect residents of Portsoken St in terms of noise and air pollution.</p> <p>Objects to the proposal to ensure deliveries occur 'outside of peak hours' as this would cause noise and disturbance in late evenings and early mornings.</p> <p>Objects to the removal of on-street carparking spaces on Portsoken Street noting this would cause further traffic issues.</p> <p>Objects to proposal because the extension to the east elevation would cause a loss of daylight and sunlight for nearby residents and the use of the proposed terraces would cause noise and overlooking impacts.</p>
Officer Responses to Comments	<p>The proposals were amended in October 2022 to include a new on-site servicing and deliveries solution which would be accessed from Hayden Street, thus deleting the proposal to service on-street on Portsoken Street.</p> <p>Further, the proposals were amended in October 2022 to no longer include the removal of on-street</p>

	<p>'pay and display' car parking spaces as part of the scope of potential Section 278 works on Portsoken Street. Therefore, the existing on-street carparking spaces would be maintained.</p> <p>The proposal is fully compliant with BRE Guidelines and no unacceptable reductions to the daylight and sunlight amenity of neighbouring residential dwellings would occur due to the proposed development. Further assessment of this matter is set out in the Daylight and Sunlight Impact section of this report.</p> <p>With respect to noise related impacts, conditions are recommended to be included on the planning permission to ensure the use of proposed roof terrace areas is controlled to mitigate against potential noise and disturbance impacts to nearby residential occupiers. This matter is further discussed in the Amenity section of this report.</p>
<b>Flat 12, 6 Portsoken Street</b>	<p>Objects to the proposed roof extensions noting these would cause a loss of daylight and sunlight access and would cause overlooking impacts. Raises further concerns with the potential for noise impacts from the proposed winter garden areas and the construction period.</p>
<b>Officer Responses to Comments</b>	<p>The proposal is fully compliant with BRE Guidelines and no unacceptable reductions to the daylight and sunlight amenity of neighbouring residential dwellings would occur due to the proposed development. Further assessment of this matter is set out in the Daylight and Sunlight Impact section of this report.</p> <p>With respect to noise related impacts, conditions are recommended to be included on the planning permission to ensure the use of proposed roof terrace areas is controlled to mitigate against potential noise and disturbance impacts to nearby residential occupiers. This matter is further discussed in the Amenity section of this report. It is also noted the winter gardens are small green spaces at lower ground level and would be ancillary feature of the office use (not any form of late-night venue).</p> <p>A Scheme of Protective Works and a Construction Logistics Plan are recommended to be required by conditions of the planning permission to ensure construction a amenity impacts are suitably</p>

	<p>mitigated and managed. The Applicant has also advised the additions are proposed to be constructed using a cross laminated timber (as opposed to new concrete framing and pouring). The use of this material would help to reduce the overall construction time.</p>
<p><b>Flat 603, Marlyn Lodge, Portsoken Street</b></p>	<p>Objects to the proposal due to loss of daylight and sunlight impacts, noting accumulative impacts caused by other high rises in the area, including Motel One, must be considered.</p> <p>Objects to the proposals due to the potential noise, overlooking and light pollution impacts caused by the proposed roof extensions and terraces. Further, raises concern with the potential mental health impact such extensions could have on Marlyn Lodge residents.</p> <p>Objects to the removal the removal of on-street car parking spaces noting these are used by businesses, residents and office workers. Further, raises concern with the level of traffic congestion in Portsoken Street.</p>
<p><b>Officer Responses to Comments</b></p>	<p>The proposal is fully compliant with BRE Guidelines and no unacceptable reductions to the daylight and sunlight amenity of neighbouring residential dwellings would occur due to the proposed development. Further assessment of this matter is set out in the Daylight and Sunlight Impact section of this report.</p> <p>With respect to noise related impacts, conditions are recommended to be included on the planning permission to ensure the use of proposed roof terrace areas is controlled to mitigate against potential noise and disturbance impacts to nearby residential occupiers. This matter is further discussed in the Amenity section of this report. It is also noted the winter gardens are small green spaces at lower ground level and would be ancillary feature of the office use (not any form of late-night venue).</p> <p>A Scheme of Protective Works and a Construction Logistics Plan are recommended to be required by conditions of the planning permission to ensure construction a amenity impacts are suitably mitigated and managed. The Applicant has also advised the additions are proposed to be constructed using a cross laminated timber (as</p>

	<p>opposed to new concrete framing and pouring). The use of this material would help to reduce the overall construction time.</p> <p>The proposals were amended in September 2022 to include a new on-site servicing and deliveries solution which would be accessed from Hayden Street, thus deleting the proposal to service on-street on Portsoken Street.</p> <p>Overlooking and light pollution impacts are assessed in detail in the amenity section of this report.</p> <p>Further, the proposals were amended in September 2022 to no longer include the removal of on-street 'pay and display' car parking spaces as part of the scope of potential Section 278 works on Portsoken Street. Therefore, existing car parking spaces would be maintained.</p>
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### **Policy Context**

35. The development plan consists of the London Plan 2021 and the City of London Local Plan 2015. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.
36. The City of London has prepared a draft plan, the City Plan 2036, which was published for Regulation 19 consultation in early 2021. Onward progress of the Plan has been temporarily paused to enable further refinement, but it remains a material consideration in the determination of applications (although not part of the development plan) alongside the adopted 2015 City of London Local Plan and the London Plan 2021. The Draft City Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.
37. The Corporation recently adopted the 'Preventing Suicide in High Rise Buildings and Structures' Planning Advice Note (2022) which requires safety measures to be considered and incorporated where necessary.
38. There is relevant GLA supplementary planning guidance and other policy in respect of: Accessible London: Achieving an Inclusive Environment SPG (GLA, October 2014), Control of Dust and Emissions during Construction and Demolition SPG (GLA, September 2014), Sustainable Design and Construction (GLA, September 2014), Social Infrastructure GLA May 2015) Culture and Night-Time Economy SPG (GLA, November 2017), London Environment Strategy (GLA, May 2018), World Heritage Site SPG (GLA, March 2011), Cultural Strategy (GLA, 2018); Mayoral CIL 2 Charging

Schedule (April 2019), Central Activities Zone (GLA March 2016), Shaping Neighbourhoods: Character and Context (GLA June 2014); London Planning Statement SPG (May 2014); Mayor's Transport Strategy (2018) and the Culture 2016 strategy.

39. Relevant City Corporation Guidance and SPDs comprises Protected Views SPD (CoL, January 2012), Air Quality SPD (CoL, July 2017), City Lighting Strategy (CoL, October 2018) City Transport Strategy (CoL, May 2019), City Waste Strategy 2013-2020 (CoL, January 2014), City of London's Wind Microclimate Guidelines (CoL, 2019), City of London's Thermal Comfort Guidelines (CoL, 2020), Planning Obligations SPD (CoL, May 2021), Open Space Strategy (CoL, 2016), Office Use (CoL, 2015), City Public Realm (CoL, 2016), Cultural Strategy 2018 – 2022 (CoL, 2018), Whole Life Carbon Optioneering Advice Note (CoL, 2022) and relevant Conservation Area Summaries.

### **Relevant Statutory Duties**

40. The Corporation, in determining the planning application has the following main statutory duties to perform:-
- to have regard to the provisions of the development plan, so far as material to the application, local finance considerations so far as material to the application, and to any other material considerations. (Section 70 Town & Country Planning Act 1990); and
  - to determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
41. In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).
42. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

### **National Planning Policy Framework (NPPF 2021)**

43. The National Planning Policy Framework (NPPF) states at paragraph 2 that "Planning Law requires that applications for planning permission must be

determined in accordance with the development plan unless material considerations indicate otherwise”.

44. The NPPF states at paragraph 8 that achieving sustainable development has three overarching objectives, being economic, social, and environmental.
45. Paragraph 10 of the NPPF states that “at the heart of the Framework is a presumption in favour of sustainable development. That presumption is set out at paragraph 11. For decision-taking this means:
  - a) approving development proposals that accord with an up-to-date development plan without delay; or
  - b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - c) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - d) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
46. Paragraph 48 states that local planning authorities may give weight to relevant policies in emerging plans according to:
  - a) the stage of preparation of the emerging plan (the more advanced its preparation the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
47. Paragraph 81 states that decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
48. Chapter 8 of the NPPF seeks to promote healthy, inclusive, and safe places.
49. Paragraph 92 states that planning decisions should aim to achieve healthy, inclusive, and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles.

50. Chapter 9 of the NPPF seeks to promote sustainable transport. Paragraph 105 states that “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health”.
51. Paragraph 112 states that applications for development should give priority first to pedestrian and cycle movements and second to facilitating access to high quality public transport; it should address the needs of people with disabilities and reduced mobility in relation to all modes of transport; it should create places that are safe, secure and attractive and which minimise the scope for conflicts between pedestrians, cyclists and vehicles; it should allow for the efficient delivery of goods and access by service and emergency vehicles.
52. Paragraph 113 states that “All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed”. Chapter 12 of the NPPF seeks to achieve well designed places.
53. Paragraph 126 advises that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”
54. Paragraph 130 sets out how good design should be achieved including ensuring developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities), establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and create places that are safe, inclusive and accessible and which promote health and wellbeing.
55. Chapter 14 of the NPPF relates to meeting the challenge of climate change.



56. Paragraph 152 states that the planning system should support the transition to a low carbon future in a changing climate. It should help to; shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including conversion of existing buildings.
57. Paragraph 154 states that new developments should avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures.
58. Chapter 16 of the NPPF relates to conserving and enhancing the historic environment.
59. Paragraph 195 of the NPPF advises that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
60. Paragraph 197 of the NPPF advises, "In determining applications, local planning authorities should take account of:
  - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness."
61. Paragraph 199 of the NPPF advises "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
62. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from

development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

63. Paragraph 202 of the NPPF states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”. When carrying out that balancing exercise in a case where there is harm to the significance of a listed building, considerable importance and weight should be given to the desirability of preserving the building or its setting.
64. Paragraph 203 of the NPPF states “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”

### **The Square Mile: Future City Report**

65. The Square Mile: Future City report aims to “create and sustain a vibrant and engaging City Offer” and target outcomes includes for: “Leisure visitors return and remain in the City, encouraged by the vibrant offer” and for “retail, hospitality, tourism and culture operators to return to and remain in the City, encouraged by City Corporation support”. It is not a development plan document and does not have the weight or statutory status of development plan policy, but may be considered a material consideration.

### **Destination City**

66. ‘Destination City’ launched in May 2022, following an independent review which set out a renewed vision for the City to be a world leading destination for workers, visitors and residents. It is an event driven programme by the City of London, is not a development plan policy and does not have the weight of statutory status of development plan policy, but may be considered a material consideration.

## **Considerations in this case**

67. In considering this planning application, account has been taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
68. The principal over-arching issues in considering this application are:
- the extent to which the proposals comply with the relevant policies of the Development Plan; and
  - the extent to which the proposals comply with Government guidance (NPPF).
  - The application of duty, when considering whether to grant planning permission, 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 when determining the planning application and the duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.
  - The appropriateness of the proposed uses.
  - Whether the proposal supports the business function of the city and the development of the city as a cultural destination for its communities and visitors.
  - The acceptability of the scheme in design and heritage terms including the impact on the designated heritage asset whether the public benefits outweigh any harm.
  - The impact on the World Heritage Site and relevant LVMF views
  - The impact on any non-designated heritage assets
  - The impact of the proposal on neighbouring amenity.
  - The impact of the proposal on daylight and sunlight to surrounding dwellings.
  - The impact of the proposal on any archaeology beneath the site.
  - The accessibility and inclusivity of the development.
  - The impact of the proposal in highway and transportation terms.
  - The impact of the proposal in terms of energy and sustainability.
  - The impact of the proposal on the public realm.
  - The impact of the proposal on air quality.
  - The requirement for financial contributions and other planning obligations.

## **Principle of Development and Land Use**

### **Principle of Development**

69. The National Planning Policy Framework places significant weight on ensuring that the planning system supports sustainable economic growth, creating jobs and prosperity.
70. The City of London, as one of the world's leading international financial and business centres, contributes significantly to the national economy and to London's status as a 'World City'. Rankings such as the Global Financial Centres Index (Z/Yen Group) and the Cities of Opportunities series (PwC) consistently score London as the world's leading financial centre, alongside New York. The City is a leading driver of the London and national economies, generating £69 billion in economic output (as measured by Gross Value Added), equivalent to 15% of London's output and 4% of total UK output. The City is a significant and growing centre of employment, providing employment for over 540,000 people pre-Covid.
71. Alongside changes in the mix of businesses operating in the City, the City's workspaces are becoming more flexible and able to respond to changing occupier needs. Offices are increasingly being managed in a way which encourages flexible and collaborative working and provides a greater range of complementary facilities to meet workforce needs. There is increasing demand for smaller floor plates and tenant spaces, reflecting this trend and the fact that a majority of businesses in the City are classed as Small and Medium Sized Enterprises (SMEs). The London Recharged: Our Vision for London in 2025 report sets out the need to develop London's office stock (including the development of hyper flexible office spaces) to support and motivate small and larger businesses alike to re-enter and flourish in the City.
72. The National Planning Policy Framework establishes a presumption in favour of sustainable development and advises that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It also states that planning decisions should recognise and address the specific locational requirements of different sectors.
73. The City lies wholly within London's Central Activity Zone (CAZ) where the London Plan promotes further economic and employment growth. CAZ policy and wider London Plan policy acknowledge the need to sustain the City's cluster of economic activity and provide for exemptions from mixed use development in the City in order to achieve this aim.

74. Despite the short-term uncertainty about the pace and scale of future growth in the City following the immediate impact of Covid-19, the longer term geographical, economic, and social fundamentals underpinning demand remain in place, and it is expected that the City will continue to be an attractive and sustainable meeting place where people and businesses come together for creative innovation. Local Plan and draft City Plan policies seek to facilitate a healthy and inclusive City, new ways of working, improvements in public realm, urban greening, and a radical transformation of the City's streets in accordance with these expectations.
75. The London Plan 2021 strongly supports the renewal of office sites within the CAZ to meet long term demand for offices and support London's continuing function as a World City. The Plan recognises the City of London as a strategic priority and stresses the need 'to sustain and enhance it as a strategically important, globally-oriented financial and business services centre' (policy SD4). CAZ policy and wider London Plan policy acknowledge the need to sustain the City's cluster of economic activity and provide for exemptions from mixed use development in the City in order to achieve this aim.
76. The London Plan projects future employment growth across London, projecting an increase in City employment. Further office floorspace would be required in the City to deliver this scale of growth and contribute to the maintenance of London's World City Status.
77. London Plan policy E1 supports the improvement of the quality, flexibility and adaptability of office space of different sizes.
78. Strategic Objective 1 in the City of London Local Plan 2015 is to maintain the City's position as the world's leading international financial and business centre. Policy CS1 aims to increase the City's office floorspace by 1,150,000sq.m gross during the period 2011-2026, to provide for an expected growth in workforce of 55,000. The Local Plan, policy DM1.2 further encourages the provision of large office schemes, while DM1.3 encourages the provision of space suitable for SMEs. The Local Plan recognises the benefits that can accrue from a concentration of economic activity and seeks to strengthen the cluster of office activity.
79. The draft City Plan 2036 policy S4 (Offices) states that the City will facilitate significant growth in office development through increasing stock by a minimum of 2,000,000sqm during the period 2016-2036. This floorspace should be adaptable and flexible. Policy OF1 (Office Development) requires offices to be of an outstanding design and an exemplar of sustainability.

80. Despite the short-term uncertainty about the pace and scale of future growth in the City following the immediate impact of Covid-19, the longer term geographical, economic, and social fundamentals underpinning demand remain in place, and it is expected that the City will continue to be an attractive and sustainable meeting place where people and businesses come together for creative innovation. Local Plan and draft City Plan 2036 policies seek to facilitate a healthy and inclusive City, new ways of working, improvements in public realm, urban greening, and a radical transformation of the City's streets in accordance with these expectations. These aims are reflected in the Corporation's 'Destination City' vision for the Square Mile.
81. The scheme meets the aims of policies in the London Plan, CS1, DM1.2 and DM1.3 of the Local Plan 2015 and S4 of the emerging City Plan 2036 in delivering growth in both office floorspace and employment. The proposals provide for an additional increase in floorspace and employment in line with the aspirations for the CAZ and the requirements of the Local Plan and emerging City Plan. The proposed development would result in an additional 1141 sqm GIA of high quality, flexible Class E Office floorspace for the City, thus contributing to its attractiveness as a world leading international financial and professional services centre.

#### Office Provision

82. Policy E1 of the London Plan (2021) explicitly supports increases in the current office stock. Likewise, core strategic Policy CS1 of the Local Plan 2015 and strategic Policy S4 of the draft City Plan 2036 seek to ensure that the City provides additional office accommodation to meet demand from long term employment growth, and that new office floorspace is designed to be flexible to allow adaptation of space for different types and sizes of occupiers and to meet the needs of SME's, startup companies and those requiring move on accommodation.
83. The existing site provides a total of 20,632 sq.m GIA of Class E office floorspace.
84. The scheme would deliver 2,057 sq.m uplift in office (Class E) floor space (GIA). The proposed uplift would be partly derived from the proposed extensions but would mostly occur due to the proposal to convert an existing 2,381sqm gym (also Class E) on the lower ground level to office space. The increase in office use floor space is welcomed in accordance with Core Strategic Policy CS1 to increase the City's stock and S4 of draft submission City Plan 2036.
85. The proposal includes a range of positive upgrades to the building which would allow for flexibility and would attract a range of different small and

medium sized business in accordance with Local Plan policy DM1. In particular, the purpose of the scheme is largely to improve entrances to the building, circulation spaces within the main reception and entry areas, to provide outdoor amenity spaces and to provide a more welcoming and flexible central reception hub.

86. The proposed scheme, along with previously consented refurbishment works relating to level 1 and 7, would lift the office accommodation from Grade B to Grade A quality. The proposed upgrades would bring the building back into optimal use, enabling the refurbished office building to compete with other new build Grade A office stock within the City.
87. The proposed and refurbished office floor space is well designed, flexible office accommodation in a well-considered building, with much improved sustainability credentials. The proposed uplift and internal upgrades in office floor space would contribute to meeting the aims of the London Plan for the CAZ and supports the aims of the Local Plan policy CS1, and draft City Plan 2036 policy S4. The office accommodation is in accordance with policy DM1.3 of the adopted Local Plan and policy OF1 of the Proposed Submission Draft City Plan 2036.

#### Retail

88. Policy DM20.3 of Local Plan 2015 and Policy R3 of the draft City Plan 2036 acknowledge the value of isolated retail units within the city, noting they provide local facilities for the City's workforce, enhance the City's vibrancy, and may serve the City's residential communities.
89. The scheme includes a new dedicated café space (Class E) within the southern pavilion extension on Portsoken Street which would be accessible to the public. A café in this location would help to activate the Portsoken Street frontage of the site where it is conveniently located opposite Portsoken Street Garden. The incorporation of such a use on Portsoken Street would help to make Ibex House more outwards facing and accessible for the surrounding community, not only the buildings own occupants.
90. A condition is recommended to be included on the planning permission, ensuring the dedicated café space proposed on the approved drawings is not converted to any other use within Class E, without permission from the Local Planning Authority.

#### Public House

91. Policy HC7 of the London Plan (2021) seeks to ensure public houses are protected where they have heritage, economic social or cultural value to local communities or where they contribute to wider policy objectives for town centres, night-time economy areas, Cultural Quarters and Creative Enterprise Zones. Likewise, Policy C1 of the draft City Plan 2036 seeks to ensure special

consideration is given to the protection of cultural facilities (including public houses) to maintain the City's unique cultural heritage.

92. The proposal includes the retention, internal expansion and external refurbishment of the existing public house known as the "The Peacock", which has laid vacant now for several years. This demonstrates a clear intention by the Applicant to conserve and enhance the existing pub which holds heritage value as part of Ibex House and has the potential to add further economic, social and cultural value to the local area if revitalised as proposed.

#### Culture – 'Learning Gallery'

93. Adopted Local Plan policy CS11 seeks to provide, support and further develop a wide range of cultural facilities and events in the City. Policy S6 of the draft City Plan 2036 seeks to enhance cultural experiences and access to a range of arts and heritage and includes a requirement for developers to submit Cultural Plans for major developments outlining how the development will contribute to the enrichment and enhancement of the City's cultural offer. These should set out how the development would contribute towards enriching and enhancing the City's cultural offer for example by incorporating cultural activities or displays in ground floor spaces; facilitating public access and providing exhibitions/interpretation boards in relation to matters of historic interest; providing permanent or temporary space for creative enterprises; and incorporating public art either within the design of the building or as freestanding structures.
94. The emerging Destination City strategy has ambitious targets to promote footfall and spend and to use the City as a brand to support this aim. The approach includes three strands to support success including: connectivity; wayfinding; and delivering world class events and activations. Integral to this is building a cohesive programme working with BIDS and potential partners.
95. A cultural provision of 161sqm GIA floorspace is proposed as part of the application.
96. The Design and Access Statement and subsequent Cultural 'Streamline Moderne Exhibition/Learning Centre' Statement set out the cultural strategy for the site which is intended to directly relate to the heritage significance of Ibex House and the Art Deco/Streamline Moderne movement.
97. The proposal includes a dedicated unit on the ground floor of the building in a prominent location on the corner of Minories and Portsoken Street. The space is intended to be used as a Learning Gallery with space assigned for an ancillary café and would be fitted to accommodate various exhibitions, events and workshops. More specifically, the unit is proposed to accommodate the following:



- A collaborative studio space for higher education and local community programmes and charities for the purpose of hosting workshops, lectures, seminars etc;
  - A gallery and exhibition space for local architects, artists and charities; and
  - An ancillary café space for visitors.
98. A detailed degree of space planning has been carried out and forms part of the subsequent Cultural 'Streamline Moderne Exhibition/Learning Centre' Statement to demonstrate how the space would be fitted out to accommodate the variety of activities described above.
99. The Applicant has been engaging with prospective interested occupiers and Officers have been kept informed on the progression of discussions. Initial meetings have occurred between a local community-focused organisation/architecture charity named 'STORE', with discussions on affordable lease terms scheduled to occur in late November and early December.
100. The Agent has also advised that interest from other organisations such as RIBA and the Aldgate BID has also been received. Notwithstanding this, specific occupier details will be secured at a later date as part of the S106 Agreement obligations.
101. The initial plan set out for the space will serve as a good foundation to form a more intricately detailed Cultural Plan and Cultural Implementation Strategy through Section 106 obligation. The strategy and implementation plan will be required to set out operational use and management details of the space.
102. Policies CS8 for Aldgate and CS11 of the 2015 London Plan and S6 of the draft City Plan 2036 and Destination City seek to enhance the City's contribution to London's world-class cultural status and to enable the City's communities to access a range of arts, heritage, and cultural experiences.
103. The Cultural 'Streamline Modern Exhibition/Learning Centre' Statement and its intended actions are welcomed. Full details of the plan and its implementation strategy are to be secured through the S106 agreement to ensure the benefits proposed are deliverable.

### **Architecture and Urban Design**

104. London Plan Policy D3 and Local Plan Policy CS 10 advocate for a design led approach and optimisation of site capacity. The roof extensions and pavilions are well-designed and modest additions which balance delivery of additional floor space with heritage constraints. The proposals make an

effective use of limited land resource and enhance the buildings relationship with the adjacent public realm.

105. The roof top extensions would read as a series of integrated tiered additions to the main building which would remain below the existing maximum height of the building (49.8m AOD). The 8<sup>th</sup> storey level extensions to the east and west wings would connect into the existing centrally positioned commercial floor space and wrap around the unsightly service cores. At 9th storey level a further slender extension would sit between the cores set back significantly from the building line and the striking historic vertical glazed features “thermometer”.
106. These additions would partially conceal post war ad hoc roof top clutter and introduce sleek and complementary commercial floor space and roof terraces creating a cleaner roof silhouette in views. The extensions and this slight visual enhancement would be most apparent in the views from south and west, from Minories, Mansell Street/Haydon Street, Crosswall and King Georges Field. In longer views the extensions would be virtually imperceptible from Tower Hill, Tower Bridge and other riparian experiences.
107. The buildings around Ibex House are a mix of offices, hotels, serviced apartments and residential flats. Retail is located primarily at street level along Minories. There is little consistency in the age or appearance of the surrounding buildings, whilst heights range broadly from 5 to 11 storeys, with nearby taller buildings on Minories of up to 15 storeys. In both distant and local views, the visual prominence and level of change would be relatively insignificant in this diverse context blending into the urban layering of existing different building heights. The modest increases in massing would read as well integrated seamless additions with a design aesthetic and materiality referencing the existing distinctive streamline art deco architecture.
108. Equally, the ground floor pavilion extensions to the north and south elevations have been carefully conceived and sited to make use of existing refuse and service spaces. Following amendments these additions are now of a scale and footprint which is subordinate to the main building, and which does not dominate the composition of the historic building or townscape in approaches along Portsoken Street and Haydon Street.
109. The pavilions pull forward the building line in these areas increase glazing and redefine the entrances with accessible entry points resolving existing changes in level. The pavilions would replace back of house spaces within the existing carriageways and result in a more visually interactive ground floor accommodating additional offices entrances and a café to the south with an attractive aspect towards Portsoken Street Garden.

110. The minor remodelling to the ground floor of Minories would introduce a more symmetrical base, level access to the main office entrance and consistent stall riser height with increased glazing. This primary facade is bookended by two anchors, the remodelled former Peacock Pub” and the proposed cultural learning hub.
111. Collectively in the round the ground floor of Ibex House would make a more positive response to the public realm with a more active, usable, visually interesting and well-lit active frontage. In addition, passive natural surveillance would be increased for both day and night and existing awkward and anti-social recesses would be removed.
112. The proposed cultural space, remodelled public house, improved office entrances, increased amount of active frontage and a new cafe would refresh and add a new array of activities which would facilitate the diversification of uses and interest on Minories, Haydon Street and Portsoken Street. Public access to the cultural spaces and additional café to Portsoken Street would be secured via Section 106 and delivered in accordance with the Public London Charter, to ensure the highest level of public access and openness. The proposal would be in accordance with London Plan Policy D3 and D8 and Local Plan Policies CS 10 and DM 10.1.
113. The architectural quality and design detail of the extensions and adaptations to Minories have been meticulously designed to complement the existing building and are modelled on the 1930s art deco architectural character. The detailed approach has been informed by historical research and the new extensions on the ground and upper floors have been carefully designed to reflect the architectural language and materials of the existing building and the original design intent, but with a subtle contemporary interpretation clearly distinct and deferential to the host building. Key references are horizontality, the use of black faience, continuous crittall windows, curved corners and flat roofs. The proposals are considered to deliver exemplary design quality in accordance with policies CS10, DM10.1 D3 and S8.
114. M&E plant and building services would be upgraded within existing spaces at roof level. A large proportion of plant and services are integrated in the basement, relieving pressure on the top of the building to accommodate additional plant space. The existing rooftop plant would now be partially screened by the proposed extensions in accordance with Local Plan Policy DM10.1 and DM 10.3. Final details of the fifth elevation, plant enclosure and surface materials would be secured via a condition.
115. The proposals incorporate green infrastructure and roof terraces where opportunities are available on this constrained heritage site including terraces, planting and green roofs. Roof terraces have been designed with Policy DM 10.3 in mind, having regard for impact on rooflines/profiles,

historic/distinctive roofs and views. Planting is integrated to the flat roofs of the pavilions which would add a degree of softness to the street scene and would create a green corridor with Portsoken Street Garden to the south. Additional planting is proposed within the sunken lightwells to Portsoken Street supporting the wellness of occupiers. Final details, including planting palettes, specifications and fit out, are reserved for condition with the intent to optimise the inherent biodiversity and wellbeing benefits.

116. Servicing spaces, refuse storage and disabled parking bays are off street and discreetly positioned on Haydon Street and Portsoken Street slotted into the spaces between the new pavilion and existing Ibex House. The location would have a minimal visual impact on the street scene and would not detract from the quality of the listed building and the pavilion proposals.
117. There would be integrated “IBEX” signage above the three new entrances to Portsoken Street and Haydon Street. These would be back lit art deco letters signposting the remodelled entrances and the design intention would take cues from the art deco character of the building. A signage strategy for all other uses would be required as a condition to ensure consistent approach to location, lighting, and style. However, it is noted a separate application for Advertising Consent would be required prior to the installation of any signs.
118. Improvements to the public realm on Portsoken Street & Haydon Street include re-paving the frontage to the proposed entrances, a ‘carpet’ of paving across a raised table linking the Portsoken Street entrance to Portsoken Street Garden, and creating an accessible entrance to the building off the Minories pavement. Additional enhancements are proposed to the Portsoken Street boundary wall and planting to Portsoken Street Garden. The hard brick boundary will be replaced with a more transparent treatment providing a greater visual connection between the public sunken garden and Portsoken Street. These changes would enhance the quality of routes around Ibex House. These more pedestrian-focused streets which promote active travel and are comfortable, convenient, safe and attractive, are in accordance with London Plan Policy D8. Furthermore, a public realm management plan, secured through s.106, would ensure that the enhanced routes and spaces are delivered and maintained in accordance with the principles of the Public London Charter.
119. The refreshed public realm would comprise a seamless extension of the City’s continuous public realm, utilising the material palette and detail established in the City Public Realm SPD and the associated Technical Guide, with final detail reserved for condition.
120. Appropriate lighting, in accordance with Local Plan Policy DM 10.1, would deliver a sensitive and co-ordinated lighting strategy integrated into the overall design, minimising light pollution, respecting context and enhancing

the unique character of the City by night. Irrespective of the approved drawings, a detailed Lighting Strategy would be subject to condition to ensure final detail, including form, quantum, scale, uniformity, colour temperature and intensity are delivered in a sensitive manner in accordance with guidance in the City Lighting Strategy. The intention of the final proposals would provide low level illumination to architectural and landscape features, to enhance the pedestrian experience and improve safety.

### **Conclusion on architecture and urban design**

121. The overall vision for the proposed development would be a sensitive and discrete multi-layered refurbishment with extensions. The approach is appropriate in terms of height, form, massing, scale and detailed design, would add a level of richness and visual interest to the local townscape and would support the emerging vitality of Ibex House and in turn the wider area. Final materials and details would be the subject of conditions. The proposal would also optimise the use of land of a constrained site delivering high quality office space and community facilities, whilst improving the buildings interface with its surroundings. It would enhance convenience, comfort and attractiveness in a manner which optimises active travel and builds on the City's modal hierarchy and Transport Strategy.
122. It is considered the proposal would constitute Good Growth by design in accordance with Local Plan Policies CS 10 and DM 10.1, emerging City Plan Policy S8 and DE2, and London Plan D3, D4 and D5 and policies contained in the NPPF and guidance in the National Design Guide, contextualized by the London Plan Good Growth objectives, GG1-6.

### **Heritage Impacts**

123. The proposal has been assessed against Local Plan Policies CS12, DM 12.1, DM12.2 and DM 12.3, draft City Plan 2036 policies S1 and HE1, and London Plan Policy HC1 and the relevant NPPF paragraphs 199-208.
124. There has been special regard to the desirability of preserving Ibex House and its setting and any features of special architectural or historic interest which it possesses, under s.16 and s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.
125. Evolution of the proposals has reduced heritage impacts to address officer and consultee objections including reduction of demolition; the scaling back of the ground floor extensions; the reuse of historic materials including faience and railings where feasible; the refinement of design detail; increasing the level of public access; and re-provision of the public house.

126. As set out in the consultation section of this report, Historic England and the Amenity Societies were consulted. Historic England the 20th Century Society raised concerns with the original iteration of the proposal in late 2021. Following receipt of amendments to the scheme in October 2022, Historic England advise the proposals address their concerns and their objection has been withdrawn. No further comments have been received from the 20<sup>th</sup> Century Society.

Ibex House (Grade II) Heritage Significance:

127. Built 1935-37, to the designs of Fuller Hall and Foulsham Architects, it is a seminal City building and important example of an interwar commercial building at a London-wide and National level. It is an early example of a modern speculative office block in the then emerging 'moderne' manner emanating from design schools on the European continent. It would have appeared quite striking and bold at the time in a City market since dominated by traditional styles and material expression. Built at a monumental scale quite new to the City, it incorporated a whole City Block, liberated in height terms by the emergence of steel and reinforced concrete, it's external adoption of the fashionable 'streamline moderne', comprising long rectilinear and curved 'strip' steel windows and a mix of elegant 'biscuit' and black-coloured faience, would have been radical and provided a clear contrast of modernity with the traditional City livery of classism and Portland Stone. The flush 'Crittall' continuous bands of steel windows, the longest unbroken length being 70ft, are said to have been the longest in Britain on completion and were part of a wider plan form which sought to maximise natural light into the depth of a (then novel) open plan floorplate.

That floorplate, with generous columnar spacing, was facilitated by structural innovation, and in a move anyway from post and beam construction, it is said to be the first flat-slab concrete structure with mushroom columns. The distinctive 'H', or 'dumbbell', architectural plan form facilitated the London Country Council's off-street servicing requirements, whilst allowing for a greater aspect and natural light and offered a more generous form to show off its elegant architectural stylings.

The proposal incorporates an earlier public house, 'The Peacock', into the overall design.

Its significance is principally architectural and artistic and to an important but lesser extent historic. These derive from:

- A rare and unique survivor of the streamline moderne style, influenced by architects like Eric Mendelsohn and the work of Luckhardt and Anker and the evolving fashion of the Art Deco 'ocean linear' idiom.
- A unique historic example of the emerging interwar trend for large open plan speculative office space, skilfully resolved on a dense urban site to

incorporate generous aspect and natural light alongside servicing requirements and with architectural panache.

- Structural and material innovation in the superstructure and use of elegant external skin facings.
- Incorporation of earlier licensed premises, 'The Peacock', in a moderne streamline interpretation of a traditional public house guise, such uses contributing to the historic mix of fine grain uses in the City edge (outside the historic walls). A rare and unique public in a moderne style at a City and London level.

128. On the whole, these heritage values derive from the physical fabric and architectural form, as expressed through the external skin and plan form, and to a lesser extent its super structure.

#### Contribution of Setting:

129. Elements of setting make a modest to moderate contribution to significance, most of which is intrinsic to the physical fabric and plan form. The setting of Ibex House has evolved significantly since it was built, and much of the original historic setting lost, to its detriment, diluting the overall contribution of setting to significance.

130. Those elements making a contribution to significance and an appreciation of it are:

- The clear contrast in scale and style between Ibex House and the surrounding finer grain, often more domestically scaled and historicist architecture, in particular where part of the city-edge historic architecture survives and provides a clear contrast which accentuates the monumentality of Ibex House as an edifice. This makes a moderate contribution to significance, in particular an appreciation of it.
- Those surrounding historic street alignments and, where it survives, historic building lines, which create that hierarchy of the facades and its response to its dense urban context. This makes a more modest contribution to significance and an appreciation of it.

#### Direct Impacts on Designated Heritage Assets: Ibex House

131. Roof extensions: The scale and form of the roof top extensions are well designed and deferential to the existing building composition. Like the pavilions the design detail would reflect the intrinsic artistic and architectural values of Ibex House. Any harm arises from the loss of parts of the historic floor slab and the removal of a horizontal roof light which is of modest interest and these impacts are relatively minor and not considered to be adverse.

132. Pavilions and lower ground level: The proposed single storey glazed pavilions would extend over part of the original carriageways and lightwells to the north and south introducing new fully accessible entrances to reception spaces and a public café to the south and the existing ad hoc arrangements to cycle parking, servicing and refuse storage would be resolved.
133. These have been thoughtfully designed and refined through the application process to mitigate harm to architectural and artistic significance. The smaller footprint and set back from the existing building line is now deferential to main building. The historic H plan is more legible; part of the lightwell to the southern aspect is retained; structural components would be preserved and less of the external skin removed. Fabric components would be partially retained and expressed within the new interior spaces of the southern pavilion. The extensions would be meticulously designed and reinterpret the moderne streamline features including crittall glazing, curved corners, black faience. At the same time there would be a subtle contemporary interpretation clearly distinct yet subservient to the main building.
134. There would still be some minor diminishment of the original artistic and architectural design intent in some areas of high and moderate heritage value. The historic carriageways, boundary wall and railings would be removed and the compositional arrangement of H- plan set back, lightwells, and former vehicular arrival points would be remodelled. The pavilions would obscure part of the ground floor elevation and require the dropping of cills, punching through of faience and removal of windows to create connections between the pavilions and the main building. The delivery of level access into the building would also require the loss of the historic entrances and steps. These interventions would slightly erode physical fabric and the plan form as well as partially obscure the ground architectural form in areas of high and moderate heritage significance.
135. The internal alterations to the ground and lower ground levels affect areas which are of lower heritage significance. There would be some breaking through and repositioning of the concrete floor slabs to improve access, create a more open plan arrangement and improve circulation as well as increase light quality. The extensions at lower ground level into the lightwell areas and related excavation would also require demolition of some external facing materials and windows but the superstructure and columns would be retained and there would be clear a sense of the historic building line. The demolition in these areas has also been reduced. These are areas which have been extensively altered and refurbished and are of low heritage significance, and the impacts are not considered to be harmful to architectural and artistic values.
136. Roof extensions: The scale and form of the roof top extensions are well designed and deferential to the existing building composition. Like the



pavilions the design detail would reflect the intrinsic artistic and architectural values of Ibex House. Any harm arises from the loss of the historic floor slab and the removal of a horizontal roof light which is of modest interest and these impacts are relatively minor and not considered to be adverse.

137. Minories elevation ground floor: The ground floor elevation has undergone numerous changes over the years. Notwithstanding this the elevation and the ground floor are intrinsic to the artistic and architectural values and of high heritage significance.
138. The proposals would introduce a consistent building line and design approach removing unsympathetic later interventions. A more active elevation would be created with increased glazing and improved level access to the main entrance. Key features such as the curved corners, streamline appearance and black faience would largely be retained and or reinstated.
139. The former public house use on the north corner of Minories/Haydon Street would be preserved at ground and lower ground. Externally the art deco character of the drinking establishment is well preserved as an inward-looking public house with high cills and crittall window to Minories and Haydon Street. Internally the building is much altered other than a sense of a small cellular floor plan at ground level.
140. The existing window to Minories would be removed and cill lowered to align with the wider stall riser datum to this elevation and clear glazing introduced. The Haydon Street elevation, original keg chute and corner entrance location would be preserved. Internally existing historic walls would be opened up, and the public house use would be extended into the adjoining unit and become open plan. The interiors which are of low heritage significance would be entirely refurbished including a new staircase inserted to lower ground level.
141. This would be a modernisation of a unique historic public house integral to Ibex House which is rare in the City of London and London. The proposals would slightly diminish the intrinsic architectural character, and external art deco style of this public house typology and there would be some minor loss of physical fabric and original design intent.
142. Interior fit out: The proposed interior fit outs to the public house, café, cultural use, reception, and remodelled office spaces would take their design cues and material choices from the iconic art deco building which would reinforce the distinctiveness of Ibex House. The final details would be covered by a condition.
143. Terraces and repairs: The current terraces are not accessible to the tenants because the existing balustrades height do not comply with the current

building regulations. The proposed works aim to replace the existing metal balustrades with a new detail which provides the adequate level of safety whilst and maintaining a consistent architectural language of Ibex House. Existing poor quality aluminium windows at ground and on the upper floors would be replaced with double glazed crittall windows and finished in green to match the approved window replacement programme. Faience repairs will also be undertaken as required details which will be secured by condition. These elements would all enhance the artistic and architectural values and moderne style of Ibex House.

144. Reuse of materials: Where there is demolition and loss of historic fabric including faience and railings these materials will be carefully dismantled and reused where possible for example for the terraces and new extensions. A condition will require a method statement to control dismantling, storage and monitor opportunities to reuse fabric and reduce waste.
145. Signage: A backlit “Ibex” art deco signs are proposed to be installed along the canopy edges at the proposed Minories main entrance and to the new entrances to the pavilions on Haydon and Portsoken Street. This would complement the artistic values and moderne art deco style.
146. The proposed development is underpinned by an overarching objective to revitalise and celebrate Ibex House as an iconic and unique building and reclaim its prominence and presence within the City of London with increased public access, repairs and sensitive refurbishment. The delivery of the proposals would result in minor adverse impacts to areas of high and moderate heritage significance. The harm derives from the pavilion extensions and the changes to the public house. There would be some slight erosion of the physical fabric and features through minor demolition and to the architectural form and original plan through the obscuration of parts of the building. For the most part however the overall artistic, architectural, and historic values are preserved and in parts are enhanced. These minor adverse impacts would cause a low level of less than substantial harm.

#### Indirect impacts on other designated heritage assets

##### Tower of London World Heritage Site and Outstanding Universal Value

147. The seven overarching attributes of Outstanding Universal Value are contained in the Statement of Outstanding Universal Value, itself contained in the World Heritage Site (WHS) Management Plan, have underpinned this assessment, alongside the components contributing to each attribute. It is considered that three attributes are of relevance to assessing the impact of the proposal in terms of: (i) an internationally famous monument, (ii) landmark siting and (iii) physical dominance of the White Tower.

148. The WHS Management Plan establishes a 'local setting area', an 'immediate setting' and a non-spatially defined 'wider setting'. Ibex House is not in the designated local setting (as identified in Figure 4 of the WHS Management Plan) but is in the wider setting. The Local Setting Study (section 7) identifies the main views and/or viewpoints to and from the Tower of London (ToL) which are deemed to exemplify the OUV and the components, with management guidance providing a baseline for assessing change. The representative views/viewpoints include a number of LVMF viewing locations and where relevant assessed here together.
149. There are two views within the London View Management Framework which are relevant to the considerations of impact on the World Heritage Site for this application, Tower Bridge (10A) and City Hall (25A) and these are considered in detail in the Strategic View Section.
150. Other designated heritage assets: There are no other designated heritage assets in the locality where there would be an impact on setting and significance.

Non designated heritage assets:

151. The Writers House Haydon Street: Its significance is derived from its evidential and architectural values which provide a link with the former industrial activities which once characterised this part of this City. The Victorian warehouse with punched masonry and generously proportioned windows are distinctly non domestic and more unusual within the City of London. Archaeological values derive from standing fabric in its walls from the former Abbey of St Clare. The setting of Writers House has changed significantly. Elements of setting which make contribution to significance are limited to surrounding historic street arrangements and building lines where these still exist. The extensions and alterations to Ibex House are self-contained and of scale and design which would be neutral and not detract from significance or setting.

Strategic Views

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

152. This is also identified as a Representative View in the Local Setting Study (View 9), whilst the impact here is also representative of the impact from Approach 14 (Tower Bridge).
153. The LVMF SPG states that this location enables the fine details and the layers of history of the Tower of London to be readily understood. The LVMF states that such understanding and appreciation is enhanced by the free sky space around the White Tower, and that where it has been compromised its visual dominance has been devalued. It also states that the middle ground includes

the varied elements of the City, rising behind the Tower, which includes prominent tall buildings of the late 20th and early 21st centuries, and earlier periods such as the spires of City churches and the Monument. It is also noted that the lantern and upper dome of St Paul's Cathedral can be seen, while other prominent buildings or structures in the background include the Cannon Street Station towers, BT Tower, Centre Point and the Tate Modern (para 182).

154. The proposed roof extensions would be virtually indiscernible within this view and the appreciation of the dominance and pre-eminence of the ToL as a Strategically Important Landmark, or other identified landmarks and would preserve the appreciation of the OUV, the attributes an internationally famous monument, landmark siting and the physical dominance of the White Tower, its integrity and authenticity. In this regard, the proposed extensions would not conflict with London Plan Policies and HC2, Local Plan Policy CS 13 (1), draft City Plan Policy 2036 and guidance contained in the LVMF SPG and the LSS.

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

155. This view is identified in the Tower of London WHS Management Plan (7.3.22) as the most iconic view of the Tower. The focus of the view is the Tower of London, which is the sole Strategically Important Landmark, inclusive of a Protected Vista, the Landmark Viewing Corridor of which is focused on the White Tower, benefiting from a dynamically protected sky-backed silhouette between the three Assessment Points (25A.1-3). The Monument, Tower Bridge are also identified as landmarks and Port of London Authority is an identified building.
156. The height of the roof extensions would be below the threshold for the background consultation area from the viewing location at 25A. In the kinetic sequence of views (25A.1- 25A.3) the extensions would be virtually indiscernible positioned either behind the tree line canopy or absorbed into a background of taller buildings. The impact on the Protected Vista and Protected Silhouette would be negligible.
157. The proposed extensions would not harm the characteristics and composition of this strategic view and their landmark elements, preserving the ability of the observer to recognise and appreciate the strategically important landmarks. In this regard the proposed extensions would not conflict with Local Plan Policy CS13(1), London Plan Policy HC4 and draft City Plan 2036 Policy S13 and guidance contained in the LVMF SPG.

### Other World Heritage Site views: Dynamic Journey across Tower Bridge

158. The experience is identified in the Local Setting Study as Route 14 of the Approaches and Arrivals (Section 5), which acknowledges the overlap between these local views and the River Prospect at LVMF 10A.1. The identified aim is 'to create views in which the Tower of London is perceived as a riverside gateway lying at the edge of the City rather than 'lost in the City'; in which the scale of the White Tower is perceived as more prominent as than the building surrounding it; and in which the military architecture of the Tower and its defences can be appreciated'.
159. The proposed roof extensions would be virtually indiscernible and have a negligible impact in this kinetic sequence. The White Tower is considered to retain its prominence and the presence of the military architecture and defences of the WHS remain undimmed by the proposed building.

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

160. The proposals would preserve the ability to recognise and appreciate the ToL as a Strategically Important Landmark, whilst according with the associated visual management guidance in the LVMF. In all other views, including the relevant approach and relevant representative views, it is considered in line with the WHS SPG that the scale of change in all instances it is deemed to be virtually indiscernible and impacts negligible. Overall, it is considered that the proposals would not harm the attributes of the OUV or any of the components, authenticity, or integrity of the WHS, preserving its significance.
161. The proposed building would therefore comply with London Plan Policies HC2 and HC3, HC4 which seeks to ensure the implementation of the LVMF. Local Plan Policies CS12 and CS13 of the City of London Local Plan and draft City Plan 2036 policies S11, S13 and HE3.

### **Heritage Impact Conclusion**

162. The proposals have been assessed against Local Plan Policies CS12, DM 12.1, DM 12.2 and DM 12.3, draft City Plan 2036 policies S11 and HE1, London Plan Policy HC1 and the relevant NPPF paragraphs 199-208. There has also been special regard to the desirability of preserving Ibex House including its setting and any features of special architectural or historic interest which it possesses, under s.16 and s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.
163. The proposals are well conceived and meticulously designed to mitigate harm to the significance of the building as far as possible. The proposals have been supported by clear and convincing justification to sensitively adapt Ibex House to be more accessible, improve operational performance and the quality of external and internal spaces. The proposed designs have been informed by historical research and significance assessment of the building. Features, details and architectural language identified as original or having historic significance are largely retained and carefully considered in the

proposed scheme. Generally, it is considered that the proposed scheme will regenerate the appearance and the setting of this listed building.

164. The delivery of the proposals would result in some minor adverse impacts to areas of high and moderate heritage significance. The harm derives from the pavilion extensions and the changes to the public house. There would be some slight erosion of the physical fabric and features through minor demolition and to the architectural form and original plan through the obscuration of parts of the building. For the most part however the overall artistic, architectural and historic values are preserved and in parts are enhanced. These minor adverse impacts would cause a low degree of less than substantial harm. These elements of the proposals would therefore draw conflict with Policy DM 12.3 (2), emerging policy HE1 (1) and London Plan Policy HC1 (C).
165. The heritage policies in the London Plan (in particular HC1) and in the Local Plan do not incorporate a balancing exercise as found in paragraphs 202 (relating to designated heritage assets) and 203 (relating to non-designated heritage assets). As a result, if a proposal results in any harm to the significance of a heritage asset, even if less than substantial and at the very lower end of the scale, will result in conflict with heritage policies.
166. The heritage balance must therefore be struck in order to form a conclusion as to whether there is compliance with the development plan when considered as a whole. For reasons summarised elsewhere in this report, in this case the public benefits clearly outweigh the low-level degree of less than substantial harm and as such the development would comply with the plan as a whole, notwithstanding conflict with Policy DM 12.3 and London Plan Policy HC1.
167. With regard to designated heritage assets, Paragraph 202 of the NPPF states "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use". Therefore, an evaluation of the public benefits and the weight afforded to them has been undertaken. It is considered the proposals would result in public benefits, which would outweigh the harm identified.

### **Archaeology**

168. Policy DM12.4 of the Local Plan 2015 and policy HE2 of the draft City Plan 2036 outline the requirements with regards archaeology, outlining that the City will preserve, protect, safeguard and enhance archaeological monuments, remains and their settings, seeking inclusive access to, public display and interpretation where appropriate.
169. The site is in an area where Roman, medieval and post medieval remains may be expected to survive. An Archaeological Desk Based Assessment has been submitted with the application. There is high potential for the survival of

Roman remains including burials and funerary monuments as the building is within the Eastern Roman cemetery in an area where extensive burials have been recorded. The north-west area of the site is on the route of a Roman road and there is potential for remains of the road and roadside ditches to survive. There is potential for survival of medieval remains and a high potential for post-medieval remains including evidence of buildings and structures.

- 170. The proposed scheme includes an extension to the basement, lower ground and ground levels on the north and south elevations of the building. The proposals and construction of new foundations would remove all archaeological remains within the footprint of the extensions.
- 171. Archaeological evaluation is required to provide additional information on the date, nature and character of surviving archaeological remains, including survival of any burials and to inform a programme of archaeological work.
- 172. The proposals are acceptable in archaeological terms subject to conditions to cover archaeological evaluation, a programme of archaeological work to record any archaeological evidence revealed, and foundation design.

### **Access and Inclusive Design**

- 173. Developments should be designed and managed to provide for the access needs of all communities, including the particular needs of disabled people as required by policies CS10, DM10.1, DM10.5 and DM10.8 of the Local Plan, policies S1 and S8 of the draft City Plan and Policy D5 of the London Plan. In addition, the Local Plan Policy DM11.3.
- 174. The application is supported by a Design and Access Statement and supplementary material. Detailed consideration has been given to access issues in the design of the scheme.
- 175. The amendments to the proposal received in October 2022 included the provision of level access from the primary frontage of the site on Minories. This is a significant positive improvement to the existing building given level access is not currently possible, resulting in the need for a portable ramp to be deployed at the request of people with limited mobility.
- 176. Level access provision (via internal platform lifts) is also proposed within the ground floor extensions on Portsoken Street and Haydon Street. This would ensure all main entrances to the building are fully accessible and inclusive.
- 177. The scheme would deliver 20 long stay larger cycle spaces, achieving the 5% of the overall long stay cycle parking provision, required by the policy T5B of the London Plan 2021.
- 178. The scheme would also provide two on-site blue badge car parking spaces to be accessed from Haydon Street. The provision of on-site blue badge car

parking is responsive to Policy T5 of the London Plan and would improve the inclusive design credentials of the site.

179. As the cores of the building have recently been upgraded as part of the interior works approved in 2021 (under Application ref: 20/00990/LBC), no works are proposed to the lifts serving the development. Consequently, the proposal does not provide new facilities for dignified emergency egress in relation to Policy D5 of the London Plan 2021. Given this and given the constraints associated with the listed status of the building, the lacking provision of new emergency lifts is acceptable in this instance, and it is noted the proposals would not worsen dignified emergency egress conditions. The proposals are therefore in accordance with policy.
180. The City's Access Officer is supportive of the proposal. Further details are recommended to be required through conditions to ensure internal facilities (i.e., shower and WC layouts etc) meet the highest standards of accessibility and inclusive design.
181. Therefore, subject to conditions, the development is compliant with policies CS10, DM10.1, DM10.5 and DM10.8 of the Local Plan, policies S1 and S8 of the draft City Plan 2036 and Policy D5 of the London Plan. In addition, the proposals comply with the relevant parts (accessibility) of Local Plan Policy DM11.3.

## **Transportation and Highways**

### **Public Transport and principle of development**

182. The site has the highest level of public transport provision with a public transport accessibility level (PTAL) of 6B. The site is located within short walking distance of Aldgate underground station and Tower Hill underground station and is within a 15-minute walk of Liverpool Street Station. Several bus routes run close by on Minories and Aldgate High Street. Accordingly, the site is considered suitable in principle for the proposed type and scale of development.

### **Cycle Parking**

183. London Plan Policy T5 (Cycling) requires cycle parking to be provided at least in accordance with the minimum requirements set out within the plan. Policy T5 (Cycling) requires cycle parking to be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards and that developments should cater for larger cycles, including adapted cycles for disabled people.
184. Currently, 89 cycle parking spaces are provided externally within the privately maintained forecourt areas off Portsoken Street and Haydon Street. These existing facilities are all provided in the form of wall hung spaces with no shelter provided from the elements. Accordingly, the existing cycle racks are not considered to provide an accessible, secure or sheltered cycle parking



offer to those wishing to cycle to the site, particularly for long-stay trips. The proposed development would greatly improve the cycle parking provision and associated facilities within the building delivering a total of 333 long-stay spaces which exceeds the London Plan standards even when applied to the building as a whole and would result in a significant uplift to the total on-site provision. This is shown in the table 5 below:

**Table 5:** Cycle Parking standards

London Plan long stay cycle parking requirements	Existing cycle parking (long stay and short stay)	Proposed long stay cycle parking	London Plan short stay cycle parking requirements	Proposed short stay cycle parking
318	89 external spaces	333	53	43

185. Long-stay cycle parking is proposed to be provided at the ground floor and basement levels. Access to the cycle parking area would be via a staff entrance located east of the proposed servicing bay, to be located off Haydon Street. The basement cycle parking area would be accessed via a lift which would be sufficient in size to accommodate more than one bike without the need for them to be lifted up and down. This is in accordance with London Cycle Design Standards (LCDS).
186. The proposed cycle parking would be partially two-tier (66%), part semi-vertical (18%), part foldable (10%) and part wide-spaced Sheffield stands (6%). The mix of stands and their layout works within the constraints of providing such spaces within an existing building and is acceptable.
187. Further, at least 5% of cycle spaces would be suitable for larger adapted cycles (in line with the London Plan Policy T5 (Cycling), London Cycling Design Standards 8.2.1, and the draft City Plan 2036 6.3.24).
188. Twenty Short-Stay cycle parking spaces via 10 Sheffield stands are proposed within the curtilage of the site along the Portsoken Street frontage. Additional short-stay cycle parking spaces for the office use is proposed to be located within the buildings internal cycle store. Given the overall lack of curtilage available this arrangement is considered acceptable, and the proposed spaces would significantly improve the short-stay provision for this site. Further details of the visitor access strategy for the short-stay provision within the internal cycle storage area will be secured within the Cycling Promotion Plan to ensure it provides an attractive and convenient offer.
189. The proposals include 30 showers and 300 lockers which complement the cycle parking provision and would be directly accessible from the cycle

storage area. This is a significant improvement over the existing which offers no provision.

190. The applicant would be responsible for promoting the use of the cycle parking spaces and as such will be required through a Section 106 obligation to produce a Cycling Promotion Plan, which is a cycling focused Travel Plan. It will be submitted to the City for approval in line with the London Plan Policy T4.

#### Car parking

191. London Plan Policy T6 (Car parking), Local Plan 2015 Policy DM16.5 and the draft City Plan 2036 Policy VT3 require developments in the City to be car-free except for designated Blue Badge spaces. The proposal complies with these policies as the development is proposed to be car free, except for the provision of two on-site blue badge car parking spaces, accessed from Haydon Street.

#### Servicing and deliveries

192. Policy DM16.5 of the Local Plan states developments should be designed to allow for on-site servicing. London Plan Policy T7 G and draft City Plan 2036 Policy VT2 – 1 requires development proposals to provide adequate space off-street for servicing and deliveries, with on-street loading bays only used where this is not possible.
193. Currently, the majority of servicing takes place on-street from Haydon Street. Servicing and delivery vehicles are typically not able to turn around in Haydon Street thus resulting in drivers having to reverse out of Haydon Street onto Minorities. This arrangement is highly undesirable and presents a risk to all road users (cyclists, pedestrians and vehicle drivers).
194. The proposals seek to provide a new on-site servicing area to the eastern side of the proposed ground floor extension accessed from Haydon Street. Two on-site loading/unloading bays would be provided that can accommodate 4.6tn vans and 7.5tn hgvs. Within the Transport Assessment the applicant has estimated that the proposed development will have a requirement of 33 daily deliveries which will be commensurate to the existing use on site and can be suitably accommodated within the off-street facilities proposed. This number would be capped accordingly in the Section 106 agreement.
195. The proposed servicing area would not facilitate vehicles turning within the site and all servicing vehicles would be required to reverse into the off-street area in order to exit in a forward gear. This falls short of the requirements laid out in Policy DM16.5 which require servicing areas to facilitate both access

and egress in a forward gear. The reversing manoeuvre would however be significantly shorter and safer than the existing situation on Haydon Street. Vehicular traffic along Haydon Street is low and servicing activity would be restricted to ensure there is no conflict with pedestrians or cyclists during the Peak AM, Lunch and PM periods. It is not considered that this arrangement would pose any undue risk to highway safety as a result.

196. The draft City Plan 2036 Policy VT2 requires delivery to and servicing of new developments to take place outside peak hours (0700-1000, 1200-1400, and 1600-1900 on weekdays) and requires justification where deliveries within peak hours are considered necessary. The applicant has requested a minor variation to the peak hour restrictions mentioned above to enable servicing for the café and pub only use between 7am and 8am. This requested variation is considered to be necessary and reasonable for the purposes of ensuring the operational needs of all uses on the site can be met. This is recommended to be subject to a cap of two deliveries. It is further noted the Applicant has not objected to a night-time servicing condition.
197. The recommended conditions with respect to servicing hours outside of peak hours and during night-time hours would significantly improve existing conditions whereby servicing currently occurs unrestricted, on street.
198. The development will be required to produce a delivery and servicing plan (DSP) which will be secured by Section 106 obligation. This will be required to include a suitable consolidation strategy and the operation of a booking system to reduce overall servicing trips to and from the site and the Applicant has agreed to this requirement.

#### Trip Generation

199. A trip generation assessment has been conducted for the site. The assessment has been carried out using TRICS data from the higher of two comparable sites. On this basis, the submitted Transport Assessment predicts the development would generate 33 delivery and servicing trips, most of which are envisaged to comprise of van deliveries.
200. Further details of a proposed booking system to manage use of delivery bays is recommended to form part of a deliveries and servicing management plan secured under the S106 Agreement.
201. A Section 106 obligation requiring a detailed Travel Plan is recommended to be secured. This would outline a clear package of measures the scheme will implement in order to encourage visitors to undertake trips via sustainable modes.

### Public Realm and S278 Agreement

202. Although not limited to, the following works shall be included within a Section 278/S72 Agreement:

- Realignment and improvement of footways on Haydon Street;
- Reinstatement of vehicle crossovers as footway on Portsoken Street and modification of crossovers on Hayden Street;
- Alterations to Portsoken Street junctions to facilitate safer and easier pedestrian movement (e.g., a raised table).
- Provision of an upgraded, transparent wall, on the boundary between Portsoken Street and the adjacent public garden area (to be secured separately within the S106).

### Transportation Conclusion

203. Subject to conditions and planning obligations, the proposal would accord with transportation policies including London Plan policies T5 cycle parking (long-stay), T6 car parking. It accords with the Local Plan 2015 Policy DM3.2, and the draft City Plan 2036 Policies AT1, AT2, AT3, and VT3.

204. Levels of short stay cycle parking on site would not achieve the London Plan standards for the overall level of floorspace provided however when considering the overall uplift in floorspace proposed and the limited space within the site and wider public realm, the shortfall in spaces is considered acceptable.

205. Overall, the proposal is considered acceptable in transport terms and offer welcomed improvements to the site with respect to servicing, cycle parking and blue badge parking. The proposal would deliver welcomed public realm improvements particularly through the introduction of footway widening on Haydon Street, a raised table on Portsoken Street and other associated improvements.

### Waste Collection arrangements

206. Local Plan policies CS17 and DM17.1 require sustainable choices for waste and for facilities to be integrated into building design. Draft City Plan policies S16 and CE1 requires developments to consider circular economy principles.

207. The submitted Waste Management Strategy estimates two to three collections per day. The proposed waste storage would be located at basement level and would be internally transferred by site management to street level via a platform lift for collection from Portsoken Street.

208. The Cleansing Team have raised no objection to the proposed waste storage and collection arrangements. A further detailed waste management plan is recommended to form part of the Deliveries and Servicing Management Plan secured by the Section 106 Agreement.
209. The waste storage is considered to comply with Local Plan policies CS17 and DM17.1 and draft City Plan policies S16 and CE1.

## **Sustainability**

### **Circular Economy**

210. London Plan Policy SI7 ('Reducing waste and supporting the circular economy') sets out a series of circular economy principles that development proposals are expected to follow. Emerging City Plan 2036 Policy S16 sets out the City's support for Circular Economy principles.
211. The submitted Circular Economy Strategy describes the strategic approach to incorporating circularity principles and actions in line with the adopted GLA guidance on Circular Economy Assessments.
212. The existing building would be retained and adapted, including a variety of extensions each below the size of 1,000sqm, to provide better quality office, retail and cultural floorspace as well as internal and external amenity spaces with urban greening to support health and wellbeing of the occupiers.
213. The extent of demolition would be minimal, mostly internal fabric and services. Externally, windows and balustrades at the top levels and lower levels would be replaced, some existing roof level elements, roof lights and fabric around the existing side entrances demolished to create the proposed roof level and lower levels extensions. Some of the faience cladding may require repair and replacement. Any new materials are intended to be sourced responsibly and ethically, with high recycled content where possible. A pre-refurbishment audit will be undertaken to identify and quantify waste materials, establish re-use and recycling opportunities. A material audit is recommended to be secured via a condition of the planning permission
214. A post completion Circular Economy statement in line with the mayor's guidance on Circular Economy Assessments to confirm how circularity has been incorporated into the refurbishment scheme is recommended to be secured by condition.

### **Operational Energy Use and Co2 Emissions**

215. The operational energy strategy has been developed based on treating the whole building proposals as a major development that therefore requires compliance with the London Plan policies. The strategy demonstrates that the

development has been designed to achieve an overall 36% reduction in regulated carbon emissions compared to a baseline building model representing the performance of the existing building, based on SAP 10 carbon factors as required by the GLA.

216. With regard to energy demand reduction, the proposals allow for limited scope for upgrading existing fabric, however, high performance glazing, façade and roof elements to limit solar gain and increase thermal insulation would be specified. Existing, in recent years refurbished main ventilation plant and air handling units with heat recovery would be retained, supported by new high efficiency fans and fan coil units for the mechanical ventilation. In addition, a new air-to-water heat pump chiller would supply the air handling units to provide active cooling.
217. Space and water heating would be provided by electric means via new fan coil units for the majority of the existing floors and the extension, while the remaining gas boilers on two of the existing floors will be phased out when vacant possession is available.
218. The proposed energy demand reduction strategy would reduce the whole building's operational carbon emissions by 36% compared to a Building Regulations compliant building.
219. There is currently no available district heating network close enough to the site. The opportunity to connect to a future district heating network would be incorporated into the proposed development at basement level.
220. Renewable energy technologies to provide space and water heating have not been integrated into the proposals due to the existing MEP being still in good working condition. The applicants do not consider the installation of PV panels on the roofs to be practical due to space, weight, overshadowing and heritage constraints.
221. Carbon emissions from unregulated energy uses, such as lifts, appliances and IT equipment, would be reduced through the provision of practical guidance from skilled facility managers to the occupiers.
222. The site-wide energy strategy would result in a high level of carbon emissions savings from energy demand reduction measures. Overall, the strategy complies with the London Plan carbon emission reduction targets for major new developments, and therefore the strategy exceeds expectations for a refurbishment scheme.

## BREEAM

223. A BREEAM UK Non-domestic Refurbishment and Fit-Out 2014 pre-assessment has been prepared. The proposed development currently would achieve a “very good” rating but the project targets an “excellent” rating.
224. The assumptions made as part of the pre-assessment indicate that the proposals can meet all the mandatory level requirements for the current rating including a score of 55.92%, however, further credits are targeted that would potentially increase the score to 72.41% equivalent to an “excellent” rating. The scheme targets a high number of credits in the CoL’s priority category of Materials and would achieve approx. half of the Energy, Water and Pollution credits, as well as targeting the adaption to climate change credit in the Waste category which appears to be realistic considering the high level of retained fabric and building services.
225. A post construction BREEAM assessment is recommended to be secured by condition.

## Whole Life-Cycle Embodied Carbon Emissions

226. A quantitative Whole-Life-Cycle carbon emissions analysis for refurbishment schemes without a major extension is not required by London Plan policies and therefore has not been submitted. A qualitative statement has been provided that describes the approach to reducing whole life-cycle carbon emissions that align with the circular economy principles summarised in the Circular Economy section of this report.
227. A post-construction Whole Life-Cycle Carbon assessment is recommended to be secured by condition.

## Urban Greening and Biodiversity

228. Local Plan Policy DM10.2 encourages developments to install green roofs, Policy DM10.3 encourages high quality roof gardens and terraces and Policy DM19.2 encourages the inclusion of green roofs and walls, soft landscaping, and trees. Emerging draft City Plan policies OS2 and OS3 encourage high quality roof gardens and terraces and green walls and promotes biodiversity. Biodiversity measures are promoted through the City of London Biodiversity Action Plan 2021-2026.
229. The existing site is hardscaped with no planting. The proposed development would include green roofs, greening on terraces and winter gardens at the lower ground floor off Portsoken Street. The introduction of greening across the site is welcomed, particularly given the lack of greening which currently exists on the site.

230. An Urban Greening Factor (UGF) calculation based on the London Plan has been submitted. The UGF for this application has been calculated at 0.153 (London Plan) and 0.18 (City Plan) based on the information provided which does not meet the target in the London Plan of 0.3. The shortfall is acceptable in this instance, given the constraints associated with adapting a listed building.
231. Further greening on the central 9<sup>th</sup> level roof form was explored but was deemed by the Applicant's Engineer to be unsuitable as the central spine of the building cannot support the weight of a green roof. This further explains why the roof extensions are to be constructed of Cross Laminated Timber (CLT) to ensure structural loadings are within acceptable levels. Moreover, there are limited meaningful opportunities to install green walls on the building which wouldn't obscure features of the listed building, such as the beige faience, or obstruct ventilation and servicing louvres.
232. Reasonable effort has been made to improve urban greening and increase biodiversity levels on the site. The addition of green roofs, greening of the terraces and winter gardens on this development are welcomed not only for their aesthetic value when viewed from within the building and nearby buildings but also for their contribution to biodiversity and urban greening, rainwater run-off, insulation and urban cooling.
233. Further details of the quality and maintenance of the green roof areas and their contribution to biodiversity is recommended to be secured by condition.
234. Subject to conditions, the development is considered to accord with Local Plan Policy accord with policies DM19.2, DM10.2 and DM10.3 of the Local Plan.

### Climate Resilience

235. The proposed development involves alterations and an extension to an existing building which largely remain in-situ. Therefore, it acknowledged there are limitations in some aspects of improving climate resilience.
236. As noted above in this report, the Applicant is targeting a BREEAM 'Excellent' rating and has committed to completing a 'Climate Change Adaptation Strategy'. This is recommended to be secured by condition.

### Heat stress

237. It is accepted that major works to the façades of the building is not viable due to the listed nature of the building. The proposals include references to natural ventilation, solar control glazing and subtle shading to mitigate overheating. Further details are recommended to be secured via condition to ensure such



measures are taken forward positively and not restricted (i.e. through sealing windows).

#### Flooding

238. The site is located in a Flood Risk Zone 1 (lowest risk) and is of minimal risks of surface water flooding. Flood risk to the site is not likely to be altered as a result of the proposed development. Notwithstanding this, the proposed green roof elements would have a beneficial impact on runoff rates, and it is acknowledged that further SuDs measures on this site are constrained due to the listed status of the building.

#### Natural Capital and Pest & Diseases

239. The proposed development would incorporate urban greening and enhance ecological value of the site by providing green roofs, green terraces and a new lower-level garden on the southern side of the building. The proposed greening on the southern side of the building, on the roof of the pavilion extension and within the adjacent winter gardens, are welcomed particularly given the proximity to Portsoken Street Garden, a proposed Site of Importance for Nature and Conservation (SINC). Further details on proposed biodiversity contribution measures are recommended to be secured by condition.

#### Sustainability Conclusion

240. The City of London Climate Action Strategy supports the delivery of a net zero, climate resilient City. The agreed actions most relevant to the planning process relate to the development of a renewable energy strategy in the Square Mile, to the consideration of embedding carbon analysis, circular economy principles and climate resilience measures into development proposals and to the promotion of the importance of green spaces and urban greening as natural carbon sinks, and their contribution to biodiversity and overall wellbeing.
241. The proposed sustainability strategy includes the retention of the building with minor demolition and individual new build elements below 1,000sqm in size. The scheme positively addresses the need to minimise operational and embodied carbon emissions and demonstrates improved climate resilience credentials of the building.

#### Daylight and Sunlight and Overshadowing

242. Policy D6(d) of the London Plan states that the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context.

243. The Housing Supplementary Planning Guidance (GLA, March 2016) sets out that an appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations.
244. Local Plan Policy DM10.7 seeks to resist development that would result in unacceptable daylight and sunlight levels to nearby dwellings and open spaces taking account of the BRE guidelines.
245. Draft City Plan Policy DE8 requires development proposals to demonstrate that the daylight and sunlight available to nearby dwellings and open spaces is appropriate for its context and provides acceptable living standards taking account of the Building Research Establishment's guidelines.
246. Both policies recognise that it may not always be practicable to enable ideal daylight and sunlight conditions in densely developed city-centre locations. Paragraph 3.10.41 of the Local Plan and Policy HS3 of draft City Plan state that the City will take into account the cumulative effect of development proposals.
247. Local Plan Policy DM21.3 seeks to protect the residential environment including daylight and sunlight to adjacent residential accommodation.
248. The BRE guidelines present the following methodologies for measuring the impact of development on the daylight and sunlight received by nearby existing dwellings and any existing non-domestic buildings where the occupants have a reasonable expectation of natural light (such as schools, hotels and hostels) (a full explanation of the methodologies is provided in Appendix C):

#### Daylight

249. Impacts to daylight are measured using the Vertical Sky Component (VSC) method: a measure of the amount of sky visible from a centre point of a window; and the No Sky Line (NSL) method, which measures the distribution of daylight within a room. The BRE advises that this measurement should be used to assess daylight within living rooms, dining rooms and kitchens; bedrooms should also be analysed although they are considered less important. The BRE Guide recommends compliance with both the VSC and daylight distribution (NSL) guidelines.

### Sunlight

250. Impacts to sunlight are measured using Annual Probable Sunlight Hours (APSH) for all main living rooms in dwellings if they have a window facing within 90 degrees of due south.

### Interpreting results

251. In undertaking assessments, a judgement is made as to the level of impact on affected windows and rooms. Where there is a less than 20% change (in VSC, NSL or APSH) the effect is judged as to not be noticeable. Between 20-30% it is judged to be minor adverse, 30-40% moderate adverse and over 40% major adverse. All these figures will be impacted by factors such as existing levels of daylight and sunlight and on-site conditions.

### Overshadowing

252. The BRE guidelines suggest that the availability of sunlight should be assessed for open spaces including residential gardens and public amenity spaces, stating that, for a garden or amenity area to appear adequately sunlit throughout the year, no more than half (50%) of the area should be prevented by buildings from receiving two hours of sunlight on the 21st March. If as a result of the proposed development an existing garden or amenity area does not meet the guidance, or the area which can receive the sun is less than 0.8 times its former value (i.e. more than 20 % reduction) then the loss of sunlight is likely to be noticeable.

### Assessment

253. A comprehensive daylight, sunlight, overshadowing and solar glare assessment has been provided having regard to the BRE guidance (2011). Since the Assessment was undertaken, updated BRE guidance (2022) has been published; the Consultant has confirmed that this does not affect the calculations or conclusions in the report as the guidance for considering the effect on neighbouring properties and open spaces remains consistent with the previous version of the BRE Guidelines, which is accepted by Officers.
254. An addendum to the submitted Daylight and Sunlight assessment dated August 2021 was submitted in October 2022. The addendum provides advice on the potential impacts of the amended scheme which differs principally in terms of massing at the lower ground, ground and mezzanine floors. This advice deems the conclusions reached in the 2021 are still correct and true and the amended scheme remains BRE compliant.
255. A further addendum was received in November 2022 to include two additional residential properties at 50 Vine Street (28 flats) and 128-129 Minories (2 flats), in the daylight and sunlight assessment.

### Residential properties

256. The neighbouring properties assessed for the potential impact on daylight and sunlight levels were at:
- Iveagh Court at 5 Hayden Street, London E18BQ;
  - Marlyn Lodge
  - Prospero House
  - River House
  - St Johns House; and
  - 128-129 Minories.
257. When assessed against the Vertical Sky Component and Annual Probable Sunlight Hours methodology, all properties would continue to receive daylight and sunlight in line with the numerical values set out within the BRE Guidelines.
258. When assessed against the No Sky Line methodology, one room from one property at 52-56 Minories which would experience a No Sky Line alteration of 20.7% (as opposed to 20%). This change would be negligible and is acceptable. The remainder of properties would comply with less than 20% No Sky Line alteration.

### Overshadowing

259. Portsoken Street Garden is an area of public open space located to directly to the south of the site. This area of open space would not be shaded by the proposed development due to its location to the south of the proposed development. Therefore, there would be no adverse impacts caused, by way overshadowing, to this area of public open space.

### Daylight, Sunlight and Overshadowing Conclusion

260. Taking into account the BRE Guidance and the site's location within a dense urban environment, it is considered the proposal would not result in any unreasonable and unacceptable impacts to nearby residential dwellings or open spaces.
261. The assessment results show that any daylight or sunlight reductions to the surrounding residential properties would continue to be within the BRE Guidelines and/or would be considered negligible and not noticeable to the occupants.
262. Overall, the impacts to the surrounding properties for daylight, sunlight and overshadowing are considered to be acceptable.

263. Therefore, the impacts as a result of the proposed development are considered to be in accordance with Local Plan Policies DM10.7 and DM21.3, Policy DE8 of the draft City Plan 2036 and London Plan policy D6(d).

### **Wind Microclimate**

264. London Plan Policy D8, Local Plan Policy DM10.1 and Draft City Plan Policy S8 require developments to optimise micro-climatic conditions and not to result in unacceptable wind impacts. The proposed roof level extensions are infill extensions and would not increase the maximum height of the existing building. Therefore, in accordance with the City's Planning Advice Note, Wind Microclimate Guidelines for Development in the City of London, an assessment of the wind impacts is not required.

### **Contaminated Land**

265. Local Plan Policy DM15.8 and draft City Plan Policy HL4 expects development to carry out detailed ground investigation to establish whether the site is contaminated.

The Applicant has submitted a Geo-technical and Geo-environmental Interpretive Report with the application. The results of the chemical analyses have indicated the samples tested to be free from elevated concentrations of contaminants.

266. The City's Environmental Health Department have not raised concerns with the proposal having regard to site contamination risks. The development is considered to comply with Local Plan Policy DM15.8 and draft City Plan Policy HL4.

### **Light pollution**

267. Local Plan policies DM10.1 and DM15.7 and Draft City Plan policies HL3 and DE9 states developers must consider lighting impacts of development and reduce light pollution and light spillage from internal and external lighting.
268. A Lighting Strategy is recommended to be required as a condition to reduce negative impacts of artificial light, particularly to residential properties opposite. Subject to the reserved details, the potential impacts are not considered to be material.
269. It is further noted, the Applicant has advised the internal refurbishment of floors 1-7 (subject to separate Listed Building Consent) will provide for the installation of motion sensor controls for lights within the existing building and the also within the new floor space. This would improve the existing light pollution issues described within public objections to the application.

270. Subject to the recommended condition, Officers consider the development complies with Local Plan policies DM10.1 and DM15.7, and Draft City Plan policies HL3 and DE9.

### **Noise and Disturbance**

271. London Plan Policy D13 requires the proposed development to mitigate noise-generating uses and Policy D14 aims to avoid significant adverse noise impacts on health and quality of life, and Local Plan Policies DM3.5 and DM15.7, seek to ensure that operational noise does not adversely affect neighbours. Policies S1 and HL3 of the Draft City Plan requires that noise does not adversely affect nearby land uses, supporting a healthy and inclusive City.
272. The impact of the proposed development in terms of noise associated with the operational stage of the development would not be unreasonable. The proposed roof terraces would provide important amenity space for office workers and their use would be appropriately limited by the recommended conditions. More specifically, the Environmental Health team have been consulted and recommend a condition to restrict the hours of use for the terrace areas to be restricted between 7am- 9pm (Monday to Saturday). Further a condition is recommended to ensure no live or recorded music is played on the proposed roof terraces.
273. In respect to noise from plant equipment, an acoustic report has been submitted with the application. This indicates that plant could be operated without detrimentally impacting on neighbouring properties in respect to noise and disturbance.
274. Overall, subject to the recommended conditions, the development should not detrimentally impact on amenity of surrounding properties in respect of noise and disturbance. Therefore, the Proposed Development complies London Plan Policy D13 and D14, Local Plan Policies DM3.5 and DM15.7, and Policies S1 and HL3 of the Draft City Plan.

### **Overlooking**

275. Policies DM21.3 of the Local Plan (2015) and Policy H3 of the draft submission City Plan 2036 require all developments to be designed to avoid overlooking and to seek to protect the privacy of adjacent residential accommodation. However, the policies recognise that due to the density of development in the City, it may not always be possible to entirely avoid any impacts on amenity.
276. Terraces currently exist on the 6<sup>th</sup> floor, 7<sup>th</sup> floor and to the north and south of the central spine on the 8<sup>th</sup> floor level of the building. New balustrading and

floor finishes are proposed to be installed to these existing terrace areas to ensure compliance with current building regulations. New terraces are proposed along the east and west of the proposed infill additions on the 8<sup>th</sup> floor and also around the proposed 9<sup>th</sup> floor level extension.

277. The terrace proposed for the 9<sup>th</sup> floor level of the building would be located approximately 23 metres and separated by a car park from windows and balconies associated with the residential dwellings at Marlyn Lodge, located to the east of the site. Similarly, a distance of 14m to Prospero House located to the south of the site and 16m to windows of dwellings at Iveagh House to the north of the site would be achieved. The new terrace would also be located higher than the top floor of these surrounding residential properties and would be setback from the building edge.
278. Whilst the new terraces would facilitate views towards neighbouring residential units, a sufficient distance between the terraces and these residential units would be provided. Overlooking would not be significantly worsened by the proposed terraces compared with that which occurs currently through the use of the existing terraces on the 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> floor levels.
279. Management restrictions, to be secured via the recommended conditions, would also help to minimise potential adverse amenity impacts. This includes the conditions recommended to be restrict hours of access to the terraces and those which prevent the use of amplified music on the terraces.
280. Subject to the recommended conditions, it is considered the amenity of adjacent residential occupiers, by way of privacy, would not be unreasonably reduced, in accordance with DM21.3 of the Local Plan (2015) and Policy H3 of the draft submission City Plan 2036.

### **Air Quality**

281. Local Plan Policy CS15 seeks to ensure that developments positively address air quality. Policy DE1 of the draft City Plan states that London Plan carbon emissions and air quality requirements should be met on sites and Policy HL2 requires all developments to be at least Air Quality Neutral, developers will be expected to install non-combustion energy technology where available, construction and deconstruction must minimise air quality impacts and all combustion flues should terminate above the roof height of the tallest part of the development. The requirements to positively address air quality and be air quality neutral are supported by policy SI1 of the London Plan.
282. The application includes an Air Quality Assessment which includes the likely impact of the proposed development on air quality as a result of the construction and operational phases of the development. The assessment

concludes the proposed development would be Air Quality Neutral with regards to building emissions and transport emissions. Therefore, air quality impacts associated with the development would be negligible.

283. The City's Air Quality Officer has no objections to the proposals subject to a condition requiring the contractor to sign up to the Non-Road Mobile Machinery Register, to ensure emissions associated with construction and demolition are suitably reduced. Furthermore, a condition is recommended to require the submission of a report prior to the installation of any generator on the land, to ensure the generator does not have a detrimental impact on nearby residential occupiers in accordance with Policy DM15.6 of the Local Plan.
284. Subject to the recommended conditions, the proposed development would accord with Local Plan Policy CS15, policies HL2 and DE1 of the draft City Plan, policy SI1 of the London Plan which all seek to improve air quality.

### **Fire Safety**

285. Policy D12 of the London Plan seeks to ensure that proposals have been designed to achieve the highest standards of fire safety, embedding these into developments at the earliest possible stage.
286. The application is accompanied by a fire statement which demonstrates how the development would achieve good standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel.
287. The City's District Surveyors were consulted and have reviewed the submitted Fire Statement. There were no objections to its contents. The proposed fire strategy is considered to comply with Policy D12 of the London Plan.

### **Suicide Prevention measures**

288. Local Plan policy CS3 requires that security and safety measures are of an appropriate high-quality design. Draft City Plan Policy DE5 requires security and safety to be considered. The City recently adopted the 'Preventing Suicide in High Rise Buildings and Structures' Planning Advice Note (2022) which requires suicide prevention and safety measures to be considered and incorporated where necessary.
289. Balustrades proposed for both the existing and proposed terraces would be 1.2m in height. This is acceptable as a higher balustrade height would have townscape implications for the Grade II listed subject building. Alternative suicide prevention measures are therefore proposed:



- The terrace at the 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> floor levels would be overlooked by glazing from the offices, providing clear unobstructed natural surveillance to these areas; and
- The proposed roof terraces on the 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> floor levels are setback from the building edge providing a physical obstruction.

290. Due consideration has been given to suicide prevention methods and the proposal is considered to accord with Local Plan Policy CS3 and draft City Plan Policy DE5 and the recommendations of the Planning Advice Note

### **Health Impact Assessment**

291. Policy HL9 of the draft City Plan 2036 seeks to protect and enhance people's physical and mental health, new development should be designed to promote physical activity and wellbeing, through appropriate arrangements of buildings and uses, access, increased green infrastructure, and the provision of facilities to support walking and cycling.

292. Policy HL9 of the draft City Plan 2036 advises applicants of major developments to assess the potential impacts their development may have on the health and well-being of the City's communities. Whilst a Health Impact Assessment was not required to be submitted as part of this planning application, the proposals have been considered with respect to the considerations of Policy HL9.

293. The proposals include several important upgrades to the existing office building which would help to enhance people's physical and mental health. This would be achieved by:

- The proposal to provide level access to the building from the existing main building entrance on Minories and the two proposed building entrances on Haydon Street and Portsoken Street.
- The proposal to provide additional and upgraded outdoor amenity space.
- The proposal to provide urban greening, visible from the office floor space, along with winter gardens at the south-facing lower levels of the building.
- The proposal to upgrade the fence separating Portsoken Street from the open space area at Portsoken Street Garden to increase transparency and visibility of the open space area.
- The proposal to provide up-graded office floor space with co-working areas and a publicly accessible café on Portsoken Street.
- The proposal to significantly increase and improve on-site cycle parking storage and facilities which would promote healthier methods of travel.

### **Public Sector Equalities Duty**

294. In consideration of the proposed development, the Public Sector Equality Duty requires City of London to consider how the determination of the application will affect people who are protected under the Equality Act 2010, including having due regard to the effects of the proposed development and any potential disadvantages suffered by people because of their protected characteristics.
295. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:-
- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
296. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
297. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.
298. This application has been assessed against the Equality Act 2010 and any equality impacts identified.
299. As set out in the Statement of Community Involvement (SCI), the consultation process included a targeted programme, which sought to understand the views of the local community.
300. The Applicants have held meetings with or reached out to stakeholders and the following stakeholders are considered to be relevant in the context of the Equalities Act:
- i. Local Ward Members and Planning and Transportation Members;
  - ii. BID Manager at the Aldgate BID;
  - iii. Director at Studiomakers, an Outset Contemporary Art Fund (Registered Charity).
301. The section on Accessibility and Inclusive Design sets out how the scheme has been designed to be accessible to all. In addition the proposed development has been assessed against Policy GG1 of the London Plan and

would be considered to support and promote the creation of an inclusive London where all Londoners, regardless of their age, disability, gender, gender identity, marital status, religion, race, sexual orientation, social class, or whether they are pregnant or have children, can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

### **Human Rights Act 1998**

302. It is unlawful for the City, as a public authority, to act in a way which is incompatible with a Convention right (being the rights set out in the European Convention on Human Rights ("ECHR")).
303. Insofar as the grant of planning permission will result in interference with the right to private and family life (Article 8 of the ECHR) or right to enjoyment of property (Protocol 1, Article 1) including by causing harm to the amenity of those living in nearby residential properties and student residential properties, it is the view of officers that such interference is proportionate, in the public interest and strikes a fair balance between the interests of the owner of the site, those living nearby and the community as a whole.
304. As set out above, it is the view of officers that there would be no infringement of Article 8 or Article 1 of Protocol 1 of the ECHR.

### **Public Benefits and the paragraph 202 balancing exercise**

305. Paragraph 202 of the NPPF states "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use". Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
306. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
307. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. As the statutory duty imposed by section 66(1) of the Planning

(Listed Buildings and Conservation Areas) Act 1990 is engaged, considerable importance and weight must be given to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise.

308. When considering the listed building consent application, the duty imposed by section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies and in considering whether to grant listed building consent special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. When considering the planning application, the duty imposed by section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies and in considering whether to grant planning permission special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
309. The overall finding is that there would be a low level of less than substantial harm to a single designated heritage asset (Ibex House). This would occur due to the loss of historic fabric and a slight erosion of the H-plan layout. There are many benefits which would also be delivered by application, and these should be considered as public benefits which should be afforded considerable weight. They are as follows
310. The overall finding is that there would be a low level of less than substantial harm to Ibex House due to the loss of historic fabric and features and a slight erosion of the H-plan layout. Great weight is attached to the significance of this asset of national importance and to the level of harm. Such levels of harm require clear and convincing justification and should only be accepted if there is such justification and that the harm would be outweighed by the public benefits which the proposals would secure.
311. There are many benefits which would also be delivered by application, and these should be considered as public benefits which should be afforded considerable weight. They are as follows:
- a. The provision of Grade A quality office accommodation supporting the business function of the city – afforded moderate weight
  - b. Provision of a 161sqm (plus storage) cultural learning and exhibition space in a prominent location within the building to provide a public hub supporting 'Destination City' – afforded moderate weight
  - c. Contribution to vibrant City offer to include evening and weekends – afforded minor weight.
  - d. Contribution to jobs and visitor spend in the City – afforded minor weight;
  - e. Inclusive access into the listed building – afforded minor weight
  - f. Public realm enhancements including to remodelling the boundary wall of Portsoken Street Gardens, footway widening works on Haydon

Street and the introduction of a raised table on Portsoken Street Garden – afforded minor weight

- g. An additional publicly accessible café use to Portsoken Street – afforded minor weight.

312. It is the view of Officers that after applying the relevant tests, the public benefits outweigh the low level of less than substantial harm to the significance of Ibex House. The proposals would deliver sensitive repairs, refurbishment works and upgrades to the listed building, lifting the quality of office accommodation from Grade B to Grade A with improved wellbeing, inclusive access, and sustainability credentials. This would occur along with the provision of a new accessible cultural and retail space, refurbishment and retention of the public house and public realm improvements. It is considered that the public benefits of the proposals outweigh the low level of less than substantial harm and that there is clear and convincing justification for that harm.
313. An assessment of the significance of designated heritage assets has also been undertaken including of Ibex House including of any indirect impacts on setting and significance of other designated and non-designated heritage assets. In this case, less than substantial harm has been identified to Ibex House (grade II). This assessment is proportional and sufficient for the scope of works for the proposals and complies with NPPF para 194.
314. The low level of less than substantial harm is considered to be significantly outweighed by the benefits. The NPPF heritage policies are an important material consideration, and it is considered that the significant benefits of the scheme would outweigh the low level of less than substantial harm to the designated heritage asset. This conclusion is reached even when giving great weight to heritage significance as required under statutory duties.
315. On the basis of the above, the proposal accords with the heritage policies set out in the NPPF and yet, because of the way the policies are framed, there is a slight conflict with the development plan policies relating to heritage issues. The central aims of the planning system in achieving sustainable development are achieved by these solutions focussed approach on improving thermal performance and by the public benefits to sustaining the building that will flow from the scheme. The fact that the development plan policies do not incorporate the heritage balance should not prevent this development. For that reason, it is considered that in this instance other material considerations indicate that the decision should be made otherwise in accordance with the development plan and that the planning permission and listed building consent should be granted for the scheme notwithstanding the acknowledged harm to the significance of designated heritage assets that will result.

#### **CIL and Planning Obligations**

316. The proposed development would require planning obligations to be secured in a Section 106 agreement to mitigate the impact of the development to make it acceptable in planning terms. Contributions would be used to improve the

City's environment and facilities. The proposal would also result in payment of the Community Infrastructure Levy (CIL) to help fund the provision of infrastructure in the City of London.

317. These contributions would be in accordance with Supplementary Planning Documents (SPDs) adopted by the Mayor of London and the City

318. On 1 April 2019 the Mayoral CIL 2 (MCIL2) superseded the Mayor of London's CIL and associated section 106 planning obligations charging schedule. Through MCIL2 The Mayor collects funding for Crossrail 1 and Crossrail 2 under the provisions of the Community Infrastructure Levy regulations 2010 (as amended).

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

<b>Liability in accordance with the Mayor of London's policies</b>	<b>Contribution (excl. indexation)</b>	<b>Forwarded to the Mayor</b>	<b>City's charge for administration and monitoring</b>
<b>MCIL2 payable</b>	£232,968	£223,649	£9,319

Liability in accordance with the City of London's policies	Contribution (excl. indexation)	Available for allocation	Retained for administration and monitoring
<b>City CIL</b>	£92,550	£87,923	£4,627
<b>City Planning Obligations</b>			
Affordable Housing	£61,700	£61,083	£617
Local, Training, Skills and Job Brokerage	£37,020	£36,650	£370
Carbon Reduction Shortfall ( <i>estimated as designed</i> ) <i>Not indexed</i>	£45,600	£45,600	£0
Section 278 (Evaluation and Design Fee) <i>Not indexed</i>	£50,000	£50,000	£0
S106 Monitoring Charge	£3,500	£0	£3,500
<b>Total liability in accordance with the City of London's policies</b>	<b>£290,370</b>	<b>£281,256</b>	<b>£9,114</b>

320. The obligations set out below are required in accordance with the City's Planning Obligations SPD 2021. They are necessary to make the application acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development and meet the tests in the CIL Regulations and government policy.

- Highway Reparation and other Highways Obligations (*Highways Schedule of Condition Survey, site access, consents, licences etc*)
- Local Procurement Strategy
- Employment and Skills Plan (*Construction*)
- Delivery and Servicing Management Plan (*including Consolidation*)
- Travel Plan (*including Cycling Promotion Plan*)
- Construction Monitoring Cost (£30,935 - *for First Year of development and £25,760 for subsequent years*)
- Carbon Offsetting
- 'Be Seen' Energy Performance Monitoring
- Utility Connection Requirements
- Section 278 Agreement
- Learning Gallery (*Public Access & Management Plan*)
- Cultural Plan
- Public Realm Improvements - Portsoken Street and Haydon Street (*Specifications*)
- Portsoken Street Garden Wall

321. I request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations and enter into the S278 agreement.
322. The scope of the s278 agreement may include but is not limited to reinstatement of existing vehicular crossovers as footway, modification of crossovers, footway widening works (Haydon Street) and potential provision of raised table to provide an at-grade crossing along Portsoken Street.

#### **Monitoring and Administration Costs**

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

#### **Conclusion**

##### **Conclusion for 21/00793/FULMAJ**

325. The proposal has been assessed in accordance with the relevant statutory duties and having regard to the development plan (i.e., the London Plan and 2015 Local Plan) and relevant policies and guidance, SPDs and SPGs, relevant advice including the NPPF, the draft Local Plan and considering all other material considerations.
326. Virtually no major development proposal is in complete compliance with all policies and in arriving at a decision it is necessary to assess all the policies and proposals in the plan and come to a view as to whether in the light of the whole plan the proposal does or does not accord with it. The Local Planning Authority must determine the application in accordance with the development plan unless other material considerations indicate otherwise
327. In this case, the proposals are considered to comply with the majority of policies in the development plan. In particular, those which relate to the provision of high-quality, accessible workplace-led office development in the City, the provision of a cultural contribution, the provision of active retail, an onsite servicing solution, high quality public realm improvements and sustainable development
328. The proposed scheme, along with the already consented upgrade works to levels 1 to 7, would lift the existing building from Grade B into Grade A quality



office floor space. The scheme would deliver high-quality upgrades to the existing office accommodation by providing multiple points of level access to the building, a refurbished central reception area and flexible working space, outdoor amenity areas on the proposed 8<sup>th</sup> and 9<sup>th</sup> floor terraces and improved connectivity between the subject building and the adjacent Portsoken Street Garden.

329. The refurbished and extended office accommodation, together with the proposed active ground floor café' area, the ground floor learning/exhibition space and refurbishment works to the corner public house, would support the primary business function and cultural role of the City. The proposals would also contribute to the balance and mix of uses in the immediate vicinity.
330. The proposed 'Learning Gallery' to be provided within a prominent position in the south-western ground floor corner of the building would contribute to diversifying uses and boosting vibrancy within the area, in line with the Corporation's 'Destination City' vision for the Square Mile. The provision of such community and cultural facilities, is supported by the Local Plan.
331. The proposed extensions and alterations have been carefully designed to reflect the architectural language, materials, and original design intent of the existing building. At the same time, the extensions would provide a subtle contemporary interpretation clearly distinct and deferential to the host building.
332. Historic England and the Amenity Societies were consulted. Historic England and the 20<sup>th</sup> Century Society raised concerns with the original iteration of the proposal in late 2021. Following receipt of amendments to the scheme in October 2022, Historic England have since withdrawn their concerns and do not object to the proposals.
333. The site is located within protected vista corridor (Point 25A.1- To the Tower of London) as set out by the Mayor of London. The protective vista and silhouette would remain unaffected by the proposals, and the extensions sit below the threshold of viewing plane. The distance of the site from the World Heritage Site and the discreet nature of the roof extensions means there would be no impact on this strategically important landmark either in views of or from the World Heritage Site.
334. The building considers sustainability standards, targeting BREEAM 'Excellent' and adopting Circular Economy principles and Whole Life Carbon principles. Dedicated areas of planting and greening would be incorporated through green roofs, greening on terraces and new southern winter gardens, increasing the biodiversity on site.

335. Thirteen public objections have been received across the planning and Listed Building Consent application. These were received during the first round of formal public consultation in December 2021. The second round of formal consultation was carried out following receipt of amendments to the proposal in October and November 2022. No new or amended public comments have been received.
336. Daylight and sunlight loss impacts to surrounding residential properties (including student accommodation) are within BRE guidelines, would be negligible and are acceptable.
337. Other potential off-site amenity impacts associated with construction noise, noise from terraces, overlooking and light pollution would be suitably mitigated through the recommended planning conditions.
338. The scheme benefits from high levels of public transport accessibility, would be car-free (except for blue badge spaces) and would promote cycle and walking as healthy modes of travel. This is particularly evident in the proposal to significantly uplift in on-site cycle parking spaces and facilities proposed to be provided, bringing the site into compliance with London Plan standards.
339. The scheme would improve existing undesirable traffic conditions by providing a dedicated on-site deliveries and servicing area to be accessed from Haydon Street, bringing the site in compliance with the Local Plan, which seeks to ensure servicing is conducted on-site, where possible.
340. Through the scope of Section 278 works, to be secured by the S106 Agreement, the proposal would improve the streets surrounding the development. Namely, the proposed footpath resurfacing and widening works on both Haydon Street and Portsoken St, the provision of a raised table on Portsoken Street and upgrades to the northern wall of Portsoken Street Garden to improve visual connectivity from the street would enhance the surrounds of the site.
341. The delivery of the proposals would result in minor adverse impacts to areas of high and moderate heritage significance. The harm derives from the pavilion extensions and the changes to the public house. There would be some slight erosion of the physical fabric and features through minor demolition and to the architectural form and original plan through the obscuration of parts of the building. For the most part however the overall artistic, architectural and historic values are preserved and in parts are enhanced. Therefore, overall, the proposals would comply with Local Plan Policies CS12, DM 12.1, DM 12.2 and DM 12.3(1), draft City Plan 2036 policies S11 and HE1, and London Plan Policy HC1 (A, B, D and E) however

the proposals would draw conflict with DM 12.3 (2), emerging policy HE1 (1) and London Plan Policy HC1 (C).

342. The heritage policies in the London Plan (in particular HC1) and in the Local Plan (in particular CS12) do not incorporate a balancing exercise as found in paragraphs 202 (relating to designated heritage assets) and 203 (relating to non-designated heritage assets). As a result, if a proposal results in any harm to the significance of a heritage asset, even if less than substantial and at the very lower end of the scale, will result in conflict with heritage policies.
343. With regard to designated heritage assets, NPPF paragraph 202 requires that any less than substantial harm be balanced against the public benefits of the development proposal. The paragraph 202 balancing exercise is to be applied when considering the harm to the host building. That balancing exercise is set out earlier in this report.
344. It is the view of officers that giving great weight to the conservation of heritage assets, and considerable importance and weight to the desirability of preserving the special interest setting of the listed host building, the identified harm is outweighed by the public benefits. These public benefits are set out in the public benefits section of this report and include the proposed cultural offer, economic benefits of the office upgrades, publicly accessible café, public realm, and accessibility enhancements.
345. The scheme would provide benefits from CIL for improvements to the public realm, housing and other local measures. That payment of CIL is a local finance consideration which weighs in favour of the scheme. In addition to the general planning obligations there would be site specific measures secured in the S106 Agreement. Together these would go some way to mitigate the impact of the proposal.
346. Compliance with the development plan is to be considered by reference to the plan as a whole rather than asking whether the proposed development is in accordance with each and every policy in the plan. That approach recognises the fact that individual policies may pull in different directions, and that it would be difficult to find any project of significance that was wholly in accord with every relevant policy in the plan.
347. It is the view of officers that the proposal complies with the development plan when considered as a whole. Accordingly, the presumption in favour of sustainable development in paragraph 11 of the NPPF means that the proposed development should be approved without delay. The other important material considerations that exist in this case reinforce that presumption. Indeed, they are of such significance and should attract

sufficient weight to justify the grant of planning permission even if a different planning judgment was reached as to compliance with the plan overall.

348. Accordingly, Officers recommend planning permission should be granted should be granted subject to the conditions set out the attached schedule.

#### Conclusion for 21/00794/LBC

349. The proposals have been assessed against Local Plan Policies CS12, DM 12.1, and DM 12.3, draft City Plan 2036 policies S11 and HE1, London Plan Policy HC1 and the relevant NPPF paragraphs 199-208. There has also been special regard to the desirability of preserving Ibex House and any surrounding listed buildings including their setting and any features of special architectural or historic interest which it possesses, under s.16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.
350. Overall, the proposal would comply with Local Plan Policies CS 12, DM 12.1 and DM 12.3 (1), draft City Plan 2036 policies S11 and, HE1 (2, 3, 4 and 5) London Plan Policy HC1 (A, B, D and E). It is acknowledged that the proposals are heritage led and well-conceived and detailed. The proposals have also been modified to reduce impacts and to respond to objections. The harm derives from the pavilion extensions and the changes to the public house. There would be some slight erosion of the physical fabric and features through minor demolition and to the architectural form and original plan through the obscuration of parts of the building. For the most part however the overall artistic, architectural and historic values are preserved and in parts are enhanced. The harm is evaluated as a low level of less than substantial, and this is assessed to be at the lowest end of the spectrum. Therefore, elements of the proposals would be contrary to DM 12.3 (2), emerging policy HE1 (1) and London Plan Policy HC1 (C).
351. When addressing the balancing exercise, this harm has been afforded considerable importance and weight, and account taken of the importance of the heritage asset as a grade II listed building in accordance with the advice given in paragraph 199 of the NPPF that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
352. It is the view of Officers that giving great weight to the conservation of this heritage asset, and considerable importance and weight to the desirability of preserving the special architectural and historic interest and heritage significance of the listed building, the identified harm to the significance of the designated heritage asset is outweighed by the public interest benefits associated with the proposed development.
353. Accordingly, Officers recommend that Listed Building Consent should be granted subject to conditions as set out in the attached schedule.

## **APPENDIX A**

### **Background Papers**

#### **Application Documents**

Cover Letter, Savills, updated 11 October 2022

Design and Access Statement, updated October 2022

Fire Strategy, Hoare Lea, 11 November 2022 (Rev 1)

Ground Movement Assessment, Card Geotechnics Limited, September 2022 (Rev 1)

Heritage Statement, Stephen Levrant Heritage Architecture Ltd, October 2022

Updated Transport Assessment, TTP Consulting, updated October 2022

Updated Deliveries and Servicing Plan, TTP Consulting, updated October 2022

Structural Assessment (External Works – Planning Amendments), PARMAR BROOK, updated October 2022

Updated UGF Calculation Plan, BB UK, Rev B, November 2022

Window Drawings and Schedules, Stephen Levrant Heritage Architecture Ltd, updated October 2022

Correct Area Schedule Addendum to DAS, AHMM Architecture, November 2022

Daylight and Sunlight Assessment, GIA Consulting, August 2021

Daylight and Sunlight Letter for Planning, GIA Consulting, 25 August 2021

Daylight and Sunlight Addendum letter, GIA Consulting, September 2022

Daylight and Sunlight Addendum letter, GIA Consulting, November 2022

Flood Risk & Sustainable Drainage Assessment, PARMAR BROOK, updated September 2022

Travel Plan, TTP Consulting, updated October 2022

Addendum to Statement of Community Involvement, London Communications Agency, October 2022

Statement of Community Involvement, London Communications Agency, 2 September 2021

Streamline Moderne Learning Gallery Statement, AHMM Architects, 7 October 2022

Energy and Sustainability Statement, MTT Sustainable Building Solutions, 10 October 2022

Archaeology Desk-Based Assessment, MOLA, May 2021

Geotechnical and Geo-environmental Interpretative Report, CGL, March 2021

Plant Noise Assessment, Hann Tucker Associates, 2 September 2021

Planning Statement, Savills, September 2021

Air Quality Assessment, Create Consulting Engineers, September 2021

#### External Consultee Responses

Thames Water, Email, 10 December 2022

Historic England, updated response, 22 November 2022

Historic England, Letter, 18 January 2022

Historic England, Letter of authorisation to determine application, 18 January 2022

20<sup>th</sup> Century Society, Letter, 7 January 2022

London Underground, email, 9 December 2021

#### Internal Consultee Responses

Memo, District Surveyor, 30 November 2022

Memo, Lead Local Flood Authority, 7 November 2022

Email, Archaeology Officer, 19 July 2022

Email , Access Officer, 23 November 2022  
Memo Air Quality Officer, 9 December 2021

Memo, Department of Markets and Consumer Protection, 8 November 2022

Email, Cleansing Team, 22 November 2022

Email, Transport Planner, 29 October 2022

Comments, Sustainability Officer, 11 November 2022

#### Public Comments: Objections

Comment – Dr Igor Artsybushev – 16 February 2022

Comment – Dr EJ Smith – 10 February 2022

Comment – Miss Panagiota Markaki – 5 January 2022 (LBC objection)

Comment – Ms Nina Napoletano – 3 January 2022

Comment – Mr Michael Patrick - 21 December 2021

Comment – Mr Neel Mandana – 18 December 2021

Comment – Ms Lydia Hamilton – 18 December 2021

Comment – Miss Julie Webber – 18 December 2021

Comment – Mr Pavlos Vinieratos – 14 December 2021

Comment – Mr Maros Duroe – 12 December 2021

Comment – Mr Mital Patel – 12 December 2021 (LBC objection)

Comment – Mr Magnus Taylor – 12 December 2021

Comment – Mikael Boman – 3 January 2021 (LBC objection)

## **APPENDIX B**

London Plan (2021), Local Plan (2015) and draft City Plan 2036 policies that are most relevant to the consideration of this case are set out below.

### **London Plan (2021)**

Policy GG1 (Building strong and inclusive communities) encourages early and inclusive engagement with stakeholders, including local communities, in the development of proposals, seeking to ensure positive changes to the physical environment and provide access to good quality community spaces, services, amenities and infrastructure. In addition, it supports London continuing to generate a wide range of economic and other opportunities promoting fairness, inclusivity and equality.

Policy GG2 (Making the best use of land) supports the prioritisation of well connected sites for development including intensifying the use of land to support, amongst other things, workspaces, and promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

Policy GG3 (Creating a healthy city) seeks to "ensure that new buildings are well-insulated and sufficiently ventilated to avoid the health problems associated with damp, heat and cold" and to "promote more active and healthy lives for all Londoners and enable them to make healthy choices."

Policy GG5 (Growing a good economy) recognises the strategic aim to "promote the strength and potential of the wider city region", including the support and promotion of "sufficient employment and industrial space in the right locations to support economic development and regeneration."

Policy GG6 (Increasing efficiency and resilience) states that planning and development must help London to become a more efficient and resilient city.

Policy SD4 (The Central Activities Zone (CAZ)) states that "the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values"

Policy SD5 (Offices, other strategic functions and residential development in the CAZ) states that "offices and other CAZ strategic functions are to be given greater weight relative to new residential development."

Policy D2 (Infrastructure requirements for sustainable densities) states that the density of development proposals should: 1) consider, and be linked to, the provision of future planned levels of infrastructure rather than existing levels; 2) be proportionate to the site's connectivity and accessibility by walking, cycling, and public transport to jobs and services (including both PTAL and access to local services).



Policy D3 (Optimising site capacity through the design-led approach) states that all development must make the best use of land by following a design-led approach, and proposals should consider form and layout, experience, and quality and character.

Policy D4 states that "design and access statements submitted with development proposals should demonstrate that the proposal meets the design requirements of the London Plan."

Policy D5 (Inclusive Design) seeks to achieve the highest standard of accessible and inclusive design across new developments.

Policy D8 (Public Realm) establishes criteria for proposals which include public realm space. These criteria include making public realm "well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. Lighting, including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution."

Policy D11 (Safety, security and resilience to emergency) states that "development proposals should maximise building resilience and minimise potential physical risks, including those arising as a result of extreme weather, fire, flood and related hazards. Development should include measures to design out crime that - in proportion to the risk - deter terrorism, assist in the detection of terrorist activity and help mitigate its effects. These measures should be considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area."

Policy D12 (Fire Safety) encourages proposals to achieve the highest standards of fire safety and ensure that they: "1) identify suitably positioned unobstructed outside space for fire appliances to be positioned on and which is appropriate for use as an evacuation assembly point; 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire."

Policy D13 (Agent of Change) states that development should be manage noise and other potential nuisances.

Policy D14 (Noise) seeks to avoid significant adverse noise impacts on health and quality of life, and mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development.

Policy S1 (Developing London's social infrastructure) states that development proposals should provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies. New facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres.

Policy E1 (Offices) explicitly supports increases in the current office stock, noting that "improvements to the quality, flexibility and adaptability of office space of

different sizes (for micro, small, medium-sized and larger enterprises) should be supported by new office provision, refurbishment and mixed-use development."

Policy E2 (Providing suitable business space) states that Boroughs should seek to "support the provision, and where appropriate, protection of a range of B Use Class business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand." The policy also states that "development proposals for new B Use Class business floorspace greater than 2,500 sqm (gross external area), or a locally determined lower threshold in a local Development Plan Document, should consider the scope to provide a proportion of flexible workspace or smaller units suitable for micro, small and medium-sized enterprises."

Policy E3 (Affordable workspace) outlines the requirement for affordable workspace. It is noted that leases or transfers of space to workspace providers should be at rates that allow providers to manage effective workspace with submarket rents

Policy E10 (Visitor Infrastructure) states that "London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management and supporting infrastructure.." and that a "sufficient supply and range of serviced accommodation should be maintained". It further states: "Within the CAZ, strategically-important serviced accommodation should be promoted in Opportunity Areas, with smaller-scale provision in other parts of the CAZ except wholly residential streets or predominantly residential neighbourhoods (see Policy SD5 Offices, other strategic functions and residential development in the CAZ), and subject to the impact on office space and other strategic functions. Intensification of the provision of serviced accommodation should be resisted where this compromises local amenity or the balance of local land uses." The Policy states that serviced accommodation should ensure sufficient choice for people who require an accessible bedroom.

Policy E11 (Skills and Opportunities for all) states that "development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations where appropriate".

Policy HC1 (Heritage conservation and growth) requires development proposals "should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings."

Policy HC2 (World Heritage Sites) requires that "development proposals in World Heritage Sites and their settings, including any buffer zones, should conserve, promote and enhance their Outstanding Universal Value, 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 Outstanding Universal Value, or the authenticity and integrity of their attributes." The policy also states that "development proposals with the potential to affect World Heritage Sites or their settings should be supported by Heritage Impact

Assessments. Where development proposals may contribute to a cumulative impact on a World Heritage Site or its setting, this should be clearly illustrated and assessed in the Heritage Impact Assessment."

Policy HC3 (Strategic and Local Views) states that development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view. Policy HC4 (London View Management Framework) states that "development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. They should also preserve and, where possible, enhance viewers' ability to recognise and to appreciate Strategically-Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated viewing places."

Policy HC4 (London View Management Framework) states that "Development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. They should also preserve and, where possible, enhance viewers' ability to recognise and to appreciate Strategically-Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated viewing places."

Policy HC5 (Supporting London's culture and creative industries) states that "the continued growth and evolution of London's diverse cultural facilities and creative industries is supported".

Policy HC6 (Supporting the night-time economy) states that planning decisions should "promote the night-time economy, where appropriate, particularly in the Central Activities Zone..." and should promote "management of the night-time economy through an integrated approach to planning and licensing, out-of-hours servicing and deliveries, safety and security, and environmental and cleansing services should be supported".

Policy G1 (Green infrastructure) states that "development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network."

Policy G4 (Open space) identifies that "development proposals should 1) not result in the loss of protected open space; 2) where possible create areas of publicly accessible open space, particularly in areas of deficiency."

Policy G5 (Urban greening) states that "major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage."

Policy G6 (Biodiversity and access to nature) states that "development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This

should be informed by the best available ecological information and addressed from the start of the development process."

Policy G7 (Trees and woodlands) states that the planting of additional trees should generally be included in new developments.

Policy SI1 (Improving air quality) states that "development proposals should not: a) lead to further deterioration of existing poor air quality; b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits; c) create unacceptable risk of high levels of exposure to poor air quality."

Policy SI2 (Minimising greenhouse gas emissions) requires that all new major development should be net zero-carbon. Major development proposals should also include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.

Policy SI3 (Energy infrastructure) states that "development proposals should: 1) identify the need for, and suitable sites for, any necessary energy infrastructure requirements including energy centres, energy storage and upgrades to existing infrastructure; 2) identify existing heating and cooling networks, identify proposed locations for future heating and cooling networks and identify opportunities for expanding and inter- connecting existing networks as well as establishing new networks."

Policy SI4 (Managing heat risk) identifies that "development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure." The policy also states that "major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems."

Policy SI7 (Reducing waste and supporting the circular economy) identifies that "referable applications should promote circular economy outcomes and aim to be net zero-waste."

Policy SI12 (Flood risk management) requires development proposals to "ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses."

Policy SI13 (Sustainable drainage) states that "development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible."

Policy TI (Strategic approach to transport) highlights that development "should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated." Development that promotes walking through improved public realm is also supported.

Policy T2 (Healthy streets) encourages development proposals to deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Proposals should "1) demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance; 2) reduce the dominance of vehicles on London's streets whether stationary or moving; 3) be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport."

Policy T3 (Transport capacity, connectivity and safeguarding) states that "development proposals should support capacity, connectivity and other improvements to the bus network and ensure it can operate efficiently to, from and within developments, giving priority to buses and supporting infrastructure as needed."

Policy T4 (Assessing and mitigating transport impacts) notes that "where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified."

Policy T5 (Cycling) supports increases in cycling across London through the provision of secure, integrated, convenient and accessible cycle parking facilities as well as associated changing and facilities and showers.

Policy T6 (Car parking) (and T6.2, T6.4, T6.5) sets out parking standards which need to be complied with and that "car-free development should be the starting point for all development proposals in places that are (or are planned to be) well connected by public transport."

Policy T7 (Deliveries, servicing and construction) states that "development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments."

## Relevant Local Plan (2015) Policies

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

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

#### ***DM1.1 Protection of office accommodation***

To refuse the loss of existing (B1) office accommodation to other uses where the building or its site is considered to be suitable for long-term viable office use and there are strong economic reasons why the loss would be inappropriate. Losses would be inappropriate for any of the following reasons:

- a) prejudicing the primary business function of the City;
- b) jeopardising the future assembly and delivery of large office development sites;
- c) removing existing stock for which there is demand in the office market or long term viable need;
- d) introducing uses that adversely affect the existing beneficial mix of commercial uses.

#### ***DM1.2 Protection of large office sites***

To promote the assembly and development of sites for large office schemes in appropriate locations. The City Corporation will:

- a) assist developers in identifying large sites where large floorplate buildings may be appropriate;
- b) invoke compulsory purchase powers, where appropriate and necessary, to assemble large sites;
- c) ensure that where large sites are developed with smaller buildings, the design and mix of uses provides flexibility for potential future site re-amalgamation;
- d) resist development and land uses in and around potential large sites that would jeopardise their future assembly, development and operation, unless there is no realistic prospect of the site coming forward for redevelopment during the Plan period.

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

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

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

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

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

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

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

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

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

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

- a) electricity supply to serve the construction phase and the intended use for the site, and identify, in conjunction with electricity providers, Temporary Building Supply(TBS) for the construction phase and the estimated load capacity of the building and the substations and routes for supply;
- b) reasonable gas and water supply considering the need to conserve natural resources;
- c) heating and cooling demand and the viability of its provision via decentralised energy (DE) networks. Designs must incorporate access to existing DE networks where feasible and viable;
- d) telecommunications network demand, including wired and wireless infrastructure, planning for dual entry provision, where possible, through communal entry chambers and flexibility to address future technological improvements;
- e) separate surface water and foul drainage requirements within the proposed building or site, including provision of Sustainable Drainage Systems (SuDS), rainwater harvesting and grey-water recycling, minimising discharge to the combined sewer network.

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

To encourage the installation of green roofs on all appropriate developments. On each building the maximum practicable coverage of green roof should be achieved.

Extensive green roofs are preferred and their design should aim to maximise the roof's environmental benefits, including biodiversity, run-off attenuation and building insulation.

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

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

To encourage high quality roof gardens and terraces where they do not:

- a) immediately overlook residential premises;
- b) adversely affect rooflines or roof profiles;
- c) result in the loss of historic or locally distinctive roof forms, features or coverings;
- d) impact on identified views.
- e) Public access will be sought where feasible in new development.

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

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

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

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

To resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels, taking account of the Building Research Establishment's guidelines.

The design of new developments should allow for the lighting needs of intended occupiers and provide acceptable levels of daylight and sunlight.

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

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

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

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

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

### ***DM11.1 Visitor, Arts and Cultural***

To resist the loss of existing visitor, arts and cultural facilities unless:

- a) replacement facilities are provided on-site or within the vicinity which meet the needs of the City's communities; or
- b) they can be delivered from other facilities without leading to or increasing any shortfall in provision, and it has been demonstrated that there is no demand for another similar use on the site; or
- c) it has been demonstrated that there is no realistic prospect of the premises being used for a similar purpose in the foreseeable future.

Proposals resulting in the loss of visitor, arts and cultural facilities must be accompanied by evidence of the lack of need for those facilities. Loss of facilities will only be permitted where it has been demonstrated that the existing floorspace has been actively marketed as a visitor, arts or cultural facility at reasonable terms.

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

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

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

To sustain and enhance heritage assets, their settings and significance.

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

The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.

Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.

Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

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

Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.

The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.

Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

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

To resist the demolition of listed buildings.

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

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

To require planning applications which involve excavation or ground works on sites of archaeological potential to be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development.

To preserve, protect, safeguard and enhance archaeological monuments, remains and their settings in development, and to seek a public display and interpretation, where appropriate.

To require proper investigation and recording of archaeological remains as an integral part of a development programme, and publication and archiving of results to advance understanding.

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

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

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

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

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

Sustainability Statements must be submitted with all planning applications in order to ensure that sustainability is integrated into designs for all development.

For major development (including new development and refurbishment) the Sustainability Statement should include as a minimum:

- a) BREEAM or Code for Sustainable Homes pre-assessment;
- b) an energy statement in line with London Plan requirements;
- c) demonstration of climate change resilience measures.

BREEAM or Code for Sustainable Homes assessments should demonstrate sustainability in aspects which are of particular significance in the City's high density urban environment. Developers should aim to achieve the maximum possible credits to address the City's priorities.

Innovative sustainability solutions will be encouraged to ensure that the City's buildings remain at the forefront of sustainable building design. Details should be included in the Sustainability Statement.

Planning conditions will be used to ensure that Local Plan assessment targets are met.

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

Development design must take account of location, building orientation, internal layouts and landscaping to reduce likely energy consumption.

For all major development energy assessments must be submitted with the application demonstrating:

- a) energy efficiency - showing the maximum improvement over current Building Regulations to achieve the required Fabric Energy Efficiency Standards;
- b) carbon compliance levels required to meet national targets for zero carbon development using low and zero carbon technologies, where feasible;
- c) where on-site carbon emission reduction is unviable, offsetting of residual CO<sub>2</sub> emissions through "allowable solutions" for the lifetime of the building to achieve national targets for zero-carbon homes and non-domestic buildings. Achievement of zero carbon buildings in advance of national target dates will be encouraged;
- d) anticipated residual power loads and routes for supply.

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

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

Where connection to offsite decentralised energy networks is not feasible, installation of on-site CCHP and the potential to create new localised decentralised energy infrastructure through the export of excess heat must be considered

Where connection is not feasible or viable, all development with a peak heat demand of 100 kilowatts or more should be designed to enable connection to potential future decentralised energy networks.

Other low and zero carbon technologies must be evaluated. Non combustion based technologies should be prioritised in order to avoid adverse impacts on air quality.

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

All feasible and viable on-site or near-site options for carbon emission reduction must be applied before consideration of offsetting. Any remaining carbon emissions calculated for the lifetime of the building that cannot be mitigated on-site will need to be offset using "allowable solutions".

Where carbon targets cannot be met on-site the City Corporation will require carbon abatement elsewhere or a financial contribution, negotiated through a S106 planning obligation to be made to an approved carbon offsetting scheme.

Offsetting may also be applied to other resources including water resources and rainwater run-off to meet sustainability targets off-site where on-site compliance is not feasible.

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

Developers will be required to demonstrate through Sustainability Statements that all major developments are resilient to the predicted climate conditions during the building's lifetime.

Building designs should minimise any contribution to the urban heat island effect caused by heat retention and waste heat expulsion in the built environment.

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

Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.

Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.

Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for Sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NOx).

Developers will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.

Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.

Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest building in the development in order to ensure maximum dispersion of pollutants.

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

Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.

Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.

Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.

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

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

### ***DM15.8 Contaminated land***

Where development involves ground works or the creation of open spaces, developers will be expected to carry out a detailed site investigation to establish whether the site is contaminated and to determine the potential for pollution of the water environment or harm to human health and non-human receptors. Suitable mitigation must be identified to remediate any contaminated land and prevent potential adverse impacts of the development on human and non-human receptors, land or water quality.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Development must protect the integrity and effectiveness of structures intended to minimise flood risk and, where appropriate, enhance their effectiveness.

Wherever practicable, development should contribute to an overall reduction in flood risk within and beyond the site boundaries, incorporating flood alleviation measures for the public realm, where feasible.

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

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

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

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

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

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

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

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

The amenity of existing residents within identified residential areas will be protected by:

- a) resisting other uses which would cause undue noise disturbance, fumes and smells and vehicle or pedestrian movements likely to cause disturbance;
- b) requiring new development near existing dwellings to demonstrate adequate mitigation measures to address detrimental impact.

Noise-generating uses should be sited away from residential uses, where possible. Where residential and other uses are located within the same development or area, adequate noise mitigation measures must be provided and, where required, planning conditions will be imposed to protect residential amenity.

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

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

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

To resist the loss of social and community facilities unless:

- a) replacement facilities are provided on-site or within the vicinity which meet the needs of the users of the existing facility; or
- b) necessary services can be delivered from other facilities without leading to, or increasing, any shortfall in provision; or
- c) It been demonstrated that there is no demand for another similar use on site.

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

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

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

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

#### Draft City Plan 2036 Policies

S1 Healthy and inclusive city

HL1 Inclusive buildings and spaces

HL2 Air quality

HL3 Noise and light pollution

HL4 Contaminated land and water quality

HL5 Location and protection of social and community facilities

HL9 Health Impact Assessments

S2 Safe and Secure City

SA1 Crowded Places

SA2 Dispersal Routes

SA3 Designing in security

S3 Housing

HS3 Residential environment

S4 Offices

OF1 Office development

OF2 Protection of Existing Office Floorspace

S6 Culture, Visitors and the Night -time Economy

CV3 Hotels

CV4 Evening and Night-Time Economy

S7 Smart Infrastructure and Utilities

IN1 Infrastructure provision and connection

IN2 Infrastructure Capacity

IN3 Pipe Subways

S8 Design

DE1 Sustainability requirements  
DE2 New development  
DE3 Public realm  
DE4 Pedestrian permeability  
DE5 Terraces and Viewing Galleries  
DE8 Daylight and sunlight  
DE9 Lighting  
S9 Vehicular Transport and Servicing  
VT1 The impacts of development on transport  
VT2 Freight and servicing  
VT3 Vehicle Parking  
S10 Active travel and healthy streets  
AT1 Pedestrian movement  
AT2 Active travel including cycling  
AT3 Cycle parking  
S11 Historic environment  
HE1 Managing change to heritage assets  
HE2 Ancient monuments and archaeology  
HE3 Setting of the Tower of London World Heritage Site  
S13 Protected Views  
S14 Open spaces and green infrastructure  
OS2 City greening  
OS3 Biodiversity  
OS4 Trees  
S15 Climate resilience and flood risk  
CR1 Overheating and Urban Heat Island effect  
CR2 Flood Risk  
CR3 Sustainable drainage systems (SuDS)  
CR4 Flood protection and flood defences  
S16 Circular economy and waste  
CE1 Zero Waste City  
CE2 Sustainable Waste Transport  
S27 Planning contributions

## **APPENDIX C**

### **Methodology for daylight (including radiance), sunlight and overshadowing assessment**

Policy D6(d) of the London Plan states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context whilst avoiding overheating, minimising overshadowing, and maximising the usability of outdoor amenity space.

Local Plan Policy DM10.7 'Daylight and Sunlight' seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings and open spaces to unacceptable levels, taking account of the Building Research Establishment's (BRE) guidelines 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' (2022).

Policy DE8: 'Daylight and sunlight' of the Draft City Plan 2036 states that development proposals will be required to demonstrate that the daylight and sunlight available to nearby dwellings and open spaces is appropriate for its context and provides acceptable living standards, taking account of the BRE guidelines.

Local Plan Policy DM21.3 seeks to protect the residential environment including daylight and sunlight.

Paragraph 3.10.41 of the Local Plan indicates that BRE guidelines will be applied consistent with BRE advice that ideal daylight and sunlight conditions may not be practicable in densely developed city centre locations.

Paragraph 3.10.41 of the Local Plan and Policy HS3 of Draft City Plan 2036 states when considering proposed changes to existing lighting levels, the City Corporation will take into account the cumulative effect of development proposals.

Within the BRE Guidance, it states that the methods of assessment can be applied to non-domestic buildings where the occupants have a reasonable expectation to light. In this case it is Officers' view that the impact to student residential should be considered.

### **Methods of Assessment**

#### **Daylight to Existing Buildings**

The BRE guidelines present the following methodologies for measuring the impact of development on the daylight and sunlight received by nearby existing dwellings and any existing non-domestic buildings where the occupants have a reasonable expectation of natural light (such as schools, hotels and hostels):

1. **Daylight to windows: Vertical Sky Component (VSC):** a measure of the amount of sky visible from a centre point of a window. The VSC test is the main test used to assess the impact of a development on neighbouring properties. A window that achieves 27% or more is considered to provide good levels of light, but if with the proposed development in place the figure is both less than 27% and reduced by 20% or more from the existing level (0.8 times the existing value), the loss would be noticeable.
2. **Daylight Distribution: No Sky Line (NSL):** The distribution of daylight within a room is measured by the no sky line, which separates the areas of the room (usually measured in sq. ft) at a working height (usually 0.85m) that do and do not have a direct view of the sky. The BRE guidelines states that if with the proposed development in place the level of daylight distribution in a room is reduced by 20% or more from the existing level (0.8 times the existing value), the loss would be noticeable. The BRE advises that this measurement should be used to assess daylight within living rooms, dining rooms and kitchens; bedrooms should also be analysed although they are considered less important.

The BRE Guide recommends compliance with both the VSC and daylight distribution (NSL) guidelines.

#### Sunlight to Existing Buildings

**Sunlight to windows: Annual Probable Sunlight Hours (APSH):** Sunlight levels are calculated for all main living rooms in dwellings if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are considered less important although care should be taken not to block too much sun. The BRE explains that sunlight availability may be adversely affected if the centre of the window:

- Receives less than 25% of annual probable sunlight hours (APSH), or less than 5% APSH between 21 September and 21 March; and
- Receives less than 0.8 times its former sunlight hours (as result of a proposed development) during either period; and
- Has a reduction in sunlight hours received over the whole year greater than 4% of annual probable sunlight hours.

To clarify, all three of the above criteria need to be met for there to be a noticeable reduction in the sunlight that can be received (at the centre of the window that has been assessed).

The BRE guidelines advises that if the available sunlight hours are both less than 25% ASPH annually and 5% APSH in winter and less than 0.8 times their former value, either over the whole year or just in the winter months (21 September to 21



March) then the occupants of the existing building would notice the loss of sunlight; if the overall/absolute annual loss of sunlight is greater than 4% of APSH, the room may appear colder and less pleasant.

#### Overshadowing

**Sunlight to open spaces: Sunlight Hours on the Ground (SHOG):** The BRE guidelines recommends that the availability of sunlight should be checked for open spaces including residential gardens and public amenity spaces, stating that, for a garden or amenity area to appear adequately sunlit throughout the year, no more than half (50%) of the area should be prevented by buildings from receiving two hours of sunlight on the 21st March. If as a result of the proposed development an existing garden or amenity area does not meet the guidance, or the area which can receive the sun is less than 0.8 times its former value (i.e. more than 20 % reduction) then the loss of sunlight is likely to be noticeable.

#### Radiance Assessment

A Radiance Assessment is a lighting simulation tool that measures the individual 'daylight factors' at a number of given points (usually based on a grid) within a room (or defined space). This method of assessment takes into account the total glazed area to a room, the transmittance quality of the glazing, the total area of the room's internal surfaces, including ceilings and floors, and their reflectance values (which may be actual or reasonably assumed). The radiance method of assessment also takes into account the quantum of light reflected off external surfaces, including the ground and nearby buildings.

Whilst there is currently no established guidance regarding what constitutes a 'noticeable' or 'significant' change in daylight when using the Radiance methodology, radiance-based assessments can draw upon the BRE's recommended Average Daylight Factor (ADF) target values, which recommend an ADF of 5% or more if no supplementary electric lighting is to be used within a room, or 2% or more if supplementary electric lighting is provided. The BRE guidelines recommend the following minimum ADF values for residential properties: 1% for bedrooms, 1.5% for living rooms and 2% for kitchens.

Whilst student accommodation is not explicitly discussed within the BRE Guidelines, it is understood that it is common practice is to assign a minimum target of 1% ADF to student rooms (the target for bedrooms), which is considered by officers to be reasonable.

Radiance assessment results are presented as floor plans colour rendered to illustrate the individual daylight factors within room, which range between 0% and 5%. In addition, the average value of the individual daylight factors within a room can be expressed as a 'radiance based' ADF percentage for the room as a whole.

It should be noted that the Radiance Assessment undertaken is not meant to replace the submitted daylight and sunlight assessments, but to provide a further way to illustrate daylight changes within habitable rooms in the neighbouring properties.

#### Setting Alternative Target Values (including Mirror Massing)

Appendix F of the BRE guidelines provides advice on setting alternative target values for daylight and sunlight. This notes that the numerical target values are purely advisory and different targets may be used based on the characteristics of the proposed development and/or its location.

Alternative targets may be generated from the scale/layout of existing development within the surrounding context or be based on an extant planning permission. The BRE guide provides an example of a narrow mews in an historic city centre where the VSC values derived from the obstruction angle could be used as a target value for development in that street if new development is to match the existing layout.

The guide notes that a similar approach may be adopted in cases where an existing building has windows that are unusually close to the site boundary and taking more than their fair share of light. In that case, to ensure that new development matches the height and proportions of existing buildings, the VSC and APSH targets for the relevant windows could be set to those for a 'mirror-image' building of the same height and size, an equal distance away on the other side of the boundary.

In undertaking assessments, a judgement is made as to the level of impact on affected windows and rooms. Where there is a less than 20% change (in VSC, NSL or APSH) the effect is judged as to not be noticeable. Between 20-30% it is judged to be minor adverse, 30-40% moderate adverse and over 40% major adverse. All these figures will be impacted by factors such as existing levels of daylight and sunlight and on-site conditions. The judgements that arise from these percentages are drawn from approaches to environmental impact assessment and have become part of an industry standard utilised by Daylight and Sunlight specialists. It is for the Local Planning Authority to decide whether any losses result in a reduction in amenity which is or is not acceptable.

It should be noted that where there are existing low levels of daylight in the baseline figures any change in the measured levels has been generally described in two ways to give a more complete picture. These are:

- Percentage change (10% reduced to 8% = 20% reduction); and
- Actual/Absolute change (10% reduced to 8% = 2% change).

## SCHEDULE

APPLICATION: 21/00793/FULMAJ

**Ibex House, 42-47 Minories London**

**Alteration and extension to the existing building at ground and lower ground floor on Haydon Street and Portsoken St with the incorporation of courtyard garden areas, an on-site servicing bay and blue badge parking areas adjacent; Roof level extensions at the 8th and 9th floors; Alterations to the ground floor Minories facade, including level access provision; Alteration and creation of roof terraces and green roofs; replacement / upgrade of balustrades on all elevations; internal reconfiguration of lower levels to incorporate a new mezzanine level, internal cycle storage, and refuse store; creation of a new learning / cultural centre (sui generis) at the ground floor corner of Portsoken Street and Minories;; and retention of existing public house (sui generis) at ground floor / lower ground corner of Haydon Street and Minories including elevational alterations.**

## CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.

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

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

3. Details of facilities and methods to accommodate and manage all freight vehicle movements to and from the site during the demolition and construction of the building(s) hereby approved shall be submitted to and approved by the

Local Planning Authority in writing prior to the commencement of work. The details shall be completed in accordance with the Mayor of London's Construction Logistics Plan Guidance dated July 2017 and shall specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Community Safety (CLOCS) Standard. The Plan must demonstrate how Work-Related Road Risk is to be managed. No demolition or construction shall be carried out other than in accordance with the approved details and methods.

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

4. Prior to stripping-out or demolition of the existing building or building elements, a material audit of the building or elements to be demolished should be submitted to and approved in writing by the Local Planning Authority to understand the value of the building as a material bank, establishing what can be retained and what can be re-used either on-site, in the first instance, re-used off-site or recycled, demonstrating that as little waste as possible is generated. The development shall be carried out in accordance with the approved details. REASON: To ensure that the Local Planning Authority can be satisfied that the proposed development will be designed to promote circular economy principles to reduce waste and encourage recycling, reducing impact on virgin resources in accordance with the following policies in the Development Plan and the draft Development Plans: London Plan; GG5, GG6, D3, SI 7, SI 8 - Local Plan; CS17, DM 17.2 - Draft City Plan 2036; S16, CEW 1. These details are required prior to demolition and construction work commencing in order to establish the extent of recycling and minimised waste from the time that demolition and construction start.
5. Prior to the commencement of the development (other than demolition) a Climate Change Resilience Sustainability Statement (CCRSS) shall be submitted to and approved in writing by the Local Planning Authority, that demonstrates that the development is resilient and adaptable to predicted climate conditions during the lifetime of the development. The CCRSS shall include details of the climate risks that the development faces (including flooding, heat stress, water stress, natural capital, pests and diseases) and the climate resilience solutions for addressing such risks. The CCRSS will demonstrate that the potential for resilience and adaptation measures (including but not limited to: solar shading to prevent solar gain; high thermal mass of building fabric to moderate temperature fluctuations; cool roofs to prevent overheating; urban greening; rainwater attenuation and drainage; flood risk mitigation; biodiversity protection; passive ventilation and heat recovery and air quality assessment to ensure building services do not

contribute to worsening photochemical smog) has been considered and appropriate measures incorporated in the design of the building. The CCRSS shall also demonstrate how the development will be operated and managed to ensure the identified measures are maintained for the life of the development. The development shall be carried out in accordance with the approved CCRSS and operated and managed in accordance with the approved CCRSS for the life of the development.

6. Before any works including demolition are begun a survey of the highways and other land at the perimeter of the site shall be carried out and submitted to the Local Planning Authority showing the existing Ordnance Datum levels of the adjoining streets and open spaces.

REASON: To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.8, DM16.2. These details are required prior to commencement in order to create a record of the conditions prior to changes caused by the development.

7. Prior to the commencement of development, the developer/construction contractor shall sign up to the Non-Road Mobile Machinery Register. The development shall be carried out in accordance with the Mayor of London Control of Dust and Emissions during Construction and Demolition SPG July 2014 (or any subsequent iterations) to ensure appropriate plant is used and that the emissions standards detailed in the SPG are met. An inventory of all NRMM used on site shall be maintained and provided to the Local Planning Authority upon request to demonstrate compliance with the regulations.

REASON: To reduce the emissions of construction and demolition in accordance with the Mayor of London Control of Dust and Emissions during Construction and Demolition SPG July 2014. Compliance is required to be prior to commencement due to the potential impact at the beginning of the construction

8. Before any construction works hereby permitted are begun the following details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- a) Fully detailed design and layout drawings for the SuDs components of the green roofs;
- b) Full details of measures to be taken to prevent flooding (of the site or caused by the site) during the course of the construction works;
- c) Evidence that Thames Water have been consulted and consider the proposed discharge rate to be satisfactory.

REASON: To improve sustainability, reduce flood risk and reduce water runoff rates in accordance with the following policy of the Local Plan: DM18.1, DM18.2 and DM18.3

9. Before any works thereby affected are begun the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
  - a) Samples and colour finishes of all the external materials including a mock up panel of the black faience and crittall glazing.
  - b) Construction details of all external elements of the pavilion extensions and lightwells at scale 1:20, 1:10, 1:15 as appropriate.
  - c) Details of the junction of the new pavilions with existing fabric;
  - d) Details of balustrades;
  - e) Construction details of all external elements of the roof extensions at 1:20, 1:10 and 1:15 as appropriate.
  - f) Construction details of the external sui generis use elevations at 1:20; 1:10; 1:5 as appropriate.
  - g) Construction details of the external public house elevation at :20; 1:10; 1:5 as appropriate.
  - h) Construction details of the new external entrance doors to Ibex House on Minories and level access provision at scale 1:10 and 1:5 as appropriate.
  - i) Detailed design of the roof terraces including hard and soft landscaping;
  - j) Details of external cleaning proposals;
  - k) Details of new service doors;
  - l) Details of the plant enclosure and fifth elevation of the plant;
  - m) Details of the upper ground floor accessible WC and shower layouts.
  - n) Details of the re-use of cladding materials and railings.

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, DM10.2, DM10.3, DM10.4, DM10.8, DM12.1, DM12.3, DM17.1, DM19.2

10. Prior to the commencement of the relevant works, a final Lighting Strategy and Technical Lighting Design shall be submitted to and approved in writing by the Local Planning Authority, which should include details of:
  - a) lighting layout/s;
  - b) details of all functional and decorative luminaires (including associated accessories, bracketry and related infrastructure);
  - c) a lighting control methodology;
  - d) proposed operational timings and associated design and management measures to reduce the impact on the local environment and residential

amenity including light pollution, light spill, and potential harm to local ecologies;

- e) all external, semi-external and public-facing parts of the building and of any internal lighting in so far that it creates visual or actual physical impact on the lit context to show how the facade and/or the lighting has been designed to help reduce glare, excessive visual brightness, and light trespass;
- f) details for impact on the public realm, including typical illuminance levels, uniformity, colour appearance and colour rendering.

All works and management measures pursuant to this consent shall be carried out and maintained in accordance with the approved details and lighting strategy.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and the measures for environmental impacts, sustainability and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM10.1, 15.1 15.7 , CS15 and emerging policies DE1, DE2 and HL3 of the Draft City Plan 2036."

11. All unbuilt surfaces, including terraces/balconies and public realm, shall be treated in accordance with a landscaping scheme, including details of:
  - a) the position, size and types of planting of green roofs, and method of irrigation;
  - b) details of the final Urban Greening Factor of the scheme;
  - c) Irrigation, including provision for harvesting rainwater run-off from surfaces to supplement irrigation;
  - d) Details of all soft landscaping including species and contribution to enhance biodiversity;
  - e) Maintenance plans for all proposed landscaping;
  - f) Details of hard landscaping including seating and planters;
  - g) Vertical greening including species, supporting structure, method of fixing, growing medium and method of irrigation.
  - h) Contribution to biodiversity enhancement of all landscaping including greening, green walls and green roofs.

to be submitted to and approved in writing by the Local Planning Authority before any landscaping works are commenced. All hard and soft landscaping works shall be carried out in accordance with the approved details not later than the end of the first planting season following completion of the development and prior to occupation. Trees and shrubs which die or are removed, uprooted or destroyed or become in the opinion of the Local Planning Authority seriously damaged or defective within the lifetime of the development shall be replaced with trees and shrubs of the same size and species to those originally approved, or such alternatives as may be agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity in accordance with the following policies of the Local Plan: DM10.1, DM19.2.

12. No servicing of the approved development by motorised vehicles shall occur during the hours of 0700 - 1000, 1200 - 1400 and 1600 – 1900 on weekdays, except for a total of two deliveries to service the café use and pub use between 0700 and 0800.  
REASON: To ensure that the development does not have an adverse impact on the free flow of traffic or highway safety in the surrounding streets in accordance with the following policy of the Local Plan: DM16.1.
13. No servicing of the premises shall be carried out between the hours of 23:00 on one day and 07:00 on the following day from Monday to Saturday and between 23:00 on Saturday and 07:00 on the following Monday and on Bank Holidays. Servicing includes the loading and unloading of goods from vehicles and putting rubbish outside the building.  
REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM15.7, DM16.2, DM21.3.
14. Permanently installed pedal cycle racks shall be provided and maintained on the site throughout the life of the building sufficient to accommodate a minimum of 333 no. long stay pedal cycles and 43 no. short stay pedal cycles. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking. A minimum of 5% of the long stay cycle spaces shall be accessible for larger cycles, including adapted cycles for disabled people.  
REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.
15. Changing facilities and showers shall be provided adjacent to the bicycle parking areas and maintained throughout the life of the building for the use of occupiers of the building in accordance with the approved plans.  
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
16. No part of the roof areas except those shown as roof terraces on the drawings hereby approved shall be used or accessed by occupiers of the building, other than in the case of emergency or for maintenance purposes.  
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
17. No live or recorded music that can be heard outside the premises shall be played.



REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

18. The roof terraces on levels 8, 9 and rooftop hereby permitted shall not be used or accessed between the hours of 21:00 on one day and 07:00 on the following day and not at any time on Sundays or Bank Holidays, other than in the case of emergency.

REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

19. (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.

(b) Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.

(c) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.

REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

20. The proposed office development sharing a party element with non-office premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR40 is not exceeded in the proposed office premises due to noise from the neighbouring non-office premises and shall be permanently maintained thereafter.

A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan: DM15.7.

21. Before any works thereby affected are begun, a scheme shall be submitted and approved in writing by the Local Planning Authority which specifies the fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the public house and cafe use. Flues must terminate at roof level or an agreed high level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. Any works that would materially affect the external

appearance of the building will require a separate planning permission. The details approved must be implemented before the public house and cafe use take place, unless no new primary cooking facilities are proposed.

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

22. Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to protect the amenities of commercial occupiers in the building in accordance following policy of the Local Plan: DM15.7.

23. All parts of the ventilation and extraction equipment including the odour control systems installed shall be cleaned, serviced and maintained in accordance with Section 5 of 'Control of Odour & Noise from Commercial Kitchen Extract Systems' dated September 2018 by EMAQ+ (or any subsequent updated version). A record of all such cleaning, servicing and maintenance shall be maintained and kept on site and upon request provided to the Local Planning Authority to demonstrate compliance.

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

24. Prior to the installation of any generator. A report shall be submitted to show what alternatives have been considered including a secondary electrical power supply, battery backup or alternatively fuelled generators such as gas fired or hydrogen. The details of the proposed generator shall be submitted for approval. The generator shall be used solely on brief intermittent and exceptional occasions when required in response to a life-threatening emergency and for the testing necessary to meet that purpose and shall not be used at any other time.

REASON: In order to ensure that the generator does not have a detrimental impact on occupiers of residential premises in the area and in accordance with the following policy of the Local Plan: DM15.6 and to maintain local air quality and ensure that exhaust does not contribute to local air pollution, particularly nitrogen dioxide and particulates PM10, in accordance with the City of London Air Quality Strategy 2019 and the London Plan policy SI 1.

25. The development shall be designed to allow for the retro-fit of heat exchanger rooms to connect into a district heating network if this becomes available during the lifetime of the development.

REASON: To minimise carbon emissions by enabling the building to be connected to a district heating and cooling network if one becomes available during the life of the building in accordance with the following policies of the Local Plan: DM15.1, DM15.2, DM15.3, DM15.3, DM15.4.

26. No works except demolition to basement slab level shall take place until the developer has secured the implementation of a programme of archaeological

work to be carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. This shall include all on site work, including details of any temporary works which may have an impact on the archaeology of the site and all off site work such as the analysis, publication and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to allow an opportunity for investigations to be made in an area where remains of archaeological interest are understood to exist in accordance with the following policy of the Local Plan: DM12.4.

27. No works except demolition to basement slab level shall take place before details of the foundations and piling configuration, to include a detailed design and method statement, have been submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.

REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policy of the Local Plan: DM12.4.

28. All new work and work in making good shall match the existing adjacent work with regard to the methods used and to materials, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this permission.

REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1

29. The development shall provide: 22,689 sq.m (GIA) of office floorspace (Class E), 563sq.m (GIA) Pub floorspace (sui generis), 124 sq.m (GIA) cafe floor space (Class E) and 161 sq.m (GIA) of cultural learning/exhibition floorspace (Sui Generis).

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

30. The floorspace within the development marked as cafe within the southern ground level extension on the floor plans hereby approved, shall be used for retail (Class E(a)) and/or cafe/restaurant (Class E(b)) and for no other purpose (including any other purpose within Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

REASON: To ensure that active public uses are retained to ground floor.

31. The floorspace within the development marked as Learning Gallery (sui generis) floorspace on the floor plans at upper ground floor level hereby approved, shall be used as a Learning and exhibition space with ancillary facilities (sui generis) and for no other purpose (including any other purpose within the Schedule to the Town and Country Planning (Use Classes) Order

1987 (as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

REASON: To ensure compliance with policy S6 of the Draft City Plan 2036.

32. A post construction BREEAM assessment demonstrating that a target rating of 'Excellent' has been achieved (or such other target rating as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an 'Excellent') shall be submitted as soon as practicable after practical completion. The post construction assessment should include the credits achieved to demonstrate sustainability across the range of categories.

REASON: To demonstrate that carbon emissions have been minimised and that the development is sustainable in accordance with the following policy of the Local Plan: CS15, DM15.1, DM15.2, and emerging policy DE1 of the Draft City Plan 2036.

33. No later than 3 months after completion of the building and prior to the development being occupied, a post-completion Circular Economy Statement 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.

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

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

35. No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling

must be undertaken in accordance with the terms of the approved piling method statement."

REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

36. Prior to occupation an Accessibility Management Plan shall be submitted to and approved by the Local Planning Authority. This should include accessibility details for the publicly accessible spaces. The building shall only be operated in accordance with the approved management plan. REASON: To ensure the scheme provides a fully accessible and inclusive facility in accordance with Policy DM10.8.
37. Within 6 months of completion details of climate change resilience measures must be submitted to the Local Planning Authority demonstrating the measures that have been incorporated to ensure that the development is resilient to the predicted weather patterns during the lifetime of the building. This should include details of the climate risks that the site faces (flood, heat stress, water stress, natural capital, pests and diseases) and the climate resilience solutions that have been implemented.  
REASON: To comply with Local Plan Policy DM 15.5 Climate change resilience and adaptation.
38. The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission:  
18082\_ZZ\_ZZ\_DR\_A\_PL001 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL080 P02  
18082\_ZZ\_LGF\_DR\_A\_PL01L P02  
18082\_ZZ\_M1\_DR\_A\_PL01M P02  
18082\_ZZ\_UGF\_DR\_A\_PL010 P02  
18082\_ZZ\_01\_DR\_A\_PL011 P02  
18082\_ZZ\_02\_DR\_A\_PL012 P02  
18082\_ZZ\_03\_DR\_A\_PL013 P02  
18082\_ZZ\_04\_DR\_A\_P02  
18082\_ZZ\_05\_DR\_A\_P02  
18082\_ZZ\_06\_DR\_A\_PL016 P02  
18082\_ZZ\_07\_DR\_A\_PL017 P02  
18082\_ZZ\_08\_DR\_A\_PL018 P03 1  
18082\_ZZ\_09\_DR\_A\_PL019 P03  
18082\_ZZ\_10\_DR\_A\_PL010 P03  
18082\_ZZ\_ZZ\_DR\_A\_PL021 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL022 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL023 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL024 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL030 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL031 P02

18082\_ZZ\_ZZ\_DR\_A\_PL032 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL034 P02  
18082\_ZZ\_LGF\_DR\_A\_PL10L P02  
18082\_ZZ\_M1\_DR\_A\_PL10M P02  
18082\_ZZ\_UGF\_DR\_A\_PL100 P02  
18082\_ZZ\_01\_DR\_A\_PL101 P02  
18082\_ZZ\_02\_DR\_A\_PL102 P02  
18082\_ZZ\_03\_DR\_A\_PL103 P02  
18082\_ZZ\_04\_DR\_A\_PL104 P02  
18082\_ZZ\_05\_DR\_A\_PL105 P02  
18082\_ZZ\_05\_DR\_A\_PL106 P02  
18082\_ZZ\_07\_DR\_A\_PL107 P02  
18082\_ZZ\_08\_DR\_A\_PL108 P02  
18082\_ZZ\_09\_DR\_A\_PL109 P02  
18082\_ZZ\_10\_DR\_A\_PL110 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL201 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL202 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL203 P03  
18082\_ZZ\_ZZ\_DR\_A\_PL204 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL300 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL301 P03  
18082\_ZZ\_ZZ\_DR\_A\_PL302 P02  
18082\_ZZ\_ZZ\_DR\_A\_PL304 P02  
00098-REV P04  
18082\_ZZ\_UGF\_DR\_A\_PL100\_GL  
18082\_ZZ\_M1\_DR\_A\_PL10M\_GL  
UGF Plan Rev B

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

## INFORMATIVES

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

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

a full pre application advice service has been offered;

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

2. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via <https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=04%7C01%7C%7C98843b95b0374eff381408d9bbcff7a6%7C9fe658cdb3cd405685193222ffa96be8%7C1%7C0%7C637747324148616972%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000&sdata=XEMOHsDd3%2Fu1S5rDI5w4gclid5R93HJTdi2JhkCpKbg%3D&reserved=0>. Please refer to the Wholesale; Business customers; Groundwater discharges section.
  
3. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdeveloping-a-large-site%2FPlanning-your-development%2FWorking-near-or-diverting-ourpipes&data=04%7C01%7C%7C98843b95b0374eff381408d9bbcff7a6%7C9fe658cdb3cd405685193222ffa96be8%7C1%7C0%7C637747324148616972%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000&sdata=ppcEWXHoffMMR9c3hbDIE641riB2vznnGdUQ7q2hFk%3D&reserved=0). There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdeveloping-a-large-site%2FPlanning-your-development%2FWorking-near-or-diverting-ourpipes&data=04%7C01%7C%7C98843b95b0374eff381408d9bbcff7a6%7C9fe658cdb3cd405685193222ffa96be8%7C1%7C0%7C637747324148616972%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000&sdata=ppcEWXHoffMMR9c3hbDIE641riB2vznnGdUQ7q2hFk%3D&reserved=0>.
  
4. The developer should be aware that, in creating a roof terrace, and therefore access to the roof, users of the roof could be exposed to emissions of air pollutants from any chimneys that extract on the roof e.g. from gas boilers / generators / CHP. In order to minimise risk, as a rule of thumb, we would

suggest a design that places a minimum of 3 metres from the point of efflux of any chimney serving combustion plant, to any person using the roof terrace. This distance should allow the gases to disperse adequately at that height, minimising the risk to health.

5. During the construction phase of the development, the City of London Corporation encourages all owners/developers to commit to the principles outlined in the City of London Corporation's Local Procurement Charter, i.e.

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

For additional details please refer to the City of London's 'Local Procurement Charter' and 'Local Procurement - Guidance Note for City Developers'. These documents can be found at [http://www.cityoflondon.gov.uk/Corporation/LGNL\\_Services/Environment\\_and\\_planning/Planning](http://www.cityoflondon.gov.uk/Corporation/LGNL_Services/Environment_and_planning/Planning). Further guidance can be obtained by contacting the 'City Procurement Project' which provides free advice to City based businesses and City developers. They can signpost you to local supplier databases, give one to one advice and provide written guidance via the City of London Corporation's Local Purchasing Toolkit and other resources.

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

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

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

Office 185GBP per sq.m

Retail 165GBP per sq.m

Hotel 140GBP per sq.m

All other uses 80GBP per sq.m

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



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

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

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

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

7. Where groundworks not shown on the approved drawings are to take place below the level of the existing structure (including works for underpinning, new lift pits, foundations, lowering of floor levels, new or replacement drainage, provision of services or similar) prior notification should be given in writing to the Environment Department in order to determine whether further consents are required and if the proposed works have archaeological implications.
8. This permission must in no way be deemed to prejudice any rights of light which may be enjoyed by the adjoining owners or occupiers under Common Law.
9. Improvement or other works to the public highway shown on the submitted drawings require separate approval from the local highway authority and the planning permission hereby granted does not authorise these works.
10. Access for disabled people is a material consideration in the determination of planning applications. The City of London's Access Advisor has assessed the planning application to ensure that the proposal meets the highest standards of accessibility and inclusive design required by London Plan 2021 Policy D5, Local Plan 2015 Policy DM 10.8 and Draft City Plan 2036 Policy HL1. The Access Advisor promotes good practice standards of inclusive design and encourages early consideration of accessibility in the design process so that

a truly inclusive environment can be achieved that everyone will be able to visit, use and enjoy.

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

The grant of approval under the Town and Country Planning Acts does not overcome the need to also obtain any licences and consents which may be required by other legislation. The following list is not exhaustive:

- (a) Works affecting sites containing Scheduled Monuments or where Scheduled Monument Consent may be required:

The Inspector of Ancient Monuments for London  
English Heritage  
London Region  
1 Waterhouse Square  
138-142 Holborn  
London  
EC1N 2ST

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

- (c) Public houses, wine bars, etc.

City of London Corporation  
Trading Standards and Veterinary Service  
PO Box 270  
Guildhall  
London EC2P 2EJ

- (d) Betting offices and gaming licences:

Clerk to the Betting and Gaming Licensing Committee  
The Justice Rooms  
1 Queen Victoria Street  
London EC4N 4XY

- (e) Employment agencies:

Employment Agencies Licensing Office  
Department of Employment  
Exchange House  
60 Exchange Road  
Watford, Herts WD1 7HH

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

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

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

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

(h) Works affecting a GLA road:

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

(i) Works within 10 metres of the Docklands Light Railway tunnels or other structures:

Docklands Light Railway Ltd  
P.O. Box 154  
Castor Lane  
Poplar  
London E14 9QA

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

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

(k) Works affecting railway operational land and structures:

Planning Surveyor  
Railtrack  
355 Euston Road  
London NW1 3AG

(l) Works affecting the River Thames:

Planning Manager  
Port of London Authority  
Devon House  
58-60 St. Katharine's Way  
London E1 9LB

(m) Works affecting water supplies, land drainage and flood defences:

Environment Agency,  
North London Planning Liaison Team  
9th floor, Eastbury House  
30-34 Albert Embankment  
London, SE1 7TL

12. AHMM should be retained for the detailed construction stage of the project

13. This permission must in no way be deemed to be an approval for the display of advertisement matter indicated on the drawing(s) which must form the subject of a separate application under the Advertisement Regulations.