

<b>Committee:</b>	<b>Date:</b>
Planning Applications Sub Committee	29 October 2024
<p><b>Subject:</b></p> <p>Tenter House, 45 Moorfields, London, EC2Y 9AE.</p> <p>Demolition of the Class E unit (and related structures), ground and basement floor slab, car park and access ramp of Tenter House together with the demolition of part of the City Point Plaza floor slab and New Union Street, to provide a new part 14-storey and part 21-storey [+95.25m AOD] office building (Class E(g)(i)) [33,758sq.m GIA], with one ground floor retail unit (Class E(a/b)) [287sq.m GIA], community floorspace at ground floor level (Class F2(b) [142sq.m GIA], new level plaza (open space), and a reconstructed New Union Street, together with cycle parking, waste storage, servicing, landscaping, plant, and other associated works [Total 35,533 sq.m GEA].</p> <p>Note: Demolition of the existing 11 storey building (except for the Class E Unit and its related structures) will take place pursuant to planning permission reference 17/01050/FULMAJ</p>	<b>Public</b>
<b>Ward:</b> Coleman Street	<b>For Decision</b>
<b>Registered No:</b> 24/00209/FULMAJ	<b>Registered on:</b> 26 March 2024
<b>Conservation Area:</b> N/A	<b>Listed Building:</b> N/A

### Summary

The proposals include the erection of a part 14, part 21-storey building primarily for office (Class E(g)(i)) use, with one ground floor retail unit (Class E(a/b)), and a community space (Class F2(b) at ground floor level, as well as significant landscaping works to City Point Plaza and reconstruction of New Union Street as a pedestrian priority thoroughfare. The proposed development includes the demolition of all remaining elements of the Site following demolition of the 11-

storey Tenter House as part of planning permission previously granted under reference 17/01050/FULMAJ, which has been lawfully implemented. This additional demolition includes the Class E unit and its associated structures which sits at the junction with City Point to the west of the Site, the ground and basement floor slabs of the Site including the car park access ramp, which is accessed at present from Moorfields.

The scheme would deliver a high quality, office-led development that would provide 33,758sq.m of flexible office floorspace, which meets growing business needs, supporting and strengthening opportunities for continued collaboration and clustering of businesses. The scheme makes optimal use of the site and provides an uplift of approximately 7534 sq.m (GIA) of office floorspace over and above the consented scheme and 17,958 sq.m (GIA) of office floorspace over the pre-existing 11-storey Tenter House. The development has been designed to accommodate new ways of working reflected in flexible and adaptable floorplates with access to balconies and terraces for all office tenants to promote wellbeing.

The retail unit at ground floor would help contribute to vibrancy across the ground plane and link to the nearby Principal Shopping Centre at Moorgate. The proposed community space at ground floor level would contribute to the aims of the draft City Plan 2040 of creating a healthy and inclusive City, in particular policy S1 which seeks to provide new community facilities. Details of the operation and management of the community space are required through S106 obligation to ensure that the space would meet community needs whilst not harming the amenity of nearby residential occupiers. The retail space and community and cultural offer would enliven the area around the site and would contribute towards the Destination City agenda.

The building would rise to +95.25m AOD at its highest point, and +71.55m AOD to the top of the lower volume balustrade. The proposals would positively transform the plaza and reconnect the site into the surrounding urban realm. The proposed building, through its ordered façade design which fosters a sense of harmony with the neighbouring buildings, would bring together the various contemporary architectural treatments which surround the plaza whilst also dramatically improving the sense of an active, green, and fully inclusive public realm close to this important transport hub. The bulk, height, massing and quality of materials and design approach would be appropriate to the character of this part of the City, whilst adopting a soft green articulation appropriate to the future ambitions of the City, which is considered an improvement over the outdated character of the consented scheme.

The site is within the Central Activities Zone and highly sustainable with excellent access to transport infrastructure and able to support active travel and maintain pedestrian comfort for a high number of future employees. This quantity of

floorspace would contribute to maintaining the City's position as the world's leading international financial and business centre.

The proposals substantively and substantially improve the public realm through the releveling of the plaza and expanding the extent of its continuous accessible surface. This is a significant enhancement to the civic quality of the plaza, an important public open space. The removal of the vehicle access ramp on entry to the plaza from Moorfields would create a welcoming point of transition and improve wayfinding along on this key east-west route through the city. Moreover, the proposed landscaping and greening of the facades provide a moment of relief in the surroundings. Improvements to New Union Street reflect the prioritisation of pedestrian movement, as well as opportunities for public art, and provide an improvement in the activation at street level, which is continued around the site as a whole.

Concerns have been raised by nearby residents, particularly the impact of roof terraces, the loss of daylight & sunlight, and the noise and disturbance from the increased servicing activity. 101no. objections in total have been received. A table summarising the concerns is included in the report and the full representations are attached.

In respect of demolition and construction traffic, a construction logistics plan is required by condition. Subject to stringent controls on the operation of the development which would include a cap on the number of deliveries, details of which would need to be set out in a delivery and servicing management plan, it is considered that the proposed servicing arrangement would be acceptable.

There would be some minor reductions in sunlight and daylight to some residential premises in Willoughby House when considered against the pre-existing building, the baseline of a cleared site, and the consented scheme. However, the assessments carried out demonstrate that it is the presence of the balconies to these properties, rather than the bulk, height and mass of the proposed development that is the main factor in the relative loss of daylight and/or sunlight.

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

The proposals have been found to preserve the significance of all designated heritage assets including any contribution made by setting, with the exception of St Paul's Cathedral. The uppermost storeys of the proposals would be fleetingly visible from the South Bank, including an instance behind the Cathedral's northern tower and pediment which are presently seen against clear sky.

Within this viewing experience, tall buildings frequently appear behind or 'backdrop' the Cathedral, varying in the degree of interaction with the Cathedral's silhouette. The impact of the proposals can therefore be understood as consistent with this wider character of this kinetic viewing experience; however, Officers consider the proposals would result in a very slight erosion to the current established setting of this Grade I listed building, through brief instances of loss of open sky in the backdrop of the cathedral. Officers therefore concur with Historic England, the Cathedral and other objectors acknowledging that this results in a level of less than substantial harm to the significance of this Grade I designated heritage asset; but, given the very fleeting and quite elusive nature of this impact, Officers consider the harm to be slight, at the lowest end of the scale. Officers further note that this has not resulted in an in-principle objection from Historic England, again reflecting the fleeting nature of this impact.

Due to this single identified instance of heritage harm, in this case adverse visual indirect impacts on a Grade I designated heritage asset and local strategic views of St Paul's as defined in the Protected Vistas SPD and specifically the St Paul's Heights Code, there arises a degree of conflict with London Plan C (1:a:i), Local Plan CS 12(1), CS 13(2), , DM 12.1 (1&4) and Emerging City Plan Policies S11 2, 3(a), S12 8(a&c) and 10(b), S13 (2), HE1(1).

The site is not located within an area identified as inappropriate for a tall building. Officers have thoroughly assessed the qualitative impact of the proposals, and find while most parts of London Plan D9 and are complied with, some conflict with London Plan D9 C (1:a:i) arises due to adverse impacts on designated heritage assets and views, for the same reasons creating conflict with draft City Plan 2040 S12 (2,8a & c,10:b) and S13:2.

Paragraph 11 of the NPPF sets out that there is presumption in favour of sustainable development. For decision taking that means approving development proposals that accord with an up-to-date development plan without delay. Whilst there is some conflict with the tall building, strategic view and heritage policies mentioned above, given the counteracting benefits which promote other policies, particularly delivery of office floor space and improvement to the public realm, the proposals are considered to be acceptable.

As set out in paragraph 205 of the NPPF, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the conservation of a designated heritage asset (and the more important the asset, the greater the weight should be). St Paul's Cathedral is a Grade I listed building, and this places it close to the very highest status level and as a result, great weight should be given to the asset's conservation.

NPPF paragraph 208 requires that any less than substantial harm be weighed against the public benefits of the development proposal. The paragraph 208 balancing exercise is to be applied when considering the indirect impacts and resulting slight less than substantial harm to one Grade I listed designated heritage asset of the utmost heritage value.

Therefore, an evaluation of the public benefits and the weight afforded to them has been undertaken. In doing so great weight has been attached to the heritage significance of the designated heritage assets and to the advice from Historic England. The delivery of the office space in this location, alongside the vast improvement to one of the larger accessible open spaces within the City, and the economic benefits for the City and London are considered to be benefits of great importance. In addition, there are wider public benefits including the new community hub and opportunities for high quality and engaging cultural intervention through the alterations to New Union Street. In this case it is considered that the slight level of less than substantial harm to the Grade I listed heritage asset is outweighed by the public benefits of the proposal and accordingly the requirements of paragraph 208 are met. This conclusion is reached even when giving great weight to heritage significance as required under statutory duties.

Overall, the proposals are found to strike a balance between balancing heritage impacts and optimising the use of land, delivering high quality office space, and significant transformational improvements to the public plaza. The proposal is therefore in substantial compliance with the development plan policies that relate to it and in particular it supports the objective of promoting the City as the leading international financial and business centre.

Taking all material matters into consideration, Officers are of the view that the material considerations which weigh in favour of the grant of planning permission outweigh the identified conflict with the development plan and other material considerations which weigh against the grant of planning permission.

In this case, the proposal complies with the majority of development plan policies but is not compliant with elements of the policies regarding heritage and local strategic views as outlined above and in the ensuing report. Officers consider that overall, the proposal accords with the development plan as a whole.

When taking all matters into consideration, subject to the recommendations of this report, it is recommended that planning permission be granted for the proposed development subject to all the relevant conditions being applied and the S106 agreement being entered into to secure the public benefits and minimise the impact of the proposal.

## **Recommendation**

- (1) That the Planning and Development Director be authorised to issue a decision notice granting planning permission for the above proposal in accordance with the details set out in the attached schedule subject to:
  - (a) Planning obligations under Section 106 of the Town and Country Planning Act 1990 and Section 278 of the Highway Act 1980 and other agreements being entered into in respect of those matters set out in the report, the decision notice not to be issued until the relevant agreements have been executed.
- (2) That your Officers be instructed to negotiate and execute obligations and other agreements in respect of those matters set out under "CIL, Planning Obligations and Related Agreements" including under Section 106 and Section 278.

# APPLICATION COVER SHEET

TOPIC		INFORMATION			
		Pre-Existing Building	Extant 2020 Consent	Proposed February 2024	Proposed September 2024
1.	<b>Building Height</b>	54.3m AOD 40.3m AGL	87.9m AOD 73.9m AGL	99.9m AOD 85.9m AGL	95.2m AOD 81.2m AGL
2.	<b>Floorspace (GIA)</b>	<b>Office (E(g)(i))</b> = 15,465 sqm <b>Retail (E)</b> = 363 sqm <b>Community (F2(b))</b> = 0 sqm <b>Sui Generis</b> = 335 sqm <b>TOTAL</b> = 16,163 sqm	<b>Office (E(g)(i))</b> = 27,735 sqm <b>Retail (E)</b> = 798 sqm <b>Community (F2(b))</b> = 0 sqm <b>Sui Generis</b> = 0 sqm <b>TOTAL</b> = 28,178 sqm	<b>Office (E(g)(i))</b> = 34,701 sqm <b>Retail (E)</b> = 556 sqm <b>Community (F2(b))</b> = 179 sqm <b>Sui Generis</b> = 0 <b>TOTAL</b> = 35,436 sqm	<b>Office (E(g)(i))</b> = 33,758 sqm <b>Retail (E)</b> = 287 sqm <b>Community (F2(b))</b> = 142 sqm <b>Sui Generis</b> = 0 sqm <b>TOTAL</b> = 34,187 sqm
3.	<b>Employment</b>	Total = 910 20% absentee = 728	Total = 1,809 20% absentee = 1,447	Total = 2,326 20% absentee = 1,861	Total = 2,276 20% absentee = 1,821
4.	<b>Car Parking Spaces</b>	51	0 <i>(13 remaining in basement outside of redline)</i>	0	0
5.	<b>Cycle Parking Spaces (TOTAL)</b>	0	<u>Long Stay</u> = 317 <u>Short Stay</u> = 34	<u>Long Stay</u> = 489 <u>Short Stay</u> = 39	<u>Long Stay</u> = 489 (London Plan requirement is 472) <sup>1</sup> <u>Short Stay</u> = 22 (London Plan requirement is 34) <sup>2</sup>
6.	<b>Cycle Parking Spaces (Office)</b>	0	N/A	<u>Long Stay</u> = 485 <u>Short Stay</u> = 17	<u>Long Stay</u> = 474 (London Plan requirement is 469) <u>Short Stay</u> = 17 (London Plan requirement is 17) <sup>3</sup>
7.	<b>Cycle Parking Spaces (Retail)</b>	0	N/A	<u>Long Stay</u> = 4 <u>Short Stay</u> = 22	<u>Long Stay</u> = 2 (London Plan requirement is 2) <u>Short Stay</u> = 15 (London Plan requirement is 15)

<sup>1</sup> 489 figure includes the 12 spaces designated for short-stay provision within the long-stay storage. Additionally, an overprovision of 5 long-stay spaces is achieved by the September 2024 Scheme.

<sup>2</sup> The shortfall of 12 short-stay spaces is provided within the main long-stay cycle storage.

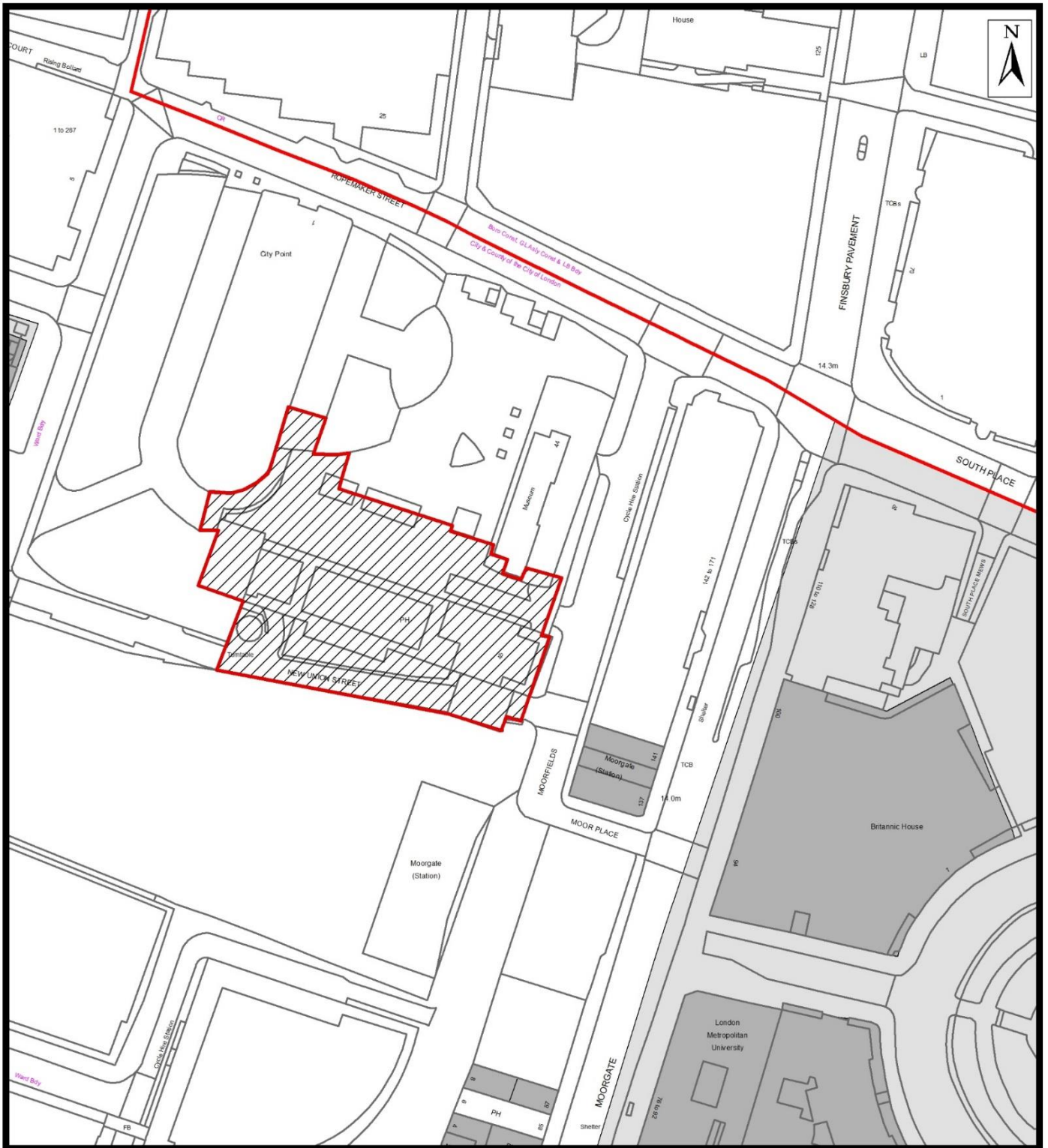
<sup>3</sup> Of the 17 Short Stay Spaces, 5 will be provided externally and 12 within the main long-stay cycle store.

TOPIC		INFORMATION			
		Pre-Existing Building	Extant 2020 Consent	Proposed February 2024	Proposed September 2024
8.	Cycle Parking Spaces (Community)	0	N/A	Long Stay = N/A Short Stay = N/A	Long Stay = 1 (London Plan requirement is 1) Short Stay = 2 (London Plan requirement is 2)
9.	Lockers	0	342	489	345
10.	Showers	0	33	29	33
11.	Trip Generation		AM Peak (2-way) (TRAVL) = 839 PM Peak (2-way) (TRAVL) = 692	AM Peak (2-way) (TRICS) = 746 PM Peak (2-way) (TRICS) = 811	AM Peak (2-way) (TRICS) = 725 PM Peak (2-way) (TRICS) = 789
12.	Deliveries	Total = 42 per day Consolidated = N/A	Total = 67 per day Consolidated = 41 per day	Total = 88 per day Consolidated = 44 per day	Total = 82 per day Consolidated = 41 per day
13.	Delivery Vehicle Types	N/A	<b>For worst-case trips</b> Motorbikes / Cycles = 21 Car = 18 Vans = 25 Rigid 3 axle = 2 Rigid 4 axle = 1	<b>For consolidated trips</b> Motorbikes = 2 Car = 13 Vans = 22 Rigid 3 axle = 6 Rigid 4 axle = 1	<b>For consolidated trips</b> Motorbikes = 2 Car = 13 Vans = 21 Rigid 3 axle = 5 Rigid 4 axle = 0
14.	BNG	N/A	N/A	1.55 biodiversity units 4.19 units per ha	1.55 biodiversity units 4.19 units per ha
15.	UGF	N/A	0.36	0.32	0.32
16.	Additional Open Space	N/A	0	124.5 sqm	124.5 sqm
17.	Additional Permissive Path	N/A	0	30.3 sqm • (156.9 sqm added) • (126.6 sqm removed)	30.3 sqm • (156.9 sqm added) • (126.6 sqm removed)
18.	Retained Fabric	N/A	0%	10% by volume	10% by volume
19.	Operational Carbon Emission Savings	N/A	N/A	17.2 tonnes per annum 14% over Part L baseline	18 tonnes per annum 16% over Part L baseline



TOPIC		INFORMATION																	
		Pre-Existing Building	Extant 2020 Consent	Proposed February 2024	Proposed September 2024														
20.	Operational Carbon Emissions	N/A		1,080 kgCO2/sqm GIA	1,161 kgCO2/sqm GIA														
21.	Embodied Carbon Emissions – A1 – A5	N/A	N/A	758kg CO2e/sqm GIA <i>(871.1kg CO2e/sqm GIA including 15% contingency)</i>	750kg CO2e/sqm GIA <i>(862.5kg CO2e/sqm GIA including 15% contingency)</i>														
22.	Whole Life Carbon Emissions – A-C excluding B6-B7	N/A	N/A	1,161kgCO2/sqm GIA <i>Incl. sequestered carbon*</i>	1,185kgCO2/sqm GIA <i>Incl. sequestered carbon*</i>														
		<div style="text-align: center;"> <p>Tenter House - Life Cycle Emissions GLA Benchmarks Comparison</p> <table border="1"> <caption>Tenter House - Life Cycle Emissions Data</caption> <thead> <tr> <th>Category</th> <th>A1-A5 (kgCO2e/m2 GIA)</th> <th>B-C (kgCO2e/m2 GIA)</th> <th>Sequestered carbon (kgCO2e/m2 GIA)</th> </tr> </thead> <tbody> <tr> <td>GLA Benchmark</td> <td>950</td> <td>450</td> <td>0</td> </tr> <tr> <td>GLA Aspirational</td> <td>600</td> <td>370</td> <td>0</td> </tr> <tr> <td>Tenter House (September Submission)</td> <td>750</td> <td>524</td> <td>90</td> </tr> </tbody> </table> <p><i>Figures do not include 15% RIGS contingency</i></p> </div>				Category	A1-A5 (kgCO2e/m2 GIA)	B-C (kgCO2e/m2 GIA)	Sequestered carbon (kgCO2e/m2 GIA)	GLA Benchmark	950	450	0	GLA Aspirational	600	370	0	Tenter House (September Submission)	750
Category	A1-A5 (kgCO2e/m2 GIA)	B-C (kgCO2e/m2 GIA)	Sequestered carbon (kgCO2e/m2 GIA)																
GLA Benchmark	950	450	0																
GLA Aspirational	600	370	0																
Tenter House (September Submission)	750	524	90																
23.	BREEAM	N/A	Excellent, targeting Outstanding	Excellent, targeting Outstanding	Excellent, targeting Outstanding														
24.	NABERS	N/A	N/A	Targeting NABERS 5*	Targeting NABERS 5*														

# Site Location Plan



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ADDRESS:  
Tenter House, 45 Moorfields

CASE No.  
24/00209/FULMAJ

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



ENVIRONMENT DEPARTMENT

## Site Photographs



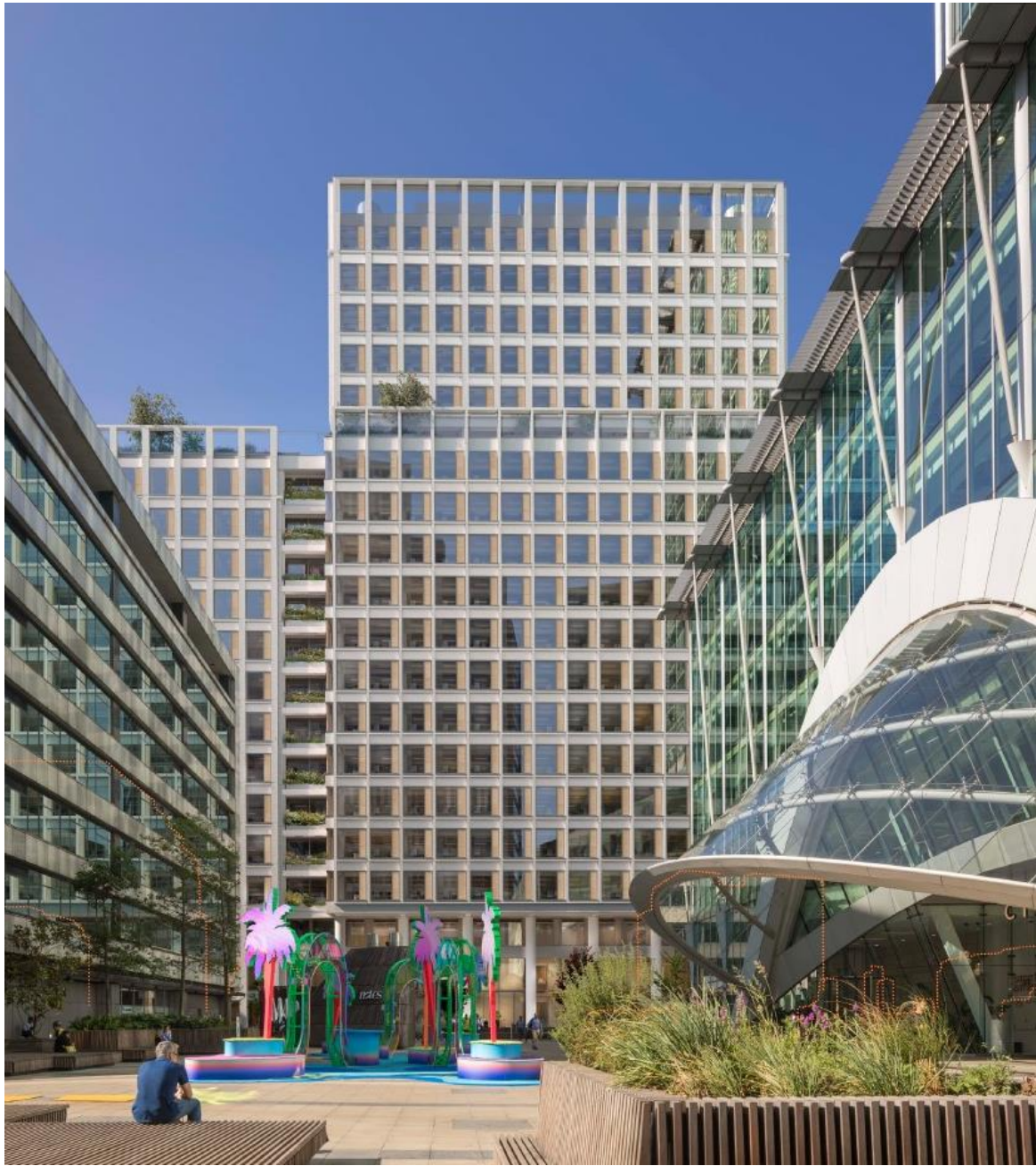
**Image 1:** North elevation of original building from City Point Plaza



**Image 2:** CGI of Consented building from City Point Plaza



**Image 3:** North elevation of site under demolition from City Point Plaza (21 Moorfields behind)



**Image 4:** CGI of proposed building from City Point Plaza



**Image 5:** East elevation of original building from Moorfields



**Image 6:** East elevation of site from Moorfields – currently under demolition



**Image 7:** CGI of proposed east elevation from Moorfields





**Image 8:** Existing entrance to New Union Street from Moorfields



**Image 9:** CGI of proposed entrance to New Union Street from Moorfields



**Image 10:** Entrance to New Union Street from Moor Lane



**Image 11:** Ramp to Plaza to be removed



**Image 12:** Aerial CGI of proposed building



**Image 13:** CGI of proposed north elevation from City Point Plaza



**Image 14:** CGI of proposed entrance to New Union Street (without artwork)



**Image 15:** CGI of proposed Plaza landscaping



**Image 16:** CGI of proposed restaurant to Moorfields and Plaza



**Image 17:** CGI of proposed East Elevation balconies



Images 18 and 19: Class E unit to west of site showing steps to Plaza





**Image 20:** CGI of proposed step free Plaza and entrance to Community Space



**Image 21:** CGI of proposed building from north



# **Main Report**

## **Site and Surroundings**

1. The site fronts City Point Plaza, with Moorfields running along its eastern boundary and New Union Street abutting its southern boundary. New Union Street is a private street which provides service access to City Point Tower and Tenter House, and is used as a pedestrian thoroughfare between Moor Lane and Moorfields. The western boundary of the site is a party wall condition with City Point Tower.
2. The building is in the process of being demolished under extant planning permission 17/01050/FULMAJ (dated 29.09.2020). Prior to its demolition, the building comprised some 15,465 sqm of commercial floorspace (Class E Office) arranged over basement, ground and 10 upper levels with a small area of plant on the roof. The building extended by 5 storeys over the eastern end of New Union Street, where it shared a party wall with 21 Moorfields. The main entrance to the building was from Moorfields.
3. There was a public house situated at ground floor level (Class A4/Sui Generis) known as the Rack and Tenter, which extended to approximately 335 sqm, and was accessed from City Point Plaza.
4. The site includes 51 car parking spaces in the basement with no formal disabled or cycling provision. Vehicular access to this area is via a ramp which is located between the pre-existing Tenter House and the Red Cross Building to the north. Servicing for the pre-existing building took place from New Union Street.
5. The pre-existing building was constructed in the 1960s, as part of a three-building development focused around City Point Plaza and connected below ground by multi-level basements which extend underneath the plaza.
6. The site does not fall within a Conservation Area, but the Finsbury Circus and Barbican and Golden Lane Conservation Areas are located nearby. The site is not statutorily listed but is near a number of listed buildings, including; Grade II\* Britannic House at 1-6 Finsbury Circus, Grade II 137-141 Moorgate, Salisbury House 31 Finsbury Circus, Electra House 76-92 Moorgate, and the Barbican Estate which is Grade II listed (buildings) and is a Grade II\* Registered Historic Park and Garden.
7. The Site is not located within the geometrically defined corridors of any of the London Panoramas or Townscape Views identified in the LVMF (2012). However, the Site has the potential to affect Linear View 8A.1 (Westminster Pier to St Paul's Cathedral) and the River Prospect Assessment Points at 16B.2 (the South Bank: Gabriel's Wharf viewing platform to St Paul's Cathedral); Additionally, the site is

visible in kinetic views along the South Bank, protected under the St Paul's Heights Code outlined within the Protected Views SPD adopted 31<sup>st</sup> January 2012.

8. On the western side of Moor Lane is Willoughby House in the Barbican. This building is 7 floors above the second-floor podium and is in residential use. To the east of the site, on the other side of Moorfields, is 155 Moorgate. This building is ground plus 5 upper floors, in mixed retail use (ground floor) and office use above.
9. The following buildings surround the site to the north and south:
  - City Point Tower – Ground and 34 upper floors; office and retail uses. Extensively refurbished in 1998-2001.
  - 21 Moorfields – Mixed use development above and around the new Crossrail Station, replacement City Walkway, new urban square at podium level; rises to 15 storeys above podium at +93.465m AOD.
  - Moor House – Ground and 17 upper floors; office and retail uses; completed in 2005.
  - 44 Moorfields (Red Cross) – ground and 7 upper floors in office use; built in the 1960s.
  - Moorgate Exchange, 72 Fore Street – Ground and 12 upper floors in office and gymnasium/fitness centre use. Built in 2012-3.
  - Milton Court/The Heron - Ground and 33 upper floors; residential, educational and performance, and retail uses.
  - 20 and 22 Ropemaker Street – in LB Islington; Ground and 25 upper floors in office use. Recently completed.
  - 101 Moorgate – to south-east of the site; ground and 10 upper floors in mixed retail and office use. Nearing completion.

### **Relevant Planning History**

10. In December 1997, outline planning permission was granted for the demolition of the existing building and construction of new building for office and retail uses within Classes B1 and A1, A2, A3 with car parking and servicing (3350/1AJ). This permission was not implemented.
11. In February 2002, planning permission was granted for the renewal of outline planning permission for redevelopment to provide office space and retail uses with car parking and services (3350/1AM). This permission was not implemented.
12. In October 2008, planning permission was granted for the renewal of outline planning permission 3350/1AM for redevelopment to provide office space and retail uses with car parking and servicing (22,400 sq.m, 13 storeys) (ref. 06/00687/FULL dated 24 October 2008). This permission was not implemented.

13. In March 2012, under reference 11/00297/OUTL, planning permission was granted for the replacement of an extant outline planning permission (ref. 06/00687/FULL) in order to extend the time limit for implementation of the redevelopment to provide office space and retail uses with car parking and servicing. This permission was not implemented.
14. In September 2020, planning permission was granted (ref. 17/01050/FULMAJ) for the demolition of the existing building and structures to existing basement slab level and construction of an 18 storey office building (Class B1) [28,071sq.m GEA] with ground and first floor retail (Class A1/A2/A3/A5) [798sq.m GEA], together with works to the two basements and the ground floor level with associated servicing, waste storage, plant facilities and cycle parking and public realm improvements to New Union Street [Total Floorspace 28,553sq.m GEA]. The maximum height of the building was +87.9m AOD. This permission has been lawfully implemented as confirmed by Certificate of Lawful Development granted in December 2023 (ref. 23/01153/CLEUD).

### **Background to the Development Proposals**

15. As above, planning permission has been granted on multiple occasions for the demolition of Tenter House, with the most recent application for this, 17/01050/FULMAJ, being lawfully implemented. At the time of publication of this report, the building is being demolished to ground level to enable construction works to continue, be they under the previous permission, or this application should it be granted. Demolition of the building to ground is due to be complete by January 2025.
16. The demolition of the building as consented and implemented excludes the demolition of the Class E unit to the west of the site (which currently houses Pret a Manger), part of the City Point Plaza floor slab within the application red line boundary, the car park and access ramp, and part of New Union Street. This additional demolition is now included as part of this application.
17. The works to the plaza were previously excluded from the applications for planning permission, including the now implemented scheme, as they are under separate ownership. Following extensive negotiations with the neighbouring landowner, the Applicant is now able to propose works to the plaza including the removal and levelling of the car park access ramp. For the avoidance of doubt, the implemented scheme from 2020 does not include any improvement works to the plaza.
18. Regarding the demolition of the 11-storey building, National Planning Practice Guidance (NPPG) states that “where the demolition of one or more buildings is required as part of a redevelopment, details of the demolition can be included in

the planning application”, not that it must be included. Demolition of non-listed buildings outside of conservation areas is also permitted development under Class B of Part 11 of Schedule 2 of the General Permitted Development Order 2015 (as amended).

19. The applicant has stated that, should planning permission under this application not be granted, they would continue to implement the previous consent for an 18-storey building once the demolition works have been completed.
20. As a result of the previous permission being implemented and the 11-storey building being demolished under that extant consent, the baseline position has changed. As such, the 11-storey original Tenter House building will hereafter be referred to as the ‘pre-existing’ building.
21. The building is in the process of being demolished during the determination of this application, and is likely to be either substantially or totally demolished (down to ground floor slab minus the Pret-a-Manger unit) by the end of 2024 (early 2025 at the latest). As the 2020 permission has been lawfully implemented, however, demolition and construction works pursuant to those approved could take place in perpetuity.
22. For the purposes of all technical reports submitted with this application, the baseline is a ‘cleared site’ in accordance with the extant consent, whilst the likely effects over and above the permitted 2020 scheme have been included for comparative purposes.
23. This means that in the ensuing assessment, Officers have considered the likely effects of the proposed development against (a) the clear site (save for the aspects of the building not originally proposed to be demolished as they were outside the scope of demolition in the extant consent) and (b) the effects of the 2020 scheme in comparison to the 2024 proposed development.
24. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
25. The NPPG makes clear at Paragraph 010 that extant planning permissions may be a material consideration in the determination of a planning application. In this case, the materiality of the permitted 2020 scheme is twofold:
  - (1) The 2020 permission established an acceptable scheme and impacts in planning terms when assessed against the adopted Development Plan and other relevant guidance in place at that time; and
  - (2) The 2020 permission has been lawfully implemented and is capable of being built out and completed.

26. As established by *R v SSE and Havering B.C. Ex.p. P. F. Ahern (London) Ltd* [1998] Env. L.R. 189, the weight afforded to an extant planning permission in the consideration of a new planning application differs depending on whether it is a viable fallback and there is a realistic prospect of it being built out if the current application for planning permission is not granted. The Applicant has stated that should planning permission under this application not be granted, they would continue to implement the extant consent. Officers have no evidence to the contrary to suggest that the fall-back position of the 2020 permission is not a viable and realistic prospect.
27. As the 2020 permission is a realistic fall-back position, the above case law sets out that a comparison must be made between the proposed development and the fall-back option, namely 'if whether the proposed development in its implications for impact on the environment, or any other relevant planning factors, [is] likely to have implications worse than, or broadly similar to, any use which the site would or might be put if the proposed development were refused'.
28. As such, it is reasonable and appropriate, and required, for the local planning authority to consider the relative difference between the scheme that has been permitted and implemented versus that now proposed.
29. With regards the likely environmental effects of the proposed development when compared to the cleared site as baseline and the extant permission being implemented, in accordance with Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017, an Environmental Impact Assessment (EIA) Screening Request was submitted by the Applicant.
30. The Screening Request considered that, as the implemented 2020 scheme was determined to not be EIA development, although the baseline position has now changed (being a cleared site), the proposals still do not fall to qualify as Schedule 1 or 2 development, nor do they meet the selection criteria set out in Schedule 3 of the 2017 Regulations.
31. Officers agreed with this approach and subsequently issued a Screening Opinion on 08.03.2024 in accordance with Regulation 5(c) of the 2017 Regulations, stating that the proposed development scheme is not likely to have a significant effect on the environment and therefore did not warrant the submission of an EIA/Environmental Statement.
32. As part of the CoL Carbon Options Guidance Planning Advice Note, adopted March 2023, major development proposals should undertake carbon optioneering which includes a variety of different schemes, to be independently verified by a third-party, to aid the decision-making process. Optioneering is undertaken to find

the best balance in carbon emission terms prior to adding other considerations into the planning process.

33. Optioneering has not been undertaken for this proposal as the building is being demolished under a separate lawfully implemented permission, as outlined above. Officers did not consider it reasonable to require optioneering on the areas of additional demolition now proposed under this application, namely the Pret a Manger unit and the plaza floor slab/car park access ramp, and consider that the scheme as proposed would achieve an outstanding, best in class building that contributes to an attractive and vibrant City environment, as discussed in the Sustainability section of this report.

### **Application Proposals**

34. Planning permission is sought for additional demolition of the remaining structures on site as discussed above, then the erection of a part 14-storey, part 21-storey building for office use, with one ground floor retail unit, community floorspace at ground floor level, alterations to City Point Plaza (open space), reconstruction of New Union Street, together with cycle parking, waste storage, servicing, landscaping, plant and associated works.
35. The development would provide 33,758sq.m (GIA) of office (Class E(g)(i)) floorspace, 287 sq.m (GIA) retail (Class E(a/b)) floorspace, and 142sq.m (GIA) community floorspace (Class F2(b)).
36. The proposals would provide extensive improvements to the public realm around the site, including re-landscaping of part of City Point Plaza with extensive urban greening following the filling in of the car park access ramp, re-landscaping of New Union Street as an improved pedestrian priority thoroughfare, and pulling back of the eastern building line to provide enhanced pedestrian experience along Moorfields.
37. The building would rise to +95.25m AOD to the top of the 21-storey element, and to +71.55m AOD to the top of the balustrade to the 14-storey element, itself being +69.1m AOD in height to finished floor level. The building would be a maximum of 81.2m AGL. The proposals as originally submitted were for a ground-plus-21 storey building at +99.9m AOD, but this was reduced during application stage as addressed in the Architecture, Views and Heritage sections of this report.
38. The changes to the scheme from those originally submitted are as follows:
- The reduction to the maximum height of the proposed building by 4.66m, by removing the top floor and reducing the height of plant level;
  - The introduction of additional urban greening along the southern façade of the top storey of the proposed building;
  - The relocation of the proposed community floorspace from the first floor to the ground floor of the building to increase visibility and prominence of the

community use, and to encourage greater permeability of the ground floor and its interaction with City Point Plaza;

- The removal of one of the two retail units to coincide with the new location of the community space;
  - The introduction of solar shading to the southern façade of the uppermost volume of the proposed building to minimise solar gain;
  - The introduction of additional photovoltaic panels to be located on the surface of the solar shades to maximise renewable energy generation;
  - The enhancement to the thermal performance of the cladding as a result of detailed design development;
  - The addition of opening window panels to the first-floor façades;
  - Development of the proposed building core to improve energy efficiency of the building; and
  - Enhancements to the proposed planting on the 14th floor terrace.
39. The architectural concept has changed significantly since the 2020 scheme. The revised design is less highly glazed than the previous, and features a pre-cast concrete frame 'exoskeleton' with timber detailing, and timber framed openable windows.
40. The east elevation, fronting Moorfields, would feature double height landscaped balconies, arranged to provide access to external amenity space for tenants from all floor levels. The north elevation, fronting City Point Plaza is the primary façade and features a triple height colonnade over the proposed main entrance as part of the central volume, providing shelter for pedestrians using City Point Plaza. Further landscaping through planters create a greened junction between the facade on the north elevation at the junction between the primary, taller volume, and the lower volume to the east.
41. The south elevation is primarily a party wall with 21 Moorfields, and extends over part of New Union Street. For this reason, the majority of the south elevation would not have any windows, so cores and back of house functions have been placed here. The upper volume would feature windows to the south elevation where it rises above 21 Moorfields and the party wall.
42. The exoskeleton framing of the building to the west side of the north elevation, the west elevation, and south elevation allows for hanging gardens to the west volume, with the windows sitting back from the frame. There are no terraces proposed on the west elevation other than the western portion of the main 14<sup>th</sup> floor wraparound terrace. There would be a linear terrace at 19<sup>th</sup> floor level on the south elevation.
43. New Union Street would be reconstructed to become a pedestrian priority route east-west from Moorgate Station to the Barbican and beyond, noting that only a

portion of New Union Street is within the applicants' ownership. Servicing would take place in a loading bay accessed from New Union Street. The cycle store access is also from New Union Street.

44. The applicant is proposing four 'phases' of works, to be reflected in the conditions attached upon any grant of planning permission.
45. Phase 1 would cover demolition of the existing building (the Class E 'Pret a Manger' unit leftover following demolition of the previous 11-storey Tenter House under the 2020 permission) down to slab level. Phase 2 would cover the works to City Point Plaza, namely the demolition of the plaza slab, construction of new plaza basement and slab, and the plaza landscaping works. Phase 3 would cover the demolition of the ground and basement slabs of the 'building' and construction of the new basement of the building. Finally, phase 4 would cover the construction of the new building above ground floor slab.
46. For the avoidance of doubt, the planning permission as outlined in the description of development is not to be phased, nor is CIL (see CIL and Planning Obligations section of this report). The 'splitting up' of certain conditions would allow for the applicant to undertake certain works at different times pursuant to their agreements with neighbouring landowners – these are not material planning considerations but Officers are satisfied that the splitting up of conditions to cover separate phases of deconstruction and construction works would still allow for the relevant information to be submitted at appropriate times whilst allowing the development process to continue.

## **Consultations**

### **Statement of Community Involvement**

47. The applicants have submitted a Statement of Community Involvement prepared by LCA dated February 2024, outlining their public engagement in accordance with the City of London Statement of Community Involvement and Developer Engagement Guidance (2023). Their programme, conducted between September 2023 and February 2024, included advertisements in City Matters and the Islington Gazette, engagement with Officers and Members from both CoL and LB Islington, Residents Committees and House Groups from each of the Barbican Houses, Barbican Association, Barbican and Golden Lane Neighbourhood Forum, and general resident engagement. In terms of other stakeholders, meetings were held with neighbouring landowners, LSO Discovery, Barbican Renewal, Museum of London, EC BID, Guildhall School of Music and Drama, and the Culture Mile BID.
48. This engagement resulted in the following:
  - 1165 flyers delivered locally
  - 40 members of the public attended a public exhibition



- 265 visits to the consultation website
  - 10 calls and emails responded to from the public
  - 4 meetings held with political and community stakeholders
  - 7 pieces of written feedback received from consultation events
  - 259,813 people reached by social media adverts
49. Following the scheme amendments, the Applicant submitted a further Statement of Community Involvement by LCA dated August 2024. This includes details of further consultation with local residents, with St Paul's Cathedral, Historic England, and neighbouring landowners. A briefing with the Surveyor to the Fabric of St Paul's Cathedral was held on the 20<sup>th</sup> August, and a briefing with the Barbican residents was held on 3<sup>rd</sup> September to discuss the scheme amendments. The applicant contacted Historic England for a meeting on 6<sup>th</sup> August 2024, but Officers at Historic England confirmed via letter that further consultation by the Applicant was not necessary at that time.

### Statutory Consultation

50. Following receipt of the application, it was advertised on and around the site in 5 locations, and in the press. Neighbour letters were sent to 767 nearby residential properties. Following amendments to the scheme, the application was re-advertised in the press, via site notice in the original 5 locations, and neighbour letters were re-sent to those all originally consulted as well as those who had submitted comments.
51. Copies of all received letters and emails making representations are attached in full and appended to this report.
52. At the time of publication, 101 letters of objection including duplicates due to the two rounds of consultation, 2no. letters of support and 1no. neutral letter have been received from nearby residents. A summary of the representations received, and the consultation responses is set out in the table below. The purpose of the table is not to reproduce the content of the significant number of objections but to provide a summary of the objections in a topic-based approach. Not all the representations below relate to material planning considerations. Those that are, have been dealt with in this report.
53. The views of other City of London departments have been taken into account in the preparation of this redevelopment scheme and some detailed matters remain to be dealt with under conditions and the Section 106 agreement.

Consultation Response	
Greater London Authority	Given the scale and nature of the proposals, conclude that the amendments do not give rise to any new strategic planning issues. Your Council may, therefore, proceed to determine the application without further reference to the GLA.
Greater London Archaeological Advisory Service (GLAAS) (Historic England)	No objection following revision of Archaeological Desk Based Assessment. Conditions recommended.
Historic England	<p>In respect of this new application, impacts on LVMF View 16B.2 The South Bank Gabriel's Wharf have been identified. The viewing platform provides views east towards the City of London and as a river prospect view, the Thames dominates the foreground.</p> <p>The focus of the view is St Paul's Cathedral, recognisable due to the distinctive silhouette of the dome and peristyle beside the western towers and pediment set against clear sky. Although the proposed development would not appear in the view from the spot identified in the LVMF, it would be clearly visible as one approaches the viewing platform via the walkway east of 16B.2.</p> <p>It will appear behind the western pedimented parapet with statue of St Paul at its pinnacle, filling the clear sky between it and the tower to the north of the west elevation with built form. Removing the clear sky from behind this distinctive element would dilute the effect of the highly characterful silhouette. The visual impact of the proposals does cause harm to the Grade I listed building through development in its setting.</p> <p><u>Recommendation</u> Historic England does not object in principle to these proposals as established in our previous responses to earlier planning applications on this site. However, Historic England considers the impact identified above would cause some harm, which would be less than substantial, through development within the setting of a designated heritage asset of the highest significance.</p>

	<p>A reduction in the height of the scheme would help to mitigate against this harm and we would encourage you to pursue this with the applicants as part of your wider discussions about these proposals. In accordance with the NPPF, this harm to the significance of the Grade I listed St Paul's Cathedral will need to be weighed against the public benefits of the scheme by the City of London Corporation as part of your decision-making process.</p> <p><u>Officer response to comments:</u></p> <p>To note: HE's objection references impacts to LVMF view 16.B2. For clarity this view is entirely preserved. See Strategic Views and Heritage Assets section for further detail.</p>
St Paul's Cathedral	<p>The enlarged proposals will appear directly behind and impact the silhouette of the west front pediment in nearby views along the south bank of the Thames (east of Gabriel's Wharf).</p> <p>As appreciable from this part of the setting of the cathedral, the proposals will cause heritage harm to the significance of the Grade I listed building, affecting its architectural and historic special interest. This impact occurs to one of the most important and sensitive part of Wren's composition of this building, which is of exceptional heritage significance and sensitivity.</p> <p>We also consider this would run contrary to the guidance related to the backdrop and skyline setting of the Cathedral outlined within the City's Protected Views SPD.</p> <p>We understand that the proposals build on an extant consent. However, the additional height included within the submission scheme would lead to harm not previously present. It is our understanding that the extant consent is not appreciable in these views. The new scheme adds height where harm is appreciable and, in our view, can and should be avoided – not mitigated.</p> <p>We have also reviewed the submission pack, and to our knowledge cannot find any meaningful discussion of a 'no harm' option in the justification. In our view the 'no harm' option is exemplified by</p>

	<p>the existing consent - which shows that there must be a viable and architecturally acceptable no-harm (not visible) scheme which, by dint of the approval granted, has been deemed compliant with policy.</p> <p>We welcome the technical work that has indicated with care and precision how the proposal is visible in views. We also recognise the design efforts made to reduce and mitigate harm by thoughtful consideration of detail and materials thus far, as outlined within the submission pack and within our consultation meeting.</p> <p>However, the lack of a 'no impact' option within the formal pack of submission materials is of concern and, to our understanding, does not satisfy the need to clearly and convincingly justify harm as outlined within the NPPF.</p> <p><u>Officer response to comments:</u></p> <p>See Strategic Views and Heritage Assets for response and full assessment.</p>
London Underground Infrastructure Protection	No objection in principle, subject to conditions.
Transport for London	<p>Agree in principle that the proposal would not result in an unacceptable impact to the TLRN, clarifications and conditions recommended.</p> <p><u>Officer response to comments</u></p> <p>Clarifications have been provided to TfL's detailed comments from the applicant, and TfL later confirmed that their queries had all been answered.</p>
Elizabeth Line Safeguarding	No objection subject to conditions.
NATS Safeguarding	The proposal does not conflict with the safeguarding area and therefore no objection is raised.
Thames Water	No objection subject to conditions.
City of Westminster	Does not wish to comment on the proposals.
LB Lambeth	No objection.
District Surveyor	Proposals comply with policies D5 and D12.
Cleansing	No objection.
Air Quality	No objection subject to condition.

Environmental Health	Conditions recommended.
Lead Local Flood Authority	No objection subject to conditions.
City Gardens	<p>New trees and greening are welcomed, but the proposals include trees in planters at the ground floor at very large initial sizes, which are not likely to establish well or provide sustainable canopy cover. Condition recommended to secure details of tree species, sizes, soil volumes, planting, and maintenance details.</p> <p><u>Officers Response:</u> Landscaping details to be secured by condition.</p>
Barbican Quarter Action	<p>Concerns over impact on residential amenity over (i) the of scale and mass of the development leading to a loss of daylight and sunlight; (ii) light pollution from office spaces, (iii) noise from terraces; (iv) Impact on townscape and heritage, including increase of shoulder heights to Moor Lane bringing height closer to the Barbican Estate; (v) Impact of servicing routes on neighbourhood; (vi) Whole life cycle carbon assessment for 11 storey building.</p> <p><u>Officers' Response:</u></p> <p>Please see design and heritage sections for assessment of bulk, height and massing and impact to local townscape. Further discussion of impact to the Barbican Estate is included in the Heritage section. Daylight and Sunlight, amenity impacts including noise, light spill and overlooking are discussed in the Environmental Impacts section of this report. The servicing and delivery strategy is discussed in the Transport and Highways section of this report.</p>
Barbican Association	<p>Concerns over loss of residential amenity through impacts of loss of light and overshadowing, noise from terrace, building servicing plan, light pollution and spillage from offices; Townscape and heritage impacts, noting the potential impacts to views of St Paul's from the river, with reference to LVMF 8A.1 and 16B.1 and 16B.2, as well as cumulative impact of developments increasing height and mass to</p>

	<p>Moor Lane; Whole Life Cycle Carbon Assessment and demolition (as part of the extant consent).</p> <p><u>Officers' response:</u> Please see a full assessment of bulk and massing in the Design section, and a full assessment of impact upon heritage assets in the heritage section. Further, assessment of impact upon strategic views of St Pauls is undertaken in the Strategic Views and Heritage sections, respectively. For other impacts please note the sections on Daylight and Sunlight, Whole Life-Cycle Carbon Assessment, Delivery and Servicing.</p>
<p>Barbican and Golden Lane Neighbourhood Forum</p>	<p>Impact on residential amenity through overlooking and noise from terraces, noise from reversing of vehicles in servicing area, night-time light spillage from offices; Concern over demolition of 11-storey building not being included in WLCA; Over-dominant visual impact through height and massing of the building; Potential harm to the Barbican Estate, Lutyens House, nearby conservation areas, and strategic views of St Paul's.</p> <p><u>Officers' response:</u> Please refer to the 'Representations (Objection)' section and 'Neighbouring Amenity' sections below for impacts to residential amenity. The demolition of the existing 11-storey office building is being undertaken pursuant to the extant consent from 2020, and is not included in the works relating to this application. This is discussed in the 'Background to the proposals' section below. Please see a full assessment of bulk and massing in the design section, and a full assessment of impact on heritage assets in the 'heritage' section. Further, assessment of impact upon strategic views of St Pauls is undertaken in the Strategic Views and Heritage sections, respectively.</p>

<b>Representations (Objection)</b>	
<b>Comment</b>	<b>Officer response</b>
<p>Impact on Residential Amenity:</p> <ol style="list-style-type: none"> <li>1. Loss of Light and overshadowing</li> </ol>	<ol style="list-style-type: none"> <li>1. Daylight/Sunlight assessment results showing no material adverse impact to daylight and sunlight to neighbouring properties over and above the extant permission.</li> </ol>

<ul style="list-style-type: none"> <li>2. Overlooking from balconies and terraces</li> <li>3. Noise from office balconies and Terraces</li> <li>4. Light pollution from offices</li> <li>5. Nuisance from servicing vehicles on New Union Street</li> </ul>	<ul style="list-style-type: none"> <li>2. Mitigation secured via condition, through restricted hours of use of East elevation balconies until 9pm on one day and 8am on the next. Restricted hours of use on level 14 and 19 terraces from 6pm on one day to 8am the next. No access on Saturdays, Sundays or bank holidays.</li> <li>3. Mitigation secured via conditions through: Restrictions on hours of use and audible sound; No live or other music permitted on any external office amenity space; No promoted events permitted on the premises.</li> <li>4. Lighting Strategy secured via condition and includes details on lighting control measures including time and movement sensors for all office and terrace lighting (except lighting for emergency signage); lighting illuminance and colour to be with automated turn-off system via astronomic timeclock set to 11pm in accordance with City of London Lighting SPD 2023. The installation of automatic blinds cannot be controlled through planning condition, but the Applicant has stated that the requirement for automated blinds would form part of any tenancy agreements for the office spaces to further mitigate nuisance from light spillage during out of hours working.</li> <li>5. The servicing bay is located in the same location as the pre-existing and the 2020 consented scheme, and is accessed from New Union Street which is private highway. The proposal includes a consolidated delivery and servicing strategy along with the hours of delivery and servicing being restricted during peak hours of pedestrian traffic, and overnight. The servicing strategy is not materially different than the consented and represents an improvement over the pre-existing scenario that featured no controls of hours or vehicle numbers. Please refer to the 'Transport and Highways' section of this report for full assessment.</li> </ul>
<p>Impact on Townscape and Heritage</p>	<p>The scheme is fully compliant with the management guidelines of the LVMF with no impact upon strategic views. With regards to local views, the scheme is considered consistent with</p>

<p>1. Massing and Scale of development</p>	<p>the existing character of mid and tall rise buildings located in the site surroundings close to Moorgate Station. While it is acknowledged the proposals would appear in local views to the east of the Barbican Estate, including from within the estate interior, this is considered to preserve the existing character of these views, which take in a number of nearby developments of a similar or taller scale. The scheme is therefore not considered to harm the local townscape or impair the contribution of setting to the significance of heritage assets in the local vicinity.</p> <p>The proposals would be visible along stretches of the South bank, including west of Gabriel's Wharf. From this portion of the river bank, kinetic views of St Paul's Cathedral are visible and protected under the St Paul's Heights policy and Protected Views SPD. The proposals would be fleetingly visible in these views, including instances where the Cathedral is presently appreciated against clear sky. A degree of harm to the significance of St Paul's Cathedral, through indirect impacts to its setting, has therefore been identified. Amendments to the scheme have been made to reduce the extent of the adverse impact, including the addition of high-level greening so that the silhouette of the Cathedral's western façade remains distinct. Please see the Strategic Views, Heritage and Planning Balance section for a full assessment and response.</p>
<p>Impact on Carbon Emissions, including demolition from extant consent</p>	<p>The demolition of the 11-storey building is being carried out under the extant consent (ref: 17/01050/FULMAJ dated 29.09.2020) where the building is to be demolished and rebuilt to 18 storeys. The current application proposes a new 21 storey building with a revised design and enhancements to the public realm at City Point Plaza which includes the part demolition of the existing basement and an excess of 0.6m excavation from the existing basement level.</p> <p>The demolition works to the building on site are permitted as per the extant consent, therefore the existing building does not form part of the assessment of whole-life cycle carbon. Please see</p>



	below 'Background to the Proposals' and 'Sustainability' sections of the report.
Transport impacts of the development including delivery and servicing strategy	Consolidated Delivery and Servicing to the site to a total of 41 deliveries in the day, along with delivery restrictions in peak hours from Mon – Fri: 0700 - 1000hrs; 1200 - 1400hrs; 1600 - 1900hrs. Please see the Transport section in this report for the full assessment of impacts.

<b>Representations (Other)</b>	
<b>Comment</b>	<b>Officer response</b>
Support - 2 Supportive of replacement of existing structure with new modern building and improved public realm.	Noted. Officers are in agreement that the proposed development offers new Grade A office floor space in a prime location in the City adjacent to an important transport node, with enhanced facilities in line with the Local Plan Policies and strategic targets. The proposal would also deliver an enhanced public realm at City Point Plaza through increased urban greening, new seating, and level access across a previously stepped public plaza.
Neutral - 1 Effect of Transient Shadow results with pre-existing condition and proposed development.	Noted. This has now been provided and accounted for within the Daylight and Sunlight section of this report.

## **Policy Context**

54. 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.
55. The City of London (CoL) has prepared a new draft plan, the City Plan 2040, which was published for Regulation 19 consultation in the Spring of 2024. During determination of this application, the Plan has been submitted to the Secretary of State for Examination in Public. Emerging policies are considered to be a material consideration with limited weight with an increasing degree of weight as the City Plan progresses towards adoption, in accordance with paragraph 48 of the NPPF. The emerging City Plan 2040 policies that are most relevant to the consideration of this case are set out in Appendix B to this report.
56. Government Guidance is contained in the National Planning Policy Framework (NPPF) December 2023 and the Planning Practice Guidance (PPG) which is amended from time to time.
57. 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”. Other relevant sections of the NPPF are set out in the following paragraphs.
58. The NPPF states at paragraph 8 that achieving sustainable development has three overarching objectives, being economic, social and environmental.
59. 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:
    - i) 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
    - ii) 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.
60. 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).
61. Paragraph 85 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, considering both local business needs and wider opportunities for development.
  62. Chapter 8 of the NPPF seeks to promote healthy, inclusive and safe places.
  63. Paragraph 91 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
  64. Paragraph 96 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.
  65. Paragraph 97 states that planning decision should provide the social, recreational and cultural facilities and services the community needs.
  66. Chapter 9 of the NPPF seeks to promote sustainable transport. Paragraph 109 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”.
  67. Paragraph 116 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.

68. Paragraph 117 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”.
69. Chapter 12 of the NPPF seeks to achieve well designed places. Paragraph 131 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.”
70. Paragraph 135 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.
71. Paragraph 136 of the NPPF states that ‘Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible...’
72. Paragraph 139 sets out that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
73. Chapter 14 of the NPPF relates to meeting the challenge of climate change. Paragraph 157 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.

74. Paragraph 159 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.
75. Chapter 16 of the NPPF relates to conserving and enhancing the historic environment. Paragraph 201 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.
76. Paragraph 203 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."
77. Paragraph 205 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.
78. Paragraph 206 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.

79. Paragraph 208 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”.
80. Paragraph 209 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”.
81. Paragraph 212 of the NPPF states “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

### **Statutory Duties**

82. 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, to local finance considerations and to any other material considerations. (Section 70(2) Town & Country Planning Act 1990);
  - To determine the application in accordance with the development plan unless material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
83. 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).

### **Considerations in this case**

84. In considering this planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
85. The principal issues in considering this application are:
  - The extent to which the proposals comply with the development plan;

- The extent to which the proposals comply with the NPPF;
- The appropriateness of the proposed uses;
- The impact of the development in design and heritage terms including impact on designated and non-designated heritage assets;
- The impact on strategic local views including those identified within the St Paul's Heights Policy CS13 and Protected Views SPD;
- The impact of the proposal on any archaeology beneath the site;
- The accessibility and inclusivity of the development;
- Transport, servicing, cycle parking provision and impact on highways;
- The proposed public realm and cultural offer;
- The impact of the proposal in terms of energy and sustainability;
- The impact of the proposed development on the amenity of nearby residential occupiers, including noise, overlooking, daylight, sunlight, and light pollution;
- The environmental impacts of the proposal including wind microclimate, thermal comfort, flood risk, and air quality;
- Acceptability of the proposed security, suicide prevention and fire safety arrangements;
- Duties under the Public Sector Equality Duty (section 149 of the Equality Act 2010) and the Human Rights Act; and
- The requirement for financial contributions and other planning obligations.

### **Economic Issues and the Principle of Development**

86. The National Planning Policy Framework places significant weight on ensuring that the planning system supports sustainable economic growth, creating jobs and prosperity.
87. 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 590,000 people.
88. The City is the home of many of the world's leading markets. It has world class banking, insurance and maritime industries supported by world class legal, accountancy and other professional services and a growing cluster of technology, media and telecommunications (TMT) businesses. These office-based economic activities have clustered in or near the City to benefit from the economies of scale and in recognition that physical proximity to business customers and rivals can provide a significant competitive advantage.

89. 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 many 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.
90. 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.
91. The City lies wholly within London's Central Activity Zone (CAZ) where the London Plan promotes further economic and employment growth. The GLA projects (GLA 2022 London Labour Market Projections), that City of London employment will grow by 176,000 from 2016 to 2041.
92. 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.
93. London Plan Policy GG2 sets out the mayor's good growth policy with regard to making the best use of land. These include prioritising sites which are well-connected by existing or planned public transport; proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling; applying a design-led approach to determine the optimum development capacity of sites; and understanding what is valued about existing places and use this as a catalyst for growth, renewal, and place-making, strengthening London's distinct and varied character.



94. London Plan Policy GG5 sets out the Mayor's good growth policy with regard to growing London's economy, to conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, it is important that development, amongst others, promotes the strength and potential of the wider city region; plans for sufficient employment and industrial space in the right locations to support economic development and regeneration; promote and support London's rich heritage and cultural assets, and its role as a 24-hour city; and makes the fullest use of London's existing and future public transport, walking and cycling network, as well as its network of town centres, to support agglomeration and economic activity.
95. The London Plan projects future employment growth across London, projecting an increase in City employment of 176,000 between 2016 and 2041, a growth of 31.6%. Further office floorspace would be required in the City to deliver this scale of growth and contribute to the maintenance of London's World City Status.
96. London Plan policy E1 supports the improvement of the quality, flexibility and adaptability of office space of different sizes.
97. 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.
98. The Strategic Priorities of the emerging City Plan 2040 sets out that the City Corporation will facilitate significant growth in office development of the highest quality to meet projected economic and employment growth and protecting existing office floorspace to maintain the City's role as a world leading financial and professional services centre and to sustain the City's strategically important cluster of commercial activities within the Central Activities Zone; broadening the City's appeal by ensuring new office developments deliver flexible, healthy working environments and meet the needs of different types of businesses including Small and Medium Enterprises, supporting specialist clusters such as legal and creative industries and promoting a range of complementary uses; creating a more vibrant and diverse retail economy; balancing growth with the protection and enhancement of the City's unique heritage assets and open spaces and creating an inclusive, healthier and safer City for everyone.

99. The draft City Plan (2040) policy S4 (Offices) states that the City will facilitate significant growth in office development through increasing stock by a minimum of 1,200,000sqm during the period 2021-2040. This floorspace should be adaptable and flexible. Policy OF1 (Office Development) requires offices to be of an outstanding design and an exemplar of sustainability.
100. The application site is located within the 'North of the City' policy area in relation to Strategic Policy CS5 of the adopted Local Plan 2015, and within the Smithfield and Barbican Key Area of Change in the draft City Plan 2040 versions, covered by Strategic Policy S23.
101. The Smithfield and Barbican Key Area of Change is intended to be a general strategic area where mixed-use development, including those which are culture-led, are encouraged on appropriate major sites. The site is one such site. The site is also just outside the Barbican and Golden Lane Neighbourhood Area and Neighbourhood Forum, which were designated by the City Corporation on 18 July 2023.
102. Despite the short-term uncertainty about the pace and scale of future growth in the City following the recovery from 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 2040 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 further reflected in the Corporations 'Destination City' vision for the square mile.
103. The proposed scheme would deliver on the City's objectives and support the City's economic role by providing 33,758 sqm (GIA) of flexible office floor space (an uplift of 17,958sq.m over the pre-existing building) alongside a complementary retail and community/cultural offer and extensive public realm.

## **Land Use**

### **Provision of Office Accommodation**

104. Strategic Policy CS1 of the City of London Local Plan 2015 and policy E1 of the London Plan seek to ensure that there is sufficient office space to meet demand and encourage the supply of a range of office accommodation to meet the varied needs of City occupiers. Policy DM 1.3 seeks to promote small and medium sized businesses in the City by encouraging new accommodation suitable for small and medium sized businesses and office designs which are flexible and adaptable to

allow for subdivision to meet the needs of such businesses. Similar policy objectives are carried forward into Policies S4 and OF1 of the emerging City Plan 2040.

105. The predominant use of the proposed development is as office space, comprising of 33,758sq.m (GIA) of Commercial/Office Floorspace (including lobby) Class E (a net gain of 7534 sq.m of office floorspace on this site compared to the 2020 consented scheme and a gain of 17,958sq.m over the pre-existing building). The proposed office space is classified as Grade A office space.
106. Adopted Local Plan Policy CS1 seeks a significant increase in new office floorspace in the City. The draft City Plan 2040, in Policy S4, seeks to deliver 1.2 million sqm net of new office floorspace in the period between 2021 and 2040. The apparent significant reduction in the 2040 City Plan compared with the previous City Plan 2036 target for office floorspace (2million sqm) is largely due to the passage of time and the significant office floorspace completions in the 2016-2021 period, totalling 835,000sqm. Overall, comparing the City Plan 2036 and City Plan 2040 floorspace targets is indeed similar due to the 2016-2021 period being met by completions.
107. At 31<sup>st</sup> March 2022, 835,000 sq.m net increase in office floorspace had been delivered since 2016 and a further 576,000 sqm net was under construction or was permitted in the City. 370,000sq.m of flexile office floorspace was approved in 2022.
108. The Offices Topic Paper as part of the evidence base for the City Plan 2040 looks at capacity modelling within areas of the City for an increase in office floorspace. The Site is within the 'rest of the City' category, which is modelled at being able to achieve an office floorspace uplift of 145,000sq.m. The proposed development would deliver a significant amount of this floorspace target for areas outside the Eastern Cluster and Fleet Valley, providing a total of 33,758sq.m of office floorspace, a net increase of 17,958sq.m over the pre-existing building.
109. The proposed office spaces are designed to support a range of tenants, with flexibility to accommodate a variety of tenant requirements and the demands of business growth, with options which offer a range of interior environment amenity, floor area, and choice of outlook. This would accord with emerging City Plan 2040 Policy S4 which encourages new floorspace to be designed to be flexible to allow adaptation of space for different types and sizes of occupiers.
110. A range of office floorspace is required to meet the future needs of the City's office occupiers, including provision for incubator, start-ups and co-working space. Provision of creative workspace would be secured through a S106 agreement. A Creative Workspace Management Plan would be secured through a S106

agreement which shall detail the location, specification, layout, facilities, operation and management of the creative workspace within the building. The creative workspace shall be provided at a discounted market rate to qualifying users.

111. The scheme meets the aims of policy E1 of the London Plan, CS1, DM1.2 and DM1.3 of the Local Plan 2015 and S4 of the emerging City Plan 2040 in delivering growth in both office floorspace and employment. The proposals provide for an additional increase in floorspace and subsequent employment opportunity in line with the aspirations for the CAZ and the requirements of the Local Plan and the emerging City Plan. The proposed development would result in 33,758sq.m (GIA) of high quality, flexible Class E office floorspace for the City, contributing to its attractiveness as a world leading international financial and professional services centre.

### **Proposed Retail/Food and Beverage and ‘Loss’ of the Public House (Sui Generis)**

112. The site is not within a designated Principal Shopping Centre (PSC) or a Retail Link; however, the Moorgate PSC is located immediately to the east of the site as set out in the Local Plan 2015.
113. Local Plan policy DM20.1 encourages new retail units to be located within Principal Shopping Centres.
114. The retail provision within the pre-existing building comprised a public house known as the Rack and Tenter (Sui Generis, previously Class A4) (335sq.m), and 363sq.m which is currently occupied by Pret a Manger, and remains as part of the existing building as its demolition was not included in the implemented consent.
115. The implemented permission (17/01050/FULMAJ) featured 735sq.m (GEA) of retail floorspace (former classes A1/A2/A3/A5) through two units at ground and first floor level, and removed the Rack and Tenter. This was prior to the London Plan 2021 and its policy HC7 which seeks to protect public houses 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. The Rack and Tenter was one such public house.
116. Part (A) of London Plan Policy HC7 requires that, in making planning decisions, Local Authorities protect public houses, and for applications that propose the loss of public houses with the values as outlined above, that planning permission be refused unless there is authoritative marketing evidence.

117. As outlined in paragraphs 26-28 above, the 2020 permission which involved the loss of the public house is a realistic fall-back prospect, the lawful implementation of which is substantially underway. The Rack and Tenter closed in April 2023, when the applicant received vacant possession.
118. Although the loss of the pub is regrettable in the context of London Plan policy HC7 and the City's 'Destination City' initiative, it is no longer capable of being occupied and the use has ceased. Officers consider that the alternative public offer proposed under this application, being the proposed restaurant and community space, along with other planning benefits including the improvements to the Plaza, outweigh the benefits to the community and nighttime economy that could otherwise have been achieved through the retention or reinstatement of a public house. Great weight is afforded to the extant permission under which the public house was removed and the progress of its implementation via demolition of the building. The loss and lack of reinstatement of the public house under this application is acceptable, and The Rack and Tenter therefore does not fall to be considered further under this application.
119. Policy DM20.4 of the Local Plan 2015 states that proposals for new retail uses should provide a variety of unit sizes compatible with the character of the area in which they are situated and policy CS20 states that new retail development should be focused on Principal Shopping Centres so that they become attractive shopping destinations. Policy S5 of the draft City Plan 2040 supports proposals that contribute towards the delivery of additional retail floorspace across the City to meet future demand and supports provision of retail uses that provide active and publicly accessible frontage across the City where they would not detract from the viability and vitality of the PSCs.
120. The proposed retail floorspace originally comprised 556sq.m GIA (Class E(a/b)) through two units at ground floor level; one in the location of the existing Pret a Manger unit within City Point Plaza, and one fronting Moorfields. However, through the amendments to the scheme, one of the retail units has been removed and replaced with the relocated community floorspace at ground floor. As such, the total proposed retail provision is now 287sq.m GIA (Class E(a/b)).
121. The new space proposed would be fit for purpose in the context of the changing retail market, being flexible and adaptable in layout and support of the long-term vitality and vibrancy within the City, and it would complement the neighbouring residential and commercial uses. The proposed retail component of the scheme would create active frontages that would enhance the public interest and vitality of the public realm across the site.
122. The proposed retail/food & beverage floorspace is acceptable, the mix of uses would provide a complementary use to the offices within the proposed building

on site in accordance with Policy DM1.5, as well as provision for other workers, visitors and residents of the City in accordance with Emerging City Plan Policy OF1. A condition is recommended to secure retail use falling within Class E(a/b), and to prevent the change to any other use within Class E.

### **Proposed Community floorspace**

123. Policy CS22 of the Local Plan seeks 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.
124. The above policy under part (3) seeks to protect and enhance existing community facilities and provide new facilities where required, whilst allowing flexibility in the use of underused facilities, including places of worship, and states there should be no overall loss of community facilities in the City.
125. Policy DM22.1 of the Local Plan 2015 and policy HL5 of the draft City Plan 2040 state that 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 where they would not be prejudicial to the business City, in locations where they are convenient to the communities they serve, are in or near identified residential areas providing their amenity is safeguarded.
126. Place specific policies CS5 of the Local Plan 2015 and policy S23 of the draft City Plan 2040 seek to identify and meet residents' needs in the north of the City including protection of residential amenity, community facilities and open space, as well as promoting cultural development in this area. In addition, the site is within the area covered by the Culture Mile BID which has been formed to promote the northwest area of the City as a major UK destination for culture and leisure.
127. The scheme originally proposed 179sq.m of community floorspace (Class F2(b)) at first floor level, accessed through the office security line. Through the scheme amendments, this has now been reduced to 142sq.m. However, the modest reduction is considered acceptable given the improved location of the unit within the building, now proposed at ground floor level, with direct access from City Point Plaza with users no longer required to pass through the office security line. The ground floor location of the unit would also provide fully inclusive access.
128. The provision of the community floorspace at ground floor level of the proposed building is welcomed in the context of the above-mentioned policies. The site is located near to the Barbican which is an identified residential area; as it forms part of an office development with retail provision it would not prejudice the

primary business function of the City and would be served by suitable retailing opportunities for its end users, and it would not harm the amenity of neighbouring occupiers.

129. A full Community Space Management Plan is required by S106 obligation to ensure the space is flexible and adaptable for a range of users, accessible, suitably managed to ensure the protection of neighbouring amenity and ease of access for users, and available at affordable rates, such as peppercorn rent or free to use for resident groups, to be secured through the S106 agreement.

### **Land Use conclusion**

130. The proposed development for a significant increase in Class E office floorspace accords with the primary strategic aim of the Local Plan 2015 and the emerging City Plan, being to deliver new, Grade-A office floorspace to maintain the City's position as the world leading international finance and business centre.
131. The London Plan 2021, in policy D3(a), encourages a design-led approach to optimise the best capacity of land by ensuring that development is of the most appropriate form and land use for the site, and in policy E1(a) encourages the improvement to the quality, flexibility and adaptability of office floorspace through new provision of office floorspace, refurbishment and mixed-use development. The London Plan in policy SD5 reinforces the importance of office floorspace within the Central Activities Zone (CAZ) (which the site sits wholly within) and encourages intensification of office floorspace within the CAZ through redevelopment and refurbishment.
132. Local Plan 2015 policy CS1 seeks to ensure the long-term provision of office floorspace of the highest quality.
133. The provision of 33,758sq.m (GIA) of Class E(g)(i) office floorspace is therefore welcomed in the spirit of the aims of the adopted Local Plan and emerging City Plan, and Officers consider that the site has been optimised in line with the aims of the London Plan Policy D3.
134. The provision of community floorspace (Class F2(b)) and the provision of retail/F&B floorspace (Class E(a/b)) to complement the other proposed uses on site as well as neighbouring commercial and residential uses is also welcomed.
135. Overall, it is considered the proposed development is in accordance with policies CS1, DM1.2, DM1.3 and DM1.5 of the Local Plan 2015 and S4 of the emerging City Plan 2040, as well as the aims of the London Plan 2021, in delivering growth in office floorspace and employment, and policies S6, S23, S8, S14 and DE4 of the draft City Plan 2040.

## **Cultural Strategy**

136. The provision of cultural offers within development proposals is of increasing importance. The City of London contains a huge concentration of arts, leisure, recreation and cultural facilities and spaces that contribute to its uniqueness and complement its primary business function. Destination City is the City Corporation's flagship strategy, that seeks to ensure that the City is a global destination for workers, visitors, and residents. It seeks to enhance the Square Mile's leisure and cultural offer by creating a sustainable, innovative, and inclusive ecosystem of culture that celebrates its rich history and heritage and makes it more appealing to visitors as well as the City's working and resident communities.
137. Strategic Policy S23 of the City Plan 2040 states that in respect of the Smithfield and Barbican area the City Corporation will improve the area by:  
'Encouraging culture-led mixed-use development on major sites in the area; identifying and meet residents' needs in the north of the City, including the protection and enhancement of residential amenity, community facilities and open space; seeking to minimise pollution levels through traffic management measures and increased green infrastructure in the public realm and on buildings; requiring improvements to pedestrian and cycle routes for all within and through the north of the City.'
138. The applicant has submitted a Cultural Plan to accompany the application, prepared by the Contemporary Arts Society. The Cultural Plan outlines two fundamental permanent offers delivered within the proposal, in line with the aspirations of the City Plan 2040, Destination City, the BID Strategy and the Areas of Change, as well as wider strategic thinking across London, nationally, and internationally.
139. The aims of the cultural plan for Tenter House are as follows:
- Permanent artwork along the soffit of New Union Street to be produced and curated by local community or cultural groups/artists;
  - Programmable community space and reception space within the building; and
  - Meanwhile use artwork along the construction hoardings

### New Long-Term Cultural Offers

#### *Landmark Artwork at New Union Street*

140. The public realm at New Union Street would form a key new cultural connection between the Liverpool Street and the Barbican/Smithfield 'Area of Change'. A major new public art commission running the length of a covered New Union Street would support the Culture Mile BID by creating City North landmark/gateway statement which promotes greater physical connection



between major surrounding cultural institutions - including the Barbican Centre, Museum of London, Guildhall School of Music and Drama and The London Symphony Orchestra. The initiative would further support the Destination City initiative by providing attractive through routes from City North to the City South gateway of St Paul's Cathedral and onwards to Tate Modern, and Southbank.

141. Two potential approaches have been identified to develop and deliver a landmark artwork integrated into the architecture of the New Union Street covered design, which would be finalised through the Cultural Implementation Strategy secured through S106 obligation as well as conditions relating to details of the physical structures:
  - (a) Digital screens to act as a 'digital canvas' to the soffit of New Union Street which would feature programmable content, to be produced by cultural organisations, schools and universities, or community groups.
  - (b) Permanent, static public artwork produced by a renowned contemporary artist or local cultural organisation.
142. The proposed artwork to New Union Street, whether digital or static, would enliven the street experience, providing an attractive covered route for pedestrians running east-west from Liverpool Street to the Barbican cultural centre, whilst being curated by local community and cultural organisations as part of an extensive engagement programme, to be confirmed through the Cultural Implementation Strategy.

*New Designated Community Space and programmable lobby space*

143. The ground floor reception area of the building has been designed to be flexible, to potentially accommodate small-scale, year-round cultural activity, including lunchtime or 'out of office hours' performances, readings, and recitals. These could potentially be programmed through the Culture Mile BID and their strong relationships with the major cultural providers in the immediate vicinity such as the Guildhall School of Music & Drama and LSO Discovery - the LSO's young musicians training programme, with details to be provided through the Cultural Implementation Strategy S106 obligation, including engagement with local cultural providers as outlined above.
144. The year-round small scale cultural activity in the ground floor reception area could be interconnected thematically with, and compliment, that of the ground floor Community Space (Use Class F2(b)). The flexible floorspace at ground floor level could be reconfigured easily to meet the needs of various groups and could include a creative, learning and skills development space for the expanding student music programmes in the area administrated by the major music focussed cultural organisations mentioned above. A Community Space Management Plan would be secured through S106 obligation, in conjunction with

the Cultural Implementation Strategy, to ensure that programming of the space is appropriate to safeguard the amenity of nearby residential occupiers, including noise attenuation and managed dispersal after office hours.

#### Meanwhile 'Use' artwork

145. Considering that the 11-storey Tenter House is being demolished under a previous consent, separate to this application for planning permission, there is an opportunity to develop a community participation construction hoarding artwork project. Temporary site hoardings offer opportunities for surprise activations, innovative programming, and experimentation. An artist experienced in the discipline of 'social practice' (artists who work with community to collaboratively develop and deliver an artwork response) could be commissioned to develop a hoarding artwork through community collaboration.
146. Site Hoardings have been installed in March 2024 alongside the extant planning permission and will remain until the completion of building work. Through the current planning application, the hoardings around site would change their shape and position between installation and completion in the summer of 2025.
147. Transforming the hoardings with art could provide an opportunity for local arts organisations, artists and young people to get involved in the future of the Site and its surroundings in the context of Destination City and local cultural organisations, reduce graffiti vandalism and anti-social activity near construction sites, and increase perceptions of safety through artwork, lighting, and enhanced legibility in the public realm.
148. A Culture Plan Steering Group would be established at the earliest stages of the project, to support and guide the delivery of the public art initiatives across the life of the development. This is to be detailed in the Cultural Implementation Strategy.

#### Culture conclusion

149. A public art strategy is required for the site to include new public art to New Union Street and to the construction hoardings secured by S106 obligation as part of the Cultural Implementation Strategy. This is required to cover the commissioning process, artistic merit, deliverability, siting, maintenance and management and stakeholder engagement with the community, Culture Mile BID and City Arts Initiative. Local Plan Policy CS11, DM 11.2 requires protecting existing and commissioning of new public artwork, and draft Local Plan CV2 and CV6 encourage the provision of new permanent and temporary artwork which is high quality, inclusive and diverse.

150. The provision of the community space at ground floor level in conjunction with the flexible space in the ground floor lobby is welcomed in the context of the relevant development plan policies outlined herein. Overall, the proposals would provide a robust cultural offer for the site that would act as a new destination for the City in line with the Destination City Agenda and the following policies of the Local Plan 2015: CS11, DM11.1 and CS5 and policies CV2 and S23 of the draft Local Plan 2040.

### **Design and Principle of a Tall Building**

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

151. The site is currently partially cleared as a result of the ongoing demolition of the eleven-storey building which occupied this location, with the site due to be fully cleared by January 2025. The proposals include one part 14-storey and part 21-storey [+95.25m AOD] office building. This would be defined as a tall building under the provision of the adopted Local Plan (CS13 para 3.14.1) and emerging City Plan 2040 (S12(1), >75m AOD) pursuant to London Plan D9 (A). Officers also note the consented scheme on this site was also considered a tall building, rising to +87.9m AOD at its highest point, only 7.35m lower than the now proposed building.
152. The City's long-term, plan-led approach to tall buildings is to cluster them to minimise heritage impacts and maximise good growth. As such, the adopted Local Plan seeks to consolidate tall buildings into a City Cluster (Local Plan policies CS7 and CS14 (1)), an approach carried forward in the emerging City Plan 2040, with the addition of a smaller proposed cluster in the Holborn and Fleet Valley area (policies S12 (2) and S21).
153. The application site falls outside the 'Eastern Cluster/City Cluster' policy areas in the adopted Local Plan and emerging City Plan (CS7, fig. G; S21, fig. 28), and the proposed Holborn and Fleet Valley Cluster in the emerging City Plan (S12, fig. 14).
154. London Plan policy D9 B (3) stipulates that tall buildings should only be developed in locations that are identified as suitable in Development Plans. While seeking in an overarching sense to cluster tall buildings within the Eastern Cluster, the City's adopted Local Plan defines areas in which tall building proposals would be inappropriate in principle and should therefore be refused (CS14 (2), fig. N). These areas include conservation areas, the St Paul's Heights Policy Area, St Paul's protected vista viewing corridors and Monument views and setting. Under the provisions of the Local Plan the proposal site is not located in an area identified as inappropriate for tall building development.

155. Where a site lies both outside the Cluster and these inappropriate areas, then it would trigger CS14 (3), under which tall buildings would be permitted elsewhere in the City only on those sites which are considered suitable in relation to skyline, amenity, and heritage impacts. With reference to this policy, the application site lies outside these inappropriate areas and therefore a tall building here could be acceptable, subject to consideration of the criteria in CS14 (3). These impacts are assessed in detail below, and while modest impacts are identified, officers are of the view that these are not of the order of magnitude to render the site inappropriate, in principle, for a tall building.
156. Emerging City Plan 2040 specifies, in accordance with London Plan D9, areas where tall buildings would be appropriate in principle. As mentioned above, the 2040 Plan identifies such areas in the existing City Cluster and the new proposed Cluster at Holborn and Fleet Valley. The application site is not within either area, so would be considered inappropriate for a tall building in principle in respect of the 2040 Plan. However, because this Plan has undergone Regulation 19 Consultation and is shortly to commence with Examination in Public (EiP) anticipated in Winter/Spring 2024/2025, its provisions can be afforded only limited weight compared to the adopted 2015 Plan.
157. Notwithstanding this, in *R (OAO LB of Hillingdon) v. Mayor of London* (2021) [EWHC 3387 (Admin)] the High Court held that London Plan policy D9 B was not a pre-condition or 'gateway' to the application of the criteria in D9 C, a qualitative assessment of the impact of a proposed tall building. In other words, even where a proposed tall building falls outside an area identified as suitable in a Development Plan under part B, the impacts of the proposed tall building as set out in part C should still be considered.
158. An assessment against London Plan Policy D9 (C) and (D) is made below, with reference where relevant to other sections of this report for more detail. It is found that the proposal would largely satisfy the criteria in (C) and (D), but there would be some conflict with Part C (1; a; i) in terms of long-range visual impacts to consider in the policy balance.
159. The site is in the Central Activities Zone, and the proposal would complement the unique international, national and London-wide role of the CAZ, as an agglomeration and rich mix of strategic functions, including nationally and internationally significant office functions, in line with London Plan Policy D4. It would be in a highly accessible and sustainable location, with the highest PTAL Level of 6B, with excellent access to transport infrastructure including active travel. The site would deliver 2.8% of the required commercial space to meet projected economic and employment growth demand until 2040. This quantity of floorspace would contribute to maintaining the City's position as the world's leading international financial and business centre. Officers consider the proposal

draws strong support from the above. Balancing the requirements to deliver on these policies is at the heart of the design-led optimisation of site capacity when assessing this against wider heritage and design policies.

160. As a matter of planning judgement it is considered that the proposal would accord with London Plan Policy D9 A, B and D, Local Plan Policy CS14 , draft City Plan 2040 S12 (1, 3, 4-7, 8:b,d-e,9, 10:a,c-k), S13 (1,3-4). There is some conflict with London Plan D9 C (1:a:i) and draft City Plan 2040 S12 (2,8:a&c,10:b), S13:2 and HE1(1) due to slight, very minor less than substantial harm to St Paul's Cathedral, through a fleeting, adverse indirect impact on the contribution of setting, specifically its skyline presence. These impacts are identified below and addressed throughout the report. These conflicts with Development Plan policy are addressed at the end of the report when considering whether the proposal accords with the Development Plan as a whole, as part of the planning balance.

### **Tall Buildings – Impacts**

161. This section assesses the proposals against the requirements of D9 C (1-4) and D of the London Plan. The visual, functional, and environmental impacts are addressed in turn.

#### *Visual Impacts – C (1)*

162. The site is located within the north-west locality of the City, in an area strongly characterised by modern development along Chiswell Street and west of Moorgate, an important north-south axial road through the City. Further to the west, the post-war development of the Barbican Estate creates a distinct change in character, forming a large scale, continuous, post-war architectural composition. The general character of the immediate site surroundings is of large, modern and historic mid-rise buildings with smaller groups of historic buildings of a finer scale and grain to the south east particularly along London Wall. The Barbican Towers form striking skyline features to the west and there are a number of other >75m existing tall buildings in the locality, as follows:

- Alban Gate (100.7m AOD)
- 120 London Wall (96.7m AOD)
- 21 Moorfields (91.3m AOD)
- 1 Ropemaker Street (139.2m AOD)
- 25 Ropemaker Street (109.4m AOD)

163. In this context, the proposal would fit into an established context of tall buildings, with the western section of the proposals rising to under 100m at its highest part.
164. In relation to London Plan Policy D9(C;1; a; i) the impact of the proposals upon the City and wider London skyline in long range views has informed the optimisation of the site and the overall height and form of the proposed tall

building. In relation to long range views, these have been tested extensively in the THVIA including assessment of LVMF 8A.1 and 16.B2, as indicated in views 1,2 and additional views along the riverbank and bridges indicated in views 2.1,2.2, A5-A16. Some of the objections from statutory consultees relate to impacts shown in Views 2.1,2.2 and A16. These impacts are discussed through the report and in detail in the Strategic View and Heritage sections of the report. Views from neighbouring boroughs and all other relevant LVMF viewpoints have also been included within the Appendices of the THVIA.

165. In baseline and cumulative distant panoramic views including the London Panoramas defined by the LVMF, the proposal would be largely occluded by other buildings with only a very distant glimpsed, incidental presence where the uppermost storeys are partially visible. In all cases where visible, the proposals are perceived below the prevailing heights of the existing tall buildings in the City, preserving the character and composition of these distant views.
166. Within LVMF 8A.1, the cumulative scenario shows the proposals would be screened by the implemented extensions to the Grade II listed IBM building in LB Lambeth, and existing and implemented development including City Place House at 55 Basinghall Street. As such no harm to the characteristics or composition of this view is considered to arise. This view has been further tested with a telephoto lens, confirming the proposals would not be visible in this view.
167. In baseline and cumulative river prospects, the visibility of the proposals has been tested extensively. Within LVMF 16.B2, the proposals would be obscured by the silhouette of the Cathedral. This view has been further tested with a telephoto lens, confirming the proposals would not be visible in this view.
168. In views from the river and bridges including Views A5-14, the proposed development falls below the prevailing City skyline and is screened from view. Views 2.1, 2.2, A15 and A16, show a very small proportion of the proposals to be visible in views from the South Bank, in the case of 2.1, 2.2 and A16 resulting in a fleeting minor erosion of the extent to which the Cathedral is seen against open sky. Objections from the Surveyor of the Fabric of St Paul's and some other consultation responses relate to this view, and the impacts are acknowledged by Officers and discussed in extensive detail in the Strategic View and Heritage sections of the report. In this respect, in relation to long range views, the development would therefore result in a slight conflict with Policy D9(C; 1 a; i). As highlighted in these sections, the adverse impact arises chiefly in relation to only a 19m stretch of an over 2km river walk, with the overwhelming majority of river views preserved with regard to the skyline and local strategic views.
169. Local and mid-range views of the proposal (D9 (C1; a; ii & iii)) have been tested in the TBHVIA at Views 3 to 16. Objectors have raised concerns about the impact

of the scheme in these views both in townscape and heritage terms, regarding impacts to the compositional clarity of the Barbican Estate; not conforming with the prevailing shoulder heights along Moor Lane; and adversely impacting views from Willoughby House. Officers do not agree with these conclusions, as outlined below.

170. Through the application process, local views have been extensively scrutinised and particular consideration given to the views out of the Barbican Estate, especially the vantages from the highwalks and the public spaces around the Arts Centre complex. This has informed the detailed design of the proposals, noting that Historic England has raised no objections with regards to the impact to the Barbican Estate.
171. In views east from within the Barbican Estate, the proposals would be perceived as part of a group of contemporary developments along Moor Lane. In these views, the upper parts of City Point and 21 Moorfields add to the sense of a layered contemporary architectural character beyond the Barbican's eastern boundary. In the existing scenario, these contemporary developments backdrop the silhouettes of many of the key buildings of the estate, including the Barbican Centre (View 3) as well as Brandon Mews and Willoughby House (View 4). In these views the clearly defined material palette of the Estate and its characteristic sculpted concrete forms ensure that the Barbican remain easily distinguishable from the later developments beyond its eastern boundary. As such, within these views, the proposals are seen as an addition to existing contemporary development along Moor Lane, with the upper portions of the proposals intermittently visible from within the estate in locations where directly west of the site boundary, indicated in the ZTV. While this would create a change in views west from within the estate, it is considered this change would not alter the character of these views in which a number of contemporary tall buildings are partially glimpsed above the roofline of Willoughby House and the Barbican Centre. The proposals would fall below the roofline created by City Point, and is comparable in height to its neighbours. Equally, in both views sky gaps remain between City Point and the proposals, avoiding the creation of singular horizontal mass above the roofline. In views of the Barbican Estate from the east of the site (View 14), the upper most floors of Shakespeare Tower are glimpsed. While the proposals would slightly reduce the visible extent of the tower, the partial and fleeting nature of this glimpsed view reduces its overall townscape quality, contributing little to an appreciation of the Barbican's wider architectural character.
172. In views 7 and 8, the proposals are seen in the backdrop, appearing above the roof line of a group of listed buildings at the junction of London Wall and Moorgate, as well as those that complete the western extent of Finsbury Circus. In both cases the top of the proposals would be partially visible, backdropped or obscured

by existing contemporary development to the north and south, and by leaf cover in the case of View 8. The character and composition of these views is not considered to change, with the proposed building seen as part of an existing group of contemporary tall buildings.

173. In views along Ropemaker Street (Views 10-12) the proposals are seen as creating a new façade to City Point Plaza. The character of the Proposals would appear appropriate to the prevailing contemporary architectural character of the plaza, applying a grid design principle to the main elevation so that the façade appears calm and ordered. The proposals have been designed to respond to and enhance the civic quality of the open space within the plaza. The proposals, including the proposed landscaping and lowering of the plaza to create a level access entry from Moor Lane and Moorfields, would enhance this civic quality of the open space through the human scale of the grid design, active ground floor, planting, and pedestrian prioritisation.
174. The proposals are designed to centre on direct views south within the plaza - its massing tallest at the centre where it addresses the public space, before dropping in height to the east and west to adhere to the prevailing shoulder heights in the immediate locality. As such, the proposals are considered to mediate between the existing architectural elements of the plaza and is a complimentary addition, sympathetic in terms of townscape heights and massing. The proposed scale is considered characteristic of the established urban environment around the plaza, establishing with the location of the taller elements creating a sense of hierarchy and composition.
175. Similarly, the introduction of a more refined bay design, and subtle colouration with the addition of timber and greening, is considered to positively integrate with the existing palette of materials in the locality. The timber and planted elements are considered to add interest and relief from the existing hard landscaping of the square, whilst the use of a strong grid to the façades ensures the building is sympathetic to the existing elevation treatments which front onto the plaza. Similarly, the activation of the ground floor is welcomed, aiding a sense of place which remedies the slight anonymous and backland character to the immediate site surroundings.
176. In other north south views along Moorfields (Views 13-16) the development would be seen to activate the frontage to Moorfields and New Union Street. The proposed shop front would emphasise a pedestrian scale and character. Improvements to the vitality of the site in particular is created through the works to New Union Street, with additional shelter and considered lighting design proposed.



177. As such, the proposal is considered to make a positive contribution to the local townscape in terms of legibility, proportions and materiality, having a direct and positive relationship with the street and would be of an appropriate scale. The proposals are therefore in compliance with D9 (C1; a; ii) and D9 (C1; a; iii).
178. In relation to D9 (C1; b), the proposal would reinforce the spatial hierarchy of the locality, providing a new civic emphasis on the open space of the plaza and aid legibility and wayfinding through the concentration of height to its southern end. The designs seek to bring together the various contemporary architectural treatments currently surrounding the plaza through the application of an ordered façade design which fosters a sense of harmony with the neighbouring buildings. The proposals include significant improvements to the public realm, with welcoming and sheltered pedestrian movements encouraged by sensitive landscape intervention across the plaza. This includes the removal of the existing ramp and split level of the plaza to create a continuous surface, as well as the set back of the upper storeys along the northern façade, creating sheltered passage below. The proposed new frontage to City Point Plaza to the northern elevation would further enhance a sense of specificity and identity to the open space's southern edge, aiding wayfinding and legibility.
179. Accordingly, the proposal would comply with D9 (C1; b).
180. In relation to architectural quality and materials (D9 (C1; c)), the scheme seeks to set new standards within the City environment using an innovative hybrid structure incorporating timber joists supported by an exposed precast concrete frame. The timber joists, timber framed windows and timber vents would reinforce a softer appearance from the public realm. To note, the mass timber components have been designed in compliance with the Structural Timber Buildings Fire Safety in Use Guidance, Volume 6 – Mass Timber Structures; Building Regulation Compliance B3(1). A complete description and assessment of the proposed buildings and public spaces is given in the 'Architecture and Urban Design' section of this report. In this respect the proposal would comply with D9 (C1; c).
181. In relation to D9 (C 1; d) a full assessment of impact with regards to heritage assets is detailed in the Heritage section of the report. Officers have identified a slight, very minor level of less than substantial harm to the significance of St Paul's Cathedral, through the proposals' slight encroachment into the clear-sky silhouette of the pediment. Otherwise, the significance and contribution of setting of a broad range of designated heritage assets would be preserved.
182. Comments have been received from the Surveyor to the Fabric of St Paul's and Historic England. These are discussed in the relevant sections below. For the reasons set out in detail in this report, it is considered there is clear and convincing justification for the proposed development. The development optimises the

capacity of the site, over and above the consented scheme whilst also transforming the streetscape to City Point Plaza and Moorfields, ensuring the quality of urban realm sufficiently reflects the transformational arrival of Crossrail and dramatically improving the extent of accessible inclusive open space in this important gateway location. To secure these benefits, alternative proposals have been explored including the previously consented scheme and the iterations to the scheme since submitted to arrive at an optimal balance, including reduction in height and amendments to the design to refine the presence of the proposals in relation to the setting of St Paul's Cathedral. Officers have further concluded that the scheme would deliver public benefits which would outweigh the slight harm caused. As such, the proposal would comply with D9 (C; 1; d).

183. In respect of D9 (C1; e), the proposal would not be visible in relation to the Tower of London World Heritage Site. The development site is not located within the local setting of the WHS and the Zone of Theoretical Visibility (ZTV, TVBHIA Appendix C) shows that there would be no intervisibility between the proposed development and the WHS.
184. In respect of D9 (C1; f) the application site is set well back from the banks of the river and is outside the Thames Policy Area. The proposal would have no impact on the surrounding scale, open qualities and views of the River Thames and not contribute to a canyon effect along the river, in accordance with D9 (C; 1; f).
185. In respect of D9 (C; 1; g), the proposal is not likely to cause significantly adverse reflected glare, as is set out in the solar glare section of this report. Detailed solar glare assessments post-completion would be secured through a S106 obligation. Further details of materials to ensure protection from solar glare would be submitted by condition to ensure compliance with D9 (C; 1; g).
186. In respect of D9 (C; 1; h), the potential light pollution impacts arising from the proposed development have been assessed and are set out within the Light Pollution section within the report. The proposal has been designed to minimise light pollution. This was a specific consideration, especially in views from Willoughby House where there would be an insignificant change at night compared with the existing situation. A condition has been included which requires the submission of a lighting strategy to be utilised to mitigate the impact of internal and external lighting on light pollution and residential amenity. The strategy shall include full details of all luminaires, associated infrastructure, and the lighting intensity, uniformity, colour and associated management measures to reduce the impact on light pollution and residential amenity. These would be provided and assessed as part of the relevant condition in order to mitigate the scheme's impact, particularly on residents. The proposal would comply with D9 (C; 1; h).

### *Functional Impact*

187. Through the pre-application process and consultation, the internal and external design, including construction detailing, materials, and emergency exits have been designed to ensure the safety of all occupants, and these issues have been covered in more detail in the fire safety, suicide prevention, security, public access, inclusivity, noise and vibration, and transport sections of this report. The buildings are not of a height to interfere with aviation, navigation, or telecommunications equipment. This is equally the case for any tower cranes associated with the construction of the buildings. The buildings would not have a significant detrimental effect on solar energy generation on adjoining buildings. The proposals are considered to be in accordance with London Plan Policy D9 (C; 2; a-f).

### *Environmental Impact*

188. The proposals have been found to provide safe and suitable levels of wind, and daylight and sunlight and temperature conditions would not compromise the comfort and enjoyment of the proposed new open spaces, when landscaping is provided. These are addressed in the daylight, sunlight and overshadowing, wind, thermal comfort, and noise and vibration sections of this report. Further details of the external materials would be provided by condition in order to ensure safe and comfortable levels of solar glare and solar convergence. Additionally, the design has given consideration for how the proposals can assist with the dispersal of air pollutants and would not adversely affect street-level conditions or create harmful levels of noise from air movements, servicing or building uses (see noise section of this report for further details), preserving the comfort and enjoyment of surrounding open space. It is considered the proposal would meet the environmental considerations of Policy D9 (C; 3; a-c).

### *Cumulative Impacts*

189. Where relevant the cumulative visual, functional, and environmental impacts of proposals have been considered throughout the design development, and assessed within their relevant sections, noting that the scheme did not require an EIA. The proposal would comply policy D9 (C; 4a).

### *Public Access*

190. The provision of a high-level, free-to-access viewing gallery as required by Policy D9 (D) was not felt appropriate in this location due to its proximity to nearby residential properties and the greater potential for overlooking from a public terrace, which are often open outside of office hours. Officers consider that the overall provision of and improvement to City Point Plaza as well as the creation

of a community hub at ground floor facing onto the plaza sufficiently offsets the lack of high-level viewing gallery in this instance; the proposal would therefore comply with D9 (D)

### **Tall Building Conclusion:**

191. Overall, it is the view of your Officers that the site is considered to be appropriate for a tall building and is a strategic delivery site complementing existing tall buildings in the City and the City Cluster.
192. As a matter of planning judgement, it is considered that the proposal would accord with London Plan Policy D9 A, B, C (1:a:ii-iii, b, c, d, e-h, 2-4) and D, Local Plan Policy CS14 (1, 2, 3 and 4) draft City Plan 2040 S12 (1, 3, 4-7, 8:b,d-e,9, 10:a,c-k), S13 (1,3-4).
193. There is some minor conflict with London Plan D9 C (1:a:i) and draft City Plan 2040 S12 (2,8:a&c,10:b) and S13:2 due to the minor, adverse impact of the proposal on the South Bank views described above. These impacts are identified below and addressed through the report. These conflicts with Development Plan policy are addressed at the end of the report when considering whether the proposal accords with the Development Plan as a whole, as part of the planning balance.

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

### **Architecture**

#### **Siting, context and optimisation**

194. The proposals seek to secure a significantly improved offer from the 2020 consented proposals. Located at an important transport hub and nearby the cultural anchor of the Barbican, the proposed scheme seeks to optimise capacity for growth in accordance with policy D3(A&B) of the London Plan, and meet the targets set out in S4 of the 2040 Draft City Plan for office floorspace, in an area undergoing transformation following improvements to Moorgate Station and the arrival of the Elizabeth Line. The scheme would deliver important enhancements to City Point Plaza, an key open space in the northern half of the city, currently undermined by the lack of step free access. Proposed landscaping, creation of level access and improvements to a sense of hierarchy and place to the plaza would elevate this space to become a key civic amenity that is suitable given its location close to this key arrival point, reinforcing a sense of identity, legibility, permeability, and inclusivity. The site is therefore considered appropriate location for an optimized capacity for growth, in compliance with London Plan D3(A&B) and CS 10(2).

190. The development proposals have evolved throughout the pre-application process, using a design-led approach that optimises the site capacity to accommodate significant growth, whilst improving architectural quality. Core CAZ activities would be intensified as a result of the proposals, including employment, complementary commercial and community uses, through the provision of a new community space at grade facing the plaza, which would be further enabled by a significant increase in the quality and inclusivity of public spaces and routes in the immediate site surroundings creating a healthy, diverse, and reimagined place. It is considered that the scheme would represent 'Good Growth' by design, in accordance with the London Plan Good Growth objectives GG1-3, 5 and 6 growth which is socially, economically, and environmentally inclusive.
191. The development would deliver a design solution which makes effective use of limited land resources in accordance with Local Plan Policy CS10 and emerging City Plan 2040 policy S8 and S6.1.

#### Present Site Condition and Context

192. The site is located in an area which has evolved considerably in the late twentieth century, following the post-war rebuilding to the northeast of the City, with later adaptation and expansion in the 1990s and new Millennium. Following post-war site clearance, Tenter House, Moorfields House, City Point (then Britannic House) were constructed throughout the 1960s. The three buildings completed the southern, western and eastern sides of the plaza, and were connected at below ground level under the plaza. By 1970 the buildings and plaza formed a distinct modernist development, with tightly defined inward-facing, geometric forms framing each side of the plaza, which itself provided a large, stepped area of open ground and hard landscaping including ponds.
193. Late twentieth century works to City Point to the northeast of the site created a substantial ground-floor galleria, curtailing the extent of the public realm in the plaza and its open quality as well as the loss of earlier hard landscaping including the ponds. These works have left the character of the plaza as a fragmented open area, with no clear sense of architectural hierarchy to the surroundings. The development was always inward looking, with the raised levels across the plaza creating a lack of permeability and service routes pushed outwards to Moor Lane, Moorfields and New Union Street to the west, east and south respectively. Wayfinding across the plaza is therefore compromised and confusing, diminishing the potential benefits such a large area of open space could bring.
194. Following the implementation of the 2020 consent, the demolition of Tenter House and works to clear the site are currently underway and is due to be fully cleared to ground by January 2025. To the south, the improvements to Moorgate Station and arrival of the Elizabeth Line have transformed footfall and the character of

Moorfields from a narrow secondary route to an important urban hub. The plaza is presently divorced from this hub through a lack of clear sight lines and routes from Moorfields, with the present route through including steps and crossing the off-putting open void of the vehicle ramp. This underwhelming entry point defines the access to the main eastern side of the site fronting onto the plaza and creates a significant barrier to the site's usability, notably undermining the quality and potential of the consented 2020 scheme. The location of New Union Street, a service lane accessing below ground car parking which also fronts onto Moorfields exacerbates this existing character, creating an overall 'back-land' quality either side of the Site's elevation to Moorfields. The utilitarian appearance of New Union Street is off-putting in terms of pedestrian safety, perceived as a service route and undermining the potential of this east-west route from Moorfields.

195. To the west, the entire western boundary to the plaza is occupied by the expanded City Point, including covered western pedestrian entry into the plaza. Further west, the Heron residential development almost equals City Point in terms of height, whilst further south the eastern limits of the Barbican Estate including Willoughby House create a distinct change in character. The significant height and extent of the City Point complex creates a substantial experiential barrier between the plaza, the Site and Moorfields, and the wider Barbican Estate.
196. In summary, the site surroundings and particularly the plaza is overwhelmingly characterised by the considerable extent of hard landscaping at ground floor. There is a general sense of anonymity, with routes through to the surroundings streets and wayfinding across its extent unclear, exacerbated by the lack of level entry access onto the plaza itself and ongoing visibility. In general, the buildings facing the square are experienced as isolated architectural episodes rather than part of a whole composition. While the consented proposals would create a change to the interior of the building plot, these works would not resolve the poor connectivity into the wider urban environment and lack variety of offer at street level or to the plaza, and lack an appropriate level of activation given the transformed importance of Moorfields. The entry into the plaza from Moorfields is particularly egregious, with a large below ground vehicle ramp subdividing the pedestrian route through into the plaza. The consented scheme also makes use of outdated revolving doors to Moorfields which are no longer considered acceptable in inclusive access terms. A diminished sense of place to the plaza is exacerbated by the lack of diverse uses surrounding the square with little ground floor activation and public permeability.

## Design Principles

### *Height, Form and Massing*

197. The development vision has evolved and is based on the fundamental characteristics of modern placemaking enshrined in the NPPF and the National Design Guide. The layout and built form would respond to metropolitan and local contexts, and the overall character of the proposal seeking to improve public permeability, activity and sense of place to the plaza. The proposals seek to address the flaws of the existing condition and consented scheme as outlined above, with a responsive design which reflects the renewed importance of the frontage to Moorfields, following the arrival of the Elizabeth Line to Moorgate, as well as the civic importance of the plaza itself. The siting of the tall building in this location is therefore seen as appropriate to its local context, sitting comfortably with comparable developments to the western side of Moorgate and surrounding the plaza, with the height of the surroundings and established characteristic of the plaza since the post-war period, whilst optimising office capacity. The proposals are comparable in height and sit within an established hierarchy of tall buildings including City Point Tower and 21 Moorfields.
198. The massing has been organised to create a central emphasis in the elevation to the plaza, concentrating height to the middle of the plot whilst simplifying the number of volumes in comparison to the consented scheme, reducing from five to three, including a small inset between the eastern lower volume. The strong central emphasis creates a sense of considered order and hierarchy, establishing a strong architectural identity to views south within the plaza. The setbacks and positioning of the upper storeys have been arranged to avoid impacts upon distant LVMF views 8A.1 and 16B.2, which fall to the southeast of the site. Equally, the proposals step down to meet the shoulder line of new developments on Moor Lane and Moorfields. There is a generous roof terrace at 14<sup>th</sup> floor, allowing for mature tree planting, further adding to the urban greening of the site visible at a distance and creating a set back to the upper levels.
199. The building would rise to +95.25m AOD to the top of the 21-storey element, and to +71.55m AOD to the top of the balustrade to the 14-storey element. The building would rise to 81.2m AGL. The proposals as originally submitted were for a ground-plus-21 storey building at +99.9m AOD, but this was reduced during application stage as addressed in the Design and Heritage sections of this report.
200. The massing fundamentally adheres to the principles of the 2020 consented scheme, whilst acknowledging that the proposals reflect an increase in height to the both the Moorfields frontage and to the tallest elements. With regards to its siting, height, form and mass, the proposals are seen as contextually appropriate at a local townscape level, and conforming to an established context of new development along Moor Lane, whilst taking opportunities to remedy elements of the public realm. The proposals reinforce the sense of place and urban character by reinforcing building lines to the plaza and defining access onto the open space,

creating an improved permeability to the urban grain which would dramatically enhance a welcoming, equitable and inclusive character to the area.

201. Minor amendments to the submitted scheme have been undertaken following an identified distant visibility of the uppermost levels of the proposals from the South Bank which, do not impact the protected views identified within the LVMF, but were found to have an adverse impact on kinetic views of St Paul's Cathedral, diminishing the contribution of setting to the significance of this Grade I designated heritage asset. The amendments have therefore reduced the height of the proposals by 4.66m, removing a storey and re-arranging plant and addition of greening so that the visibility and impact of upper level of the scheme in these views is substantially reduced. The impact on St Paul's is discussed in more detail below.

*Detailed Design, architectural expression and materials*

202. The detailed façade design has sought improve the bay design of the consented scheme, celebrating the use of timber elements to the structure which are revealed in the external window surrounds. The use of timber in the façade provides a welcome softness which further relieves the hard character of the plaza. The structure, a hybrid system which combining timber joists within an exposed precast concrete frame, is purposefully legible, creating an integrity and simplicity to the external architecture, allowing for a calm and ordered approach which priorities harmony. The internal structure is therefore readily appreciable and expressed in the exterior façade, resulting in an elegant simplicity to the external appearance, which appears consistent with glimpsed interior ceilings. The textures and grain of both the pre-cast concrete and timber elements are the key expression of the architecture, with the simplicity of the exoskeleton grid structure allowing this texture to lead the look and feel of the elevations.
203. The 'grid' system to each bay design also creates a balanced appearance around the plaza appearing complimentary to the modernist principles of Moorfields House, the only unaltered building of the original BP scheme, as well as the glazing of City Point.
204. The external materials are designed to reflect the structure, comprised of oak vertical inward opening timber window panels and inner window reveals, a slim brushed aluminium window frame with pre-cast concrete for the overall grid, window spandrels and planters. This exterior façade treatment would be seen alongside glimpses of the structural timber Gulam beams and pre-cast concrete columns, creating an overall harmonious finish with a distinct feel and grain. The final finishes and quality are to be secured via condition to ensure durability and resistance to weathering and wear.



205. The approach to integrated lighting has limited to a subtle emphasis on the building hierarchy, focusing on entrances and green elements, highlighting the use of timber. The final lighting scheme is to be controlled via condition to avoid light spill onto neighbouring properties or adverse impact on residential amenity.

#### *Elevational treatments*

206. The geometric grid bay design is applied to each elevation, including the lower and upper volumes, creating a sense of continuance and order to the scheme as a whole, with adjustments to the depth of enclosed space to each elevation to create a sense of rhythm and hierarchy. The principal eastern, western and southern elevations push the grid form of each elevation, inseting the enclosed mass, to create an 'exoskeleton' which allows for additional hanging greening. This includes balconies to the eastern Moorfields elevation, which aids a softer appearance and sense of permeability and activity appropriate to this important route. Additionally, the exoskeleton around the western lower volume ensures an additional set back of the window line from outward views from the Barbican Estate. The extent of planters and greening to the facades is a considerable improvement above the consented proposals, which adopted an overly glazed and impermeable character, which Officers consider lacks the proposed nuanced and textured architectural character of that now proposed. The overall urban green factor of the proposals is higher at 0.54 (inclusive of plaza works), in comparison to 0.36 for the consented proposals. The exoskeleton approach also offers integrated solar shading to the interior. The overall approach is considered to be detailed and visually attractive, improving on the consented scheme.

207. A further inset continuous bay of planters is positioned at the transition on the northern elevation fronting the plaza on entry into the full extent of the open space. This responsive approach reemphasizes the importance of the plaza and centres the northern elevation to create a sense of focus and hierarchy whilst adding to the green soft character of the façade. The northern elevation also features substantial columns at ground, rising three stories to give the principal building entrance gravitas, and acknowledging the importance of the plaza façade through the single break in the grid structural form. This break in the grid reveals the full extent of the timber supports, which create soft verticals to the lower three storeys of this elevation and aids a sense of rhythm.

208. The lower levels of the western elevation are screened from view by the full extent of the City Point development. The use of the exoskeleton and planters wraps the northern western corner, continuing for three bays before the façade line recesses to reflect the inset site boundary, and the prevailing grid design is continued. The majority of the southern elevation adjoins 21 Moorfields and is therefore left blank, aside from the projecting western volume noted above, the

upper volume above the 14<sup>th</sup> floor terrace and final eastern seven bays of floors 12 and 13.

### *Streetscene*

209. Complimenting the significant improvement works to the plaza, outlined in full under the urban design section below, the proposed new urban frontages consistently deliver a high quality and active streetscene, that improves upon the consented proposals. The proposals include the full extent of the frontage to Moorfields given over to a restaurant, creating a vibrant, active and permeable ground floor where adjacent to Moorgate Station, creating additional natural surveillance. This use is sheltered by the cantilevered third floor, whose height allows the open quality at street level to remain. Provision for signage has been incorporated into the elevation, with the proportions and placement reflecting a human scale. Attention has been paid to the soffit of the cantilever, using timber to create an inviting warm presence at street level and offer visual relief from the hard surfaces in the urban environment. This active use would be complimented by the commission and installation of public art to New Union Street, secured as part of the Cultural Strategy and through condition, creating an inviting and diverse offer at street level, drawing footfall north towards the plaza and alleviating the back-land quality of New Union Street.
210. To City Point Plaza, the use of columns creates a sense of hierarchy which responds to the important open space of the plaza, with projecting third floor allowing a sheltered route north-south. The colonnade length reinforces the horizontal open extent of the plaza, enhancing the clarity to the building line, and bringing a sense of order to what is presently experienced as a fragmented space, as well as defining the limits to the office use. Further activation is created with the provision of a community space, with a dedicated entrance and plaza frontage. Provision for specific and separate signage for the community space has also been incorporated into the design, with a clear legibility to the range of public and private environments. As with the eastern elevation, the use of timber and greening is considered to rehabilitate the southern end of the plaza as existing whilst offering a much more responsive, diverse and generous façade than that of the consented scheme.
211. The approach to servicing has been integrated throughout, and designed to minimise effect on the street scene appearance by prioritising less prominent locations and avoiding monocultural uses. Subsequently the use of louvres is limited to the western interior of New Union Street and the screened section of the western elevation as well as at roof level. The eastern end of New Union Street remains as exit only for vehicular traffic which, along with the improvement works to New Union Street, would prioritise pedestrian permeability.

### *Interior and Ground Floor Design*

212. The floor plans and design to the interiors are considered to be high-quality and reflect the wholesale activation of the ground floor, with a diversity of uses that optimise the site for engagement with diverse communities and occupiers. The openable windows encourage a healthy inclusive working environment which prioritises comfort, and a tactile welcoming environment. The layout of the office floors is considered flexible and inclusive, whilst allowing passive ventilation. It includes provision for a restaurant to Moorfields, recognising the important point of access from pedestrian traffic from the station into the plaza. Enlivening of the plaza is also realised through the creation of a coffee bar within the office reception, as well as a separately accessed community space to the west, with its own dedicated accessible WC and storage space. The scheme is a dramatic improvement upon the consented scheme which prioritised the office use at ground floor, which remained unaligned with the open extent of the plaza. While a retail unit to the plaza was originally included prior to the scheme amendments, its position at ground floor was not best placed to make use of foot traffic from the station, leaving the entry into the plaza as backland area. Similarly, the provision of accessible ground floor WCs is tripled from the consented proposals, with an overall increase from one to six ground floor WCs in total. Equally, active travel and provision for cyclists has been prioritised, again improving against the consented scheme by 161 net spaces.
213. As above, the proposed treatment to New Union Street is considered an improvement upon the consented scheme, which prioritises pedestrian movement, encouraging a welcoming character through the use of quality paving, considered lighting and decorative detail to instil a human scale, whilst retaining below ground level access to a loading bay. New Union Street is proposed as a location for public art and the Cultural Strategy sets out the strategy to bring this to fruition, as secured through S106 obligation.

### *Roof terrace, balconies and upper levels*

214. Barbican residents and amenity groups have raised concerns regarding the impact of the terraces regarding overlooking.
215. The terraces at 14<sup>th</sup> and 19<sup>th</sup> floors and balconies to the east have been designed in accordance with policy DM 10.3 in mind, having regard for neighbourliness, and are sympathetic to the prevailing contemporary architectural character of the surroundings. The design of the balconies and terraces are integral to the overall architectural approach, utilising the grid as the basis for the balustrades, so that they form a consistent sympathetic whole, whilst ensuring appropriate amenity for the occupiers. The incorporation of planting and trees to the elevations, including a continuous stretch of planting and greening, with a focus on trees to the terrace

at 14<sup>th</sup> floor which together with the green roof promote a biodiversity throughout the building, whilst remaining safe and secure, and providing important amenity and respite. Timber benches are incorporated into the curved 200m raised planters to allow flexible and accessible seating, with limestone paving to the floor surface. The detailed design of these elements would be secured via condition, to ensure quality and safety.

216. As outlined above, the scheme has amended the design of the upper volume, lowering the height by 4.66 meters, including the reduction of the height of the roof plant parapet. Photo-voltaic solar shading in the form of a brise soleil has been added to the south facing windows. At the 19<sup>th</sup> floor, a series of horticultural wires, set away from the façade, provides an armature for evergreen climbing plants to provide further screening in the distant views from the South Bank noted above, as well as screening the proposed louvres to the plant area. The plants have been intentionally selected for reduced fire risk, and integrated fire proofing is also proposed. The roof level includes a substantial green roof, as well as housing for the BMU.

### Summary

217. Overall, the proposal would optimise the use of land, delivering a high quality, mixed-use building, and reinforcing a renewed sense of place to the plaza and Moorfields. The architectural response is considered to be thoughtful and would positively transform the plaza and reconnect the site into the surrounding urban realm, using a responsive approach. The proposals would pay attention to sustainability and microclimate, whilst creating a welcoming and inclusive environment at both street level and the interior, demonstrably improving upon the consented proposals. The urban greening, timber architectural expression and activation at ground level, including the prominent siting of a community space facing the plaza, are particular benefits over and above the permitted scheme. The architectural character, through its calm, ordered and tactile appearance is engaging and distinctive, improving upon the now dated appearance of the consented proposals. The bulk, height, massing and quality of materials and design approach would be appropriate to the character of this part of the City, whilst aspiring to a softer green articulation appropriate to the future ambitions of the City. The proposal would constitute Good Growth by design and would comply with National Design Guide policies, Local Plan design policies CS10 and, DM10.2 and DM10.3, emerging City Plan policy S8 and DE2 and London Plan DE3 and DE4, contextualised by its Good Growth objectives GG1-6).

### **Public Realm**

218. The design for the public realm seeks to improve connectivity, wayfinding, and sense of place to the plaza, reconnecting the site and open square within its

surrounds. As such, optimising the ease of pedestrian movement has directed the development of the proposals, improving the extent to which the plaza provides a continuous easily accessible open space, enhancing its civic qualities.

219. The proposals are in line with best-practice in Urban Design and Placemaking. The layout of the ground plane with its arrangement of routes, spaces and uses would rehabilitate the plaza which in the immediate context of the site. As outlined above, the site is presently experienced as a backland area, not commensurate with its position around the important public realm of the plaza. Fundamentally the proposals would instil a sense of place and welcome appropriate to the sites gateway location from Moorfields into the plaza.
220. The significant greening of the elevations, over and above the 2020 consented scheme, is matched by planting proposals to the plaza itself. Specifically, the design has sought to encourage dwell times within the plaza, which combined with the proposed active uses at ground floor, would draw footfall from Moorgate Station. This is considered to encourage further activation of the square and establish a civic character, emphasising a broader pedestrian and cultural desire line from the Liverpool Street Station in the east to the Barbican and Guildhall School of Music and Drama in the west.
221. The proposals would comply with Policies D3, D8, T1 and T2 of the London Plan 2021, as well as CS10, CS16, DM10.1, DM10.4, DM10.8, CS16, DM16.2, CS19, DM19.1, DM19.2 of the City of London Local Plan (2015) policies and policies S10, AT1, S8, DE2, DE3 of the emerging City Plan 2040, and, the City of London Public Realm SPD and the City Public Realm Toolkit. The creation and/or improvement of new and existing public spaces and routes is considered by officers to be an important benefit of the scheme, and represents an improvement from the 2020 permission.

*Layout and disposition of buildings, uses and public spaces*

222. The chief intervention into the plaza is the removal of the existing car park ramp at the entry into the plaza from Moorfields, creating a welcoming gateway into the plaza, with footfall encouraged by the placement of mature trees and raised planters with incorporated seating. The approach offers moments to sit and dwell whilst also facilitating wayfinding by allowing clarity to accessible routes directly west across the square to Moor Lane, sheltered by the projecting upper floors of the northern elevation of the proposed building. The detailed design of the seating would be controlled by condition, to ensure these are safe and welcoming for all users include those with additional access needs. The clarification of desire lines improves the existing condition of the plaza which, due to the existing ramp and split levels, makes routes through to the surrounding streets difficult to perceive. The removal of the existing Pret a Manger structure and reworking of the junction

between the proposed building and City Point would enable this greened space to be enjoyed with views across to the full extent of the plaza to north, adding to the sense of openness. Fundamentally the removal of the ramp and raised platform within this location significantly improves the accessibility and permeability of the plaza. Further assessment of the accessibility benefits of the scheme are outlined within the 'Access and Inclusivity' section below.

223. Further emphasis to the buildings northern entrance is given with raised planters and mature trees, creating a sense of composition to the northern façade and southern termination of the square in views across the plaza from the north. This is considered beneficial to the wider enjoyment of the plaza itself, encouraging a sense of respite and leisure within the open space, which is in accordance with the frequent activation of the square with public art (curated by Brookfield as owners of City Point Plaza).
224. The improvement of pedestrian priority along New Union Street is also welcomed, with improved lighting and shelter to encourage permeability. Public art is also proposed as part of the lighting installation and culture strategy, creating a sense of activation which remedies what is currently a dark and off-putting side passage. This aspect of the proposals is in support of the Culture Mile BID and wider aspirations to provide connectivity between Liverpool Street and the Barbican/Smithfield 'area of change'.
225. The selected palette of materials for the proposed landscaping conforms to the CoL paving standards, matching the existing paving within the plaza. New Union Street is proposed to be paved with granite sets, with the footpath utilising Yorkstone. Full details are reserved by condition as New Union Street is private highway and City Point Plaza is permissive path/designated Open Space (see Transport section below).

#### *Active frontages*

226. The proposals would create activation along the ground floor, providing a community unit to the northern elevation at the entrance into the plaza from Moor Lane/City Point, as well as a restaurant fronting Moorfields. This would add a vibrancy to the southern portion of the square and improve the prior conditions of the site. This activation is also consistent with pedestrian routes from Moorgate Station to the south and is supportive of wider aspirations to link Liverpool Street with the Barbican/Smithfield Area of Change. These active elements would also now be entirely accessible, where stepped access presently exists.

### *Public realm, management, cultural and programmable events*

227. The lowering of the plaza by 500mm would allow the entirety of the open area to be level, improving the capabilities for the plaza to play a bigger role in publicly accessible events. Further, the cultural strategy identifies an opportunity for cultural activity in the ground floor reception area, supported by the ground floor community use. As such, the publicly accessible ‘interiors’ at ground floor would complement the public realm.
228. Proposals for New Union Street include 139 meters allocated for a new ‘landmark’ public art commission running the length of the covered street within the applicants’ control. New Union Street would support the Culture Mile BID by enhancing the legibility of connecting routes between major surrounding cultural institutions - including the Barbican Centre, Museum of London, Guildhall School of Music and Drama and The London Symphony Orchestra.
229. The appropriate management, curation, and programming of the public realm, both internal and external, would be ensured via condition. A Public Realm Management Plan to be secured by condition would ensure the spaces achieve the highest standard of inclusive design for a diverse range of users, whilst ensuring that appropriate management arrangements are in place which maximise public access and minimise rules governing the space, in accordance with London Plan Policy D8 and guidance in the Public London Charter. Overall, the proposals appear to maximise public access through the provision of publicly accessible internal and external spaces; this is a very positive aspect of the proposals.

### *Transport related urban design considerations*

230. The proposed servicing strategy would separate vehicle servicing access from areas of high pedestrian footfall or dwell spaces insofar as possible, allowing the public realm to perform a variety of functions without being disturbed by the presence of large vehicles. In addition, the existing car park ramp and below ground parking would be replaced, enabling the lowering of the plaza, level access across its extent, and new landscaping. The proposals have been assessed to ensure they are serviced, maintained and managed in such a way that would preserve safety and quality, without disturbance or inconvenience of the surrounding public realm, in accordance with London Plan (2021) Policies D3 (4) and D9. It is noted that the east west one way street to New Union Street is exit only, reducing vehicle traffic along its extent.
231. Hostile Vehicle Mitigation (HVM) has been sensitively incorporated in the public realm, through sensitive use of a mix of “softer” measures such as a HVM compliant planters including dense landscaping and tree planting, with a limited

number of bollards wholly on private land as opposed to public highway. The proposals are considered to be in accordance with City of London Local Plan (2015) Policy CS3.

232. Overall, the proposals would be accessible and welcoming to all, and would provide streets and public spaces which would dramatically improve the urban environment. Walking and cycling are the most sustainable transport modes, the proposals rightly prioritise them. The proposed development would enhance the streetscape in terms of attractiveness and functionality for those users, it is reachable from numerous public transport interchanges on foot, with good cycle lane provision in the vicinity and high-quality cycle facilities with prominent and legible entrances. The provision of cycle storage and parking in the basement would prioritise the needs of active travellers and provide high quality facilities to support and encourage active travel.

### *Greening*

233. DM 10.2 of the Local Plan and S8(7) of the emerging City Plan and London Plan Policy G5 requires major development proposals to contribute to the greening of the City 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. The proposals include provision of a substantial number of trees and planting across the site area. Urban greening is detailed further in the Sustainability (Urban Greening) section of this report. The proposed urban greening is well designed and contributes to the overall quality and character of the proposed buildings, and public realm and is considered to be compliant with London Plan policies D3, D8, G1, G5 and SI13, and City of London Local Plan (2015) Policies DM10.2, DM10.4, CS15, DM15.5, DM19.2 and emerging Policy S8(7) of City Plan 2040.

### *Materials*

234. The proposed approach would seamlessly stitch the site into its wider urban context. The materials selected are considered to reinforce the public character of the plaza and New Union Street. At ground floor level, the use of York Stone, and Granite sets to New Union Street would create a consistency in the design and appearance of the adjacent streets and the public spaces. This would suggest to pedestrians that the space is publicly accessible in a welcoming manner, utilising the material palette and detail established in the City Public Realm SPD and the associated Public Realm Toolkit, with final detail reserved for condition. The materiality of the public realm and all associated furniture is considered to be acceptable; it is in accordance with Local Plan (2015) Policies DM10.1, DM10.4, London Plan (2021) Policies D3, D4 and D8.



## *Lighting*

235. Lighting would play a key role in the success of the development, to keep people safe and secure, to contribute to placemaking and to enhance heritage. Initial concepts have a multifaceted approach, cognisant of residential amenity and sustainability to minimise obtrusive light as much as possible. The TBHVIA has also provided some nocturnal experiences including views 4N and 12N. The final proposals would develop the positive impacts of the lighting strategy, to realise social and ecological benefits. Initial concepts have been presented for the different character areas within the public realm. A final detailed Lighting Strategy would be subject to condition to ensure final detail, including from, quantum, scale, uniformity, colour temperature and intensity are delivered in a sensitive manner in accordance with the City of London Lighting Supplementary Planning Document (SPD) 2023, Local Plan Policy DM 10.1 and Draft City Plan Policies S8, DE3 and DE9, and with regard to impacts on heritage assets. The final design would deliver low level and architectural illumination which enhances the pedestrian experience.

## **Architecture, Urban Design and Public Realm Conclusion**

236. The proposal amounts to a complex and high-quality piece of design in response to local and pan-London contexts. The proposals would constitute Good Growth by design and would be in accordance with Local Plan Policies CS10 and DM 10.1, emerging City Plan Policy S8 and DE2, London Plan D3 and D8, the policies contained in the NPPF and guidance in the National Design Guide, contextualised by London Plan Good Growth objectives GG1-6. Various conditions are proposed to ensure that the promise of the proposals is fully realised at detailed design, construction, and operational stage in accordance with D3(12) of the London Plan and S8(14) of the emerging City Plan 2040.
237. Overall, it is considered the proposal would optimise the use of land, delivering high quality office space, offering a greater diversity and more active streetscape when compared to the consented scheme. The improved access, quality and extent of the plaza is substantive. It would improve the site's interfaces with and contribution to the surroundings whilst delivering a huge improvement on what should be a valued open area, closely located to an important transport hub. 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.

## **Views and Heritage**

### **Strategic Views**

238. London Plan policies HC3 and HC4, Local Plan 2015 Policy CS13 and emerging City Plan 2040 policies S12 and S13 all seek to protect and enhance significant City and London views of important buildings, townscapes and skylines. These policies seek to implement the Mayor's London View Management Framework (LVMF) SPG, protect and enhance views of historic City Landmarks and Skyline Features and secure an appropriate setting and backdrop to the Tower of London. Policy S23 of the emerging City Plan 2040 seeks the same and takes into account the Tower of London World Heritage Site Management Plan (2016).

#### Tower of London World Heritage Site

239. The site is not located within the Local Setting of the Tower of London and the proposal would share no intervisibility with the World Heritage Site in any of the Representative Views identified in the LVMF or the Local Setting Study. The Zone of Theoretical Influence (TBHVIA Appendix C) shows that there would be no intervisibility between the proposed development and the WHS, including its local setting area.

#### London View Management Framework Impacts

240. The building is sited to avoid harmful impact upon designated Protected Vistas towards Strategically Important Landmarks (SILs), including St Paul's Cathedral and the Tower of London (ToL). The location of the development lies within the Background Wider Setting Consultation Area of Linear View 8A.1 Westminster Pier, and within the field of view of LVMF 16B.2 The South Bank: Gabriel's Wharf. While no visibility has been identified in these views, verified wireline views have been produced to provide certainty and assess the potential impact of the proposals upon these views. Comparison to the visuals produced for the consented scheme are also included within the TBHVIA where relevant and are assessed in detail below. Officers note potential harmful impacts to LVMF 16.2 and LVMF 8A.1 were referenced in objections received from the Barbican and Golden Lane Neighbourhood Forum. The assessment below seeks to provide clarity on these points.
241. Please note that while Historic England's consultation response referred to a visible impact in the 'approach' to 16B.2, Officers wish to clarify it is the spatially defined viewpoint and associated vista that is protected under the LVMF. Accordingly, the impacts raised by HE are discussed under assessment of local strategic views points and heritage assets below. For the avoidance of doubt, there is no visibility of the proposals within 16.B1 or 16.B2 as defined by the LVMF and its management guidelines.
242. It should be noted that the 'baseline' in this assessment is the existing scenario with the previous building on largely site cleared, in accordance with the legal implementation of the previous consent. It is not possible to represent that scenario in the photograph without significantly altering the images and therefore

an additional modelled image to show the fully cleared site is supplied throughout the TBHVIA, and this has informed officers' assessments.

243. With regard to other LVMF viewpoints, the development falls within the field of view of the following:
- View A1, LVMF1A.1 Alexandra palace.
  - View A2, LVMF 2A.1 Parliament Hill
  - View A3, LVMF 3A.1 Kenwood Viewing Gazebo
  - View A4, LVMF4A.1 Primrose Hill: The summit.
  - View 1, LVMF 8A.1 Westminster Pier
  - View A5, LVMF 13A.1 Millennium Bridge
  - View A6, LVMF 15B.1 Waterloo Bridge; downstream Westminster bank;
  - View A7, 15B.2 from Waterloo Bridge; downstream Centre of bridge;
  - View A8, LVMF 16B.1 The South Bank: Gabriel's Wharf;
  - View 2, LVMF 16B.2 The South Bank: Gabriel's Wharf
  - View A9, LVMF 17B.1 Golden Jubilee/Hungerford Footbridges: downstream – crossing the Westminster bank.
  - View A10, LVMF 17B.2 Golden Jubilee/Hungerford Footbridges: downstream – close to the Westminster bank.
244. Of these, in Views 1.A.1, 17.B1, 17B.2, 16B.1, 15B.1, 15B.2 and 2A.1 the proposals are entirely screened by development in the baseline conditions. Within views 13A.1, 4A.1 and 3A.1 there would be very partial glimpses of portions the uppermost levels of the proposals, seen below the prevailing horizon line created by existing development. These glimpses were not found to engage any of the visual management guidance within the SPG for each view, and while partially visible, would not constitute a change in the baseline character of each view and, accordingly, it is considered that the proposals would not have an impact on these views and are therefore not assessed further in respect of them.
245. Regarding View 1 LVMF 8A.1 (Westminster Pier) and View 2 LVMF 16.B.2 (The Southbank: Gabriel's Wharf), the proposals have been demonstrated, including with a telephoto lens, to be totally occluded by either a recently implemented scheme or the Cathedral itself. As such the proposal would have no impact on these views.
246. As such, the proposal would have no impact upon the relevant LVMF Assessment Points and would therefore preserve the setting of St Paul's as the Strategically Important Landmark in LVMF views. The proposals are therefore in accordance with Local Plan Policy CS 13(1), draft City Plan 2040 Policy S13 and London Plan 2021 policy HC4 and guidance contained in the LVMF SPG.

### **City of London Strategic Views**

#### **St Paul's Heights – Viewing Points:**

247. Kinetic views of the Cathedral from the south bank are identified within the Protected Views SPD, falling under the 'St Paul's Heights' policy and

implemented under CS13 of the Local Plan. The policy comprises two parts, firstly an overall height threshold within a defined geographic area known as the 'St Paul's Heights Policy Area' (Figure 4) and secondly a series of local views of the Cathedral from the Thames bridges, certain points to the north, west and east, as well as an approximately 1.92km stretch of the Southbank identified in Figure 3 of the SPD. As defined in paragraph 2.17 of the SPD, the function of these defined views is to protect the Cathedral's backdrop and skyline setting.

248. As described within the SPD, views across the riverside and bridges towards the Cathedral form a continuous and extensive kinetic experience, where the visible extent and degree to which the Cathedral's silhouette is seen against clear sky changes as the viewer moves along the waterfront. This varied character is defined and acknowledged within the SPD, noting a distinction between the areas where tall buildings are seen in juxtaposition with the Cathedral, backdropping the Dome, Western Towers or Cathedral roof, and areas where St Paul's is appreciated against clear sky, with no tall buildings in the backdrop (paragraphs 2.18 and 2.19). The SPD specifically defines the 1km stretch of the Southbank between New Globe Walk and Gabriel's Wharf as 'compromised', noting that in these locations "...tall buildings can be seen behind the dome or western towers so that their outlines are impaired. From other viewpoints tall buildings appear above the roof of the Cathedral or crowd close to the Cathedral on the skyline.' The SPD specifies that within this stretch of the South Bank new development should 'aim not to worsen and, where possible, to improve' the backdrop of these views.
249. The HTVIA has identified potential visibility of the proposals from a stretch of riverbank immediately south-east of the LVMF 16B.2 Assessment Point. Seen from here, the uppermost storeys of the proposals would be fleetingly visible, seen briefly in a sequence where, alongside 5 Aldermanbury Square and 120 London Wall, development appears between the western pediment and western towers of the Cathedral. This includes a short stretch of approximately 19m of pavement from which the north-western tower, pediment and Cathedral roof are presently seen against clear sky. Views 2.1, 2.1T, 2.1N and 2.2, 2.2T and 2.2N show in this stretch the proposals would be visible, reducing the extent of the Cathedral's silhouette appearing against open sky, seen below the central Apostle sculpture at the top of the pediment, but leaving the apex of the pediment remaining appreciable against clear sky.
250. As originally submitted, the proposal had a more visible and harmful impact on this view, rising to the shoulder height of the Apostle and therefore dominating the Cathedral to an unacceptable degree. Amendments have subsequently been made to address this impact to lower the height of the scheme so that it sits below the apex of the pediment, therefore reading as clearly subservient to the Cathedral, and now occupying only a sliver of sky space behind it.

251. The impact would be further mitigated by the addition of greening to the southern façade, creating a visual softness and contrast which would allow the Cathedral fabric and architectural composition to remain entirely legible and distinct. When viewed with a standard lens, the discernible visual impact of the proposals is also reduced and equally in the night time scenario this impact is reduced still further.
252. While an appreciation of the western front's composition and overall legibility on the skyline is therefore considered to remain intact, officers consider the loss of a sliver of open sky in the backdrop to the west front of the Cathedral to create a slight erosion of its skyline setting. Within the framework of the policy, the scale of this erosion should be considered in context, noting that this kinetic experience as existing is already defined as 'compromised' in the language of the SPD, with 120 London Wall and 5 Aldermanbury also appearing behind the pediment and roof of the Cathedral along this stretch of riverfront. Equally, given this baseline character, the extent to which the visual impact of the proposals equates to a 'worsening' of the backdrop condition is limited to approximately 19 metres of a much larger 1.92km riverside experience.
253. For completeness, viewpoints to the west of the LVMF 16B.2 Assessment Point has been considered. View A16 also shows the proposals partially visible along the waterfront, seen in the adjacent to the northern cathedral tower terminating below the top of the clockface. In this location, however, the Cathedral's silhouette is substantively backdropped by the Barbican towers and 120 London Wall. Therefore, while the proposals are visible, they have a far lesser impact compared with the other impact described in the preceding paragraphs, and are found to comply with paragraph 2.19 of the SPD, maintaining the existing skyline character to the Cathedral in this view which is backdropped by tall buildings in the baseline condition.
254. In summary and notwithstanding the mitigation noted above, Officers find that in view of the loss of a sliver of open sky backdropping the Cathedral assessed in paragraphs 262-269, the proposals incur a conflict with the language of the Protected Views SPD and therefore with policy CS13(2) of the Local Plan and Draft City Plan Policy S11.2 , S12.8(a).

### Monument Views

255. As contemplated by Local Plan policy CS13, the Protected Views SPD identifies views of and approaches to the Monument which are deemed important to the strategic character and identity of the City. The proposals fall outside of these viewpoints and approaches, and would not impact Monument Views as identified by the policy.

### City Landmarks and Skyline Features

256. Core Strategy Policy CS13 (2) seeks to 'protect and enhances' views of historic City landmarks and skyline features. At maximum of +95.25m AOD and given the height of surrounding developments and its contemporary architectural context, the proposals have only a very limited visibility along the skyline. View A15 shows a barely imperceptible portion of the proposals will be visible from the southern end of Millenium Bridge, appearing east of City Point in the backdrop of St James Garlickhythe. However, in this view the proposals fall well below the prevailing horizon line, with no loss of clear sky silhouette to the church tower, retaining its distinct form on the skyline. Equally, while the closest City Landmarks and skyline features to the proposals are St Giles Cripplegate and the Barbican Towers, due to the location of the proposals to the east, intervening and neighbouring development and the overall conformity to the prevailing heights in the immediate locality, the scheme is found to protect the existing views of these skyline features (Views 3, 4 and 14).
257. The impact on St Paul's Cathedral as a 'City Church with a Skyline Presence' would be as set out above in the section on the St Paul's Heights views at paragraphs 247 – 254 resulting in a slight minor adverse impact to its skyline presence in conflict with Policy CS13(2).

### City of London Strategic Views Conclusion

258. Officers have identified a loss of a sliver of open sky in the backdrop of St Paul's as seen from the Southbank. While the extent and impact of this loss is considered to be small, when assessed against the language of the Protected Views SPD, a minor degree of conflict arises with policy CS13 (2) of the Local Plan and Draft City Plan Policies S11.2 and S12 (8:a). This conflict is considered as part of the planning balance exercise at paragraphs 667 onwards.

### **Designated Heritage Assets**

259. Objections have been received from Surveyor to the Fabric of St Paul's Cathedral and Barbican amenity groups and as part of individual residents' objections, concerns have been raised in respect of the impact that the scheme would have on the setting of St Paul's, the Barbican Estate (Grade II), Lutyens House (Grade II\*) and surrounding conservation areas. These objections relate to the consolidation of taller development along Moorfields, and the location of the upper part of the proposals within the western portion of the site, which residents felt diminished the contribution that setting made to an appreciation of each asset's significance by intruding on views from the Estate interior, including Gilbert Bridge, Willoughby House and from Finsbury Circus, and lessening the extent to

which the composition of the Barbican Estate buildings are presently experienced as a whole.

260. Officers have considered representations carefully. There is some consensus, but clear disagreement in the application of professional judgement. Where disagreement exists, clear reasoning has been provided in this report.
261. Where the impact of the proposals on the significance of heritage assets is considered the same due to the proximity of an asset to another and inter-related significances, these are grouped below as appropriate and proportionate to the level of impact and sensitivity of the asset, in accordance with paragraph 200 of the NPPF.

### **Indirect Impacts (Designated Heritage Assets)**

#### St Paul's Cathedral

##### *Significance:*

262. London's and one of the nation's most famous landmarks, it was London's first cathedral and one of the earliest sites of Christian worship in Britain, now identified as one of one of London's two Strategically Important Landmarks, being also the seat of the Bishop of London, the mother cathedral of national and international Anglican church, a ceremonial centre and the backdrop of royal and state ritual and pomp and the final resting place of figures central to the national story, a place of national commemoration and celebration. It is the masterpiece of seminal national figure and architect Sir Christopher Wren (with input from other notable designers and crafts people overtime) and of the distinct English baroque style. It was central to the adoption of classical architecture in Britain, and symbolic of the restoration of London post Great Fire as a major European political, cultural and economic capital. It is of outstanding national and even international heritage significance. That significance is architectural, historic, artistic, archaeological, evidential and communal (social, commemorative, spiritual and symbolic). This significance is inherent in the iconic architectural form and composition, and in its plan form, fabric and those memorialising fixtures comprising statuettes to mausoleums.

##### *Setting:*

263. In terms of setting, for hundreds of years it was the tallest building in London. It was strategically sited atop Ludgate Hill, a rare topographical moment in City of London and one of its highest points, with a commanding position overlooking the River Thames. Following the great rebuilding act (1667), Wren had little influence over the even immediate, never mind wider, setting. The setting has been substantially altered over time often with the setting of the Cathedral at its heart, and to various degrees those elements together make a substantial contribution

to significance and an appreciation of it, in particular the architectural, artistic, historic and communal significance. Those contributing elements are deemed in descending order of importance

- a) those wider strategic plan-London riparian views from the Thames, its embankments and bridges which are often iconic and London defining, and where St. Paul's rises above the immediate surrounding townscape, strategically sited atop Ludgate Hill, and can be seen alongside contributing landmarks on the skyline, including the Wren churches. These make a substantial contribution to significance and an appreciation of it.
- b) The ancient processional route of royal and state national significance along The Strand/ Fleet St, a 'national spine' of celebration and 151 contemplation, along a route between the heart of government in Westminster and commerce in the city, where St. Paul's is the preeminent culmination and destination of a picturesque sequential townscape experience at the heart of London's and the Nation's identity. This makes a substantial contribution to significance and an appreciation of it.
- c) Those wider pan London views and approaches where the Dome offers a skyline presence in broad identity defining London panoramas, for example those from strategic views identified in the LVMF, including Parliament hill, Primrose Hill, Greenwich Park, Blackheath and Alexandra Palace, amongst others, some of which are subject to local designations. These make a substantial contribution to significance and an appreciation of it.
- d) Those more immediate, often incidental, some more planned, townscape appreciations, which have resulted in ad hoc and some active townscape curation over the generations, in particular from St Peter's walk (South transept axis), Cannon Street, the Paternoster Square development, amongst others, where the cathedral soars above and dominates its immediate surrounding as the defining skyline presence. This makes a moderate/significant contribution to significance and an appreciation of it.

### *Impact*

262. The proposal would preserve those aspects of setting which contribute to an appreciation of the Cathedral's significance, comprising elements (ii), (iii) and (iv) identified above.
263. In terms of those strategic City-wide riparian views from the banks of the Thames and its bridges, largely these are also preserved with the Cathedral remaining as the pre-eminent landmark in these views, overwhelmingly retaining this important element of significance both as a symbol of the Diocese of London and as an internationally famous symbol of London itself. Wren's great classical dome still dominates the townscape around and has been an enduring part of the London's character for centuries.



264. The Surveyor to St Pauls Cathedral and residents object to the impact on setting and significance from glimpsed partial views of the proposals seen from the Southbank in the approaches to Gabriel's Wharf, illustrated in views 2.1, 2.2 and A16, described in detail above.
265. These impacts chiefly arise from the visibility of the uppermost storeys of the proposals which would be fleetingly visible from the Southbank, seen briefly alongside 5 Aldermanbury Square and 120 London Wall, appearing between the pediment and towers of the western front. The existing condition of this kinetic experience therefore includes tall buildings seen in the backdrop of the Cathedral, varying in the degree of interaction with the Cathedral's silhouette, but specifically in the case of 5 Aldermanbury and 120 London Wall, seen sequentially above the pediment and Cathedral roof. These developments individually appear and disappear in views between the Cathedral's two towers, with the extent of open sky in the backdrop of the cathedral evolving as the viewer moves along the South Bank.
266. Notwithstanding this visibility of the proposals includes a short stretch of approximately 19m where the northern tower, pediment and Cathedral roof are presently seen against clear sky. While the amendments to the scheme have reduced the extent of this adverse impact, reducing the height so that the apex of the pediment remains seen against sky, there would still be a very slight erosion of the sky setting of the Cathedral in this view. Further mitigation is incorporated by the proposed greening to the southern façade, softening the built form of the proposals, enhancing the legibility of the pediment through contrast of materials, colour and solidity and ensuring it remains appreciated as a part of the western front composition. Further testing using night views show this mitigation to reduce the visible impact in these views to almost imperceptible.
267. Further to the west, the proposals are briefly glimpsed adjacent to the Northern tower (View A16). Here the setting of the Cathedral is less pristine, with tall buildings rising centrally and prominently in the backdrop. This creates a less balanced composition, reducing this specific contribution of setting within this view. In this case while the proposals are visible in this glimpsed viewpoint, joining with the silhouette of the north tower, the impact upon significance is reduced is commensurate to the more limited contribution of this viewpoint to the Cathedral's setting.
268. St Pauls Cathedral is an iconic Grade I listed building of international importance and its historic, architectural and evidential values are of the uppermost significance and therefore great weight must be attached to any harm to the significance in evaluating any impacts. Notwithstanding the limited nature of these visual impacts, and although only a tiny proportion of clear sky would be lost in the context of the kinetic riverside views when taken as a whole, Officers consider the proposals to result in a very slight erosion to the current established setting of this Grade I listed building.

269. Given the very high sensitivity of the Cathedral, officers therefore concur with Historic England and the Cathedral [and other objectors] acknowledging that this results in a level of less than substantial harm to the significance of the listed building; but officers consider the level of this harm to be slight, at the lowest end of the scale, as a result of the very fleeting and elusive quality of this impact. Officers further note that this has not resulted in an in-principle objection from Historic England, reflecting the fleeting nature of this adverse indirect impact. Great weight is attached to this harm when considered under the planning balance at paragraph 667 onwards.

Registered Historic Park and Garden (RPG): Barbican Estate RPG (II\*)

*Significance:*

- A pioneering post war landscape designed by Chamberlain Powell and Bon with later alterations by Janet Jack of BDP and now the largest public space in the City;
- The soft landscaping and the value of experiencing the architecture of the Barbican in the context of trees, foliage, and greenery;
- The planned and connected immersive as well as visual experiences of the public, communal, and domestic gardens combined with private cascading balconies, ponds, fountains, sculptures and flower beds are seamlessly integral to the architecture of the Barbican. The centrepiece is the Lakeside in front of the Arts Centre. Collectively the richness and variety of these spatial reservoirs are recognised to be as significant as the buildings themselves.
- The pioneering masterplan of a raised vehicle free podium of varied public spaces and the highwalks;
- The limited entrances reinforce the conception of the landscape as a fortified series of spaces from the surrounding streets.
- The consistent use of a small number of materials, and detailing across the Estate, delivering a powerful sense of visual continuity, unity and singularity.
- The successful designed relationships with 'found' historic elements including the Roman and Medieval wall, and the Church of St Giles Cripplegate and associated gravestones.
- The southern boundary lower-ground level carpark, interface with the school playing fields and truncated severing of Mountjoy Highwalk, are elements which appear unfinished, inconsistent and detract from the special interest of the garden.

*Setting:*

264. Due to the contained and raised conception of the RPG, the primary setting of the landscaped gardens are the Estate buildings and historic elements within it. The enclosed nature and raised level also segregate the wider townscape adjacent to

the Barbican, aside from glimpse views between buildings and from surrounding streets. Beyond the eastern boundary, large modern commercial buildings to Moorfields form a well-established and neutral part of the Barbican's setting, visible from both the west and east of the RPG including the Gilbert Bridge and Willoughby House. As existing, site is not visible from the majority of the RPG interior, with the exception of Willoughby House, and is, alongside all of the structures outside the estate, demonstrably apart from the considered composition of the RPG as a whole. The site therefore presently makes a neutral contribution to its setting and an appreciation of significance.

### *Impact*

265. The upper levels of the proposals would be visible from the RPG interior (Views 3, 4, 4N and 5). These views show the site would be visible in some instances infilling the existing extent of clear sky which backdrops the Barbican Arts Centre in views from Beech Street (View 3), and Willoughby House in views from Gilbert Bridge (views 4 and 4N) as well as visible to the east from Willoughby House, represented in views from Moor Lane (View 5). In all of these, the proposals are seen alongside the taller City Point building as well as the 21 Moorfields, both of which are located closer to the Barbican Estate buildings. These tall buildings presently backdrop those built features which frame the RPG in views east noted above. Therefore, while the proposals are considered to create a visible change in the surroundings this is not considered to adversely impact the present contribution that setting makes to an appreciation of the RPG's significance. The RPG would continue to be appreciated as a fortified and sheltered civic space, located in the heart of the contemporary city centre.

### Barbican Estate (Grade II)

#### *Significance*

266. The Barbican Estate, designed by Chamberlain, Powell and Bon, is a leading example of a modernist project in the high Brutalist style, and is perhaps the seminal example nationally of a comprehensively planned, post-war, mixed-use scheme. The Estate is a composition of towers and long slab blocks at raised podium level, separating pedestrians from vehicular traffic, which enclose private and public landscaped open spaces centred on a canal in a Corbusian manner.
267. It is of architectural interest for its compelling architectural narrative, which encapsulates the macro and micro design intent of the architects in a dramatic arrangement of buildings and spaces which are tied together by a consistent and well-detailed bush and pick-hammered finish. It is of historic interest as a modern exemplar of comprehensively planned high-density urban living during the postwar recovery period delivering essential housing for the City of London, and for the associations with the architects.

### *Setting*

268. The Estate's setting varies greatly around its perimeter, where a varying range of largely modern buildings, make a neutral contribution to its significance. There are a number of tall buildings in the vicinity of the Estate which result in a highly urban skyline, however none of these hold a particular architectural or historic relationship with the Estate. As such, tall and large modern commercial buildings of differing materiality and compositions form a well-established neutral part of the Barbican Estate's setting to its eastern boundary. Their scale and proximity reinforce the enclosure and segregation characteristic of the Barbican Estate, albeit in a neutral way unrelated to heritage significance. This includes existing contemporary development around City Point Plaza, such as City Point and 21 Moorfields, which are visible from the estate interior, seen rising above the Barbican Arts Centre, Willoughby House and the Gilbert Bridge accordingly. The site in its cleared condition is not visible and makes a neutral contribution to the setting and an appreciation of significance.

### *Impact*

269. The proposed development would have intervisibility with the Barbican Estate both from within its setting and from views within the Estate. As assessed in the preceding sections on strategic views, the Barbican's architectural significance in skyline views would be preserved.

270. In more local views from within the estate including from Beech Street (View 3) and the Gilbert Bridge (view 4 and 4N), the key buildings of the Barbican Estate including the unique Highwalks would remain dominant and legible in the foreground, retaining their compositional value. Due to the scale of buildings within the Estate itself, only the upper floors of the tallest parts of the proposed development would be visible from limited parts of the Estate, consistent with the consented scheme. The proposed building would be a distinct element in its eastern setting, seen together with and beyond 21 Moorfields and City Point. The lighter materials of the proposal would clearly differentiate the development from the Barbican as a complex, so that the Barbican buildings remain easily legible, with no diminishment of their group value or compositional clarity.

271. In views of the Barbican Estate to the east of the site (View 14), the upper most floors of Shakespear Tower are glimpsed. While the proposals would slightly reduce the visible extent of the tower, the partial and fleeting nature of this glimpsed view reduces its overall townscape quality, contributing little to an appreciation of the Barbican's wider architectural character. The proposals are therefore considered to preserve the overall architectural quality of this view.

272. As such while the development would change the setting to the east, this is not considered to challenge the pioneering mid-20th century masterplan, architectural language or qualities which underpin the significance of the Barbican

Estate and its existence as a unified entity would remain fully appreciable. Taking the listed building as a whole it is considered that the proposal would preserve the setting and significance, both directly and indirectly, of the listed building.

### Barbican and Golden Lane Estates Conservation Area

#### *Significance and contribution of setting*

273. The conservation area boundary is tightly drawn around that of the two Estates and the grassy spur of land to the south containing the ruins of the Roman and medieval City wall.
274. Overarchingly, the significance of the conservation area can be summarised as the striking juxtaposition between two seminal post-war housing Estates which illustrate evolving trends in architecture, spatial and urban planning, and Modernism in general. The conservation area is defined by its pervasive modernity, by the consistency of modern forms, spaces and finishes throughout, all executed to a very high standard of quality and representing an immersive experience strikingly at odds with the more traditional townscapes and buildings outside the boundary; also for the integration of the ancient remains of the Roman and Medieval City wall, including Bastions 12, 13 and 14 and the medieval church of St Giles Cripplegate in a strikingly modern context.
275. The wider setting of this large Conservation Area is informed by dense urban development, of a largely post-war, post-modernist and modern architectural character. To the east, there is a mixed townscape around Moorgate, largely comprised of large scale modern commercial buildings in the immediate vicinity of the Conservation Area – namely the redeveloped series of office blocks that were built along the road London Wall in the 1970s. As outlined above in relation to the listed building, the Barbican and Golden Lane Estate Conservation Area is appreciated as standalone neighbouring architectural masterplans. There is little reliance on the wider surroundings to aid appreciation or an understanding of their overall historic, architectural and artistic values. The site is location outside of the conservation area boundary.

#### *Impact*

276. The impact to the conservation area is considered consistent with that to the listed Barbican Estate buildings, namely while the development would change the setting to the east, this is not considered to challenge the existing character of the conservation area which is presently experienced alongside tall contemporary development to the east on Moorfields. The pioneering mid-20th century masterplan, architectural language or qualities which underpin the significance of the Barbican Estate and its existence as a unified entity would remain fully appreciable. It is therefore considered that the proposal would preserve the character and appearance of the conservation area, as well as the contribution of setting to an appreciation of its significance.

Lutyens House (Grade II\*), Salisbury House (Grade II) and Electra House (Grade II)

277. The Barbican and Golden Lane Residents Association raised concerns regarding the impact to the setting of Lutyens House. This is addressed in the assessment below.
278. These buildings form part of grand architectural composition completing the western side of Finsbury Circus. The assessment of the impact to these buildings has been grouped due to their proximity and interrelated group value. All are built using classical architectural motifs, creating an elaborate frontage to both the park to the east as well as along Moorgate, London Wall, and Eldon Street.

*Significance*

279. Lutyens House, also known as Britannic House, was designed by Edwin Lutyens in 1924-27, generate high associative interest through its connection with Lutyens, one of the most influential architects of the period. It has distinct historic interest as an early 20th century office, illustrating evolving approaches to office architecture during this period. As Lutyens's first large and elaborate corporate project, this adds to its historic interest. Architectural interest derives its restrained classical detailing, creating a severe sculptural quality to the structure as a whole typical of Lutyens. It has group value with the other buildings at Finsbury Circus.
280. Electra House was designed in 1900-3 in the Classical style by Belcher de Joass and is now occupied by the London Metropolitan University. The building has architectural and historic interest as an imposing commercial building from the early 20th century. Artistic and architectural interest derives from decorative elements including sculptures by George Frampton, and landmark quality to its roof form with large concave colonnade and dome to roof. It forms a cohesive ensemble and has group value with the other buildings at Finsbury Circus, with a strong presence at the junction of Moorgate and London Wall.
281. Salisbury House occupies the whole south-west quadrant and was built between 1899 and 1901, to the designs of Davis and Emmanuel. The building draws upon a more elaborate French decorative style, further differentiated by the use of Bath stone, with extensive embellishment. It has historic and architectural interest as an imposing commercial building in the French style, constructed at the turn of the 19th to the 20th century, featuring intricate decorative elements. Although a later addition, Salisbury House reflects the grand architecture and formal arrangement of Finsbury Circus and has group value with the buildings surrounding Finsbury Circus.

*Setting*

282. All buildings, structures and landscaping associated with the planned arrangement of Finsbury Circus make a positive contribution to the setting of

these assets. The verdant quality of the park contributes to a sense of exclusivity and respite despite the busy City centre location. Further the buildings which compete the curve of the circus, make a high positive contribution through the completion of the circuses' characteristic curved geometries.

283. Beyond the ellipse of the park, and circus itself, there is a mix of historic and modern development in the vicinity of these assets. The immediate local setting of all of the buildings, includes modern tall commercial development including Moor House, 21 Moorfields and City Point, as indicated in Views 7 from Moorgate and View 8 at the entry of Finsbury Circus from Circus Place. In these views contemporary development along Moorfields readily appreciable, in view 7 the upper stories of contemporary development appearing above the roofline of the circus interior. The site presently forms part of this modern development to the west, making a neutral contribution to this listed groups setting, and appreciation of their significance.

#### *Impact*

284. In views 7 and 8 the upper storeys of the proposals are perceptible, seen amongst the taller structures of City Point and 21 Moorfields. The upper parts of the proposed development would be seen above the roofscape of these buildings in various westward views from around the Circus, although in most views this would be mitigated by significant levels of tree cover (even when not in leaf). While the proposals would add to the visible extent of modern development perceptible to the west of the Circus, this addition is considered to be in keeping with the existing character of Circus interior, as well as views north and south along Moorgate. The resulting impact upon the contribution of setting to an appreciation of each asset's significance is therefore considered to be neutral. The proposed development, in baseline and cumulative scenarios, would not affect the significance of this asset, or the ability to understand and appreciate it.

The Globe PH (Grade II), 87 Moorgate (Grade II), Former Fox's Umbrellas (Grade II), 2 Moorfields (Grade II), 4 Moorfields (Grade II), 8 Moorfields (Grade II), 87 Moorgate

#### *Significance*

285. This group of listed buildings forms a distinctive cluster at the junction of London Wall and Moorgate. Assessment of impact to these buildings has been grouped due to their proximity and interrelated group value. All of the buildings are characteristic of mixed commercial and residential nineteenth century development within the capital. Ground floor commercial activities create richly decorative shopfronts at ground floor, establishing a vibrant cosmopolitan character. The buildings are all of a similar height, creating an intact quality to the group, which all use a regular rhythm to the fenestration and classical detailing. Some later alterations to the ground floor shopfronts have generally preserved

the nineteenth century character of each building on the whole. As such each building possesses high architectural and historic interest.

### *Setting*

286. Setting makes a high positive contribution to the listed group, with the highly visible junction location underscoring the commercial uses at ground floor, as shown in View 7. Electra House is seen to the east, and similarly adds to the sense of an appreciable complimentary nineteenth century townscape in the wider surroundings. The small park directly to the south of the listed group also adds to the civic character, making a positive contribution. The site is located to the northwest of this group surrounded by taller contemporary development to the western side of Moorfields. This includes the recently opening of the Elizabeth line entrance into Moorgate Station, which draws the eye as a new important transport hub. The character of the buildings to the west of Moorfields is clearly distinct from that of the listed group, of a notably different scale, material character and overall architectural identity. These buildings, including that of the site, are considered to make a neutral contribution to the setting of the listed group. It is noted that the buildings to the west of Moorgate, establish a backdrop in views to the group from across the junction, so that this change in scale and character is readily apparent.

### *Impact*

287. The proposals are seen in views 6 and 7, partially visible in views northwest from the listed group and also from the junction with London Wall. In these oblique and partial views, the proposals would be glimpsed, and screened from development at 21 Moorfields and existing structures to the west. In this context therefore the proposals are seen as an appropriate addition, with no harmful impact to those aspects of setting which enhance and appreciation of the listed group's significance. The resulting impact upon the contribution of setting to an appreciation of each asset's significance is therefore considered to be neutral. The proposed development, in baseline and cumulative scenarios, would not affect the significance of this asset, or the ability to understand and appreciate it.

### Moorgate Underground Station (Grade II)

### *Significance*

288. Designed by T Phillips Figgis in 1900, the building has a striking appearance through its use of red brick with Portland Stone dressings, contrasting with the prevailing use of stone in the area. However, the building is typical of turn of the century style, incorporating an expressive roofscape finished in slate as well as decorations such as tall oriel windows and dome. There is a clear hierarchy to the facades, with the elevation to Moorgate easily appreciable as the principal façade through its more elaborate decorative treatment. The building's



significance stems from its historic interest as an example of early twentieth century station architecture, to a lesser degree its architectural value is also high, with its decorative facades reflecting the civic use of the building.

### *Setting*

289. Located directly west of Lutyens House, the buildings surrounding Finsbury Circus which complete the eastern side of Moorgate make a positive contribution to the setting of the station building, creating a consistent nineteenth and early twentieth century townscape in views north along Moorgate. The wider surroundings of the station are generally mixed and includes later buildings, of plainer appearance with less architectural refinement. This includes the building immediately to the south at 137- 141 Moorgate, as well as the contemporary and late twentieth century buildings to the west of Moorfields. This includes the recently completed Elizabeth Line extension at 21 Moorfields as well as 44 Moorfields and the site. While in close proximity, these buildings and the site are unrelated in terms of architectural character, scale or decorative detail. They make a neutral contribution to the setting of the listed building, notwithstanding the ground floor use of 21 Moorfields as an entrance to the underground creates a shared function. Due to the axial character of Moorgate and the width of the road, despite taller contemporary buildings in the immediate vicinity, the listed building has retained its landmark character, within its important civic function remaining readily appreciable.

### *Impact*

290. Views 13, 15 and 16 illustrate the visibility of the site in views west from Moorfields, where the site is prominently seen forming a group with the existing contemporary buildings to the western side of the street. The proposals are shown to create a change in the setting of this listed building, through the addition of another building of considerable height and mass to the background of views looking west. However, the proposals would be seen in context, forming part of an established group of taller contemporary development to the west. Consequently, an appreciation of its robust turn of the century design is considered to be preserved. Equally, the tight urban location limiting views where the proposals will be seen together with the station into oblique glimpses. Officers therefore find the proposals would not adversely impact the contribution setting makes to an appreciation of the building's significance. The proposed development, in baseline and cumulative scenarios, would therefore not affect the significance of this asset, or the ability to understand and appreciate it.

### Finsbury Circus Conservation Area and Registered Park and Garden (Grade II)

291. Finsbury Circus is a relatively small area comprising the registered park and garden of Finsbury Circus and its surrounding development. The laying out of Finsbury Circus was implemented in 1815-17 by George Dance's successor as

City Surveyor, William Montague, although its design dated from 1775-1800. The significance of the Conservation Area is derived from its inclusion of buildings of a high architectural quality and composition, strategically situated around the formal planned development of Finsbury Circus, which is considered to be an unusual feature within the City of London.

292. The oval shape of the gardens, built in conjunction with the original layout of the square, provides a characterful perimeter to the green open space. The mature trees and garden layout contributes to the leafy character central for the Circus. It features large 19th and 20th century commercial buildings with extensive ornamental detail and a generally uniform roofline. Buildings are of particular historic and architectural interest as impressive 19th and 20th century commercial buildings with extensive detailing, modelling, uniform height and varied rooflines.
293. There are a number of listed buildings in the Area: London Wall (Scheduled Ancient Monument), Lutyens House (GII\*), Park House and Gardens (GII), Finsbury House (GII), London Wall Buildings (GII), Salisbury House (GII), Business School, London Metropolitan University (GII), Drinking fountain and shelter, north side of gardens (GII).

#### *Setting*

294. The conservation area and the RPG is bound by London Wall to the south, Moorgate to the west, Blomfield Street to the east and South Place and Eldon Street to the north. To the south the Conservation Area shares a boundary with the Bank Conservation Area, and New Broad Street Conservation Area to the east. The residential towers of the Barbican are visible to the west of the Conservation Area, with other, contemporary, taller buildings visible within its immediate setting. Owing to the imposing buildings contained within such a tightly planned space, the sense of enclosure is extensive, meaning that long vistas outwards are limited.

#### *Impact*

295. The proposed development would be visible from the southern and eastern parts of Finsbury Circus, and from the surrounding streets and pavements, as illustrated in views 7 and 8 and the ZTV of the TBHVIA. This shows that the proposed development would be partly seen, and partially screened by trees cover in both the winter and summer scenarios. When visible, the proposed development would be seen in the context of several existing tall buildings, including 21 Moorfields and City Point. The proposed development would therefore appear in keeping with the appreciable broader context of Finsbury Circus. As such, the proposed development, in baseline and cumulative scenarios, would not affect the contribution of setting to the significance of the Registered Park and Garden, or the setting, character, appearance and significance of the conservation area.

Bunhill Fields/Finsbury Square Conservation Area and Bunhill Fields Registered Park and Garden (Grade I)

296. Bunhill Fields/Finsbury Square Conservation Area is located in the London Borough of Islington (LB Islington) and was designated in April 1987. It is located to the north of the Site. The character of the conservation area stems from its historic use as an artillery ground, now the grounds of the Honourable Artillery Company. Bunhill Fields to the north was later enclosed in 1665, and used as a burial ground and in time a nonconformist cemetery. Finsbury Square itself was laid out by George Dance the Younger in 1777. The Conservation Area character and appearance chiefly reflects the open green spaces of each. Considerable historic interest and commemorative value is generated through the inclusion of Bunhill Fields, with a large number of listed structures to its interior, including the Grade I Wesley Chapel. The built character is generally of high quality late Victorian and Edwardian with some more modern buildings, on the whole establishing a cohesive, grand and commercial character to the streets surrounding the burial grounds and Finsbury Square. Bunhill Fields is enclosed by mature trees, which due to the dense verdant character means that in the summer months there is little visibility out of the area, with event winter view heavily filtered by tree branches. The Architectural and Historic Interest of both the conservation area and RPG is therefore high.

*Setting*

297. Views of the City and its clusters of tall buildings are prominent throughout the conservation area, including views of Broadgate Tower, Principal Place, the Barbican Towers and 25 Ropemaker Street. These tall buildings are seen from the open spaces but also in incidental views from the surrounding streets. Tall buildings therefore form an established part of the setting of the Conservation Area, and registered park and garden particularly in views south.

*Impact*

298. The ZVI shows the proposals would be visible to the northeast corner of Finsbury Square, within the centre and north of the Artillery Ground and a small area to the northeast corner of Bunhill Fields. In all of these locations, all to the north of the Site, the Proposed Development would be seen amongst large scale commercial schemes at 20, 33 and 25 Ropemaker Street as well as City Point and 21 Moorfields. While there would be limited partial glimpses of the top of the Proposed Development in small parts of the Conservation Area and RPG, this is considered to be consistent with the existing character of their settings, in which distant tall buildings are glimpsed from afar. The contribution of setting to an appreciation of significance for both assets would therefore be unchanged. There would be no effect on the heritage significance of the Conservation Area.

Other Heritage Assets

299. The setting of a heritage asset is defined in the NPPF as “The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.” Given the dense central London location, the site is within the setting of a large number of heritage assets. As part of the application process a scoping exercise was conducted so as to identify heritage assets the setting of which may be affected. The designated heritage assets considered included:

- Armourers' and Braziers' Hall, Grade II\*
- Salters' Hall, Grade II
- 80 Coleman Street, Grade II
- 16 Whitbread's Brewery Buildings, Grade II
- Sugar Room, Whitbread's Brewery Buildings, Grade II
- Former Porter Tun Room, Whitbread's Brewery Buildings, Grade II
- 63-73 Moorgate, Grade II
- Bank Conservation Area
- New Broad Street Conservation Area
- Bishopsgate Conservation Area
- London Wall remains [1018885], Scheduled Monument
- London Wall remains [1002051], Scheduled Monument
- London Wall remains [1018886], Scheduled Monument

300. It is the view of Officers that the proposed development would not harm the setting or the contribution that the setting makes to the significance of these heritage assets, due to the relative distance of the proposals or limited visibility in views which contribute to an appreciation of each asset's significance. The assets assessed in detail in this report are those where their significance has the potential to be affected by the proposed development.

301. Other assets have been scoped out of consideration for the reasons given in the HBT VIA, and Officers agree with that scoping exercise. Officers consider that the identification of heritage assets which may be affected, and the assessment of impact on significance as set out in the HBT VIA and in this report, are proportionate to the significance of the assets and to the nature and extent of the proposed development. Officers are confident that the analysis that has been undertaken is sufficient to identify the heritage assets which may be affected, to understand their significance, and to assess impact on that significance.

### **Heritage Assets Conclusion**

302. The proposals would preserve the significance and contribution of setting of all the aforementioned heritage assets except that of St Pauls Cathedral (grade I), which would experience, via setting impacts, a slight, very minor level of less than substantial harm. As such, the proposal would result in some conflict with Local Plan Policies CS12 (1), DM12.1 (1), CS13(2) and draft City Plan 2040 policies

S11 (2), HE1 (1), S13(2) and London Plan Policy HC1 (C), and with the objective set out in Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and relevant NPPF policies.

303. The public benefits and harm to the setting of St Paul's Cathedral are considered as part of the paragraph 208 NPPF balancing exercise, and in the final planning balance at the end of this report. Objections on heritage impacts have been received from St Paul's Cathedral and Barbican amenity and resident groups. Officers have considered these representations carefully. There is some consensus, but some clear disagreement in the application of professional judgement. Where disagreement exists, clear reasoning has been provided in this report.

### **Archaeology**

304. 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.
305. NPPF Section 16 and the London Plan (2021) Policy HC1 recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 200 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.
306. The proposed development is in an area of archaeological interest. The Local Plan 2015, states that all of the City is considered to have archaeological potential, except where there is evidence that archaeological remains have been lost due to deep basement construction or other groundworks.
307. The proposed development comprises works related to an additional 0.6m of excavation beyond the existing basement. This basement design would extend southwards beneath New Union Street, beyond the basement and building's existing footprint. This excavation would be limited to the south to avoid undermining the existing TFL retaining wall of Moorgate Station. The ramp to the car park, to the North-East of the site would be demolished and filled in, for the construction of ancillary office accommodation including end of trip facilities in its place at basement level. This groundwork would include the placement of ground beams and reinforced piling into as yet untruncated Taplow Gravel and London Clay.
308. There are no non-designated archaeological assets within the Site boundaries. The St Giles Cripplegate workhouse was set up on 1726 on Moor Lane, c.130m

to the north-west of the Site. The remains of further (as yet unidentified) Post-Medieval buildings have also been recorded c.100m to the south-east of the Site. The development of a more complex drainage and underground sewer system is seemingly demonstrated by the discovery of brick arched vaults dating to the earlier C19th running beneath Fore Street, c.130m south-west of the Site. Within the wider 150m Study Area, there are 67 non-designated assets, largely comprising Romano-British and Medieval features and structures. As a whole, the City of London is considered an Archaeological Priority Area (APA), and is afforded high archaeological sensitivity.

309. However, the Proposed Development has the potential to have a direct physical impact on any as yet unknown surviving archaeological assets, which would be permanent in nature. Physical impacts during works related to construction such as piling, excavation of foundations, basements, and service trenching could partially or wholly remove known or as yet unknown buried archaeological remains.
310. The Archaeological Desk Based Assessment (DBA) by Waterman concludes that there is a high potential for Post-Medieval remains of low heritage significance; a moderate potential for Romano-British remains of potentially high significance; a low to moderate potential for Medieval remains of low significance; and a low potential for Prehistoric remains of a moderate significance.
311. The DBA has been fully revised in line with the comments provided by GLAAS (Greater London Archaeological Advisory Services) (Historic England) and is now of an acceptable standard. The DBA has illustrated that some impact to archaeological remains would be caused by the redevelopment of the site and therefore archaeological mitigation work is recommended as condition attached to any grant of planning permission.
312. The NPPF envisages evaluation being undertaken prior to determination, in the consideration of the nature of the development, and as recommended by Historic England, the archaeological interest and/or practical constraints are such that a two-stage archaeological condition and a foundation design condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.
313. The proposals are, overall and subject to condition, in accordance with policy DM12.4 of the Local Plan.

### **Access and Inclusivity**

314. 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 NPPF paras 96 and 135, policies CS10, DM10.1, DM10.5 and DM10.8 of the

Local Plan, policies S1, HL1, and S8 of the draft City Plan 2040 and policy D5 of the London Plan. These policies require the highest standards of accessible and inclusive design, securing development that is welcoming, safe and easy to use without disabling barriers, undue effort, separation, or special treatment.

315. Local Plan policy DM 10.8 requires “to achieve an environment that meets the highest standards of accessibility and inclusive design in all developments (both new and refurbished)”. A service provider also has an anticipatory duty under the Act.

### **The Site**

316. The site is well-served by public transport, including London underground and national rail from Moorgate and buses from Moorgate and London Wall. The walking distances from key public transport nodes exceed the recommended 50m without a rest. It is therefore recommended that resting points with accessible seating are proposed wherever possible at maximum intervals of 50m along the approaches to the building from key points of arrivals; the proposed seating would be provided on private land and delivered as part of the works to the Plaza, with details to be secured by condition. A travel plan would be secured via the Section 106 agreement to detail how disabled visitors could request support to get to/from this site if required. Further details of the travel plan are set in the Transport and Highways section of this report.
317. The development site has a Public Transport Level (PTAL) of 6b which is defined as having excellent access to public transport. City Point Plaza is currently stepped at various levels when accessing from Moor Lane and Moorfields. The proposed works to the public realm seek to create level access across the site, with stepped access only through the centre of the proposed planters where steps are unavoidable to navigate inherent level changes within the Plaza. The level access route across and around the Plaza would be clear to users. Further information including gradients is secured by condition and through the S278 to ensure that gentle slopes or shallow ramps can be secured. Details of all surfaces including contrast and tactile paving would form part of the conditions. Subject to these conditions, the provision of level access across the plaza is considered a substantial benefit to the scheme as discussed in the Para 208 balancing exercise.
318. The public realm seating would offer a range of seating options at different heights, with back and arm support, and the option for facing and single seating, making it inclusive to a range of people and flexible activity. All surface treatments in the public realm would be sufficiently detailed to provide high contrast and non-slip materials. These details are secured by condition.
319. Signage and wayfinding is important for navigating the site and should be designed with reference to guidance in PAS 6463: Design for the Mind and

following the principle of 'two senses'. Details of signage and wayfinding are secured by condition.

### **Office Lobby**

320. London Plan D5 requires entrances to be easily identifiable and to allow independent use without separation. All entrances to the development would be step free, automated and with a minimum clear opening width of at least 1000mm. Further details are secured via condition to ensure the design of the manifestation, thresholds, mat wells and floor finishes, and door furniture are designed in line with inclusive-design best practice guidance.
321. The main entrance proposed to Tenter House is from City Point Plaza. Provision would be made for an enclosed entrance lobby with inner and outer sets of automated, sliding double doors. Additional dedicated entrances would be provided to the proposed community unit (from City Point Plaza) and to the Restaurant (from Moorfields). All entrances are designed to meet the guidance of AD M(2): 3.6 and BS 8300 8.6.2.
322. The reception and lobby area for the proposed building has been designed around a large, open plan space with a circular reception desk at one end of the lobby that is clearly visible from the main entrance. Security barriers between the reception and main core would feature at least one barrier in each location with a minimum clear-opening width of 1000mm.
323. An Access Management Plan (AMP) for visitors and building users on points of arrival and entrances would be required and is secured by condition.

### **Cycle Parking and End of Trip Facilities**

324. The entrance to the cycle parking areas and end of trip facilities is via New Union Street and is step-free. The approach is via a ramp, where the gradient would be 1 in 15 from New Union Street down to lower ground floor levels, and would involve passing through no more than two sets of wide automated doors. Controls should meet best practice guidance as set out in BS 8300 (2) 8.2.3 to be accessible to a range of users.
325. There would be a total of 23 long stay spaces provided for larger accessible cycles (adapted, tricycles and recumbent cycles etc.), which would meet the London Plan requirements of 5% of the total cycle parking provision for such cycles. These would be accessed by the dedicated cycle parking entrance on New Union Street.
326. The development does not include any car parking spaces. At least one disabled car parking space is planned to be included on the public highway on Moorfields as part of local highways improvements to be secured by S278 agreement. This



is in addition to making use of existing 2no. blue badge parking spaces located on the public highway.

327. All shower facilities would be wheelchair accessible; provision has been made for 1no. unisex wheelchair accessible WC and shower at lower-ground floor level. Access to the basements would be step free.

### **Offices and External Amenity Spaces**

328. London Plan D5, (B)5 states *'in all developments where lifts are installed, as a minimum, at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building'*. 6.2.1 further states that there should be an evacuation lift in addition to fire-fighting lifts. All lifts will be more than 1100x1400mm with appropriately sized landings and back-up lifts are identified across the site in case of failure.
329. Corridor widths and door openings are confirmed as consistent with AD M(2), including sufficient door widths and passing places for wheelchairs and is subject to detailed design development.
330. The proposal includes community space fronting City Point Plaza creating a direct visual link to the public realm. The internal arrangement of the community space is designed to meet the highest standards of access and inclusion, creating buildings which meet the needs of the existing and future population in line with London Plan D5 3.5.9.
331. The external amenity terraces proposed would be fully accessible for wheelchair users, with a firm and even surface within the landscaping/planting layout and wide circulation routes. The terraces are accessed via manual single leaf swing doors which should have a minimum clear opening consistent with AD M 2, table 2 and diagram 9. Where a non-powered door is necessary the opening force should not be more than 30N from the closed position to 30 degree open and not more than 22.5N from 30-60 degrees of the opening cycle (AD M 2, 2.13). Further detail of terrace doors is secured via condition.
332. The areas of landscape have the potential to offer places for rest and recovery, consistent with guidance in PAS 6463: Design for the Mind, the detailed design of which is secured by condition.
333. Safe, efficient egress depends upon a combination of management procedures and building design. Fire exits are proposed at both City Point Plaza, to Moorfields and New Union Street that would have level thresholds with minimum 800mm clear opening.

## **Conclusion**

334. The proposal has been designed to ensure that the site meets the highest standard of inclusive design. In order for the proposed office use to fulfil its goal of being an inclusive and welcoming place to work, high accessibility standards and inclusive environments and practices are essential. Great consideration has been given as to how to improve the landscaping and the arrival experience to the building in order to secure the optimal solution for the greatest range of building users. Subject to further design details and an Access Management Plan, it is considered that the proposal accords with the access related policies outlined above.
335. Overall, the proposal accords with the access policies outlined above, subject to the recommended conditions. The step-free access via Moorfields and Moor Lane to City Point Plaza is considered a significant benefit of the scheme, helping towards an inclusive City for all and is welcomed as part of the proposals.

## **Highways and Transportation**

### **Public Transport**

336. The Public Transport Accessibility Level (PTAL) rating for the Site is 6b, which is the highest possible score. The score was derived using TfL's WebCAT service.
337. Moorgate Underground station is the nearest station to the Site and is served by the Northern, Hammersmith & City, Metropolitan and Circle, and Elizabeth Lines, and National Rail services. The Elizabeth Line is step-free, there is step free access to the Northern Line but with a ramp, and there is step-free access to one direction of the Hammersmith & City, Metropolitan and Circle lines as part of the new Elizabeth Line OSD, but overall Moorgate Station is not fully step free to accommodate disabled users. Improvements to access for disabled people are planned or partially implemented at nearby Bank station. The Central Line lacks step free access at any station near the Site.

### **Car parking**

338. The Site is within the Controlled Parking Zone (CPZ), restricting on-street parking Monday to Friday, 7am to 7pm and Saturday, 7am to 11am (except Christmas Day, Good Friday or a Bank Holiday).
339. The Site has 51 car parking spaces, all within the red line boundary of the current proposals, accessed via the ramp from Moorfields. All car parking spaces are proposed to be removed in line with policy T6 (Car Parking) T6.2 of the London Plan, where new office developments are proposed to be "car-free".

340. On the public highways around the site, within the vicinity of the development, there are a number of disabled parking spaces on Moorfields, Moor Lane, Fore Street, Silk Street and Milton Street. These spaces are available to Red and Blue Badge holders, with limits to a maximum stay of 4 hours on Mondays to Fridays inclusive.
341. Two existing disabled parking bays are located on Moorfields closest to the proposed Class E(a/b) unit (restaurant/café) and Office lobby.
342. London Plan Policy T6 (Car parking), Local Plan 2015 Policy DM16.5 and the draft City Plan 2040 Policy VT3 require developments in the City to be car-free except for designated Blue Badge spaces.
343. The levels of provisions are set out in Table 10.6 of the London Plan, to ensure that all non-residential parts of a development should provide access to at least one, on or off-street disabled persons parking bay. A car-free development has no general parking but still should provide disabled persons parking in line with policies above.
344. The proposed development would be car-free, including not providing a disabled parking bay within the site.
345. However, an additional disabled car parking space is to be included on the public highway on Moorfields as part of local highways improvements, and secured under the S278 agreement. It is considered that the three spaces on Moorfields would be sufficient for the proposed development to utilise; however, the applicant should monitor demand that is required on-street and encourage the use of public transport for its tenants through travel planning measures.
346. A Travel Plan (TP) is required to monitor the demand for the disabled car parking spaces and to encourage the use of public transport through travel planning measures:
- to include details on facilitating alternatives to car parking for disabled users (staff and visitors) for all land uses of this development.
  - to record and manage the demand for the disabled car parking spaces coming from this development.
347. The TP must also monitor the demand for on-street car parking spaces coming from this development. If records show that demand is higher than the available spaces nearby, the developer would be required to provide additional travel plan measures to support the needs of the disabled users of this development. Further details of the scope of works under the S278 agreement are outlined in the CIL and S106 Obligations section below.

## Cycle parking

348. The London Plan Policy T5 (Cycling) requires cycle parking be provided at least in accordance with the minimum requirements published in the plan. Policy T5 (Cycling) requires cycle parking to be designed and laid out in accordance with guidance contained in the London Cycling Design Standards and that developments should cater for larger cycles, including adapted cycles for disabled people.
349. The proposed level of cycle parking required to be compliant with the London Plan is as follows:

Use Class	Floorspace	Long stay	Short stay
Class E(g)(i)	33,758sq.m GIA	469	17
Class E(a/b)	287sq.m GIA	2	15
Class F2(b)	142sq.m GIA	1	2

350. In total, 506 spaces are required by the London Plan standards, split as 472 long stay spaces and 34 short stay spaces.
351. The proposal includes a total of 511 spaces; 489 long stay spaces and 22 short stay spaces. As such there is an overprovision of long stay cycle spaces and the 12no. spaces in the short stay 'shortfall' are instead provided as long stay spaces. The proposed cycle parking provision is therefore considered suitable and is policy compliant. There is also a significant increase in cycle parking over the consented scheme.
352. A dedicated step-free access route to the cycle parking and end of trip facilities, is from New Union Street. This is acceptable.
353. 5% of the cycle parking spaces are accessible for adapted cycles and this arrangement would be secured via condition in line the London Plan Policy T5 (Cycling) with the London Cycling Design Standards 8.2.1, and the draft City Plan 2040 AT3.
354. The proposal includes suitable end of trip facilities to accompany the cycle store, including showers, lockers and changing facilities. As outlined in the submitted Transport Assessment, the lockers provision is a 2:3 ratio, and as such 345 lockers are to be provided. A total of 33 showers including 1 AWC is provided. This meets the London Plan standards.

## Servicing and deliveries

355. 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 2040 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.

356. The servicing and deliveries are proposed from New Union Street (which is a privately owned street) at lower ground floor of the building. The proposed service yard has two loading bays and could accommodate vehicles up to 10m rigid lorries with a gross weight of 7.5T. Swept path analysis has been included to show that lorries would be able to egress NUS.
357. The swept path analyses of manoeuvring within the servicing area have been included in the Transport Assessment addendum, (Appendix D), to show vehicle movements of different vehicle types and sizes. The swept paths for light van 4.6T; box van 7.5T (8m) and CoL refuse vehicles (7.75m) were included and considered acceptable. The rigid lorries with gross weight of 7.5T (10m, 4 axle) are not proposed to be used, therefore swept path analysis for this type of vehicle is not included.
358. With regards to trips generated and associated with servicing/deliveries activities, the consented scheme (2020) predicted 67 trips per day, 57 of which were based on the assumption of 0.22 deliveries per 100sqm of Class E office floorspace, and 10 trips for retail floorspace at a rate of 1.35 per 100sq.m.
359. If the same methodology is applied, the amended proposal with 35,533sqm (GEA) of office floorspace is estimated to generate 77 deliveries per day, whereas the retail servicing/deliveries demand is a maximum of 4 deliveries per day, with a nominal 1 daily delivery anticipated for the community use, resulting in a total of 82 trips per day.
360. When comparing the consented scheme with the current proposal, 15 additional trips are proposed to be generated to serve the activities associated with servicing and deliveries. As part of the pre-existing building, there were approximately 42 daily vehicle trips from servicing.
361. With the requirement for 50% consolidation, the total maximum trips per day is reduced to 41 trips. This is the same number of trips as secured through consolidation of the consented scheme as per the S106 agreement, and is one daily trip less than the pre-existing building. As such, the delivery and servicing trips are considered acceptable and in line with the pre-existing and consented schemes. Despite the increase in floorspace of the building now proposed, there would not be any adverse impact to the local highways network as a result of servicing trips over and above the existing building or consented scheme.
362. The majority of deliveries in the proposal would be carried out using small vehicles (less than 7.5T including transit vans, car, motorcycles and bicycles) and would be able to enter and exit the loading bay in forward gear. A small number of vehicle trips (approximately 5 per day (12.2% of all deliveries) would be required by

Heavy Goods Vehicles (HGVs) up to a maximum of 7.5T vehicles which would need to reverse into the loading bay to exit in forward gear. The remainder of 36 deliveries would be carried out by LGVs including motorcycles.

363. No 10m vehicles would be used in the servicing strategy that would need to service directly from New Union Street instead of from within the loading bay, which is positive. Whilst it would be desirable to prohibit the reversing of any vehicles into the loading bay, it is not considered that 5 vehicles per day reversing into the loading bay from a private street would unduly impact on highways safety or cause noise disturbance to a harmful level from the reverse beepers of the HGVs.
364. In order to mitigate any potential impacts on the nearby residential occupiers from the operation of the loading bay and the queueing of vehicles on Moor Lane, the following measures are proposed (which would be secured via condition and S106 obligations):
- A door to be fitted at the entrance of the loading bay and any loading, unloading and compacting activity would take place only when the loading bay doors are closed (a condition is recommended requiring further details of the noise attenuation properties and design details of the loading bay door).
  - Limiting the number of deliveries to a maximum of 41 per day.
  - All deliveries to the site would be pre-booked to ensure that all deliveries could be accommodated within the two loading bays within the servicing area, and to ensure coordination with waste and recycling collection.
  - A banksman would be positioned at the loading bay access during the hours of operation controlling access to and egress from the loading bay.
  - Hours of operation would be restricted in peak hours between 07:00 – 10:00am, 12:00-14:00pm, 16:00-19:00pm.
  - No vehicles servicing the site after 21:00pm to reverse in or out of the servicing bay.
365. The draft City Plan 2040 Policy VT2 requires major commercial development to provide for freight consolidation. London Plan Policy T1 (Strategic approach to transport) requires development 'to minimise freight trips on the road network including through consolidation'. Proposal 38 in the City of London Transport Strategy is to 'Reduce the number of freight vehicles in the Square Mile'. The City of London Transport Strategy defines freight consolidation as 'routing deliveries to a business, building or area via a warehouse where they are grouped together prior to final delivery.' The City of London Freight and Servicing SPD, point 63, requires suppliers to use consolidation centres in suitable locations within Greater London to minimise the number of trips required to service developments.
366. The applicant has agreed to implement freight consolidation measures aiming to reduce trips to a maximum of 41 total trips per day, to be secured through S106 obligation.

367. As outlined in the Consultation section of this report, numerous objections have been received from neighbouring residents regarding noise from servicing activity on the Site. The consolidated delivery and servicing strategy minimises the daily trips to a total of 41, which is the same as the 2020 consented scheme and one less daily servicing trip than the pre-existing building. The hours of delivery and servicing are restricted between 7am – 10am; 12pm – 2pm; and 4pm – 7pm, prioritising pedestrian comfort during peak hours of the work day from Mon – Fri. No deliveries or servicing will be carried out using 10m HGVs, and a maximum of 5 deliveries are to be carried out by 7.5T (3-axle) vehicles which would be required to reverse into the servicing bay. The servicing bay would be fitted with acoustically treated doors which would be closed during loading, unloading and compacting works. The proposed servicing strategy is not materially different than the consented scheme and is an improvement over the pre-existing building which had no planning controls over the number of deliveries, hours of operation, or consolidation requirements. which would require reversing into the loading bay at New Union Street.
368. The draft City Plan 2040 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 agreed to no servicing at peak times 0700-1000, 1200-1400, and 1600-1900, in line with the City of London Transport Strategy, as well as no servicing between 2300-0700 as recommended by Environmental Health Officers (discussed in Noise section below), and no vehicles reversing after 2100. Cargo bikes would be permitted to access the proposed internal off-street servicing area whilst vehicular access to the site is restricted.
369. The development is required to produce a delivery and servicing plan (DSP), and this would be secured by a Section 106 obligation.

### **Construction Logistics**

370. The submission of a deconstruction logistics plan and construction logistics plan is to be secured by condition. The logistics arrangements should be developed in consultation with the City's Highways Licensing and Traffic Management teams to minimise the disruption to neighbouring occupiers and other highway users.

### **Pedestrian Comfort and Trip Generation**

371. Draft City Plan 2040 Policy AT1 states development proposals should maintain and, wherever feasible, provide for an increase in pavement widths to ensure that pavements provide sufficient safety, comfort, and convenience for the number of pedestrians using them. Transport for London's Pedestrian Comfort Guidance recommends a minimum Pedestrian Comfort Level (PCL) of B+, and the aim in

the City of London Transport Strategy is that all pavements will have a minimum PCL of B+.

372. A Pedestrian Comfort Level (PCL) assessment has been included in the submitted Transport Assessment to determine the existing and proposed comfort levels at three points: 1) pedestrians walking along Moorfields at the site's frontage, 2) entering City Point Plaza from Moorfields and 3) walking along New Union Street.
373. PCL Assessments range between A to E, thus presenting differing levels of suitability, categorised as comfortable, acceptable, at risk and unacceptable/uncomfortable. The worst-case scenario for the existing situation is along Moorfields (B), whereas with the proposed development, Moorfields would achieve 'A', representing an improvement to pedestrian comfort to this key thoroughfare. All locations in the proposed scenario would achieve minimum pedestrian comfort of 'A' without the S278 pavement widening works, which is positive. The pedestrian comfort levels are in line with Transport for London's Pedestrian Comfort Guidance and draft City Plan 2040 Policy AT1.
374. The submitted transport assessment details a multi-modal trip generation assessment comparing the proposal with the 2020 consented scheme, for peak morning and evening hours. It is predicted that the total number of trips to the development would be 1514 per day, which is an increase compared to that of the 2020 consented scheme at 1280. It is predicted that the total number of trips to the development in the AM peak hour (0800-0900) would be 725, which is an increase of 112 trips in this period. It is predicted that the total number of trips to the development in the PM peak (1700-1800) would be 789, which is an increase of 122 in this period. Based on the assessments the applicant has undertaken, including rail line loading capacity, PCL and bus capacity assessments, the impacts associated with the proposed development on the surrounding transport network are considered to be negligible, due to the modal split of travel at peak times and the numerous options of travel in close proximity to the site.
375. The transport assessment indicates that the overall increase in trips across all modes to and from the site during the AM and PM peak hours from that of the 2020 consented scheme, with the principal increase being an additional 122 public transport trips during the PM peak; and would have a minimal impact on the surrounding highway and public transport network capacities.
376. Part of the s.278 works include the widening of the footways and improvements to Moorfields (which are also part of the City of London's Healthy Streets Plan). The scope of the s.278 works is further outlined in the sub-sections below. These works would further improve pedestrian comfort around the Site.



## **Refuse and Recycling**

- 377. Local Plan policy DM17.1 requires development schemes to incorporate waste facilities and allow for the separate storage and collection of recyclable materials.
- 378. The refuse/recycling collection is proposed from the servicing yard, accessed from New Union Street. Swept paths showing movements for vehicles associated with refuse/recycling on the servicing yard area are included in the submitted Transport Assessment, and are considered acceptable.
- 379. Similar to other deliveries for the development, refuse vehicles would also need to pre-book a delivery slot to ensure no conflicts with delivery/servicing activities. The refuse storage is on the same level as the servicing bay at lower ground floor level.
- 380. The City of London's Cleansing Team have confirmed that the proposed waste storage and collection facility complies with their requirements.
- 381. To ensure no conflicts arise between the delivery/serving and refuse collection, and there is no waiting on the public highway, details of the refuse and recycling storage have been requested via condition, in accordance with policies DM17.1 and DM16.5 of the Local Plan.

## **Hostile Vehicle Mitigation (HVM)**

- 382. Local Plan 2015 Policy DM3.2, the draft City Plan 2040 Strategic Policy S2 (Safe and Secure City), and Policy SA3 (Designing in Security) set out how appropriate security and safety provision must be incorporated into all development. Policy D11 (Safety, security, and resilience to emergency) of the London Plan states development proposals 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.
- 383. Security proposals to protect the building and the new areas of public realm have been developed in consultation with the Designing Out Crime and the Counter Terrorism security officers within the City of London Police.
- 384. The HVM would mainly be within the façade of the building through structural reinforcements, with some bollards located externally at the entrance to City Point Plaza from Moorfields. No HVM is located on the public highway.
- 385. Planters within the plaza are proposed which would serve a dual purpose in both enhancing the environment and providing a visual deterrent to hostile vehicles, as well as a physical barrier to hostile vehicles wishing to enter the Plaza.
- 386. Final details of HVM measures are required by condition.

## Open Space and Permissive Path

387. The land around and across the site has a variety of designations.
388. There are elements of City Walkway to the west of the site, across the entrance to New Union Street from Moor Lane, and into one of the City Point covered walkways.
389. Permissive path, that is areas of private land to which the public have access to pass and repass over at the discretion of the landowner, surrounds the site to the north and south, covering almost all of City Point Plaza and New Union Street. The area above the car park access ramp from Moorfields is excluded from the permissive path designation at present.
390. Moorfields is public highway and covers the pavement crossover used to access the car park access ramp.
391. There is no public highway on or around the site that would require stopping up as a result of the proposals. The building line is proposed to be pulled back from the public highway on Moorfields and as such it is proposed to provide this additional area of land within the applicants' private ownership as permissive path, save for a thin strip of land directly adjacent to the eastern façade of the proposed building for the setting out of tables and chairs for the associated Class E(a/b) unit. The distance between the building line and the carriageway would be 7.3m, and the distance between the building line and the back edge of the pavement (i.e. ownership boundary and building line of pre-existing building) is 3.3m. This means that the pavement would be 3.3m wider than the existing, without any additional pavement widening measures to be secured through the S278 in place. A total of 126.6sq.m of permissive path is to be removed as a result of the proposals, namely areas along New Union Street, and a total of 156.9sq.m of new permissive path is to be dedicated, giving a net increase of 30.3sq.m of permissive path. This would be secured through S106 obligation.
392. A "Fraternity Agreement" was made in 1962 between the City Corporation and the then owners of the land (the Master and Wardens of the Merchant Taylors of the Fraternity of St. John Baptist in the City of London), with the agreement being made under the provisions of the Open Spaces Act 1906. It was entered into as part of the overall development of City Point (then known as Britannic House) and the owners agreed to lay out the land so as to enable the public to have access to the open space. The owners were not permitted to place any "structures" on the open space without the consent of the City Corporation. The agreement also requires the owners to "maintain... an open space or open spaces having an area or aggregate of areas of at least thirty-six thousand square feet".
393. In 1999, a supplemental agreement came into effect, made between the then owners of the land and the City Corporation. This agreement was made to permit, in connection with the further development of City Point, the open space

established in the 1962 Agreement to be 'reconfigured' by the installation of structures within the permitted open space.

394. In 2017, a further agreement was made between the City Corporation and the landowners, which carried forward the requirement for thirty-six thousand square feet of open space laid out in the 1962 Agreement, but was also used to vary the layout of the open space from the 1999 agreement. As such the 2017 agreement superseded the 1999 agreement, but the 1962 Agreement remains in place today.
395. The application proposes to add to the minimum of 36,000 sq.ft of open space within the Plaza as required by the 1962 Agreement. No further stopping up or loss of open space is required as part of the proposals. The applicant, however, must enter into a second 'Supplemental Agreement' to confirm the second reconfiguration of the permissive open space and the "structures" to be placed upon it, notably the proposed planters in the plaza.
396. An additional 1340sq.ft [124.5sq.m] of Open Space pursuant to the 1962 Open Space Agreement would be provided as part of the proposals from the infilling of the car park ramp and a small amount outside the proposed community space, resulting in a total of 38,530sq.ft of Open Space. This would be secured by S106 obligation requiring the owner to vary the 1962 Open Space Agreement and to comply with the covenants contained within the deed.
397. The increase in permissive path of 30.3sq.m and the increase in Open Space of 124.5sq.m is welcomed. The infilling of the carpark ramp and associated landscaping improvements to the Plaza, as well as the wider public realm works to New Union Street and Moorfields would provide an improved visual appearance around the Site through the verdant greening, as well as environmental benefits including an enhanced Urban Greening Factor. It would also provide pleasant dwell spaces for users of the plaza, a significant betterment over the current hardstanding in place.

### **Section 278 Agreement**

398. Should this application be approved, the applicant is required to enter into a Section 278 agreement with the City of London.
399. The Section 278 agreement would include (but would not be limited to):
- Repaving of footways, re-alignment of carriageway, and accommodation works to suit new site layout on Moorfields and Moor Lane.
  - Resurfacing of the carriageway on Moorfields.
  - Removal of existing crossover and reinstatement of footway, following the removal existing ramp to basement.
  - Provision of road markings and associated traffic orders.

- Provision of at least one on-street disabled parking bay with electric charging points if feasible.
  - Removal of redundant street furniture, if applicable.
  - Any highways repair and reinstatement works in the vicinity of the site, as impacted by construction works; and
  - Any other works reasonably necessary to make the Development acceptable.
400. The Section 278 works would be in line with the 10 Healthy Streets indicators, the City of London Transport Strategy and City of London's Public Realm vision. This would be secured through the Section 106 agreement.

### **Highways and Transport conclusion**

401. The proposal would accord with the relevant transportation related policies including London Plan policies T5 cycle parking, T6 car parking, T7 deliveries, servicing and construction, and D11 Safety, security, and resilience to emergency. It accords with the Local Plan 2015 Policies DM3.2 and DM16.5, and the draft City Plan 2040 Policies AT1 – 5, SA3, VT2, and VT3.
402. The delivery and servicing strategy for the proposed scheme is consolidated to 41 deliveries per day, with AM, PM and lunch peak hour restrictions, where no deliveries are carried out by 10T HGVs. A total of 5 deliveries per day would be undertaken by 7.5T 3-axle vehicles, which would be required to reverse into the loading bay but would fit comfortably inside with the acoustic doors closed, thereby minimising impacts from noise from the reversing of large vehicles. The remaining 36 deliveries would be carried out by smaller vans and motorcycles. This delivery and servicing strategy is considered acceptable and in accordance with the following policies of the Local Plan: DM16.1, DM16.5, DM21.3.

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

403. Local Plan policy DM10.1 requires the design of development and materials used should ensure that unacceptable wind impacts at street level and in the public realm be avoided, and to avoid intrusive solar glare effects and to minimise light pollution. Policy 10.7 is to resist development which will noticeably reduce daylight and sunlight to nearby dwellings and open spaces. Draft City Plan 2040 Strategic Policy S8 and Policy DE2 requires development to optimise microclimatic conditions addressing solar glare, daylight and sunlight, wind conditions and thermal comfort.

### **Wind Microclimate**

404. Policies DM10.1 of the Local Plan 2015, policy S8 of the draft City Plan 2036 and policy D8 of the London Plan seek to optimise wind conditions in and around

development sites. The design of developments should avoid unacceptable wind impacts.

405. Wind tunnel testing has taken place to assess the local wind environment associated with the completed development and the resulting pedestrian comfort within and immediately surrounding the site. Computational Fluid Dynamics (CFD) simulation and analysis has also been carried out in accordance with the City of London's Planning Advice Note, Wind Microclimate Guidelines for Developments in the City of London.
406. Wind conditions are compared with the intended pedestrian use of the various locations, including carriageways, footways and building entrances. The assessment uses the wind comfort criteria, referred to as the City Lawson Criteria in the Planning Advice Note, Wind Microclimate Guidelines for Developments in the City of London, being 5 Comfort Categories defining conditions suitable for: frequent sitting, occasional sitting, standing, walking and uncomfortable.
407. A separate safety criterion is also applied to ascertain if there are any safety risks to pedestrians or cyclists.
408. In considering significance and the need for mitigation measures, if resulting on-site wind conditions are identified as being unsafe (major adverse significance) or unsuitable in terms of the intended pedestrian use (moderate adverse significance) then mitigation is required. For off-site measurement locations, mitigation is required in the case of major adverse significance – if conditions become unsafe or unsuitable for the intended use as a result of development. If wind conditions become windier but remain in a category suitable for intended use, or if there is negligible or beneficial effect, wind mitigation is not required.
409. Because the proposed building is over 50m AOD, both Computational Fluid Dynamics (CFD) and Wind Tunnel Testing have been undertaken by independent experts.
410. The wind tunnel and CFD results broadly give the same assessment results. Variance occurs as the two methods use different tools to predict the wind microclimate; the purpose of the two assessments is to give the broadest picture and to ensure that in either test the conditions are acceptable.
411. The applicant has undertaken the following configurations in both the CFD and Wind Tunnel Test, all at ground level, at proposed development entrances, and to the private roof terraces and balconies in the proposed development:
- Baseline – cleared site with existing surroundings;
  - Proposed development with existing surroundings; and
  - Proposed development with cumulative surroundings.

412. The Wind Tunnel Test also included the proposed development with existing surrounds and existing and proposed landscaping.
413. The City of London is characterised in part by a collection of tall commercial buildings of differing geometries and shapes. Tall buildings naturally create an obstruction to the strong upper-level winds and can increase the windiness in their surroundings. The magnitude of this impact depends on the design of a proposed scheme, in particular its size, shape, orientation and architectural features.
414. The City of London Lawson criteria defines the safety limit as a once-a-year exceedance of 15m/s mean wind speed. This safety limit captures the effects of rare but very strong storm-fronts that periodically impact the UK, and attempts to identify areas where vulnerable pedestrians (e.g. elderly) would start to feel unsafe.
415. There are four criteria for determining the sensitivity of a receptor:
- High: seating areas, entrances, and terraces
  - Moderate: thoroughfares
  - Low: high pedestrian traffic thoroughfares
  - Negligible: roads and areas of no pedestrian access

### **Existing Baseline Conditions**

416. The 'cleared site' baseline conditions include the pre-existing 11-storey building demolished down to ground level, save for the Pret a Manger unit to the west of the Site.

#### *Ground Level comfort – windier season*

417. The surrounding streets generally show 'occasional sitting' and 'standing' comfort criteria in the windier season, with localised 'walking' only experiences. New Union Street experiences conditions suitable for 'occasional sitting'. All surrounding streets experience comfort criterion suitable for their intended activities as thoroughfares, in line with the CoL Lawson Criteria.
418. The majority of entrances to neighbouring buildings and bus stops experience 'occasional sitting' and 'standing' comfort criteria, which are suitable for their intended uses.
419. 70 Finsbury Pavement, to the north of the Site, experiences 'walking' conditions at the public entrance to the retail unit. This is therefore unsuitable for its intended use in the baseline scenario.
420. The public passageways through City Point experience wind conditions suitable for 'walking' activities, which are not suitable for their intended use.

*Ground Level comfort – summer season*

421. The surrounding streets generally show 'occasional sitting', 'frequent sitting' and 'standing' comfort criteria, which are suitable for their intended uses as thoroughfares.
422. All entrances to neighbouring buildings experience 'occasional sitting' and 'standing' conditions, which are suitable for their intended use.
423. One seating area on the north side of City Point Plaza experiences 'standing' comfort criteria in the baseline scenario, which is not suitable for its intended activities. However, all other nearby seating areas experience 'occasional sitting' comfort criteria in the summer months which is suitable for their intended use. City Point Plaza as a whole experiences 'occasional sitting' conditions, which is suitable for seating areas and suitable for its use as a public thoroughfare.
424. The areas of 'walking' comfort within City Point building are reduced but still exist in the summer season.
425. There are no safety exceedances on or off site in the annual baseline results.

**Proposed Development with Existing Surrounds**

*Ground Level comfort – windier season, off-site*

426. In the proposed development with existing surrounds scenario, the proposed development would have a negligible impact on surrounding streets which generally retain their 'occasional sitting and standing' comfort levels. There is also an increase in areas suitable for 'frequent sitting' to the north of the site in City Point Plaza, which is a negligible improvement.
427. The localised areas of 'walking' comfort in the baseline scenario remain unchanged, and as these areas are within thoroughfares, they are and remain suitable for their intended uses.
428. 70 Finsbury Pavement continues to experience 'walking' conditions at the public entrance to the retail unit as in the baseline scenario.
429. The areas of 'walking' comfort within City Point building are unchanged over the baseline scenario.
430. The reduction in height of the building from that originally submitted has not had a noticeable impact on the results.

*Ground Level comfort – windier season, on-site*

431. The proposed entrances to the development would experience conditions suitable for 'frequent and occasional sitting' which are suitable for their intended use.
432. New Union Street, which becomes a covered walkway as part of the proposed development, would experience 'occasional sitting' and 'standing' comfort, which is suitable for its intended use as a thoroughfare.
433. The reduction in height of the building from that originally submitted has not had a noticeable impact on the results.

*Ground Level comfort – summer season, off-site*

434. The streets surrounding the Site would generally experience comfort levels of 'occasional sitting' and 'standing' activities, with an increase in area suitable for 'frequent sitting' immediately around the site. These conditions are suitable for the intended uses.
435. All entrances for off-site buildings would experience wind conditions suitable for 'occasional sitting' and 'standing' activities, which is suitable for the intended uses.
436. Most off-site public seating areas would experience 'occasional sitting' comfort in the summer months, which is suitable for the intended use. One seating area would experience 'standing' comfort conditions, but this is the same as the baseline scenario. The proposed development therefore would have no impact on this area.
437. The reduction in height of the building from that originally submitted has not had a noticeable impact on the results.

*Ground level comfort – summer season, on-site*

438. On-site entrances to the proposed development would feature 'frequent and occasional sitting' comfort, which is suitable for the intended uses.
439. City Point Plaza would experience 'frequent sitting' comfort, which is suitable for uses such as restaurants, cafes and amenity spaces. As City Point Plaza is a public amenity space, and as in the baseline scenario this is 'occasional sitting', the proposed development would have a moderate level beneficial impact on the wind comfort conditions around the Plaza.
440. The reduction in height of the building from that originally submitted has not had a noticeable impact on the results.



### *Proposed development terraces and balconies*

441. The wind conditions on the terrace on the proposed building are largely suitable for 'occasional sitting' and 'standing' activities, and a very small area of 'walking' comfort is observed to the northwest of the 14<sup>th</sup> floor level terrace. This area was slightly larger in the originally submitted scheme, but the amendments to reduce the height of the building have reduced this area to virtually imperceptible. This is assessed without any proposed landscaping in place.
442. A very small area of safety exceedance is observed in the same region as the 'walking' comfort conditions to the northwest of the 14<sup>th</sup> floor level terrace on an annual basis. Similarly to the comfort levels, the area of safety exceedance was slightly larger in the originally submitted scheme, so the reduction in height has had a positive impact to the safety of users of the 14<sup>th</sup> floor terrace through a reduction in the area where the safety exceedance persists without any landscaping in place. The 2.5m screen around the 14<sup>th</sup> floor terrace would also help to mitigate any potential adverse impacts from wind to users of the terrace. In addition, wind mitigation through the intensive landscaping is recommended and to be secured through condition.
443. With regards the private balconies to the east elevation, the wind conditions are suitable for 'frequent sitting' activities and are therefore suitable for their intended use. There are no safety exceedances observed on the balconies.
444. The 19<sup>th</sup> floor south facing terrace would see primarily 'frequent sitting' comfort criteria with some isolated instances of 'occasional sitting'. This is suitable for the terraces' intended use.
445. The reduction in height of the building from that originally submitted in this instance has had a beneficial impact on the results.

### **Proposed Development with cumulative Surrounds**

446. The wind conditions for off-site areas remain largely unchanged with the proposed development in place with the cumulative surrounds in both summer and windier seasons.
447. The private terrace and balconies on the proposed development itself would remain the same as the proposed development with existing surrounds scenario.

### **CFD versus Wind Tunnel Test results**

448. As the proposed building is over 50m AOD, a Wind Tunnel Test has also been undertaken in addition to the CFD results outlined above.

449. Overall, there is general accordance with each other for ground level comfort in the windier season for both on and off-site receptors.
450. In the summer months at ground level, the results are generally in line with each other. However, there is a small area of discrepancy around the walkways through City Point building. The CFD results show slightly more areas of 'walking' comfort than the WTT results; the discrepancy is due to the modelling of the covered passageway heights. The actual comfort levels for this region is expected to be somewhere between the two assessments results, and as these are apparent in the baseline scenario, the proposed development is not at fault and overall would have a negligible impact on the comfort levels in this area.
451. For the terrace levels, the results are the same for CFD and the WTT.
452. The Wind Tunnel Test also tested a fourth configuration; the proposed development with existing surrounds and with existing and proposed landscaping/wind mitigation measures.
453. This shows that with the inclusion of the proposed landscaping in place, areas of café style seating at ground level in the plaza (to the west at the junction between the proposed building and City Point walkways) would persist with windier than suitable conditions in the summer season and therefore additional mitigation measures over and above the proposed landscaping would be required. This is secured by condition.
454. With the inclusion of the landscaping at terrace levels, there would be an overall improvement in wind conditions, although some isolated instances of comfort levels below the requirements for seating areas would persist. Wind mitigation measures are recommended.
455. The wind mitigation measures recommended by the RWDI in the Wind Tunnel Test report include 1.2m tall dense planting or screening around seating areas; additional 3m tall deciduous or evergreen trees within the seating area; a 3m tall pergola structure of at least 50% porosity; or the relocation of the seating along the east of the terrace, in locations with frequent sitting use comfort levels. These mitigation measures would be secured through detailed design of the landscaping to the terrace via condition.

#### Wind Microclimate Conclusion

456. Overall, the wind microclimate impact of the Proposed Development with proposed landscaping is considered to be acceptable. The reduction in height and revised design to the uppermost elements of the building from those originally submitted have a beneficial impact on the 14<sup>th</sup> floor terrace roof conditions, and a negligible impact on the ground level conditions as detailed above.

457. A Wind Audit would be secured in the S106 Agreement which would require, if requested by the Local Planning Authority, a post-completion audit to assess and compare the results of the Wind Tunnel Test against the results of wind speed assessments carried out in the vicinity of the site over a specified period, to identify if the completed development has material adverse effects not identified in the assessments.
458. It is considered that the microclimate in and around the site, with regard to wind conditions, would be acceptable in accordance with London Plan Policy D8, Local Plan Policy DM10.1, and draft City Plan 2040 policies S8 and DE2, and the guidance contained in the Planning Advice Note, Wind Microclimate Guidelines for Developments in the City of London.

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

459. 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.
460. Local Plan 2015 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 (BRE) guidelines.
461. Draft City Plan 2040 Policy DE7 states that development proposals will be required to demonstrate that the daylight and sunlight available to nearby dwellings, other sensitive receptors including schools, hospitals, hotels and hostels, places of worship and open spaces is appropriate for its context and provides acceptable standards taking account of the Building Research Establishment's guidelines.
462. 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. Policy HS3 of the Draft City Plan 2040 states that when considering impact on the amenity of existing residents, the Corporation will take into account the cumulative effect of development proposals.
463. The BRE guidelines "Site layout planning for daylight and sunlight – A guide to good practice" (2022) 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:

- **Daylight:** 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 states that diffuse daylighting of an existing building may be adversely affected if either the VSC measure or the daylight distribution (NSL) measure is not satisfied.
- **Sunlight:** 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. The guidelines consider kitchens and bedrooms to be less important, but that care should be taken to not block too much sun from these rooms.

### *Interpreting results*

464. In undertaking assessments, a judgement can be made as to the level of impact on affected windows and rooms. Where there is *proportionately* 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. It is for the Local Planning Authority to decide whether any losses result in a reduction in amenity which would or would not be acceptable.
465. It should be noted that where there are existing low levels of daylight in the baseline figures any change in the measured levels can appear to have a disproportionate impact. To give a more complete picture the same level of change can be described in two ways:
- Percentage change - 10% reduced to 8% = 20% reduction
  - Actual change - 10% reduced to 8% = 2% reduction

### *Overshadowing*

466. Overshadowing of amenity spaces is measured using 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.

### *Assessment*

467. An assessment of the impact of the development on daylight and sunlight to surrounding residential buildings and public amenity spaces has been undertaken

in accordance with the Building Research Establishment (BRE) Guidelines and considered having regard to policy D6 of the London Plan, policy DM 10.7 of the Local Plan and policy DE7 of the draft City Plan. Policy D6(D) of the London Plan 2021 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context whilst avoiding overheating, minimising overshadowing and maximising the usability of outdoor amenity space. The BRE guidelines can be used to assess whether daylight or sunlight levels may be adversely affected. Local Plan policy DM10.7 states that development which would reduce noticeably the daylight and sunlight to nearby dwellings and open spaces to unacceptable levels taking account of BRE guidelines, should be resisted. The draft City Plan requires development proposals to demonstrate that daylight and sunlight available to nearby dwellings and open spaces is appropriate for its context and provides acceptable living standards taking account of its context.

468. The criteria set out in Building Research Establishment (BRE) Guidelines: Site Layout Planning for Daylight and Sunlight (2022) are used as guidance to inform the assessment in the submitted Daylight, Sunlight and Overshadowing report prepared by Point 2 Surveyors. In forming a judgement on whether the design of the proposed development provides for sufficient daylight and sunlight to surrounding housing and is appropriate for its context (London Plan policy D6D), and when considering whether the daylight and sunlight available to nearby dwellings is reduced noticeably to unacceptable levels (Local Plan policy DM 10.7) and in considering whether daylight and sunlight is appropriate for its context and provides acceptable living standards (draft City Plan policy DE7) it is appropriate to have regard to the assessment carried out in accordance with the BRE guidelines.
469. Local Plan Strategic Policy CS10 seeks to ensure that buildings are appropriate to the character of the City and the setting and amenities of surrounding buildings and spaces. The BRE daylight guidelines are intended for use for rooms in adjoining dwellings where daylight is required and may also be applied to non-domestic buildings where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostels, small workshops and some offices. The BRE sunlight guidelines are intended for dwellings and for non-domestic buildings where there is a particular requirement for sunlight. In this case officers do not consider that the offices surrounding the application site fall into the category contemplated by the BRE where occupiers have a reasonable expectation of daylight, and Officers do not consider that the surrounding offices have a particular requirement for sunlight. The surrounding commercial premises are not considered as sensitive receptors and as such the daylight and sunlight impact is not subject to the same policy test requirements as residential premises. The dense urban environment of the City is such that the juxtaposition of commercial buildings is a characteristic that often results in limited

daylight and sunlight levels to those premises. Commercial buildings in such locations require artificial lighting and are not reliant on natural daylight and sunlight to allow them to function as intended, indeed many buildings incorporate basement level floorspace or internal layouts at ground floor and above without the benefit of direct daylight and sunlight. Whilst the proposed development would inevitably result in a diminution of daylight and sunlight to surrounding commercial premises, it would not prevent the beneficial use of their intended occupation. As such the proposal is not considered to conflict with Local Plan Policy CS10.

### Daylight and Sunlight

470. Daylight has been assessed for both Vertical Sky Component (VSC) and No Sky Line (NSL), these are complementary assessments for daylight: VSC is the measure of daylight hitting a window, NSL assesses the proportion of a room in which the sky can be seen from the working plane. Daylighting will be adversely affected if either the VSC or the NSL guidelines are not met.
471. The BRE criteria state that a window may be adversely affected if the VSC measured at the centre of a window is less than 27% and less than 0.8 times its former value (i.e. experiences a 20% or more reduction.) In terms of NSL, a room may be adversely affected if the daylight distribution (NSL) is reduced beyond 0.8 times its existing area (20% or more reduction).
472. Both the London Plan 2021 and Local Plan 2015 require daylight and sunlight to residential buildings to be appropriate to their context, and this will need to be considered when considering any reductions in daylight and sunlight assessed under the BRE methodology.
473. With regards to sunlight, guidance states that a window/room would technically fall below the guidance for sunlight if (a) the room receives less than 25% APSH and experiences more than a 20% change to annual sun, or less than 5% WPSH and more than a 20% change to winter sun; and the same room has a reduction in APSH of 4% or more. Both criteria need to be met for the window/room to fail.
474. The assessment supplied has focused on three scenarios for all tests:
- (1) The likely effects of the proposed development against a baseline of the pre-existing 11-storey Tenter House;
  - (2) The likely effects of the proposed development against a baseline of a cleared site; and
  - (3) The likely effects arising in the context of a cleared site against the likely effects identified as a result of the 2020 scheme. The impact would be considered to be noticeable and material if, when comparing the 2020 scheme with the proposed scheme:

- a) A window experiences an absolute difference in VSC of 3% or more;
- b) A room experiences more than a 1% absolute change in winter sunlight and more than a 2% absolute change in annual sunlight from the results associated with the consented/implemented scheme.

### Willoughby House

475. Willoughby House is located approximately 70m to the west of the proposed development and contains residential accommodation across seven floors. The majority of the windows facing the Site serve bedrooms save for the top floor of the building which are mainly living rooms.

#### *Pre-existing (11-storey) site vs proposed development*

476. In the pre-existing 11-storey building versus proposed development scenario, 202 out of 334 windows meet the BRE VSC criteria with balconies in place. In the without balcony scenario, 100% of the windows meet the BRE VSC criteria.
477. With regards NSL for this scenario, 195 out of 231 rooms would meet the BRE criteria with the balconies in place. Without the balconies, 221 out of 231 rooms would meet the criteria. Of the 10 that fail, they are all bedrooms and all under 29% losses, which are minor.
478. With regards sunlight, for this scenario 185 out of 231 windows facing within 90-degrees of due south with balconies included meet the BRE criteria for APSH. On the without balcony basis, 100% of windows meet the criteria.

#### *Existing (cleared) site vs proposed development*

479. In the baseline condition and with regards daylight, 194 out of 334 windows facing toward the Site would meet the VSC criteria. Of the windows that fail, 17 would see minor alterations (20-30% loss), a further 31 windows would see moderate losses (30-40%), and the remaining 92 windows would see major losses of >40%.
480. Based on the known internal layouts of Willoughby House, 126 of the windows that fail serve bedrooms which have a lesser requirement to daylight than primary living spaces.
481. With regards to NSL in the baseline versus proposed, 191 out of 231 rooms tested meet the BRE criteria, with 22 rooms seeing minor changes (20-30%), 12 seeing moderate changes (30-40%), and 6 rooms seeing major changes (>40%).
482. With regards to sunlight, 231 rooms within the east facing elevation of Willoughby House have been tested, of which 170 meet the criteria.

483. BRE guidance states, “Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction opposite may result in a large relative impact on the VSC, and on the area receiving direct skylight. One way to demonstrate this would be to carry out an additional calculation of the VSC and area receiving direct skylight, for both the existing and proposed situations, without the balcony in place this would show that the presence of the balcony, rather than the size of the new obstruction, was the main factor in the relative loss of light.”
484. In accordance with the recommendations of the BRE Guidance, calculations have been undertaken which discounts the effects of the overhanging balconies for all the windows within Willoughby House. The results show that all the windows fully comply with the BRE criteria for VSC. The windows would experience no more than a 13% reduction, which illustrates that it is the presence of the balconies rather than the mass of the proposed development that is the main factor for the loss of light.
485. When considering NSL in the alternative ‘without balcony’ assessment, 221 out of the 231 rooms would meet the BRE criteria. Of the ten remaining rooms, all would experience a ‘minor’ loss. Further, nine of the ten rooms that fail serve bedrooms, which are less important than main living spaces in terms of NSL. The one LKD that fails would see an alteration of 20.3% over the former value, which is only just in the minor category and is unlikely to be highly perceptible.
486. The alternative without balconies scenario has also been considered for the sunlight assessment due to the BRE Guideline stating: “*Balconies and overhangs above an existing window tend to block sunlight, especially in summer above south facing windows Even a modest obstruction opposite may result in a large relative impact on the sunlight received*”.
487. In the without balcony scenario for sunlight, all 231 rooms tested within Willoughby House fully comply with the BRE guidelines for APSH.

*Permitted 2020 scheme versus Proposed Development*

488. As the existing (cleared baseline) scenario is temporary, it is reasonable to assess the effects of the currently proposed development against those previously consented (and in the process of being implemented).
489. As above, this alternative criteria suggests that an additional material impact may be seen over the consented scheme if a window experiences an absolute difference in VSC of 3% or more (known as the Buckle Street criteria).
490. When considering the VSC results for Willoughby House in this assessment, all windows would see less than a 3% absolute reduction, and therefore is considered virtually imperceptible to occupiers, as established by the Buckle



Street appeal decision. The largest alteration above and beyond the 2020 scheme is an absolute loss of 1.04%.

491. For NSL, in the with balcony scenario, only 3 additional rooms would see losses in the proposed scheme over the consented of more than 20% (although all less than 24%). In the without balcony scenario, 100% of rooms tested would not see a material reduction over the consented scheme.
492. When considering sunlight (APSH), only one room tested within Willoughby House would see a material alteration beyond the 2020 scheme for winter sunlight, which serves an LKD. For annual sunlight, 48 rooms would see an alteration of more than 2% in the annual sunlight test. However, 44 of these rooms are known to be bedrooms which the BRE guidelines state that bedrooms are less important for sunlight than main living spaces.
493. The tests above were carried out with balconies in place. The applicant also tested the absolute reduction over the 2020 scheme on a without balcony scenario to ensure consistency.
494. For VSC and without balconies, no windows would see a change beyond those approved in the 2020 scheme. For sunlight, as above only one room would see a material change beyond the 2020 scheme for winter sunlight. 50 rooms would see an alteration of more than 2% APSH over the consented scheme, but 46 of those rooms are bedrooms.
495. It should also be noted that on the without balcony scenario, the amount of retained sunlight is well above the recommendations in the BRE guidelines, being 25% for annual sunlight, and all rooms retaining over 30% APSH.

#### Overshadowing

496. The applicants have undertaken a detailed sun on the ground assessment to consider the extent of any overshadowing to City Point Plaza.
497. The BRE guidelines recommend that at least half an amenity area should receive 2 hours of sunlight on March 21.
498. City Point Plaza is a poorly lit open space as existing, overshadowed by surrounding buildings including City Point, 21 Moorfields, and 20 and 22 Ropemaker Street.
499. In the pre-existing scenario, with the 11-storey Tenter House still standing, this remained the same. The 11-storey Tenter House blocked midday sun, Moorfields House blocks out morning sun and City Point obstructs afternoon sun.

500. In the pre-existing (11-storey) scenario, only 5.2% of the Plaza received 2 hours of sunlight on the 21<sup>st</sup> March. In the baseline (cleared site) scenario, this was slightly increased to 5.9% of City Point Plaza receiving 2 hours of sunlight on the 21<sup>st</sup> March, with the small part that is well sunlight being restricted to the northern part of the plaza.
501. When considering the 2020 permitted scheme, all areas of well-lit space were removed, so 0% of the plaza would've received 2 hours of sunlight at the spring equinox.
502. The same result occurs with the proposed scheme; 0% of the plaza would see 2 hours of sunlight at the spring equinox. Therefore, it can be concluded that there is no material impact of the proposed development over and above that which has already been approved as part of the 2020 scheme, and even then, the Plaza was not a well-lit space to begin with.
503. A number of objections have been received with regards the overall daylight, sunlight and overshadowing impact of the proposed development, and in particular a request for transient overshadowing results was received. In response and to aid assessment, the applicant has provided transient overshadowing results for City Point Plaza, showing results for the 21<sup>st</sup> June.
504. On this date, in the pre-existing (11-storey) scenario, 69.6% of the Plaza received at least 2 hours of sunlight. In the cleared site (baseline) scenario, this figure increased to 99.5%. In the consented scheme scenario, 55.7% of the plaza would receive at least 2 hours of sunlight. With the new proposals in place, this figure would experience a minor drop to 50.1% of the plaza receiving at least 2 hours of sunlight on 21<sup>st</sup> June.
505. Whilst this does show a slight reduction compared to the permitted scheme, a near majority of the plaza (just over the 50% target) would continue to enjoy 2 or more hours of direct sunlight on the 21<sup>st</sup> June, when it is likely that the space would be used more. Overall, the use and enjoyment of the space would not be materially altered over the permitted scheme as a result of the proposed development.
506. It is acknowledged that there would be a noticeable loss of sunlight provision to City Point Plaza, however the space itself is not very well sunlit in the existing situation. On March 21 only a small area of the at the north of the plaza receives a reasonable amount of sunlight in the pre-existing scenario, and this reduces to 0% in the 2020 permitted scheme and is replicated now. However, in summer months, when the Plaza is likely to be used more widely, a near majority of it would continue to receive more than two hours of sunlight, slightly exceeding the 50% target as set by the BRE guidelines.

507. The applicant has also provided transient overshadowing results which details the shadow path of the proposed scheme throughout the day in March, June and December.
508. On 21<sup>st</sup> March, the results for the consented versus proposed scheme are broadly similar throughout the day; at 08:00 and 09:00 there would be slightly more shadow cast to properties to the north of Willoughby House as a result of the proposed massing. However, this would not be harmful as outlined above in the context of the other daylight and sunlight criteria tested. From 11am to 2pm there would be slightly more shadow cast to City Point Plaza from the proposed scheme than the consented, but again as above the Plaza is a poorly lit space in the baseline.
509. On 21<sup>st</sup> June, the results between the consented scheme and the proposed scheme are broadly similar, with slightly more shadow cast to City Point Plaza in the middle of the day.
510. On 21<sup>st</sup> December, the consented versus proposed results are comparable throughout the day.

#### Daylight and Sunlight Conclusion

511. Despite the dense urban location of the Site, the vast majority of alterations to the daylight and sunlight amenity of the surrounding residential properties are either in full compliance with BRE guidance or are considered to be no greater than minor adverse in nature.
512. In respect of the few residential rooms that do experience effects which depart from BRE guidance, these are predominantly bedrooms, and located under large balconies serving rooms to the floors above them.
513. BRE guidance states that existing windows with balconies above them typically receive less daylight and sunlight because the balcony reduces visibility of the top part of the sky. As such, even a modest obstruction opposite these windows may result in a large relative impact upon on the VSC, APSH and NSL. The BRE suggests that, in order to demonstrate that it is the presence of the balcony rather than the size of the new obstruction that is the main factor in the relative loss of daylight and/or sunlight, additional daylight and sunlight calculations should be carried out for both the existing and proposed situations without the balconies in place.
514. These assessments were carried out and, as indicated by the BRE, they demonstrated that it is the presence of the balconies, rather than the size of the proposed development that is the main factor in the relative loss of daylight and/or sunlight.

515. The impact on sunlight in City Point Plaza has been assessed as moderate adverse. There would be a noticeable loss of sunlight provision, but the space itself is not well sunlit in the existing situation nor in the consented scheme. On March 21, only the seating at the north of the plaza receives a reasonable amount of sunlight; and this would be lost as a result of the proposed development, which is the same as the consented scenario. On June 21 at least 50% of the plaza would continue to receive a minimum of 2 hours of sunlight in the proposed scenario.
516. By virtue of the limited impact of the proposed development on the daylight and sunlight received by the neighbouring residential occupiers and the amount of sunlight received by the City Point Plaza, it is considered that the proposals are in compliance with policies DM10.7 and DM21.3 of the Local Plan, policy DE7 of the draft City Plan 2040, and policy D6(D) of the London Plan.

### **Solar Glare and Light Spill**

517. The BRE Guidelines recommend that solar glare analysis be carried out to assess the impact of glazed facades on road users in the vicinity. Policy DM10.1 of the Local Plan and policies S8 and DE8 of the draft City Plan seek to ensure that developments address and do not have any intrusive solar glare impacts on the surrounding townscape and public realm.
518. The applicant has provided a note prepared by Point 2 Surveyors that has qualitatively assessed the proposal's potential for solar glare issues that would warrant a full assessment, and considers that there would be a very low likelihood of the development creating any solar glare related issues. There are no train lines that pass the site or have a view of the proposed scheme (all railway lines that service Moorgate Station immediately to the south of the site are underground). Given the location of the Site within City Point Plaza and surrounded by larger commercial buildings, any road junctions, traffic lights and crossings in the vicinity are at some distance away and are otherwise likely to be blocked by neighbouring development. Even at the main junction of South Place/Ropemaker Street and Moorgate, which is to the north of the Site, the view a driver would have of the Site as it approached the junction would not be direct and as such solar glare is unlikely to cause an issue as the building is to one side of the field of view.
519. The proposed design of the building does not feature any concave facades so solar convergence would not be relevant in this instance. The building is also not highly glazed, featuring a mixed precast concrete framed exoskeleton design with timber window detailing throughout, which is non-reflective.
520. Given the orientation, design and materiality of the building, officers are satisfied with the applicant's assertions. Notwithstanding, should planning permission be

granted, a clause would be included within the S106 agreement that would require a post completion solar glare assessment to be submitted if requested by the City. This would include details of any mitigation measures if considered necessary. In light of the information provided and the S106 clause it is not considered that the development would result in any undue solar glare issues and would therefore accord with policy DM10.1 of the Local Plan and policies S8 and DE7 of the draft City Plan.

521. Local Plan Policy DM15.7 and draft City Plan 2040 policy DE8 requires that development should incorporate measures to reduce light spillage particularly where it would impact adversely on neighbouring occupiers, the wider public realm and biodiversity.
522. New lighting is proposed in internal and external parts of the development. A condition is recommended requiring a lighting strategy for internal, external and semi external lighting, which would include details of levels and how the lighting has been designed together with management measures to reduce glare and light trespass. As submitted, the Applicant has outlined a number of measures to reduce and mitigate light spill and visual discomfort to neighbouring properties, including keeping internal luminaires a minimum of 1.5m away from the façade edge, using luminaires with good optical control to mitigate visual glare and discomfort, and utilising a smart control system to dim or switch off the luminaires outside office operation hours.
523. Subject to the recommended condition, the proposed development would comply with the Local Plan Policy DM15.7 and draft City Plan 2036 policy DE8.

### **Thermal Comfort Assessment**

524. London Plan Policy D8 and D9 and the emerging City Plan 2040 Policy S8 indicate that development proposals should ensure that microclimatic considerations, including temperature and wind, should be taken into account in order to encourage people to spend time in a place and that the environmental impacts of tall buildings – wind, daylight, sunlight penetration and temperature conditions around the building and neighbourhood- must be carefully considered and not compromise comfort and the enjoyment of open spaces and seeks to optimise micro-climatic conditions, addressing solar glare, daylight and sunlight, wind conditions and thermal comfort and delivering improvements in air quality and open space. Strategic Policy S15 indicates that buildings and the public realm must be designed to be adaptable to future climate conditions and resilient to more frequent extreme weather events. The Thermal Comfort Guidelines for Developments in the City of London was published in December 2020 which sets out how the thermal comfort assessment should be carried out.

525. In accordance with the City of London Thermal Comfort Guidelines, an outdoor thermal comfort assessment has been prepared. The technique involves merging the effects of wind, air temperature, humidity and solar radiation data at a seasonal level to gain a holistic understanding of Thermal Comfort and how a microclimatic character of a place actually feels to the public. The assessment quantifies the thermal comfort conditions within and around the Site, by comparing the predicted felt temperature values and frequency of occurrence.
526. The Universal Thermal Climate Index (UTCI) categories have been modified for the City of London developments. The usage categories for thermal comfort is set out below and is used to define the categorization of a given location.
527. Three configurations have been assessed, including; the existing site (cleared baseline) with existing surroundings, the proposed development with existing surroundings, and the proposed development with cumulative surroundings.

Usage Category	% of hours with Acceptable UTCI	Description	Colour
All Season	≥90% in each season	Appropriate for use year-round (e.g. parks).	Green
Seasonal	≥90% spring-autumn AND ≥70% winter	Appropriate for use during most of the year (e.g. outdoor dining).	Purple
Short-term	≥50% in all seasons	Appropriate for short duration and/or infrequent sedentary uses (e.g. unsheltered bus stops or entrances) year-round.	Cyan
Short-term Seasonal	≥50% spring-autumn AND ≥25% winter	Appropriate for short duration and/or infrequent sedentary uses during most of the year.	Orange
Transient	<25% in winter OR <50% in any other season	Appropriate for public spaces where people are not expected to linger for extended period (e.g. pavements, cycle paths).	Red

Cleared site with existing surrounds

*Public Ground Level*

528. The overall (annual) comfort category for Moorfields and the west entrance to New Union Street is 'seasonal' which is suitable for outdoor dining in spring and autumn seasons. For the remaining areas tested, including City Point Plaza, the overall comfort is 'all-season' which is suitable for year round amenity use.

Proposed development with existing and cumulative surrounds

*Public Ground Level*

529. City Point Plaza would continue to 'all-season' comfort in both the proposed development versus existing and proposed development versus cumulative surrounds scenarios. The annual comfort to the south-west of the site (along Moor

Lane) would see an improvement from mostly seasonal conditions to mostly 'all-season' comfort.

#### *Proposed private roof terraces and balconies*

530. Roof terraces typically experience greater exposure to sunlight and wind than street level amenity areas. The results from the proposed development versus existing and cumulative surrounds show that the private terraces on the development would achieve 'seasonal' and 'all-season' comfort for terraces on the lower levels (wraparound terrace at level 14), which is suitable for outdoor dining and amenity use, while upper terraces (at level 20 facing south over 21 Moorfields) achieve 'all-season' comfort all year round.
531. The balconies on the proposed development, notably those on the east elevation, would achieve 'all-season' comfort.

#### Thermal Comfort Conclusion

532. It is considered that the thermal comfort in and around the site would be acceptable and in accordance London Plan Policy D8, Policy D9 and emerging City Plan policies S8 and S12, and the guidance contained in the Thermal Comfort Guidelines for Development in the City of London.

#### **Noise, Disturbance and Vibration**

533. London Plan Policy D13 required proposed developments to mitigate noise-generating uses and policy D14 aims to avoid significant adverse noise impacts on health and quality of life. Local Plan policies DM3.5 and DM15.7 seek to ensure that operational noise does not adversely affect neighbours. Policy DM21.3 of the Local Plan states that noise-generating uses should be sited away from residential uses where possible, and where required noise mitigation measures must be provided. Policies S1, HS3 and HL3 of the draft City Plan 2040 require that noise does not adversely affect nearby land uses, supporting a healthy and inclusive City.
534. The impact of the proposed development in terms of noise associated with the operational stage of the office use would be negligible. The impact of the proposed restaurant/café use has the potential for a minor adverse impact to neighbouring noise sensitive receptors, but this could be suitably controlled through the opening hours of the unit, secured by condition and suitable post-planning licenses. The restaurant/café unit has also been located to Moorfields to maximise the separation from the residential properties to the west, thereby greatly reducing any potential noise nuisance.
535. With regard to the proposed roof terraces at level 14 and 19, a condition has been recommended by Environmental Health Officers to restrict the hours of use of these terraces to between 08:00 and 18:00 Monday-Friday and not at any time

on Saturdays, Sundays or Bank Holidays. For the balconies on the east elevation fronting Moorfields, the City's Environmental Health Officer considers that the hours of use can be slightly longer as there are no nearby sensitive residential receptors. As such, the east elevation balconies are restricted from 21:00 to 08:00 Monday to Friday and not at any time on Saturdays, Sundays or Bank Holidays. With these restrictions it is not considered that the use of these terrace areas would have an unacceptable impact on the amenity of nearby residents.

536. With regards noise from mechanical plant, an acoustic report has been submitted with the application. This indicates that plant could be operated without detrimental impact to neighbouring properties in respect of noise and disturbance from vibration. Conditions are recommended to ensure the mechanical plant remains below the lowest background noise level recorded at nearby sensitive receptors.
537. With regards transport and traffic noise, a Construction Logistics Plan is secured by condition to ensure that noise and disturbance is controlled during the construction phases of development and ensure the amenity of nearby sensitive receptors is not detrimentally impacted.
538. Moor Lane is a vehicular access route between Fore Street to the south and Silk Street, Ropemaker Street and Chiswell Street to the north. It provides access/egress to New Union Street (a private service road) and the Barbican carpark ramp beneath Willoughby House. There is a timed restriction for through traffic between the hours of 11pm and 7am Monday to Friday.
539. Concerns have been raised by a number of objectors regarding the noise impact on residents at Willoughby House from servicing traffic on Moor Lane, the 'beeping' of reversing vehicles into the loading bay and loading bay operations.
540. To help mitigate against the break-out noise from the loading bay, it is proposed to include a door on the loading bay so that loading and unloading would take place only when the doors are closed. Details of the door including its appearance and acoustic properties is required by condition. The loading bay is also recessed from the kerb line on New Union Street to minimise disruption to passing pedestrians. The applicant has also stated that they will explore the use of white noise bleepers to be fitted on their delivery vehicles, but this falls outside of planning control.
541. As detailed above in the Highways and Transport section of this report, it is anticipated that there would be a total of 41 delivery vehicles across the proposed operational period of 7am to 11pm with restrictions at peak periods of 7am-10am, 12pm-2pm, and 4pm to 7pm. Of these deliveries, it is anticipated that only 12% (5 vehicles) would be deliveries from HGV's, and none from 10m rigid vehicles, meaning the vast majority of vehicles servicing the development would be able to



enter and exit the servicing bay in forward gear. Delivery trips from larger vehicles required to reverse would be restricted after 9pm.

542. As there are nearby sensitive receptors, it is considered necessary to restrict overnight servicing. As such, a condition is recommended to ensure no servicing of the development shall take place between 23:00 and 07:00 hours Monday to Saturday and between 23:00 on Saturday and 07:00 hours on the following Monday and on Bank Holidays. This is in addition to the normal peak hour daily restrictions on all servicing traffic in the CoL.
543. Overall, subject to conditions, the development would not detrimentally impact on the amenity of surrounding properties in respect of noise, vibration and disturbance. Therefore, the proposed development complies with London Plan policies D13 and D14, Local Plan policies DM3.5, DM15.7 and DM21.3 of the Local Plan, and policies S1, HS3 and HL3 of the draft City Plan 2040.

### **Air quality**

544. Local Plan 2015 policy CS15 seeks to ensure that developments positively address local air quality. Policy DE1 of the draft City Plan 2040 states that London Plan carbon emissions and air quality requirements should be met on sites and policy HL2 requires all development 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.
545. 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.
546. During construction dust emissions would increase and would require control through the implementation of good practice mitigation measures in the Construction Method Statements to be approved under conditions attached to the planning permission.
547. The development would be car-free and would utilise ASHPs for operation. Therefore, subject to conditions and obligations, the impacts are considered acceptable.
548. The City's Air Quality Officer has reviewed the proposals and has raised no objections.

549. Subject to conditions, the proposed development would have minimal impact on local air quality. The scheme meets the air quality neutral benchmarks and has demonstrated an approach that positively addresses air quality. The proposed development would accord with Local Plan 2015 policy CS15, policies HL2 and DE1 of the draft City Plan 2040, and policy S11 of London Plan which all seek to improve air quality.

### **Contaminated Land**

550. Local Plan policy DM15.8 and draft policy HL4 requires developers to carry out detailed site investigation to establish whether the site is contaminated and 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 present potential adverse impacts.

551. Policy S1 of the emerging Draft City Plan expects developers to address land contamination.

552. The application has not been accompanied by a contaminated land assessment. Nonetheless, Environmental Health Officers have reviewed the application and consider that a number of contaminated land conditions are suitable and sufficient to confirm both geotechnical and geoenvironmental ground conditions. Site investigations as part of the contaminated land conditions would need to include shallow and deep boreholes with chemical testing of soils and groundwater, as well as screening of samples for the presence of asbestos. As part of any future investigation the work should also include groundwater and gas monitoring. Overall, the proposals are in accordance with policy DM15.8 of the Local Plan and policies S1 and HL4 of the emerging City Plan subject to condition.

### **Health Impact Assessment**

553. Policy HL9 of the draft City Plan 2040 requires major developments to submit a Healthy City Plan Checklist, or Health Impact Assessment (HIA) to assess potential health impacts resulting from proposed developments.

554. The applicants have submitted an HIA using evidence and assessments of impact within documents submitted with the planning application. The HIA sets out an overall positive impact on health arising from the proposed development and advises on the benefit of adopting strategies that would ensure health impacts are positive, such as a Construction Environmental Management Plan (CEMP) and Travel Plan to encourage sustainable transport modes.

555. There are a large number of residential properties surrounding the development site. The HIA addresses potential disturbance from construction noise for the

neighbouring sensitive receptors and states that the Construction Environmental Management Plan and Demolition and Construction Logistics Plans would enable mitigation of disturbance.

556. The NHS London Healthy Urban Development Unit (HUDU) Rapid Health Impact Assessment Tool is a generally accepted methodology which is frequently used when assessing a development proposal's contribution to 'Lifetime Neighbourhoods' which provide a safe, healthy, supportive and inclusive living environment for people at all stages of their lives. As noted in the HUDU tool's supporting guidance, there is no single definition of a HIA, and it is recommended that HIAs are localised to the context of the proposal being assessed.
557. The Assessment concludes that the development would have an overall positive impact on health. Positive impacts include:
- Provision of new jobs associated with the uplift in commercial floorspace, supporting access to local employment.
  - The development would be of a high quality, inclusive and accessible for all.
  - A car-free (except the disabled bays off-site) development minimising vehicles travelling to the Site and reducing emissions
  - The construction and operation of the Proposed Development would also contribute to local economic development, creating new temporary and permanent jobs which in turn would help to address employment-related deprivation – a key wider determinant of health outcomes
  - The provision of improved publicly accessible open space at City Point Plaza would enhance the permeability of the area through level access and would benefit local residents, workers and visitors
  - Building design considering the context of the Site and maximising benefits including employing systems to reduce energy usage and minimise climate impacts as well as being resilient to the effects of climate change
558. Potential negative impacts identified would need to be mitigated during the construction and operational phases, for example by following the recommendations set out in the Noise Impact Assessment and Air Quality Assessment, and through a Scheme of Protective Works secured by condition.
559. Potential negative impacts identified in the Assessment would be mitigated so far as possible by the requirements of relevant conditions and obligations contained within the S106 Agreement. The development seeks to improve the health and addresses health inequalities, the residual impact would be acceptable, and the proposals would comply with London Plan policy GG3 and draft City Plan 2040 strategic policy S1.

### **Impact on residential amenity**

560. Local Plan policy DM21.3 and draft City Plan 2040 policy HS3 seeks to protect the amenity of existing residents by resisting uses that would have an undue impact on amenity through noise disturbance, fumes and smells and vehicular

and pedestrian movements likely to cause disturbance. Proposals should be designed to avoid overlooking and protect privacy, day light and sun lighting levels to adjacent residential accommodation. Policies CS5 of the Local Plan and S23 of the draft City Plan 2040 seek to protect the amenity of residents in the north of the City. This section of the report draws together an assessment of the impacts of the scheme on residential amenity.

561. A detailed assessment of the impact of the scheme in terms of noise and disturbance is set out in the Noise, Disturbance and Vibration section of this report. To minimise the impact of noise and disturbance on residents, conditions or S106 obligations are recommended to cover:

- Noise levels from operational plant
- A Scheme of Protective Works to manage dust and noise from the construction of the development
- A Community Space Management Plan to limit the impact of any use of the community space after office hours including dispersal
- Control of noise levels from the terraces including limitations to loud music and promoted events
- Hours of operation of the terraces and retail unit

562. The scheme has been assessed with regard to daylight, sunlight, overshadowing, solar glare and light spillage as is set out in the relevant section of this report. There would be some minor adverse impact to residential properties in Willoughby House (Barbican) but this is primarily caused by the balconies on those properties themselves rather than the mass and height of the proposed development. Notwithstanding, when compared to the pre-existing building, the consented scheme and the baseline (cleared site), it is considered that a good level of daylight and sunlight would continue to be experienced by these properties. Subject to further details in respect of the design of the building facades and a lighting strategy being secured by condition, it is not considered that the proposal would have any undue impact in respect of solar glare or light spillage. Residential amenity has been considered in the Lighting Strategy Planning Statement by MBLD. Proposed mitigation measures, including designing the interior lighting in line with the requirements of the City Environmental Zones as outlined in the Lighting SPD would be secured through condition.

563. The proposed building features a number of roof terraces and balconies for use by the building tenants, including a large 'wraparound' terrace at 14<sup>th</sup> floor level, a smaller terrace at level 19 facing south to 21 Moorfields, and a number of smaller balconies on the east elevation facing Moorfields. There are no balconies or terraces on the west elevation facing residential properties in the Barbican. The 14<sup>th</sup> floor level terrace would extend over the western volume of the building, close

to the Barbican. However, it is intended that this be extensively greened at its perimeter for both suicide prevention measures but also to reduce the amount of usable terrace at the balustrade line, creating a natural barrier to reduce overlooking to residential properties from this terrace. The 2.5m screen around the 14<sup>th</sup> floor terrace would also assist in reducing the impact from noise from the terrace to nearby properties. Control over the hours of use of the terraces is also secured through condition, limiting the hours that the 14<sup>th</sup> and 19<sup>th</sup> floor terraces could be accessed to between 8am and 6pm, and the balconies to the east elevation between 8am and 9pm.

564. Overall, Officers consider there would be no materially harmful overlooking from the terraces or balconies to nearby residential properties with the planting in place and with hours of use of the terrace heavily limited.
565. Subject to conditions it is considered that the proposal would comply with residential amenity related policies: Local Plan policy DM21.3 and CS5 and draft City Plan 2040 policy HS3 and S23.

## **Sustainability**

### **Circular Economy**

566. London Plan Policy SI7 ('Reducing waste and supporting the circular economy') sets out a series of circular economy principles that major development proposals are expected to follow. The Local Plan Policies CS15 and DM 17.2 set out the City's support for circular economy principles.
567. In considering the circular economy aspects of the proposed development, it is noteworthy to mention that the demolition of the existing 11 storey building is being undertaken pursuant to the consent for the permitted 2020 scheme and as such is not included in the current planning application. As the demolition associated with this consent has commenced, the application does not include considerations as to opportunities to retain and refurbish the building. This is accepted.
568. Additional demolition proposed in the current application relates to the Class E unit (and related structures), ground and basement floor slab, car park and access ramp of Tenter House together with the demolition of part of the City Point Plaza floor slab and New Union Street. These additional changes seek to act as an improvement to the approved scheme through enhancing the accessibility, permeability and quality of the public realm surrounding the site. Optioneering has not been undertaken in relation to this scheme and Officers are satisfied with this approach in the context of the lawfully implemented scheme.

569. The submitted Circular Economy Statement for the planning application describes the strategic approach to incorporating circularity principles and actions into the proposed new development, in accordance with the GLA Circular Economy Guidance.
570. The circular economy strategy includes details to support the reuse of existing materials, in addition to identifying an efficient materials strategy for all new elements, to include:
- The incorporation and use of existing paving slabs, and the retention of the ground floor slab at the existing Class E unit
  - Maximising the use of recycled and/or secondary content where feasible, including high levels of GBBS and recycled steel for the structural elements
  - Maximising opportunities for the re-use of recycled content in other materials such as the pre-cast concrete cladding, the plasterboard for walls and partitions, and interior floor finishes
  - Retention of existing piling where possible
  - A fully flexible open plan internal layout and easily accessible building services to accommodate a variety of end uses and internal configurations
  - A façade comprised of timber and natural stone panels in the form of modules which can all be independently disassembled from the envelope and replaced
571. 7.8% of the sub-structure (by mass), 0% of the superstructure (by mass), and 0% of the façade (by sq.m) would be retained. A pre-demolition audit has been undertaken identifying the types and quantities of key materials present in the pre-existing building whilst exploring onsite and off-site opportunities for reuse and recycling. This includes confirmation of a commitment to achieving key GLA targets including the reuse and recycling of 95% of non-contaminated construction and demolition waste.
572. Confirmation of the proposed measures and identified opportunities through an update to the Circular Economy Statement and a post-completion update in line with the Mayor's guidance on Circular Economy Assessments to confirm that high aspirations can be achieved are required by condition.

### **Operational energy strategy and carbon emissions**

573. The Energy Statement accompanying the planning application demonstrates that the proposed development has been designed to achieve a site-wide overall 16% reduction in regulated carbon emissions compared with a Building Regulations Part L 2021 compliant building.
574. Energy demand and the risk of overheating would be reduced by including the following design measures:
- Effective external shading in form of external planters and columns, balconies and deep recessing of the glazing to reduce peak solar gain whilst maximising natural daylight
  - Addition of PVs to the southern façade of floors 15-18 to minimise solar gain and provide further external shading

- Provision of openable windows providing natural ventilation enabling a mixed mode strategy and night-time cooling
- Underfloor Air Distribution (UFAD) system for office areas allowing for improved thermal comfort
- Enhanced building fabric performance, including a high-performance curtain wall system with a low solar thermal transmittance, reducing space heating demand whilst limiting solar gain
- Energy efficient lighting and controls to minimise the internal gains and consequently the cooling loads

575. There is currently an available district heating network located in close proximity to the site which is proposed to be extended in 2027. There would be capacity to connect to the network once the building has been completed and is operational. Space provision has been identified within the basement level of the development to allow for future plant development to connect to the network in the future. This includes space for heat exchangers, isolation valves and safeguarded pipe routes to the site boundary. However, as the required information to determine the associated carbon emissions of the proposed development once connected to the network has not yet been made available, and to allow for flexibility in the event of any delays to the network becoming operational, the energy strategy relies on an independent servicing strategy and will be updated as further information becomes available.

576. Low and renewable energy technologies are proposed to the development including a PV array covering an area of 288sq.m (comprised of 168sq.m on the southern façade and 120sq.m on the roof) which would provide low carbon and renewable energy, and 2no. air source heat pumps (that are water based rather than refrigerant based to allow future connection to Citigen) located at roof level to provide space heating, domestic hot water, and cooling. The ventilation strategy is also decentralised with air handling units (AHU) on each floor to allow for multi-tenanted floors.

### **Energy Use Intensity (EUI)**

577. The adopted GLA energy assessment guidance (2022) requires developments to calculate the EUI, a measure of total energy consumed in a building annually including both regulated and unregulated energy, as well as the space heating demand. For offices, the GLA targets an ambitious EUI of 55 kWh/m<sup>2</sup>(GIA)/year and a space heating demand of 15 kWh/m<sup>2</sup>(GIA)/year. The estimated EUI from the proposed (whole) development is 141.8 kWh/m<sup>2</sup>/year inclusive of a space heating demand of 3.97 kWh/m<sup>2</sup>/year.

578. For comparative purposes, figures for the office and flexible commercial uses have also been separated and show that the office space would have an EUI of 135.6kWh/m<sup>2</sup>(GIA)/year and a space heating demand of 3.80 kWh/m<sup>2</sup>(GIA)/year, whilst the community space would have an EUI of 304.7kWh/m<sup>2</sup>(GIA)/year and a space heating demand of EUI of

16.5kWh/m<sup>2</sup>(GIA)/year These values are based on speculative allowances that would be reviewed in more detail to provide more accurate estimations in the next stages.

579. The site-wide energy strategy does not meet the London Plan target of 35% carbon emission savings compared to a Part L 2021 compliant scheme. However, the calculated 16% reduction is broadly in line with other City office developments approved since the adoption of Part L 2021 that now includes low carbon heating for non-residential developments in the baseline, but not for residential developments. This 16% reduction is comprised of 12% savings from energy demand reduction and 4% savings from renewable energy.
580. A S106 obligation is to be included requiring reconfirmation of this energy strategy approach at completion stage and a Carbon Offsetting Contribution may be sought to account for any shortfall against London Plan targets, for the completed building. There would also be a requirement to monitor and report the post construction energy performance to ensure that actual operational performance is in line with GLA's zero carbon target in the London Plan.

## **BREEAM**

581. Two BREEAM New Construction 2018 pre-assessments have been undertaken, one each for the office and retail uses targeting "outstanding" and "excellent" ratings respectively:
- a) Offices (shell and core): 90.64%
  - b) Retail (shell only): 83.10%
582. The pre-assessments are on track to achieve a high number of credits in the City of London's priority categories of Energy, Water, Pollution and Materials, as well as the climate resilience credit in the Waste category.
583. The BREEAM pre-assessment results comply with Local Plan Policy CS15 and draft City Plan 2040 Policy DE1. Post construction BREEAM assessments are required by condition.

## **Whole Life Cycle Carbon Emissions**

584. As outlined throughout this report, the pre-existing 11-storey Tenter House building is being demolished under the lawfully implemented 2020 consent, reference 17/01050/FULMAJ. Concern has been raised through public consultation that the application does not take into account the demolition of the 11-storey building with regards embodied carbon emissions.
585. The City of London Carbon Options Guidance Planning Advice Note (2023) states that proposals that are either (a) major planning applications or (b) are minor applications that propose to demolish the majority of the building should



undertake an optioneering exercise at pre-application stage, to explore options for refurbishment or redevelopment of the site prior to adding other planning considerations into the mix. This optioneering process is then independently reviewed on behalf of CoL to provide robustness to the process.

586. As the vast majority of the structures on site are being demolished already under the lawfully implemented consent, Officers did not consider it reasonable to require optioneering for the remaining elements to be demolished under this application - that is the Class E 'Pret a Manger' and its remaining structures, the car park access ramp, and plaza - as there was no feasible or reasonable option for retention and refurbishment of these elements when the primary building structure is already being demolished.
587. London Plan Policy SI2 (Minimising greenhouse gas emissions) requires applicants for development proposals referable to the Mayor (and encouraging the same for all major development proposals) to submit a whole Life-Cycle Carbon assessment against each life-cycle module, relating to the product sourcing stage, construction stage, the building in use stage and the end-of life stage. The assessment captures a building's operational carbon emissions from both regulated and unregulated energy use, as well as its embodied carbon emissions, and it takes into account potential carbon emissions benefits from the reuse or recycling of components after the end of the building's life. The assessment is therefore closely related to the circular economy assessment that sets out the contribution of the reuse and recycling of existing building materials on site and of such potentials of the proposed building materials, as well as the longevity, flexibility, and adaptability of the proposed design on the whole life-cycle carbon emissions of the building. The whole life-cycle carbon assessment is therefore an important tool to achieve the Mayor's net-carbon city target.
588. The submitted whole life-cycle carbon assessment sets out the strategic approach to reduce operational and embodied carbon emissions and calculates the predicted performance that compares to current industry benchmarks as set out in the table below.
589. The following principal carbon reduction measures have been incorporated into the proposal, to reduce the amount of embodied carbon resulting from the proposed scheme:
- For the superstructure, composite timber joists with precast planks and in situ concrete topping would be chosen due to its low embodied carbon when compared with other options
  - The façade system comprises a precast concrete unitised system with punched composite timber curtain walling to promote reduced onsite material usage and waste
  - The use of an underfloor air distributing system (UFAD) which would reduce the quantity of ductwork and piping required
  - Internal partitions have not been included into the base build and internal finishes have been limited to reduce waste from individual tenant alterations.

590. The tables below show whole life-cycle carbon emissions per square meter in relation to the GLA benchmarks (embodied carbon without carbonisation applied) at planning application stage:

Scope	Proposed Redevelopment	Benchmark	GLA Benchmark
RICS components	KgCO2/m2	KgCO2/m2	
A1-A5 (excluding sequestered carbon)	750	<950	GLA Standard
		<600	GLA Aspirational
A-C (excluding B6-B7; including sequestered carbon)	1185	<1400	GLA Standard
		<970	GLA Aspirational
B6-B7	1161	N/A	N/A

591. The results show that the A1 – A5 and A-C (excluding B6 - B7) whole life-cycle emissions would meet the GLA benchmarks.

592. These figures would result in overall whole life-cycle carbon emissions of 80,192,147 kgCO2e over a 60-year period. Of this figure, the operational carbon emissions would account for 39,685,302 kgCO2e (49.5% of the building's whole-life life cycle), and the embodied carbon emissions for 40,506,845 kgCO2e (50.5% of the building's whole life-cycle carbon). The embodied carbon from the substructure contributes 16.8% to the total embodied carbon, while the superstructure accounts for 41.2% of the total. Building services (excluding modules B6 and B7) would contribute 27.6% of total embodied carbon emissions, and finishes and external works would contribute to 14.3% of the total embodied carbon figure.

593. The majority of the operational carbon emission figures resulting from the scheme relate to assumed tenant energy consumption, a large proportion of which is attributed to servers and equipment. A circumspect approach has been used which assumes high levels of tenant energy consumption in consideration of the range of tenant types that might occupy the commercial and community space. When taking into account the base build independently, the scheme has the potential to achieve a minimum NABERS 5\* equivalent level of performance subject to detailed monitoring of the full HVAC system.

594. A higher recycled content of steel and cement replacements in concrete would be targeted in the detailed design and procurement stages which would further reduce the upfront carbon emissions. An appraisal has been undertaken to identify potential opportunities to reduce embodied carbon and move towards reaching the GLA aspirational targets based on the most contributing baseline materials. These opportunities include:

- Utilising 50% to 70% cement replacement for the substructure concrete

- Low carbon alternative (Electric Arc Furnace) for sub and superstructure reinforcement steel
- Low carbon alternative for extruded aluminium profiles for the façade, using renewable energy and high recycled content
- Decreased thickness of façade glazing
- Reused panels (RMF EcoRange) for raised access flooring panels

595. A detailed whole life-cycle carbon assessment confirming improvements that can be achieved through the detailed design stage, in particular those that have been identified in the application documents, and a confirmation of the post-construction results are required by conditions.

## **Climate Resilience**

### **Urban Greening**

596. London Plan Policy G5 (Urban Greening) sets out the requirement for major developments to contribute to the greening of London through urban greening as part of the design and site. An Urban Greening Factor of 0.3 is recommended for non-residential developments. Draft City Plan 2040 policy OS2 (City Greening) mirrors these requirements and requires the highest levels of greening in line with good design and site context.

597. The proposed development would incorporate significant public realm areas and landscaping at street level and higher up the building in the form of new green terrace at the 14th floor, accessible balconies on the east elevation, and additional greened inaccessible area on the north and west elevation as part of the exoskeleton design.

598. The landscape proposals seek to create a robust green infrastructure embedded within the architecture. This includes an extensive green roof located at level 20, planted balconies on seven levels to create a cascading green façade in addition to the 14th floor terrace which would comprise lush planting and mature trees in an informal arrangement that encourages active enjoyment of the garden. The planting strategy includes a mix of species interspersed across the site in addition to the incorporation of varied tree species which seeks to improve biodiversity.

599. Three different calculations of the Urban Greening Factor have been undertaken. Scenario A relates to the proposed building excluding the plaza, Scenario B includes both the proposed building and plaza but excluding the soft landscaping in the plaza, and Scenario C includes the proposed building and plaza excluding soft landscaping but including climbers added at the uppermost storeys of the building as a result of the design amendments.

600. Scenario A would achieve a minimum Urban Greening Factor (UGF) of 0.56 whilst Scenario B and C would each achieve a minimum UGF of 0.32, therefore demonstrating compliance with the London Plan requirement for all scenarios.

## **Biodiversity**

601. As the existing site is a zero-baseline site (i.e. has no vegetative habitats over the minimum mappable unit), it is acknowledged that the 10% BNG requirement is not mandatory. Nevertheless, the BNG Metric has been applied as a demonstration tool to calculate the biodiversity units generated by the proposed landscaping, with a target of a minimum of 3 BU/ha.
602. The proposed development would result in a total of 4.19 BU/ha which would exceed the 3 BU/ha proposed target included with the City of London's Draft Local Plan (City Plan 2040).
603. Other enhancement measures such as provision of bat and bird boxes are recommended and would be considered an ecological enhancement, however, wouldn't affect the calculated net gain scores under the DEFRA Metric Biodiversity 4.0 methodology.

## **Overheating**

604. To address urban heat island risks, the proposed development includes an approach designed around passive measures and limiting internal heat gains to minimise the need for cooling. This includes the incorporation of several features including the use of high albedo materials, openable windows, exposed internal mass and high ceilings, and the provision of green infrastructure on the roof.

## **Flooding**

605. The site is located within Flood Zone 1 - land assessed as having a less than 1 in 1000 annual probability of river or sea flooding (< 0.1%). A large portion of the roof would be provided as a green / blue roof, which would capture surface water at source and reduce the peak runoff from the development. It is proposed to attenuate surface water collected within the building footprint to greenfield run-off rate (2.59 litres/sec). An attenuation tank of 80m<sup>3</sup> is proposed within the basement to achieve the permissible discharge rate.

## **Water Stress**

606. Efficient water consumption would be maximised through the incorporation of water efficient sanitaryware and the project would target the 55% improvement over the BRE's baseline building, corresponding to all the credits being achieved under BREEAM Wat 01. Rainwater harvesting is proposed using the proposed attenuation tank within the basement. Greywater harvesting is proposed for the showers and wash hand basins where feasible. Water metering infrastructure would be provided to ensure in use monitoring and preventing minor leaks.

## Sustainability conclusion

607. 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. The Local Plan policies require redevelopment to demonstrate highest feasible and viable sustainability standards in the design, construction, operation and end of life phases of development as well as minimising waste, incorporating climate change adaption measures, urban greening and promoting biodiversity and minimising waste.

608. The proposed development would deliver a high quality, energy efficient development that is on track to achieve “outstanding” and “excellent” BREEAM assessment ratings across its uses, in overall compliance with London Plan policy SI 2, Local Plan policy CS15 and DM 15.5 as well as Draft City Plan 2040 policy DE1. The proposals cannot meet the London Plan policy SI2 target of 35% operational carbon emission savings compared to a Part L 2021 compliant scheme which the GLA acknowledges will initially be difficult to achieve for commercial schemes. However, the scheme demonstrates the implementation of various measures to reduce operational energy demand and benefits from future capacity to connect to a nearby district heating network upon completion. It is expected that further reductions in operational energy demand will occur over time in accordance with the anticipated decarbonisation of the heat network.
609. The planning stage whole life-cycle carbon emissions accords with the GLA benchmarks, and opportunities to maximise the reuse of deconstruction materials from the site have been identified to mitigate impacts of redevelopment. The proposal therefore would satisfy the GLA’s circular economy principles and London Plan policy SI 7, Local Plan policy CS15 and DM17.2, and Draft City Plan 2040 policy CE1. The building design responds well to climate change resilience by reducing solar gain, saving water resources and various opportunities for urban greening and biodiversity and complies with London Plan Policies G5 SI 4, SI 5 and SI 13, Page 97 Local Plan policies DM18.1, DM18.2, CS19, DM19.2, and Draft City Plan 2040 polices S14, OS1, OS2, OS3, S15, CR1, CR3.

### **Security**

610. London Plan Policy D11 (‘Safety, security and resilience to emergency’) states that 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.
611. Local Plan Policy CS3 (‘Security and Safety’) seeks to ensure that the City is secure from crime, disorder, and terrorism. Local Plan Policy DM3.2 (‘Security measures in new developments and around existing buildings’) seeks to ensure

that security is considered from an early stage of design development in connection with the City of London Police, with features integrated into the site boundary. Policy DM3.3 ('Crowded places') requires major development proposals to integrate counter-terrorism measures including Hostile Vehicle Mitigation. Policy DM3.5 sets out expectations for Management Plans in relation to night-time uses.

612. Safety and security of a development is enhanced where there is adaptability within the space to manage changes in security needs. During the operational phase, areas within the public realm would be well-lit, with active frontages providing passive surveillance, in addition to the presence of building management personnel.
613. Security proposals to protect the building, its users, and new areas of public realm have been developed in consultation with the City of London Police. Where 'terrorism' has been identified to be a potential direct or indirect threat to the development, appropriate improvements to vehicle management, structural design, façade glazing systems, Hostile Vehicle Mitigation (HVM) strategies and lockdown incident management strategies would be applied as required. The proposals use a mix of physical interventions such as planters, landscaping, and bollards, and technological means such as the use of video surveillance systems (VSS), and access control measures, incorporated into the design of the built form alongside operational security measures to promote a safe and secure sense of wellbeing for users operating within, and reduce potential opportunities for crime and anti-social behaviour occurring around the site.
614. The proposed security measures are designed to limit access to areas beyond the public realm through the use of certified intrusion resistant doors and window schemes and building access controls with anti-tailgating features. The design of the public realm in City Point Plaza incorporates spatial features through landscaping and a reduction in areas of concealments and dead spaces, thereby improving natural surveillance across the site and reducing the overall potential of antisocial activity.
615. In addition, the potential of any vehicular impact upon the structure has also been considered. Hostile Vehicle Mitigation (HVM) has been sensitively incorporated in the public realm, through sensitive use of a mix of "softer" measures such as a HVM compliant planters including dense landscaping and tree planting, with a limited number of bollards, with none to be placed on the public highway.
616. The proposed servicing strategy would separate vehicle servicing access from areas of high pedestrian footfall or dwell spaces as far as possible, allowing the public realm to perform a variety of functions without being disturbed by the presence of large vehicles. The proposals have been assessed to ensure they

are serviced, maintained and managed in such a way that would preserve safety and quality, without disturbance or inconvenience of the surrounding public realm, in accordance with London Plan (2021) Policies D3 (4) and D9.

617. Safety and security of a development is enhanced where there is a clear understanding of what space is to be used for, and where a sense of ownership is fostered. The development has been designed to be welcoming to both visitors and legitimate, authorised users, through active signposting, and clear demarcation of circulation across the public realm along New Union Street, Moorfields, City Point Plaza, and Moor Lane. They have been designed to be inclusive and have access features such as gentle gradients, suitable surfaces, rest points and good lighting.
618. The overall final security strategy, including further details of HVM measures which would be secured by condition, and a Public Realm Management Plan to be secured by condition, would detail more specifically the measures to protect the building and its different user groups. The proposal, subject to conditions would be in accordance with Local Plan Policies DM3.2 and DM3.3. The proposals are considered to be in accordance with City of London Local Plan (2015) Policy CS3.

### **Suicide Prevention**

619. Policy DM 3.2 of the adopted Local Plan 2015 ('Security measures in new developments and around existing buildings') aims to ensure that appropriate security measures are included in new developments by requiring measures to be integrated with those of adjacent buildings in the public realm. Policy DE5 of the draft submission City Plan 2040 advises that appropriate safety measures should be included in high rise buildings, to prevent people from jumping or falling. The City Corporation has also approved a guidance note "Preventing Suicide from High Rise Buildings and Structures" (2022) which advises developments to ensure the risk of suicide is minimized through appropriate design features. These features could include planting near the edges of balconies and terraces, as well as erecting balustrades. The guidance explains that a risk assessment should be carried out to identify building features which could be used for suicide, notably any point located 10 metres above ground level. The guidance explains that strategically placed thorny or prickly plants (hostile planting) can delay and deter an individual trying to gain access to a dangerous location. The type of plant, its appearance and practical deterrent capability across all seasons should be considered within any assessment. The site arrangements should also consider what steps will be taken if the plants die or wither, so as to remove or significantly reduce the deterrent effect.

620. The guidance explains that current legislation specifies appropriate heights and design for balustrades on balconies. Building Regulation K2 states the following:  
K2 – (A) Any stairs, ramps, floors and balconies and any roof to which people have access, and  
(B) any lightwell, basement area or similar sunken area connected to a building, shall be provided with barriers where it is necessary to protect people in or about a building from falling.
621. The guidance within the rest of the Approved Document K and the British Standard has a minimum height of 1.1m. The Regulation states that people need to be protected, and the designer should do a risk assessment and design the edge barrier accordingly, but with a minimum 1.1m height. Barriers and edge protection need to be appropriately designed and should take into consideration British Standard BS 6180: Barriers in and around buildings.
622. Designers need to consider the suicide risk of a building and design edge protection to an appropriate height. If it is considered that there is a significant risk of people attempting suicide, barrier heights should be higher. UK Health Security Agency (UKHSA) main design recommendations for fencing on high rise buildings and structures advises a barrier height of at least 2.5 metres high, no toe or foot holds, and an inwardly curving top is recommended as it is difficult to climb from the inside. The barrier should be easier to scale from the outside in case an individual wishes to climb back to safety. Developers must, as a minimum, comply with Building Regulation standards and, where feasible and practical, consider providing a barrier in line with UKHSA guidance. Where a barrier is installed, consideration should be given to its ongoing maintenance. Appropriate servicing, testing and maintenance arrangements must be provided to confirm its ongoing effectiveness. This should include consideration of the material (potential failure mechanisms, installation by approved contractor), the potential for wind loading (fences must be resistant to adverse weather), the weight load and anti-climbing requirements. Consideration should be given to any object placed against a wall or edge at a high level that can be used as a step by a vulnerable individual.
623. The proposed development comprises a tall building which includes balconies for the use of the building occupants from floors 1 to 13 to the east elevation, a larger wraparound terrace at the 14th floor, and a linear terrace to the south elevation at level 19 that may represent a potential risk to individuals attempting suicide from the building. These risk areas have been defined and assessed in consultation with City of London as part of the pre-application consultation process, and solutions have been agreed and applied to the areas identified.
624. The balconies and terraces would operate with restricted access to tenants only. The balustrades on all balconies from level 1 to 13, and 19 are at a height of



1.4m. The 14th floor roof terrace is surrounded by a 2.5m high screen along with low-growing dense planting to restrict access to the edge of the building. The balconies are arranged to be directly overlooked by the adjacent internal workspace, providing direct human surveillance to these areas. Further measures include suitable lighting and CCTV provision to further augment the opportunities for human intervention.

625. The applicant agrees to provide a Suicide Prevention Strategy and Management Plan for tenants that aim to reduce the risk of suicide. The Management Plan would include the following details: (i) Signposting to appropriate support services for those who intervene/witness a suicide or discover a body, (ii) Collect data to audit and mitigate risk factors, (iii) Conduct regular reviews of the suicide risk assessment and monitor performance, (iv) Implementation of suicide mitigation measures including adequate information, (v) training, and record keeping and maintenance, (vi) Support employee welfare including an Employee Assistance Programme. This would be secured by condition along with details of balustrade height and design.
626. A combination of physical barriers, staff training, and surveillance are proposed to maximise the effectiveness of preventative measures, including measures that increase the potential for human intervention. In all instances the height of the proposed barriers and other measures are adequate, balustrades would exceed the minimum required by Building Regulations and seek to provide heights in line with the Suicide Prevention PAN, and as such would comply with the relevant development plan policies notably DM3.2. of the Local Plan (2015) and policies DE2 and DE4 of the draft City Plan 2040.

### **Fire Statement**

627. A Fire statement has been submitted outlining the fire safety strategy for the building. The City District Surveyor's office has reviewed the submitted fire statement and has confirmed that this is in accordance with policies D5 and D12 of the London Plan. The Fire Statement is therefore adequate for the planning stage and is secured by condition.

### **Assessment of Public Benefits and the NPPF Paragraph 208 Balancing Exercise**

628. Under s66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard must be had to the desirability of preserving the settings of the aforementioned listed buildings.
629. When considering the impact of a proposal on the significance of designated heritage assets, decision makers are required to give great weight to their

conservation (and the more important the asset, the greater the weight should be), and to be satisfied that any harm is clearly and convincingly justified (NPPF paras 205 and 206).

630. The proposal would result in a slight, minor level of less than substantial harm via indirect setting impacts to the significance of St Paul's Cathedral.
631. Given the proposal would result in harm to the significance of a Grade I listed building, there is a strong presumption against the grant of planning permission. Notwithstanding, that presumption is capable of being outweighed via wider public benefits.
632. The proposal would trigger paragraph 208 of the NPPF, which 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'.
633. Public benefits could be anything that delivers economic, social or environmental objectives as described in the NPPF (para 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public to be genuine public benefits.
634. The key economic, environmental, and social public benefits which flow from the proposal are considered to be:
635. Economic:
- The provision of 33,758 sq.m (GIA) of grade A office floorspace, would contribute to office floorspace requirements for the City delivering an estimated net increase of 374 FTE employees over the consented scheme (1447 to 1821 (or a net increase of 467 without the 20% absentee rate (1809 to 2276)). This uplift would contribute significantly to inward investment in the Square Mile and supports the strategic objective to maintaining a world class city which is competitive and promotes opportunity.
  - The provision of 287sq.m (GIA) of retail floorspace to activate and animate the ground floor plane of the site, which would increase spend in the City by workers, residents, and visitors.
  - The enhanced public realm would drive footfall through the site during the day, evenings, and weekends. Occupiers on site and in the locale would benefit from the increase in footfall and the high-quality amenities provided by the proposed development.

Collectively, these benefits are attributed moderate weight.

636. Environmental:

- It would deliver growth in a highly sustainable location which would assist in the delivery of the City of London's Transport Strategy, assisting in creating sustainable patterns of transport.
- At a local level the proposal would result in significant enhancement of the public realm at ground level including the revitalisation of New Union Street and substantial enhancements to City Point Plaza including increasing the size and quality of the public open space with an additional 30.3sq.m of permissive path and an additional 124.5sq.m of Open Space.
- The proposals would deliver enhanced permeable public space, active uses which would enhance urban greening, and the quality, appearance, and distinctiveness of the which aligns with the aspirations of Destination City.
- The significant increase and extent of urban greening on the building and in the enhanced public spaces would provide a healthy, sustainable, and biodiverse environment for all to access. The urban greening is exemplary and the UGF score of 0.56 for the building excluding the plaza would meet/exceed emerging City Plan Policy targets.
- There would be enhancements to biodiversity from the proposed landscaping, over and above the biodiversity targets set out in draft policy.
- Reduction in vehicle trips through consolidated servicing strategy and removal of the car park, and associated public highway improvements through the removal of vehicle crossovers.
- The local area would be transformed through improvements to the public realm for pedestrians along New Union Street and City Point Plaza, as well as the potential for enhanced pedestrian and cyclist movement around the site and locality through pavement widening, changes to the road layout and function along Moorfields and streetscape enhancements, which would encourage active travel and support the wellbeing of users and improve highway safety constituting a key social and environmental benefit in a congested and polluted area. The highway improvement works are to be delivered through a s278 agreement.

Collectively, these benefits are attributed significant weight.

637. Social:

- The provision of circa 142sq.m (GIA) of community floorspace at ground floor level to encourage socialisation, combined with the café/restaurant unit at ground floor and public realm enhancements to promote wellbeing and support vibrancy.
- Improvements to accessibility and wayfinding through City Point Plaza through the removal of the car park access ramp and improvements to level

access across the plaza which would establish a more equitable and pleasant route from Moorgate Station to the Site and beyond.

- The delivery of cultural proposals unique to the Site to further enhance the environment and public realm around the site, including a commitment to providing Creative Workspace to promote diversity of commercial occupiers and to contribute to the aims of Destination City.
- The quality and extent of the public realm would support the social vibrancy of the area through encouraging activity on evenings and weekends. The site would attract visitors, increase tourism, support and enhance the image of the area.
- The proposal would secure a S106 obligation of £1,582,300 towards affordable housing provision.

Collectively, these benefits are attributed moderate weight.

638. In relation to the indirect impact on the Grade I listed St Paul's Cathedral, this is a designated heritage asset of the highest order and the highest sensitivity. When carrying out the balancing exercise, considerable importance and weight has been given to the desirability of preserving its setting and great weight given to its conservation.
639. Officers consider that the slight level of harm arises, in this case, from the fleeting loss of clear sky behind part of the Cathedral's west front, in a viewing experience characterised by modern buildings passing in and out of the Cathedral's backdrop silhouette; this experience of the Cathedral is not one of a pristine, strictly formal viewing sequence, but a more casual, kinetic one, in which the modern city is seen continually and organically evolving behind the Cathedral, which in some cases involves buildings making contact with its silhouette. The proposal is consistent with this experience and would be very minimally visible.
640. As set out in preceding paragraphs, options have been explored to optimise the benefits which could flow from the proposal whilst avoiding or minimising harmful impacts to heritage assets. In this case, the slight level of harm arises more because of the very high sensitivity of the Cathedral, rather than because of the magnitude or character of the proposal's impact. This being so, officers consider it appropriate, in this instance, to weigh this impact against the public benefits of the proposal.
641. When carrying out the paragraph 208 balancing exercise in a case where there is harm to the significance of designated heritage assets, considerable importance and weight should be given to the desirability of preserving the building or its setting. In this case, it is the view of officers that the collective package of the public benefits secured, and which flow from the development proposals, would outweigh the slight, very minor level of heritage harm identified

to this designated heritage asset of the highest calibre, thus complying with para 208 of the NPPF.

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

642. In consideration of the proposed development, the Public Sector Equality Duty (PSED) requires the City of London to consider how the determination of the application would 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.
643. The City, as a public authority must, in the exercise of its functions, have due regard to the need to:
- Eliminate discrimination, harassment, 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.
644. The characteristics protected by the Equality Act are age, disability, gender, reassignment, pregnancy and maternity, race, religion or beliefs, sex and sexual orientation. 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.
645. As set out in the submitted Statement of Community Involvement (SCI), the consultation process meetings and consultation with stakeholders from resident groups, cultural institutions, and community organisations which in particular sought to develop the Culture Plan. This feedback formed principles to underpin the development's cultural offer, which would carry forward the commitment to genuine involvement with local stakeholders through co-curation and shared programming with community and cultural partners.
646. It is the view of officers that a decision to grant permission would remove or minimise disadvantages suffered by persons who suffer from a disability including mobility impairment. In particular, the physical design and layout of the scheme has been designed to be accessible to all regardless of age, disability, whether you are pregnant, race, sex, sexual orientation and gender reassignment and marital status. This would be achieved through measures such as the creation of step-free access to all parts of the site, the provision of resting/seating areas in the external landscape and public space. Where feasible this has been located

at intervals no greater than 50m and at least one additional disabled parking bay would be provided within the public realm as part of S278 works. Final details would be secured by condition in order to ensure equality of access. For example, furniture provisions such as cycle stands, bollards and seating areas are indicative and subject to future design detail and development.

647. It is recognised that noise and disturbance during construction may have a disproportionate impact on certain groups. These points have been considered in the Transport and Accessibility sections of the report and conditions are recommended to mitigate the impacts so far as possible.
648. It is noted that the Equality Act carries ongoing responsibilities which will continue once the development is complete. As part of considering the design of the building and the physical environment, the property management team for the building and public spaces will need to have suitable management policies and procedures to ensure the obligations of the Act are met once the building is in operation. This would include the proposed community space which currently does not have any end user finalised. In formulating the community and cultural offers, the landowner should continue to engage with a full range of local stakeholders so that its offer is relevant and accessible to all.

### **Human Rights Act 1998**

649. 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”)).
650. Insofar as the grant of planning permission will result in interference with the right to private and family life (Article 8 of the ECHR) including by causing harm to the amenity of those living in nearby residential properties, it is the view of officers that such interference is necessary in order to secure the benefits of the scheme and therefore necessary in the interests of the economic well-being of the country, and proportionate. It is not considered that the proposal would result in an unacceptable impact on the existing use of nearby residential properties including by reason of loss of light or privacy. As such, the extent of harm is not considered to be unacceptable and does not cause the proposals to conflict with Local Plan Policy DM10.7. It is considered that the public benefits of the scheme, including the provision of additional office floorspace within the proposed development, meeting Local Plan ambitions for further office floorspace and contributing to the City’s primary business and professional services function, outweighs the Minor Adverse impacts on nearby residential properties and that such impact is necessary in the interests of the economic well-being of the country and is proportionate.

651. Insofar as the grant of planning permission will result in interference with property rights (Article 1 Protocol 1) including by interference arising through impact on daylight and sunlight or other impact on adjoining properties, it is also the view of officers that such interference is in the public interest and proportionate and strikes a balance between the competing interest of the land owners and community as a whole.

### **CIL, Planning Obligations and related Agreements**

652. 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.

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

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

655. Under Regulation 74B of the CIL Regulations 2010 (as amended) "the Regulations", CIL payments made in respect of a development that has commenced but has not been completed can be credited against the levy liability for a revised scheme under a new planning permission, on all or part of the same land. This levy credit is known as abatement. This provision is to ensure that CIL is not inappropriately levied twice (or more) as schemes change during the course of development of a site.

656. Planning permission 17/01050/FULMAJ resulted in a total CIL levy of £3,970,976.25 which has been paid in full (£1,427,745.19 collected for the City of London and £2,543,231.06 collected for MCIL2).

657. The applicant may therefore be eligible to submit a request for abatement in accordance with Regulation 74B of the Regulations. If abatement were to be granted, this would allow for the CIL levy of £3,970,976.25 paid in respect of 17/01050/FULMAJ to be credited against the CIL due in respect of this application. However, this is conditional on this application receiving planning permission from the City of London, the correct CIL procedure being followed in accordance with the Regulations, including a valid request for abatement being received.

658. Regulation 74B of the Regulations also allows for demolition 'credit' from an original planning permission on a site to be carried forward to an alternative development on the same land under a new planning permission, provided that abatement is granted in relation to the new development. However, in order for this demolition 'credit' to be claimable the request for abatement must be made within three years of the date of grant of the original planning permission under which the buildings were demolished. Planning permission granted under reference 17/01050/FULMAJ received consent 29 September 2020, and therefore the three-year time period has now passed. As a result, the demolished floorspace credited in the calculation of CIL for 17/01050/FULMAJ is not to be credited in the calculation of CIL for this application.

659. For the avoidance of doubt, as the planning permission does not expressly provide for the development to be carried out in phases, payment of the CIL levy is not to be phased. The development, if granted, would be treated as one chargeable development and payment of CIL would be required upon commencement of the development in accordance with the Regulations as well as the City of London CIL Charging Schedule (2014) and MCIL2 Charging Schedule (2019).

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

MCIL2

Liability in accordance with the Mayor of London's policies	Contribution (excl. indexation)	Forwarded to the Mayor	City's charge for administration and monitoring
<b>MCIL2 payable</b>	£5,835,395	£5,601,979	£233,416

City CIL and S106 Planning Obligations

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>	£2,373,450	£2,254,778	£118,673
<b>City Planning Obligations</b>			
Affordable Housing	£1,582,300	£1,566,477	£15,823
Local, Training, Skills and Job Brokerage	£949,380	£939,886	£9,494
Carbon Offsetting Contribution (as designed) <i>Not indexed</i>	£265,172	£265,172	£0



S106 Monitoring Charge	£4,500	£0	£4,500
Section 278 (Evaluation and Design Fee) <i>Not indexed</i> (see paragraph 663 below)	£75,000	£75,000	£0
<b>Total liability in accordance with the City of London's policies</b>	<b>£5,249,802.00</b>	<b>£5,101,312.70</b>	<b>£148,489.30</b>

### Planning Obligations and related Agreements

661. 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
- Local Training, Skills and Job Brokerage (*Demolition and Construction*)
- Delivery and Servicing Management Plan (*including Consolidation*)
- Travel Plan (including Cycling Promotion)
- Construction Monitoring Cost (*£53,820 First Year of development and £46,460 for subsequent years*)
- Carbon Offsetting
- 'Be Seen' Energy Performance Monitoring
- Utility Connection Requirements
- Section 278 Agreement (*CoL*)
- Television Interference Survey
- Wind Audit
- Solar Glare
- Cultural Implementation Strategy
- Creative Workspace (*Provision of and the submission of a Management Plan*)
- Community Space (*Provision of and the submission of a Management Plan*)
- Delivery of Open Space Improvements and provision of permissive path
- Removal of existing car park ramp

662. The Open Space at CityPoint Plaza is regulated by 1962 Deed requiring its provision and maintenance as open space and prohibiting alterations to its layout or installation of structures without the City's previous consent. Reconfigurations were agreed in 1999 and 2017, reflected in the current layout. The proposed Open Space changes would require further consents from the City under the 1962 Deed. It is proposed that these be agreed in conjunction with the S.106 Agreement. I request that I be given delegated authority to continue to negotiate and agree the terms of the proposed agreements and enter into the S278 agreement.

663. The scope of the s278 agreement may include, but is not limited to:

- Repaving of footways and re-alignment of road to suit new site layout on Moorfields and Moor Lane.
- Resurfacing of the carriageway on Moorfields
- Removal of existing crossover and reinstatement of footway, following the removal existing ramp to basement
- Provision of road markings
- Provision of at least one on-street disabled bays with electric charging points and associated traffic orders
- Removal of redundant street furniture, if applicable
- Any highways repair and reinstatement works in the vicinity of the site, as impacted by construction works; and
- Any other works reasonably necessary to make the Development acceptable.

664. A S278 evaluation and design fee of £75,000 was secured under the S106 agreement relating to the extant planning permission, 17/01050/FULMAJ and this fee has been paid in full to the City Corporation. As the S278 evaluation and design process has not been undertaken in relation to the extant scheme, the £75,000 already paid shall be used towards the design of the highway works in line with which planning permission the applicant implements. A S106 agreement would therefore credit the fee as already paid.

#### Monitoring and Administrative Costs

665. 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.

666. 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.

## **Conclusions and Overall Planning Balance**

667. The proposal has been assessed in accordance with the relevant statutory duties and having regard to the Development Plan and other relevant policies and guidance, SPDs and SPGs and relevant advice including the NPPF, the draft Local Plan and considering all other material considerations.
668. 101 objections to the scheme have been received raising concern over loss of amenity to residents from overlooking and loss of light, harm to heritage assets, and the impact of the proposed delivery and servicing arrangements on local residents as the primary points. The Surveyor to the Fabric of St Paul's, the Barbican and Golden Lane Neighbourhood Forum, Barbican Quarter Action and the Barbican Association are some of those that raise objections to the scheme. Historic England has provided comment but has not formally objected to the proposals.
669. The proposals would deliver 33,758 sqm (GIA) of high-quality flexible office space that would contribute towards maintaining the City's position as the world's leading international financial and business centre.
670. The proposals are classed as a tall building under policy, and the site is not located within an area identified as inappropriate for a tall building in the City's Local Plan. Officers have thoroughly assessed the qualitative impact of the proposals, and find while most parts of London Plan D9 are complied with some conflict with London Plan D9 C (1:a:i) arises due to adverse impacts on designated heritage assets and views, for the same reasons creating conflict with draft City Plan 2040 S12 (2,8:a&c,10:b) and S13:2. These impacts and conflicts are considered below.
671. The proposals would have a transformational impact on the vibrancy, activation and permeability of the streetscene, providing a high-quality scheme which, over and above the consented proposals, provides a responsive design that capitalises on the important gateway location. In particular, the use of the entirety of the Moorfields ground floor frontage with an active public offer and provision of sheltered routes along its extent, carrying on through to the plaza and new plaza facing community hub, are found to rehabilitate what is presently experienced as a back-land location. A pleasing calm and ordered façade has prioritised a welcoming and inclusive character, making use of natural materials such as timber soffits and window panels, and supports to achieve a harmonious design which draws together the plaza surroundings, responding to both its post-war and contemporary contexts.
672. In this way the proposals are seen as an improvement on the consented scheme which is more corporate and isolated in its architectural approach. Importantly,

the designs have been upgraded to meet the rigorous assessments against inclusivity and accessibility under the draft City Plan 2040, offering a much-improved ground floor, internal layout and wayfinding experience. The proposal amounts to a complex and high-quality piece of design in response to local and pan-London contexts. It is considered the proposal would optimise the use of land, delivering high quality office space, offering a greater diversity and more active streetscape when compared to the consented scheme.

673. The proposals substantively improve the public realm through the releveling of the plaza and expanding the extent of its continuous accessible surface. This is a significant enhancement to the civic quality of the plaza, an important public open space. The removal of the vehicle access ramp on entry to the plaza from Moorfields would create a welcoming point of transition and improve wayfinding along on this key east-west route through the city. Moreover, the proposed landscaping and greening of the facades provide a moment of relief in the surroundings. Improvements to New Union Street reflect the prioritisation of pedestrian movement, as well as opportunities for public art, and provide an improvement in the activation at street level, which is continued around the site as a whole.
674. The scheme has been designed to ensure that its impact is acceptable in environmental terms. The daylight sunlight, microclimate, thermal comfort, ground conditions, air quality and noise credentials of the development are acceptable subject to mitigation and conditions where relevant. The proposal would result in some daylight and sunlight transgressions to surrounding residential dwellings in Willoughby House. However, considering BRE Guidance, the nature of the results and the sites location within a dense urban environment and that it is the balconies on the residential properties that contributes most to the losses of light rather than the proposed building, it is not considered that the proposal would result in an unacceptable impact on the existing properties and would not reduce the daylight to nearby dwellings to unacceptable levels such that it would warrant a refusal of permission.
675. Subject to stringent controls details of which would need to be set out in a delivery and servicing management plan, it is considered that the proposed servicing arrangement would be acceptable.
676. It is considered that the proposal would deliver a low carbon and energy efficient development of the highest sustainability quality that is on track to achieve a minimum 'excellent' BREEAM assessment rating for the office use, whilst aspiring to BREEAM 'outstanding', in accordance with Local Plan and London Plan requirements.

677. The proposals would preserve the significance and contribution of setting of a broad range of heritage assets. With regards to objections from residents, while the proposals would create a visible change in the surroundings of the Grade II Listed Barbican Estate, officers consider this change to preserve the existing character of views from the Estate looking east, which currently take in a number of large contemporary developments along Moorfields. The proposals would preserve the significance and contribution of setting of all heritage assets except that of St Paul's Cathedral, which would experience a minor level of less than substantial harm through the slight erosion of its clear sky setting in the views from the Southbank. The proposed development has been amended to mitigate this visual intrusion as far as possible through a drop in height, the rearrangement of plant screening and addition of greening. Nevertheless, the proposal would result in a slight degree of conflict with Local Plan Policies CS12 (1), DM12.1 (1), CS13 (2) and draft City Plan 2040 policies S11 (2), HE1 (1), S12 (8 &10), S13(2) and London Plan Policy HC1 (C), and with the objective set out in Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and relevant NPPF policies.
678. 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 to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.
679. In this case, the proposals are considered to comply with a number of policies in particular those which encourage office development in the City. It is the view of officers that, as a matter of planning judgement, that as the proposals make will make a significant contribution to advancing the strategic business objectives of the City and comply with relevant design, inclusive access, biodiversity, urban greening, sustainability and public realm policies that notwithstanding the policy conflicts identified above, the proposals comply with the development plan when considered as a whole.
680. Paragraph 11 of the NPPF sets out that there is presumption in favour of sustainable development. For decision taking that means approving development proposals that accord with an up-to-date development plan without delay.
681. The proposal would result in a slight, very minor level of less than substantial harm by slightly reducing the extent to which the Cathedral is seen against clear sky in the kinetic experience from the South Bank. St Pauls Cathedral is an iconic building of international importance and its historic, architectural and evidential values are of the uppermost significance and therefore great weight must be attached to this significance in evaluating any impacts. 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, including when carrying out the paragraph 208 NPPF balancing exercise in relation to less than substantial harm to the significance of listed buildings. Further, paragraph 208 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.'

682. The key public benefits of the proposal are considered to be the animation and activation of the streetscene to Moorfields and dramatic improvement to the public realm which would improve worker productivity and wellbeing and enhance the image of the area, translating to economic benefits. The significant enhancements to the public realm at ground level and increased urban greening at the upper levels, delivering enhanced public space, retail and active frontages, as well as overall improved sustainability measures for the site would contribute to both environmental and social benefits as per paragraph 8 of the NPPF.
683. The public realm proposals would be categorised as a public benefit with significant weight, noting the increase in level, fully accessible open space. It is considered that the wider public benefits above would be more than sufficient to outweigh the less than substantial heritage harm identified, thus complying with paragraph 208 of the NPPF.
684. Therefore, in addition of other material considerations, including the application of policies in the NPPF, in particular the outcome of the paragraph 208 NPPF balancing exercise above, and the significant weight to be placed on the need to support economic growth (paragraph 81), also indicate that planning permission should be granted. It is the view of Officers that as the proposal complies with the Development Plan when considered as a whole and as other material considerations also weigh in favour of the scheme, planning permission should be granted as set out in the recommendation and the schedules attached.

## Background Papers

### Consultation Responses:

Support, Mr Michael Melnick, 23 April 2024  
Neutral letter, Mr Jan-Marc Petroschka, 24 April 2024  
Objection, M Berer, 26 April 2024, 8 May 2024 and 17 September 2024  
Objection, Mr Tim Bishop, 1 May 2024  
Objection, Mr Nigel Gilbert, 1 May 2024 and 2 October 2024  
Objection, Ms Gabrielle Oliver, 1 May 2024 and 8 May 2024  
Objection, Mrs Vivien Fowle, 1 May 2024  
Objection, Ms Sheelagh McManus, 2 May 2024 and 28 September 2024  
Objection, Dr Michael Swash, 2 May 2024, 8 May 2024, and 28 September 2024  
Objection, Guillaume Faucompre, 2 May 2024 and 2 October 2024  
Objection, Dr Lucy Pollard, 3 May 2024  
Objection, Susan Gilbert, 5 May 2024 and 1 October 2024  
Objection, Dr Barbara MG Corley, 5 May 2024  
Objection, Helen Kay - Willoughby House Group, 5 May 2024 and 25 September 2024  
Objection, Bernard Hughes, 6 May 2024 and 2 October 2024  
Objection, James Y Watson, 6 May 2024  
Objection, Mr Scott Palmer, 6 May 2024 and 26 September 2024  
Objection, Nina Barber, 6 May 2024  
Objection, Caroline Bennett, 6 May 2024, 7 May 2024, and 26 September 2024  
Objection, Mr Benedict Harris, 6 May 2024  
Objection, Ms Lila Rawlings, 6 May 2024 and 2 October 2024  
Objection, Richard Haynes, 6 May 2024  
Objection, Mr G Dissez, 6 May 2024  
Objection, Mr Petre Reid, 6 May 2024 and 1 October 2024  
Objection, Mark McMillan, 6 May 2024 and 2 October 2024  
Objection, Sami Nkaili, 6 May 2024  
Objection, E Hirst, 6 May 2024 and 1 October 2024  
Objection, Valerie Mills, 7 May 2024  
Objection, Ms Rashda Rana SC, 7 May 2024  
Objection, Dr Steve Nicholson, 7 May 2024  
Objection, Christopher Makin, 7 May 2024  
Objection, Ian Williams, 7 May 2024 and 30 September 2024  
Objection, Graham Webb, 7 May 2024  
Objection, Mrs Katherine Jarrett, 7 May 2024 and 29 September 2024  
Objection, Ms Patricia McGettigan, 7 May 2024  
Objection, Mr Michael Friel, 7 May 2024 and 30 September 2024  
Objection, Anonymous, 8 May 2024  
Objection, Ms Hilary Sunman, 8 May 2024  
Objection, Dr Dimitri Varsamis, 8 May 2024  
Objection, Melissa Marks, 9 May 2024

Objection, Katherine Green, 9 May 2024  
Objection, Richard and Ann Holmes, 9 May 2024  
Objection, Philippa and David Andrews, 9 May 2024  
Objection, Mr Nazar Sayigh, 9 May 2024  
Objection, Mrs Charlotte E Bradford, 10 May 2024  
Objection, Fiona Lean, 10 May 2024  
Objection, Ms Scarlett Roux, 10 May 2024  
Objection, Dr Paul Horsnell, 10 May 2024  
Objection, Mr David Hall, 10 May 2024 and 2 October 2024  
Objection, James Ball - Brandon Mews House Group, 10 May 2024  
Objection, Gillian Castle Stewart, 10 May 2024  
Objection, Anonymous, 10 May 2024  
Objection, Mr Edward McEaney, 10 May 2024  
Objection, Brenda Szlesinger, 13 May 2024  
Objection, Colin Davis - The Heron, 5 Moor Lane Residents Committee, 14 May 2024 and 3 October 2024  
Objection, Averil Baldwin - Barbican Quarter Action, 14 May 2024  
Support, Mr Guy Orton, 17 September 2024  
Objection, Dr NJ and Mrs SP Astbury, 27 September 2024  
Objection, Christopher Shaw, 28 September 2024  
Objection, Keith Webster, 30 September 2024  
Objection, Ms Nicola Guereca, 30 September 2024  
Objection, Mr John Holme, 30 September 2024  
Objection, Sian Phillips, 30 September 2024  
Objection, Ms Jo Bradman, 30 September 2024  
Objection, Andrew Watts, 1 October 2024  
Objection, Professor Tim Butler, 1 October 2024  
Objection, Mr Louis Gilbert, 2 October 2024  
Objection, Henrietta Wells, 2 October 2024  
Objection, The Willoughby House Group RTA and The Brandon House Group RTA, 2 October 2024  
Objection, Bruce Robertson, 2 October 2024  
Objection, Lisa Shaw, 2 October 2024  
Objection, Mr Alan Budgen, 2 October 2024  
Objection, Poppi Haynes, 2 October 2024  
Objection, Lucy Sisman, 2 October 2024  
Objection, Richard Barrett, 2 October 2024  
Objection, Felicity Guinness, 3 October 2024  
Objection, Michael Rowley, 3 October 2024  
Objection, Helen B. Roberts, 3 October 2024  
Objection, Mrs Elizabeth Hiester, 4 October 2024  
Objection, Mr Benjamin Lesch, 6 October 2024



**Consultee Responses:**

Email, London Underground Infrastructure Protection, 18 April 2024  
Memo, District Surveyor, 18 April 2024  
Memo, Cleansing, 18 April 2024  
Letter, Crossrail Safeguarding, 19 April 2024  
Email, NATS Safeguarding, 19 April 2024  
Letter, Historic England, 22 April 2024  
Memo, City Gardens, 22 April 2024  
Email, Thames Water, 23 April 2024  
Letter, City of Westminster, 23 April 2024  
Letter, LB Lambeth, 30 April 2024  
Objection, Barbican and Golden Lane Neighbourhood Forum, 05 May 2024  
Letter, Greater London Authority, 07 May 2024  
Objection, Barbican Association, 07 May 2024  
Email, Transport for London Spatial Planning, 08 May 2024  
Memo, Air Quality, 08 May 2024  
Memo, Planning Obligations, 21 May 2024  
Letter, GLAAS, 24 May 2024  
Memo, Environmental Health, 28 May 2024  
Memo, Lead Local Flood Authority, 31 May 2024  
Memo, Environmental Health, 07 June 2024  
Email, Transport for London Spatial Planning, 11 June 2024  
Memo, District Surveyor, 13 September 2024  
Memo, Cleansing, 15 September 2024  
Email, GLAAS, 17 September 2024  
Email and Letter, Thames Water, 18 September 2024  
Letter, City of Westminster, 18 September 2024  
Letter, Greater London Authority, 20 September 2024  
Memo, Planning Obligations, 23 September 2024  
Letter, Historic England, 25 September 2024  
Memo, Environmental Health, 25 September 2024  
Email, London Underground Infrastructure Protection, 30 September 2024  
Letter, Crossrail Safeguarding, 30 September 2024  
Email and Letter, Thames Water, 01 October 2024  
Objection, Barbican and Golden Lane Neighbourhood Forum, 03 October 2024  
Memo, Environmental Health, 04 October 2024  
Objection, Barbican Association, 06 October 2024  
Letter, Surveyor to the Fabric, 08 October 2024  
Letter, LB Lambeth, 08 October 2024.

**Application Documents:**

Applicant response to TfL comments, Caneparo Associates, 31 May 2024.  
Air Quality Assessment, Waterman, February 2024.

Archaeological Desk Based Assessment, Waterman, February 2024, updated May 2024.

Be Seen Spreadsheet, 27 February 2024.

Biodiversity Net Gain Assessment, Waterman, February 2024.

BREEAM Travel Plan, Caneparo Associates, February 2024.

Circular Economy Statement, Twin Earth, 16 February 2024.

Circular Economy Spreadsheet, 27 February 2024.

Cover letter, Montagu Evans, 23 February 2024.

Cultural Plan, Contemporary Art Society Consultancy, February 2024.

Cycling Promotion Plan, Caneparo Associates, February 2024.

Daylight, Sunlight and Overshadowing Report, Point 2, February 2024.

Delivery, Servicing and Waste Management Plan, Caneparo Associates, February 2024.

Design and Access Statement, David Walker Architects, February 2024.

Energy Statement, Twin Earth, February 2024.

Fire Statement, OFR Consultants, 08 February 2024.

Flood Risk Assessment, AKTII, February 2024.

GLA Carbon Emissions Part L Spreadsheet, 27 February 2024.

Health Impact Assessment, Montagu Evans, 08 February 2024.

Landscape and Public Realm Design and Access Statement, Townshend Landscape Architects, February 2024.

Lighting Strategy Planning Statement, MBLD, January 2024.

Noise Impact Assessment, Clarke Saunders, 13 February 2024.

Outline Construction Management Plan, Buro Four, February 2024.

Planning Statement, Montagu Evans, February 2024.

RIBA Stage 2 Access Report, David Bonnett Associates, February 2024.

Security and Structural Safety Statement, QCIC, 07 February 2024, amended 24 May 2024.

Solar Glare Note, Point 2, 18 April 2024.

Statement of Community Involvement, London Communications Agency, February 2024.

Suicide Prevention Statement, David Walker Architects, March 2024.

Surface Water and Drainage Strategy Report, AKTII, February 2024.

Sustainable Design and Construction Statement, Twin Earth, 30 April 2024.

Outdoor Thermal Comfort Report, AKTII, February 2024.

Townscape, Heritage and Visual Impact Report, Miller Hare, February 2024.

Transport Assessment, Caneparo Associates, February 2024.

Utility Statement, WSP, February 2024.

Ventilation Statement, WSP, February 2024.

Whole Life-Cycle Carbon Report, Twin Earth, 16 February 2024.

Whole Life-Cycle Carbon Spreadsheet, February 2024.

Wind Microclimate Assessment, Wind Tunnel, RWDI, 16 February 2024.

Wind Microclimate Assessment, CFD Study, AKTII, February 2024.

### Addendum Material

Covering Letter, Montagu Evans, 5 September 2024.  
Amended Application Form Section 18, 24 September 2024.  
Amended CIL Form, 24 September 2024.  
Annotated Basement Plan drawing no. 1094 P5000 Rev A, David Walker Architects.  
Be Seen Spreadsheet v.2, Twin Earth, August 2024.  
Circular Economy Statement Addendum, Twin Earth, 30 August 2024.  
Cultural Plan Addendum, Contemporary Art Society Consultancy, September 2024.  
Daylight, Sunlight and Overshadowing Report Addendum, Point 2, August 2024.  
Daylight, Sunlight and Overshadowing Supplementary Information, Point 2, 11 October 2024.  
Design and Access Statement Addendum, David Walker Architects, September 2024.  
Employment Figure Schedule, David Walker Architects, October 2024.  
Energy Statement Addendum, Twin Earth, 30 August 2024.  
Fire Statement Addendum, OFR Consultants, 04 September 2024.  
Landscape and Public Realm Design and Access Statement Addendum, Townshend Landscape Architects August 2024  
Lighting Statement Addendum Letter, MBLD, 30 August 2024.  
Open Space Drawing SK\_1178, David Walker Architects.  
Permissive Path Drawing SK\_1177, David Walker Architects.  
Phasing Diagrams drawing no. SK-1100, David Walker Architects.  
Planning Statement Addendum, Montagu Evans, September 2024.  
Pre-Demolition Audit Report, ADW Developments, 17 July 2023.  
Statement of Community Involvement, London Communications Agency, August 2024.  
Sustainability Statement Addendum, Twin Earth, 30 August 2024.  
Townscape, Heritage and Visual Impact Report (replacement). Miller Hare, August 2024.  
Transport Assessment Addendum, Caneparo Associates, August 2024.  
Whole Life Carbon Assessment Addendum, Twin Earth, 30 August 2024.  
Wind Microclimate Report CFD Addendum, AKTII, August 2024.  
Deconstruction Logistics Plan (as approved under 23/01103/MDC), John F Hunt Ltd, 24 April 2024.  
Scheme of Protective Works (as approved under 24/00180/MDC), John F Hunt Ltd, February 2024.  
Site Survey Drawings (as approved under 23/00702/MDC), Sir Robert McAlpine.  
Updated WLCA Spreadsheet, Twin Earth, October 2024.

## **APPENDIX A**

### **London Plan Policies**

- Policy CG1 Building Strong and Inclusive Communities
- Policy GG2 Making the best use of land
- Policy CG3 Creating a Healthy City
- Policy GG5 Growing a good economy
- Policy CG6 Increasing efficiency and resilience
- Policy SD4 The Central Activities Zone (CAZ)
- Policy SD5 Offices, and other strategic functions and residential development in the CAZ
- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering Good Design
- Policy D5 Inclusive Design
- Policy D8 Public realm
- Policy D9 Tall Buildings
- Policy D11 Safety, security and resilience to emergency
- Policy D12 Fire Safety
- Policy D14 Noise
- Policy S6 Public Toilets
- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy E9 Retail, markets and hot food takeaways
- Policy E10 Visitor infrastructure
- Policy E11 Skills and opportunities for all
- Policy HC1 Heritage conservation and growth
- Policy HC2 World Heritage Sites
- Policy HC3 Strategic and Local Views
- Policy HC4 London View Management Framework
- Policy HC5 Supporting London's culture and creative industries
- Policy G1 Green infrastructure
- Policy G4 Open space
- Policy G5 Urban Greening
- Policy G6 Biodiversity and access to nature
- Policy SI1 Improving air quality
- Policy SI2 Minimising greenhouse gas emissions
- Policy SI4 Managing heat risk
- Policy SI5 Water Infrastructure
- Policy SI7 Reducing waste and supporting the circular economy
- Policy SI 8 Waste capacity and net waste self-sufficiency
- Policy SL13 Sustainable drainage

- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car Parking
- Policy T7 Deliveries, servicing and construction
- Policy T9 Funding transport infrastructure through planning

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

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

#### **Draft City Plan 2040**

- Draft Strategic Policy S1: Health and Inclusive City
- Draft Policy HL1: Inclusive buildings and spaces
- Draft Policy HL2: Air quality
- Draft Policy HL3: Noise
- Draft Policy HL4 Contaminated land and water quality
- Draft Policy HL5: Location and protection of social and community facilities
- Draft Policy HL9: Health Impact Assessment (HIA)
- Draft Strategic Policy S2: Safe and Secure City
- Draft Policy SA1: Publicly accessible locations
- Draft Policy SA2 Dispersal Routes
- Draft Policy SA3: Designing in Security
- Draft Policy HS3: Residential Environment
- Draft Strategic Policy S4: Offices
- Draft Policy OF1: Office Development
- Draft Policy OF2: Protection of Existing Office Floorspace

- Draft Policy OF3 Temporary 'Meanwhile' Uses
- Draft Strategic Policy S5 Retail and Active Frontages
- Draft Policy RE2 Active Frontages
- Draft Policy RE3 Specialist Retail Uses and Clusters
- Draft Strategic Policy S6: Culture and Visitors
- Draft Policy CV1: Protection of Existing Visitor, Arts and Cultural Facilities
- Draft Policy CV2: Provision of Arts, Culture and Leisure Facilities
- Draft Policy CV3: Provision of Visitor Facilities
- Draft Policy CV5 Evening and Night-Time Economy
- Draft Policy CV6 Public Art
- Policy S7: Infrastructure and Utilities
- Draft Policy N1 Infrastructure Provision and Connection
- Draft Policy IN1: Infrastructure Capacity
- Draft Strategic Policy S8: Design
- Draft Policy DE1: Sustainable Design
- Draft Policy DE2: Design Quality
- Draft Policy DE3: Public Realm
- Draft Policy DE4: Terraces and Elevated Public Spaces
- Draft Policy DE5 Shopfronts
- Draft Policy DE6 Advertisements
- Draft Policy DE7: Daylight and Sunlight
- Draft Policy DE8: Lighting
- Draft Strategic Policy S9: Transport and Servicing
- Draft Policy VT1: The impacts of development on transport
- Draft Policy VT2 Freight and Servicing
- Draft Policy VT3: Vehicle Parking
- Draft Strategic Policy S10: Active Travel and Healthy Streets
- Draft Policy AT1: Pedestrian Movement, Permeability and Wayfinding
- Draft Policy AT2: Active Travel including Cycling
- Draft Policy AT3: Cycle Parking
- Draft Strategic Policy S11: Historic Environment
- Draft Policy HE1: Managing Change to Historic Environment Development
- Draft Policy HE2: Ancient Monuments and Archaeology
- Draft Strategic Policy S12: Tall Buildings
- Draft Strategic Policy S13: Protected Views
- Draft Strategic Policy S14: Open Spaces and Green Infrastructure
- Draft Policy OS2: City Urban Greening
- Draft Policy OS3: Biodiversity
- Draft Policy OS4: Biodiversity Net Gain
- Draft Policy OS5 Trees
- Draft Strategic Policy S15: Climate Resilience and Flood Risk
- Draft Policy CR1: Overheating and Urban Heat Island Effect
- Draft Policy CR2: Flood Risk

- Draft Policy CR3 Sustainable Drainage Systems (SuDs)
- Draft Policy CR4 Flood Protection and Flood Defences
- Draft Strategic Policy S16: Circular Economy and Waste
- Draft Strategic Policy S23: Smithfield and Barbican Key Area of Change
- Draft Strategic Policy S24: Smithfield
- Draft Strategic Policy S26 Planning Contributions

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

- Planning for Sustainability, November 2023
- Lighting SPD, October 2023
- Developer Engagement Guidance PAN, May 2023
- Carbon Options Guidance PAN, March 2023
- Preventing suicides in high rise buildings and structures PAN, November 2022
- Barbican and Golden Lane Conservation Area SPD, February 2022
- City of London Thermal Comfort Guidelines (2020)
- Wind Microclimate PAN, August 2019
- Sunlight PAN, July 2017
- Solar Glare PAN, July 2017
- Solar Convergence PAN July 2017
- Archaeology in the City PAN,
- Air Quality SPD, July 2017
- Archaeology and Development Guidance SPD, July 2017
- Freight and Servicing SPD February 2018
- City Public Realm SPD (CoL, July 2016)
- Office Use SPD, January 2015
- Open Space Strategy SPD, January 2015
- Tree Strategy SPD May 2012
- Planning Obligations SPD,
- Barbican Listed Building Management Guidelines SPD, Volumes I, II and IV (2012-2015)
- Protected Views SPD, January 2012
- City Transport Strategy (November 2018 – draft);
- City Waste Strategy 2013-2020 (CoL, January 2014);

## **Relevant Local Plan Policies**

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

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

### ***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.

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

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

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

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

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

- a) electricity supply to serve the construction phase and the intended use for the site, and identify, in conjunction with electricity providers, Temporary Building Supply(TBS) for the construction phase and the estimated load capacity of the building and the substations and routes for supply;



- b) reasonable gas and water supply considering the need to conserve natural resources;
  - c) heating and cooling demand and the viability of its provision via decentralised energy (DE) networks. Designs must incorporate access to existing DE networks where feasible and viable;
  - d) telecommunications network demand, including wired and wireless infrastructure, planning for dual entry provision, where possible, through communal entry chambers and flexibility to address future technological improvements;
  - e) separate surface water and foul drainage requirements within the proposed building or site, including provision of Sustainable Drainage Systems (SuDS), rainwater harvesting and grey-water recycling, minimising discharge to the combined sewer network.
- 3) In planning for utility infrastructure developers and utility providers must provide entry and connection points within the development which relate to the City's established utility infrastructure networks, utilising pipe subway routes wherever feasible. Sharing of routes with other nearby developments and the provision of new pipe subway facilities adjacent to buildings will be encouraged.
- 4) Infrastructure provision must be completed prior to occupation of the development. Where potential capacity problems are identified and no improvements are programmed by the utility company, the City Corporation will require the developer to facilitate appropriate improvements, which may require the provision of space within new developments for on-site infrastructure or off-site infrastructure upgrades.

### ***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.

#### ***DM3.1 Self-containment in mixed uses***

Where feasible, proposals for mixed use developments must provide independent primary and secondary access points, ensuring that the proposed uses are separate and self-contained.

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

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

- a) building-related security measures, including those related to the servicing of the building, to be located within the development's boundaries;

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

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

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

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

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

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

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

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

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

- a) the amenity of residents and other noise-sensitive uses;
  - b) environmental amenity, taking account of the potential for noise, disturbance and odours arising from the operation of the premises, customers arriving at and leaving the premises and the servicing of the premises.
- 2) Applicants will be required to submit Management Statements detailing how these issues will be addressed during the operation of the premises.

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

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

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

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

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

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

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

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

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;

- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;
- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

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

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

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

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

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

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

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

### ***DM10.5 Shopfronts***

To ensure that shopfronts are of a high standard of design and appearance and to resist inappropriate designs and alterations. Proposals for shopfronts should:

- a) respect the quality and architectural contribution of any existing shopfront;
- b) respect the relationship between the shopfront, the building and its context;
- c) use high quality and sympathetic materials;
- d) include signage only in appropriate locations and in proportion to the shopfront;
- e) consider the impact of the installation of louvres, plant and access to refuse storage;
- f) incorporate awnings and canopies only in locations where they would not harm the appearance of the shopfront or obstruct architectural features;
- g) not include openable shopfronts or large serving openings where they would have a harmful impact on the appearance of the building and/or amenity;
- h) resist external shutters and consider other measures required for security;
- i) consider the internal treatment of shop windows (displays and opaque windows) and the contribution to passive surveillance;
- j) be designed to allow access by users, for example, incorporating level entrances and adequate door widths.

### ***DM10.6 Advertisements***

- 1) To encourage a high standard of design and a restrained amount of advertising in keeping with the character of the City.
- 2) To resist excessive or obtrusive advertising, inappropriate illuminated signs and the display of advertisements above ground floor level.

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

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

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

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

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

### ***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.

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

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

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

## ***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***

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

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

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

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

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

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

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

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

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

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

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

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

1. Development design must take account of location, building orientation, internal layouts and landscaping to reduce likely energy consumption.
2. For all major development energy assessments must be submitted with the application demonstrating:
  - a) energy efficiency - showing the maximum improvement over current Building Regulations to achieve the required Fabric Energy Efficiency Standards;



- b) carbon compliance levels required to meet national targets for zero carbon development using low and zero carbon technologies, where feasible;
- c) where on-site carbon emission reduction is unviable, offsetting of residual 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***

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

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

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

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

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

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

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

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

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.
2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and

restrictions on operating hours will be implemented through appropriate planning conditions.

3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.
4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.
5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

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

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

### ***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***

1. Development proposals that are likely to have effects on transport must be accompanied by an assessment of the transport implications during both construction and operation, in particular addressing impacts on:
  - a) road dangers;
  - b) pedestrian environment and movement;
  - c) cycling infrastructure provision;

- d) public transport;
  - e) the street network.
2. Transport Assessments and Travel Plans should be used to demonstrate adherence to the City Corporation's transportation standards.

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

1. Pedestrian movement must be facilitated by provision of suitable pedestrian routes through and around new developments, by maintaining pedestrian routes at ground level, and the upper level walkway network around the Barbican and London Wall.
2. The loss of a pedestrian route will normally only be permitted where an alternative public pedestrian route of at least an equivalent standard is provided having regard to:
  - a) the extent to which the route provides for current and all reasonably foreseeable future demands placed upon it, including at peak periods;
  - b) the shortest practicable routes between relevant points.
3. Routes of historic importance should be safeguarded as part of the City's characteristic pattern of lanes, alleys and courts, including the route's historic alignment and width.
4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.
5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.
6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

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

1. Ancillary facilities must be provided within new and refurbished buildings to support active transport modes such as walking, cycling and running. All commercial development should make sufficient provision for showers, changing areas and lockers/storage to cater for employees wishing to engage in active travel.
2. Where facilities are to be shared with a number of activities they should be conveniently located to serve all proposed activities.

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

1. Developments in the City should be car-free except for designated Blue Badge spaces. Where other car parking is exceptionally provided it must not exceed London Plan's standards.
2. Designated parking must be provided for Blue Badge holders within developments in conformity with London Plan requirements and must be marked out and reserved at all times for their use. Disabled parking spaces must be at least 2.4m wide and at least 4.8m long and with reserved areas at least 1.2m wide, marked out between the parking spaces and at the rear of the parking spaces.
3. Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.
4. On site servicing areas should be provided to allow all goods and refuse collection vehicles likely to service the development at the same time to be conveniently loaded and unloaded. Such servicing areas should provide sufficient space or facilities for all vehicles to enter and exit the site in a forward gear. Headroom of at least 5m where skips are to be lifted and 4.75m for all other vehicle circulation areas should be provided.
5. Coach parking facilities for hotels (use class C1) will not be permitted.
6. All off-street car parking spaces and servicing areas must be equipped with the facility to conveniently recharge electric vehicles.
7. Taxi ranks are encouraged at key locations, such as stations, hotels and shopping centres. The provision of taxi ranks should be designed to occupy the minimum practicable space, using a combined entry and exit point to avoid obstruction to other transport modes.

### ***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***

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

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

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

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

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

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

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

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

1. The design of the surface water drainage system should be integrated into the design of proposed buildings or landscaping, where feasible and practical, and should follow the SuDS management train (Fig T) and London Plan drainage hierarchy.
2. SuDS designs must take account of the City's archaeological heritage, complex underground utilities, transport infrastructure and other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.
3. SuDS should be designed, where possible, to maximise contributions to water resource efficiency, biodiversity enhancement and the provision of multifunctional open spaces.

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

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

### ***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.

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

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

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

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

5. The cumulative impact of individual developments on the amenity of existing residents will be considered.

### ***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***

1. To resist the loss of social and community facilities unless:
  - a) replacement facilities are provided on-site or within the vicinity which meet the needs of the users of the existing facility; or
  - b) necessary services can be delivered from other facilities without leading to, or increasing, any shortfall in provision; or
  - c) it has been demonstrated that there is no demand for another similar use on site.
2. Proposals for the redevelopment or change of use of social and community facilities must be accompanied by evidence of the lack of need for those facilities. Loss of facilities will only be permitted where it has been demonstrated that the existing floor space has been actively marketed at reasonable terms for public social and community floorspace.
3. The development of new social and community facilities should provide flexible, multi-use space suitable for a range of different uses and will be permitted:
  - a) where they would not be prejudicial to the business City and where there is no strong economic reason for retaining office use;
  - b) in locations which are convenient to the communities they serve;
  - c) in or near identified residential areas, providing their amenity is safeguarded;
  - d) as part of major mixed-use developments, subject to an assessment of the scale, character, location and impact of the proposal on existing facilities and neighbouring uses.
4. Developments that result in additional need for social and community facilities will be required to provide the necessary facilities or contribute towards enhancing existing facilities to enable them to meet identified need.



## **APPENDIX B**

### **Methodologies for Assessing Daylight, Sunlight and Overshadowing**

#### **New Development**

The BRE guidelines (2022) present the following methodologies and standards for measuring light levels within new developments.

**Daylight to windows: Vertical Sky Component (VSC):** a measure of the amount of sky visible from a centre point of a window (irrespective of the size of the window). If the VSC is:

- At least 27%, a conventional window design would usually allow for reasonable amounts of daylight;
- Between 15% and 27%, special measures (larger windows, changes to room layout) are usually needed to provide adequate daylight;
- Between 5% and 15%, it is very difficult to provide adequate daylight unless very large windows are used;
- Less than 5%, it is often impossible to achieve reasonable daylight, even if the whole window wall is glazed.

**Sunlight to windows:** In general, a dwelling, or non-domestic building, that has a particular requirement for sunlight, will appear reasonably sunlit provided:

- at least one main window wall faces with 90 degrees of due south; and
- a habitable room, preferably a main living room, can receive a total of at least 1.5 hours of sunlight on 21 March. This is assessed at the inside of the window; sunlight received by different windows can be added provided they occur at different times and sunlight hours are not double counted.

#### **Interior Daylighting Recommendations**

The British Standard “Daylight in buildings” (BS EN 17037) contains advice and guidance on interior daylighting. A UK National Annex sets out specific minimum recommendations for habitable rooms in dwellings in the United Kingdom.

**Illuminance Method:** This method uses climatic data to calculate daylight illuminance at each point on an assessment grid within a room (usually 0.85m from the floor level), using sun and sky conditions, derived from standard meteorological data. This analytical method allows the calculation of absolute daylight illuminance taking account of a building’s location and orientation. The UK National Annex recommends the following minimum illuminance levels that should be exceeded over at least 50% of the assessment grid within a room for the following habitable room types, with vertical and / or inclined windows, for at least half of the daylight hours:

- 100 lux for bedrooms
- 150 lux for living rooms
- 200 lux for kitchens

Where a room has a shared use, the highest target should apply, such as living/kitchen/dining rooms and studios. In a bed sitting room/studio in student accommodation, the value for a living room should be used if students are considered likely to often spend time in their rooms during the day.

**Daylight Factor Method:** This method involves the calculation of the daylight factors at each calculation point on an assessment grid within a room or space. The daylight factor is the illuminance at a point on the assessment grid in a space, divided by the illuminance on an unobstructed horizontal surface outdoors. This method of assessment uses an overcast sky model, which means that the orientation and location of the building assessed is not relevant. The UK National Annex recommends the following minimum target daylight factors that should be achieved over at least 50% of the assessment grid within a room for the following habitable room types for at least half of the daylight hours in a year: 0.7% for bedrooms; 1.1% for living rooms; and 1.4% for kitchens.

Both the illuminance method and daylight factor method require assessment via detailed computer software to simulate the illuminance or daylight factor at calculation points on the assessment grid within a proposed space. The inputs for these methods of assessment would normally include internal and external surfaces and their reflectance values (which should reflect real or specified conditions, or default values recommended by the BRE guidelines), window types and glazing transmission.

## **Existing Buildings**

### **Daylight to Existing Buildings**

The BRE guidelines (2022) 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 (irrespective of the size of the 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 guidelines recommends compliance with both the VSC and daylight distribution (NSL) assessment criteria.

### 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.

### Interpreting Assessment Data

In undertaking assessments, a judgement is made as to the level of impact on affected windows and rooms. Where there is *proportionately* 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, which are referenced in Appendix H of the BRE guidelines and have become part of an industry standard utilised by Daylight and Sunlight consultants. It is for the Local Planning Authority to decide whether any losses would 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:

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

### **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 guidance 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.

### **Opens Spaces**

#### 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 21 March.

For existing open spaces, if as a result of a 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.

### **Assessing the Cumulative Impact of Development Proposals**

Paragraph 3.10.41 of the Local Plan and paragraph 6.1.59 of the draft City Plan state that “when considering proposed changes to existing lighting levels, the City Corporation will take account of the cumulative effect of development proposals”. The impact of a proposed development on the daylight and sunlight received by neighbouring properties and open spaces is assessed against the light levels in the existing scenario. When assessing the cumulative impact of development proposals, the impact of the proposed development would be assessed alongside any other nearby developments with either full planning permission, a resolution to grant consent, those development proposals that have been submitted but not yet determined and / or potential future applications that due to be submitted (none of which have been completed). In undertaking an assessment of the cumulative impact of such development proposals it can be determined the extent to which the impact of each development proposals can be attributed. It should be noted that previous completed developments are considered to form part of the existing baseline against which the development proposals would be assessed.

### **Supplementary Methods of Assessment**

#### **Radiance Based Daylight Factor Assessment**

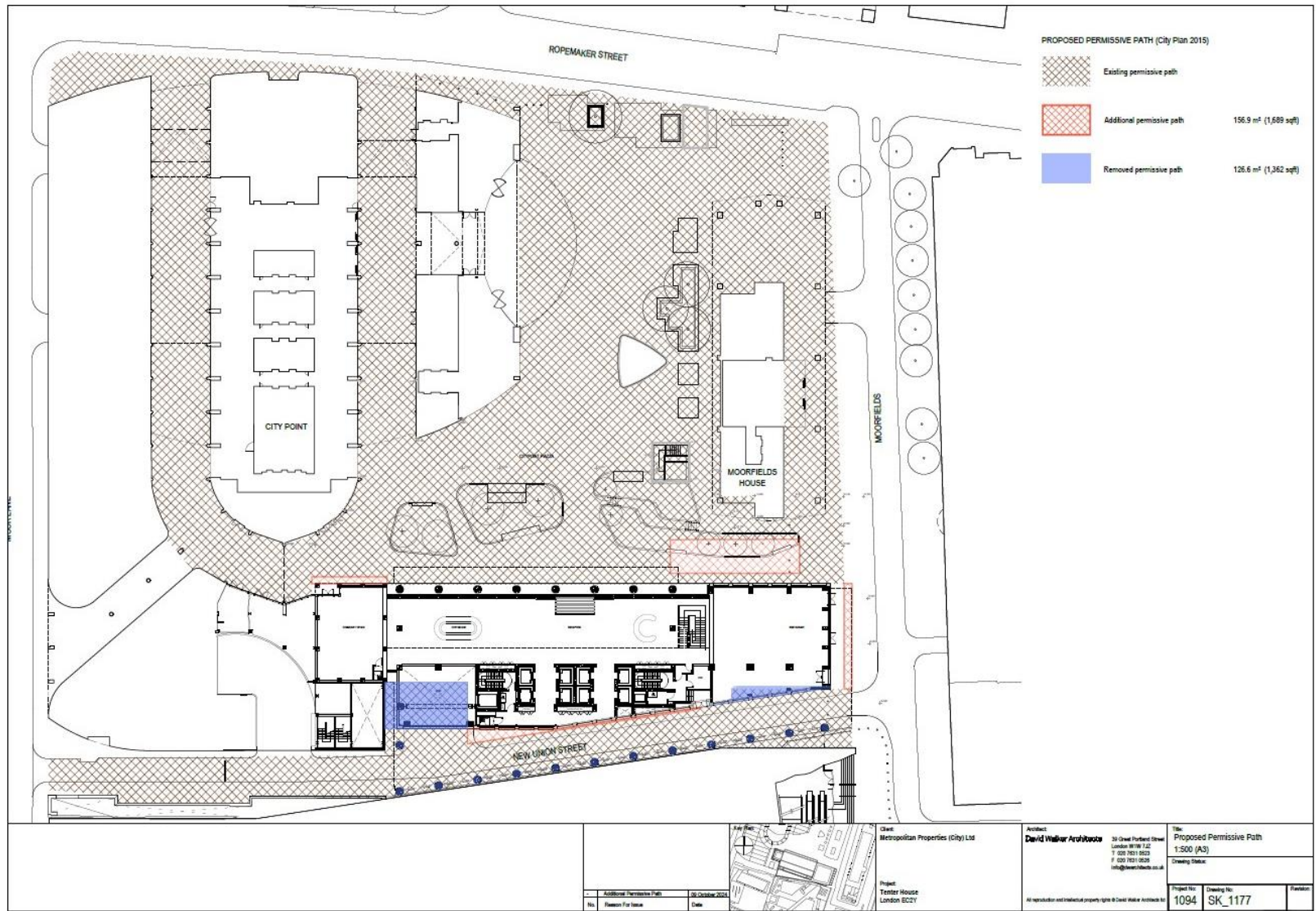
A radiance-based daylight factor assessment is a lighting simulation tool that measures the individual ‘daylight factors’ at a number of given points (usually based on a grid) within a room (or defined space). This method of assessment takes into account the total glazed area to a room, the transmittance 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-based daylight factor 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 Average Daylight Factor (ADF) target values (2011), 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 2011 BRE guidelines recommend the following minimum ADF values for residential properties: 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. These minimum target values are comparable with the minimum standards set out in the UK National Annex of BS EN 17037.

Radiance-based 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-based daylight factor assessment is not meant to replace a submitted BRE based daylight and sunlight assessment, but to provide an additional assessment to illustrate the daylight levels within habitable rooms, including within neighbouring properties.

# APPENDIX C – Proposed Permissive Path Plan



# APPENDIX D – Proposed Open Space Plan





# APPENDIX E – Proposed Construction Stages Plan

**Phase 1: Demolition of existing building down to slab level**

**Phase 2: Plaza Works**

- 2m hoarding line within Plaza during construction
- Demolish existing plaza slab
- Construct new Plaza basement
- Construct new Plaza Slab
- Install new plaza landscaping

**Phase 3: Tenter House Basement**

- Demolish existing ground and basement slabs
- Construct new Tenter House basement including ground floor slab
- New Union Street closed during construction

**Phase 4: Construction**

- Construct Tenter House - Ground floor upwards.
- Complete and open New Union Street
- Complete 2m of plaza in front of Tenter House

		Client: <b>Metropolitan Properties (City) Ltd</b>	Architect: <b>David Walker Architects</b> 35 Great Portland Street London W1W 7JZ T: 020 7631 0029 F: 020 7631 0028 info@dwalkera.com	Title: <b>Phasing Diagrams</b>
		Project: <b>Tenter House                  London EC2Y</b>		Drawing Status: F10
				Project No: <b>1084</b>
				Drawing No: <b>SK-1100</b>
				Revision:

# SCHEDULE

APPLICATION: 24/00209/FULMAJ

**Tenter House 45 Moorfields London**

**Demolition of the Class E unit (and related structures), ground and basement floor slab, car park and access ramp of Tenter House together with the demolition of part of the City Point Plaza floor slab and New Union Street, to provide a new part 14-storey and part 21-storey [+95.25m AOD] office building (Class E(g)(i)) [33,758sq.m GIA], with one ground floor retail unit (Class E(a/b)) [287sq.m GIA], community floorspace at ground floor level (Class F2(b)) [142sq.m GIA], new level plaza (open space), and a reconstructed New Union Street, together with cycle parking, waste storage, servicing, landscaping, plant, and other associated works [Total 35,533 sq.m GEA].**

**Note: Demolition of the existing 11 storey building (except for the Class E Unit and its related structures) will take place pursuant to planning permission reference 17/01050/FULMAJ.**

## 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 The proposed development shall provide a total floor area of 35,533 sq.m GEA in accordance with the approved plans, comprising:  
33,758 sq.m GIA Class E(g)(i) offices;  
287 sq.m. GIA Class E(a/b) retail; and  
142 sq.m GIA Class F2(B) community floorspace.  
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.
- 3 Prior to commencement of the following stages, a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during construction shall be submitted to and approved in writing by the Local Planning Authority.
  - (a) Above and below ground works related to the Plaza, including demolition of the Plaza slab;
  - (b) works beneath the footprint of the building (including demolition of the building basement and slab);
  - (c) construction of the above ground building.

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

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

- 4 Demolition of the existing Class E structure remaining on site [following demolition of all other above ground structures carried out pursuant to planning permission 17/01050/FULMAJ (dated 23.09.2020)] shall be carried out in accordance with the Scheme of Protective Works Revision 08 dated February 2024 by John F Hunt Ltd as hereby approved under condition 83 (Approved Drawings) of this permission.

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.

- 5 Prior to the commencement of relevant works, unless otherwise agreed with the Local Planning Authority, the following works shall be undertaken, for (1) the works to the plaza and (2) the works to the main building, in accordance with the requirements of DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM) guidance and be submitted to City of London for approval with due consideration given to impact of development works (including remediation) on off-site receptors, sustainable development, and future foreseeable events within the development lifespan (e.g., climate change and extreme weather events):

- a. a preliminary risk assessment (PRA) shall be completed to identify the potential for contamination at the site, define the conceptual site model (CSM), and to identify and assess potential contaminant linkages associated with the proposed development.

- b. an intrusive site investigation shall be carried out followed by an appropriate level of risk assessment to establish if the site is affected by contamination and to determine the potential for harm to human health and non-human receptors and pollution of controlled waters and the wider environment (e.g., groundwater dependent terrestrial ecosystems and statutory ecological receptors) associated with the development. The method and extent of this site investigation shall be based on the findings of the preliminary risk assessment (PRA), formulated in accordance with relevant British Standards, and be agreed in writing with the Local Planning Authority prior to commencement of the work.

c. where remediation is required, a remediation strategy to include details of measures to prevent identified unacceptable risk to receptors from gross contamination (e.g. non aqueous phase liquid, asbestos containing material), soil contamination, pollution of controlled waters, and to bring the site to a condition suitable for the intended use including provisions for long term monitoring where required, shall then be submitted to and approved in writing by the Local Planning Authority before the development commences. The remediation scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and that the site is suitable for its intended use. The development shall proceed in strict accordance with the measures approved.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the Local Plan DM15.8. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 6 Prior to occupation and unless otherwise agreed with the Local Planning Authority, a verification report produced in accordance with LCRM and other associated guidance detailing the remediation measures completed and final condition of the site must be submitted to and approved in writing by the Local Planning Authority.

The developer must include a statement to confirm that the site development is safe, suitable for its intended use, and would not be considered under Part 2A of the Environmental Protection Act 1990.

REASON: To ensure that the development is safe and suitable for its intended use for the future users of the land, neighbouring land, and that risks to controlled waters, property and ecological systems are minimised, in accordance with the Local Plan DM15.8. These details are required prior to occupation in order that appropriate evidence of the remedial works is agreed and accepted by the Local Planning Authority prior to any potential exposure of occupiers or harm to the environment from land contamination.

- 7 Should unexpected contamination be identified during development hereby approved, the Local Planning Authority must be notified in writing within five working days. An investigation and risk assessment must be undertaken in accordance with the requirements of DEFRA and the Environment Agency's Land Contamination Risk Management.

Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use must be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the remediation scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the Local Plan DM15.8. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

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

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

- 9 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)(i) Fully detailed design, schematic and layout drawings for the proposed SuDS components including but not limited to in relation to the Plaza works: rainwater harvesting, attenuation systems (including green-blue roofs and the above ground tank), rainwater pipework, flow control devices, pumps, design for system exceedance, design for ongoing maintenance including silt removal; surface water flow rates shall be restricted to no greater than 2.59 l/s from the building, provision should be made for an attenuation volume capacity capable of achieving this, the area allowed to free drain shall be no greater than 1390 square meters;

(a)(ii) Fully detailed design, schematic and layout drawings for the proposed SuDS components including but not limited to in relation to the main Building works: rainwater harvesting, attenuation systems (including green-blue roofs and the above ground tank), rainwater pipework, flow control devices, pumps, design for system exceedance, design for ongoing maintenance including silt removal; surface water flow rates shall be restricted to no greater than 2.59 l/s from the building, provision should be made for an attenuation volume capacity capable of achieving this, the area allowed to free drain shall be no greater than 1390 square meters;

(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.

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

carried out in accordance with the approved details:

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

- A full description of how the system would work, it's aims and objectives and the flow control arrangements;

- A Maintenance Inspection Checklist/Log;

- A Maintenance Schedule of Work itemising the tasks to be undertaken, such as the frequency required and the costs incurred to maintain the system.

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

- 11 Prior to the commencement of construction works to the office building, a site survey and survey of highway and other land at the perimeter of the site shall be carried out and details must be submitted to and approved in writing by the local planning authority indicating the proposed finished floor levels at basement and ground floor levels in relation to the existing Ordnance Datum levels of the adjoining streets and open spaces. The development shall be carried out in accordance with the approved survey unless otherwise agreed in writing by the local planning authority.

REASON: To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.8, DM16.2. These details are required prior to commencement in order that a record is made of the conditions prior to changes caused by the development and that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 12 Demolition works [save for that demolished pursuant to 17/01050/FULMAJ and the demolition of the Class E unit which shall be carried out in accordance with condition 13 of this permission] shall not begin until a Deconstruction Logistics Plan to manage all freight vehicle movements to and from the site during deconstruction of the existing building(s) has been submitted to and approved in writing by the Local Planning Authority.

The Deconstruction Logistics Plan shall be completed in accordance with the Mayor of London's Construction Logistics Plan Guidance dated July 2017, and shall specifically address the safety of vulnerable road users through

compliance with the Construction Logistics and Community Safety (CLOCS) Standard. The Plan must demonstrate how Work Related Road Risk is to be managed. The demolition and construction shall not be carried out otherwise than in accordance with the approved Deconstruction and Construction Logistics Plans(s) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

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

- 13 Demolition of the existing Class E structure remaining on site [following demolition of all other above ground structures carried out pursuant to planning permission 17/01050/FULMAJ (dated 23.09.2020)] shall be carried out in accordance with the Site Demolition Logistics Plan Revision 03 dated 24.04.2024 by John F Hunt Ltd as hereby approved under condition 83 (Approved Drawings) of this permission.

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.

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

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

- 15 No works including demolition of the Plaza and Building basement floorslabs shall be commenced until detailed design and method statements (in consultation with London Underground), for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provides details on all proposed structures;

- provides details on the use of tall plant/scaffolding;
  - accommodates the location of the existing London Underground structures;
  - demonstrates access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering LUL'S land;
  - demonstrate that there will at no time be any potential security risk to LUL'S railway, property or structures;
  - accommodate ground movement arising from the construction thereof;
- and
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed in their entirety, before any part of the building hereby permitted is occupied.

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021 Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 16 Construction works shall not commence until detailed design and method statements (in consultation with London Underground), for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provides details on all proposed structures;
  - provides details on the use of tall plant/scaffolding;
  - accommodates the location of the existing London Underground structures;
  - demonstrates access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering LUL'S land;
  - demonstrate that there will at no time be any potential security risk to LUL'S railway, property or structures;
  - accommodate ground movement arising from the construction thereof;
- and
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed in their entirety, before any part of the building hereby permitted is occupied.

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan



2021 Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 17 All Parish Markers and commemorative plaques stored from the cleared site shall be carefully reinstated and retained for the life of the building on the new building in accordance with detailed specifications including location and fixing details which shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.

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

- 18 No works [other than demolition of the existing building, pursuant to planning permission 17/01050/FULMAJ, and the plaza works] shall take place until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- 19 No demolition or development [other than demolition of the existing Class E unit and the works to the plaza] shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. Where appropriate, details of a programme for delivering related positive public benefits.

C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

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.

- 20 No development other than works to the plaza and works associated with its delivery shall take place until the detailed design of all wind mitigation measures has been submitted to and approved in writing by the Local Planning Authority. These details shall include the size and appearance of any features, the size and appearance of any planting containers, trees species, planting medium and irrigation systems. No part of the building shall be occupied until the approved wind mitigation measures have been implemented unless the Local Planning Authority agrees otherwise in writing. The said wind mitigation measures shall be retained in place for the life of the building unless otherwise agreed by the Local Planning Authority.

REASON: In order to ensure that the proposed development does not have a detrimental impact on the amenities of the area in accordance with the following policies of the Local Plan: DM10.1, DM16.1, DM16.2. These details are required prior to construction in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 21 The development shall incorporate such measures as are necessary within the site to resist structural damage arising from an attack with a road vehicle or road vehicle borne explosive device, for both (a) the plaza and (b) the above ground building, details of which must be submitted to and approved in writing by the Local Planning Authority before any construction works for the relevant part of the development hereby permitted are begun. The mitigation measures shall be maintained for the life of the building.

REASON: To ensure that the premises are protected from road vehicle borne damage within the site in accordance with the following policy of the Local Plan: DM3.2. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

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

(a) particulars and samples of the materials to be used on all external and semi-external faces of the building.

(b) particulars and samples of the materials to be used on all external surface treatments in areas where the public would have access, including external ground and plaza;

(c) full details of the public spaces, including flooring, entrances, planters, steps, seating, lighting, soffits, drainage, irrigation, bollards, hand-rails, balustrades, staircases and steps, and any infrastructure required to deliver programmed and varied uses;

(d) details of the proposed new external and semi-external facades including details of a typical bay detail of the development for each façade,

specifying jointing where appropriate including any necessary expansion/movement joints;

(e) mock up sample of the glazing system to test solar glare;

(f) details of the rooftop including any plant equipment, green roof, brise soleil and photovoltaic panels, horticulture screen wiring, planters, acoustic screening and louvres;

(g) details of all proposed new signage including fixings, maintenance and any incorporated lighting;

(h) Details of the proposed terraces and balconies including doors and thresholds, soffits, balustrades, planters, seating, irrigation, drainage, and surface treatments;

(i) Details of lower ground, ground, first and second floor elevations including all entrances inclusive of the loading bay, specifying any security shuttering as well as all soffits and supporting columns including their interface at ground level;

(j) Full details of the proposed cultural installation to New Union Street including hanging public art fixture fixings, external visual experience, lighting levels and maintenance plan;

(k) Details of all party wall treatments;

(l) Details of the integration of window cleaning equipment and the garaging thereof, plant, flues, and other excrescences at roof level including within the plant room;

(m) Details of all drainage, irrigation and rainwater harvesting; and

(n) Details of the integration of M&E and building services into the external envelope.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.2, DM10.3, DM10.5, DM10.6, DM10.8, DM15.7, DM19.2.

23 Before any works thereby affected are begun the following details, relating to all unbuilt surfaces, including terraces/balconies and public realm, 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) details of all soft landscaping, including the position, size and types of plants, specifying their seasonal interest, in addition to details of their respective planting beds and substrate requirements, and their contribution to biodiversity, rainwater attenuation, and local habitat;

(b) details of all proposed trees including details of their age, growing habit, girth of trunk, root development, clear stem heights, overall height, canopy size when installed and when mature; and details of tree pits/trenches and growing medium for soft and hard surfaces and their respective top and subsoil requirements as per British standards;

(c) Full details of the proposed hard landscaping including all surface treatments and urban furniture including paving details and samples in accordance with the City Public Realm Technical Manual. Details should include all planters, seating, refuse bins, lighting, handrails, drainage, irrigation and any infrastructure required to deliver programming and varied uses;

- (d) details of all SUDS infrastructure, including details on the provision for harvesting rainwater run-off from surfaces to supplement irrigation;
- (e) details of the method of irrigation and nutrient delivery systems for all soft landscaped areas;
- (f) details of the Landscape management and maintenance plan (LMMP) for all soft and hard landscaping, including ecological management and street furniture for all proposed landscaping.

The landscaping scheme shall take into account the wind mitigation measures identified in the 'Wind Microclimate Report - CFD Study' prepared by AKTII (dated February and August 2024) and the 'Tenter House Pedestrian Level Wind Microclimate Assessment - Wind Tunnel Study' prepared by RWDI (dated 16 February 2024). 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: 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: DM10.2, DM10.3, DM18.2, DM18.3.

- 24 Before the relevant works are commenced, an Inclusive Public Realm Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of gradients, crossfalls, planting, details of security measures (i.e. bollards), seating, surface materials, boundary edges, lighting, hazard protection and appropriate resting points throughout the public realm. The management and operation of the public realm shall be carried out in accordance with the approved Inclusive Public Realm Strategy for the lifetime of the development, alterations to which may be agreed in writing by the Local Planning Authority.

REASON: To achieve an environment that meets the highest standards of accessible and inclusive design in all developments, open spaces and streets, in accordance with Local Plan policy DM10.8.

- 25 Before the works thereby affected are begun, mock up 1:1 sample panels of agreed sections of the facades shall be built, agreed on-site and approved in writing by the Local Planning Authority.

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.

- 26 Prior to the commencement of the relevant works, a final Lighting Strategy and a 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 including terraces and balconies as well as 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, and shall be implemented in full prior to occupation of the building.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and the measures for environmental impacts, and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM10.1, 15.7, CS15.

- 27 Prior to commencement excluding demolition, an inclusive signage and wayfinding strategy, highlighting and signposting destinations, accessible routes and facilities, cycle parking, cultural uses and any other relevant uses shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To support inclusion, public access, legibility and wayfinding in accordance with the following policies of the Local Plan: CS10, DM10.1, DM10.4, DM10.8, CS11, DM16.2 and DM16.4.

- 28 Details of a public art strategy for proposed installation to New Union Street demonstrating: commissioning process; artistic merit; appropriateness to siting; inclusivity, deliverability; maintenance; management and engagement with Culture Mile BID, City Arts Initiative and wider community; implementation programme; and environmental impact; shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the relevant works. The public art strategy as approved shall be installed prior to first occupation and remain in situ for the lifetime of the development.

REASON: In the interest of visual amenity and to maintain the historic and cultural interest of the site in accordance with the following policy of the Local Plan: DM 11.2.

- 29 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.

- 30 No live or recorded music shall be played at such a level that it can be heard outside the premises or within any residential or other premises adjacent to the building.

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.

- 31 The roof terraces hereby permitted on the 14th and 19th floor levels shall not be used or accessed between the hours of 18:00 on one day and 08:00 on the following day, and not at any time on Saturdays. 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.

- 32 The roof terraces hereby permitted on the east elevation shall not be used or accessed between the hours of 21:00 on one day and 08:00 on the following day and not at any time on Saturdays, 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.

- 33 No amplified of other music shall be played on the roof terraces.

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

- 34 There shall be no promoted events on the premises. A promoted event for this purpose, is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.

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

- 35 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. No vehicles that are required to reverse into or out of the loading bay shall service the development after 21:00. 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, D

- 36 Self-closing mechanisms must be fitted on the doors at street entrances before the Class E(a/b) (Café/Restaurant) use commences and shall be retained for the life of the premises. The doors must not be left open except in an 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.
- 37 (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.
- 38 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
- 39 Before any works thereby affected are begun, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the Class E (a/b) (Restaurant) uses. Flues must terminate at roof level or an agreed high-level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. The details approved must be implemented before the individual Class E(a/b) (Café/Restaurant) uses takes place.  
REASON: In order to protect residential/commercial amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 40 No cooking shall take place within any Class E (a/b) (Café/Restaurant) unit hereby approved until fume extract arrangements and ventilation have been installed to serve that unit in accordance with a scheme approved by the Local Planning Authority. Flues must terminate at roof level or an agreed high-level location which will not give rise to nuisance to other occupiers of the building

or adjacent buildings. Any works that would materially affect the external appearance of the building will require a separate planning permission.  
REASON: In order to protect the amenity of the area in accordance with the following policies of the Local Plan: DM15.6, DM21.3.

- 41 The Class E(a/b) (Café/Restaurant) use hereby permitted shall not be open to customers between the hours of 23:00 on one day and 07:00 on the following day.  
REASON: To safeguard the amenity of the nearby residents, adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 42 Unless otherwise approved in writing by the Local Planning Authority, before any works thereby affected are begun, details of the provision to be made in the building's design to enable the discreet installation of street lighting on the development, including details of the location of light fittings, cable runs and other necessary apparatus, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.  
REASON: To ensure provision for street lighting is discreetly integrated into the design of the building in accordance with the following policy of the City of London Local Plan: DM10.1.
- 43 A clear unobstructed minimum headroom of 5m must be maintained for the life of the building in the loading area as shown on the approved drawings.  
REASON: To ensure satisfactory servicing facilities in accordance with the following policy of the Local Plan: DM16.5.
- 44 Details of the design and acoustic properties of the loading bay door shall be submitted to and approved by the Local Planning Authority before any works thereby affected are begun and shall be maintained for the life of the building.  
  
REASON: To ensure a satisfactory external appearance and to minimise disruption to nearby residents in accordance with the following policies of the Local Plan: DM10.1 and DM21.3.
- 45 Prior to the occupation of any part of the building, the land between the existing building lines and the face of the proposed new building shall be brought up to street level, paved and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall not be fenced or otherwise enclosed or obstructed.  
REASON: To ensure compliance with building lines and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.1, DM10.8, DM16.2.
- 46 The refuse collection and storage facilities shown on the drawings hereby approved shall be provided and maintained throughout the life of the building for the use of all the occupiers.  
REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1.



- 47 No doors, gates or windows at ground floor level shall open over the public highway.  
REASON: In the interests of public safety and to accord with Section 153 of the Highways Act 1980.
- 48 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 472 long stay spaces and 34 short stay spaces. A maximum of 10% of the cycle storage facilities should be for folding bicycles. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.  
REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.
- 49 Changing facilities and showers shall be provided to accommodate 345 lockers and 33 showers and maintained throughout the life of the building for the use of occupiers of the building in accordance with the approved plans.  
  
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
- 50 A minimum of 5% of the long stay cycle spaces (23 spaces) shall be accessible for larger cycles, including adapted cycles for disabled people.  
REASON: To ensure that satisfactory provision is made for people with disabilities in accordance with Local Plan policy DMI0.8 and London Plan policy TS cycling.
- 51 Provision shall be made for disabled people to obtain access to the offices, community use and retail unit via their respective principal entrances without the need to negotiate steps and shall be maintained for the life of the building.  
  
REASON: To ensure that disabled people are able to use the building in accordance with the following policy of the Local Plan: DM10.8.
- 52 None of the development hereby permitted shall be commenced until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling, any temporary works, and site investigations, have been submitted to and approved in writing by the Local Planning Authority which:-  
i. Accommodate the Elizabeth line infrastructure, including any temporary works associated with the Elizabeth line (formerly known as Crossrail),

ii. Mitigate the effects on the Elizabeth line, of ground movement arising from the development. The development shall be carried out in all respects in accordance with the approved design and method statements.

All structures and works comprised within the development hereby permitted which are required by paragraphs C1(i) and C1 (ii) of this condition shall be completed, in their entirety, before any part of the building[s] hereby permitted is/are occupied.

REASON: To ensure that the development does not prejudice operation of Crossrail and to protect the amenity of occupiers of the proposed building in accordance with the following polices of the Local Plan: CS5, DM16.1.

53 The development shall be carried out in accordance with the approved details within the Fire Strategy Document by OFR dated 04 September 2024.

REASON To ensure that the development incorporates the necessary fire safety measures in accordance with London Plan D5 and D12.

54 Unless otherwise approved by the Local Planning Authority, no plant or telecommunications equipment shall be installed on the exterior of the building, including any plant or telecommunications equipment permitted by the Town & Country Planning (General Permitted Development) Order 2015 or in any provisions in any statutory instrument revoking and re-enacting that Order with or without modification.

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

55 At all times when not being used for cleaning or maintenance the window cleaning gantries, cradles and other similar equipment shall be garaged within the enclosure(s) shown on the approved drawings.

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

56 Prior to the commencement of the 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 (or any updates thereof), Local Plan Policy DM15.6 and London Plan Policy S11D. Compliance is required to be prior to commencement due to the potential impact at the beginning of the construction.

57 The maximum heights of the approved building shall be as follows:  
- 95.25m AOD to top of main roof level; 71.55m AOD to top of 14th floor level balustrade.

REASON: In the interests of visual amenity and heritage protection in accordance with the following policies of the Local Plan: DM10.1, CS12 and CS14.

- 58 Prior to first use of the building upon completion of development, the basement shall be fitted with a positive pumped device designed to remove sewer water from the building, which shall be maintained and functional at all times.  
REASON - To protect the building from sewer flooding, in accordance with the following policy: DM18.3.

- 59 Prior to the commencement of the development (excluding demolition and works to the plaza), after RIBA Stage 4, an update to the approved detailed Circular Economy Statement to reaffirm the proposed strategy, to include a site waste management plan, shall be submitted to and approved in writing the Local Planning Authority, that demonstrates that the Statement has been prepared in accordance with the GLA Circular Economy Guidance and that the development is designed to meet the relevant targets set out in the GLA Circular Economy Guidance. The end-of-life strategy of the statement should include the approach to storing detailed building information relating to the structure and materials of the new building elements and of the interventions in order to distinguish the historic from the new fabric. The development shall be carried out in accordance with the approved details and operated & managed in accordance with the approved details throughout the life-cycle of the development.

REASON : To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development so that it reduces the demand for redevelopment, encourages re-use and reduces waste in accordance with the following policies in the Development Plans and Page 153 122 draft Development Plans: London Plan; D3, SI 7, SI 8 - Local Plan; CS 17, DM 17.2 - Draft City Plan 2040; S16. 11.

- 60 No later than 3 months after completion of the building and prior to the development being occupied, a post-construction 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 London Plan

- 61 Prior to the commencement of the development, excluding demolition, works to the plaza and below-ground works of the development, a detailed Whole Life Cycle Carbon assessment shall be submitted to and approved in writing by the Local Planning Authority, demonstrating that the whole life-cycle carbon emissions savings for modules A1 - A5 of the development achieve at least the GLA standard benchmark and setting out further opportunities to achieve the GLA's aspirational benchmarks set out in the GLA's Whole Life-Cycle

Carbon Assessment Guidance, and that modules B - C of the development aim to achieve at least the GLA standard benchmark. The assessment should include details of measures to reduce carbon emissions throughout the whole life-cycle of the development and provide calculations in line with the Mayor of London's guidance on Whole Life-Cycle Carbon Assessments, and the development shall be carried out in accordance with the approved details and operated and managed in accordance with the approved assessment for the life cycle of the development.

REASON: To ensure that the GLA and the Local Planning Authority may be satisfied with the detail of the proposed development so that it maximises the reduction of carbon emissions of the development throughout the whole life cycle of the development in accordance with the following policies in the Development Plan and draft Development Plans: London Plan: D3, SI 2, SI 7 - Local Plan: CS 17, DM 15.2, DM 17.2 - Draft City Plan 2040: DE 1.

- 62 Once the as-built design has been completed (upon commencement of RIBA Stage 6) the post-construction Whole Life-Cycle Carbon (WLC) Assessment (to be completed in accordance with and in line with the criteria set out in in the GLA's WLC Assessment Guidance) shall be submitted to the Local Planning Authority. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon Page emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

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

- 63 The development shall be designed to allow for connection into a district heating network if this becomes available during the lifetime of the development. This is to include a strategy with relevant plan drawings for: equipment, allocation of plant space and a protected route for connection in and out of the site.

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. draft City Plan 2040 policy S7.

- 64 A post construction BREEAM assessment demonstrating that a minimum 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 a minimum 'Excellent' rating) shall be submitted as soon as practicable after practical completion.

REASON: To demonstrate that carbon emissions have been minimised and that the development is sustainable in accordance with the following policy of the Local Plan: CS15, DM15.1, DM15.2, draft City Plan 2040; DE1

- 65 Further to the approval of landscaping and urban greening details as set out in Conditions 23 and 67 of this permission, prior the commencement of the development, excluding demolition, an Ecological Management Plan shall be submitted and approved by the Local Planning Authority to provide details on the proposed ecological enhancement actions in relation to habitat creations, monitoring and management.

REASON: To comply with Local Plan Policy DM 19.2 Biodiversity and urban greening and Draft City Plan 2040 policy OS3 Biodiversity. This is required to be prior to commencement of development in order to ensure that the ecological sites are not disturbed prior to development.

- 66 Within 6 months following completion, details of the measures to meet the approved Urban Greening Factor and the Biodiversity Net Gain scores, to include plant and habitat species, scaled drawings identifying the measures and maintenance plans, shall be submitted to the Local Planning Authority. Landscaping and biodiversity measures shall be maintained to ensure the approved standard is preserved for the lifetime of the development.

REASON: To comply with Local Plan Policy DM 19.2 Biodiversity and urban greening and Draft City Plan 2040 policy OS2 City Greening and OS3 Biodiversity.

- 67 Details of the position and size of the green roof(s), the type of planting and the contribution of the green roof(s) to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.

REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.

- 68 Prior to the commencement of the development, excluding 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 flood, 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 & managed in accordance with the approved CCRSS for the life of the development.

REASON: To comply with Local Plan Policy DM 15.5 for Climate change resilience and adaptation and draft City Plan 2040: S15.

- 69 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 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 DM15.5 for Climate Change Resilience and adaptation, and draft City Plan 2040 policy S15.

- 70 The floorspace within the development marked as community floorspace on the floorplans at ground floor level hereby approved, shall be used for local community (Class F2(b)) and for no other purpose (including any other purpose within Class F 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 compliance with policy S6 of the Draft City Plan 2040.

- 71 The floorspace within the development marked as restaurant/cafe floorspace on the floorplans at ground floor level hereby approved, shall be used for restaurant/cafe (Class E(a/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 compliance with policy S5 of the Draft City Plan 2040.

- 72 No piling to the Plaza 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) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe 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 and piling layout plan.

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. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

- 73 No piling to the Building 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) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe 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 and piling layout plan.

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- 74 No piling to the Plaza shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) and piling layout plan including all Thames Water clean water assets, the local topography and clearance between the face of the pile to the face of a pipe 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 and piling layout plan. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above

or near our pipes or other structures.  
<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

- 75 No piling to the building shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) and piling layout plan including all Thames Water clean water assets, the local topography and clearance between the face of the pile to the face of a pipe 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 and piling layout plan. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.  
<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
- 76 There shall be no occupation beyond the first 19,000sqm of office space at 1.5l/s until confirmation has been provided that either:  
- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or  
- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied.  
Where a development and infrastructure phasing plan is agreed no occupation of the additional floorspace shall take place other than in accordance with the agreed development and infrastructure phasing plan.  
REASON: The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues.
- 77 Prior to the commencement of development, save for demolition and all works to the plaza, details of the utility connection requirements of the development (or relevant part thereof) including all proposed service connections, communal entry chambers, the proposed service provider and the anticipated volume of units required for the development and a programme for the ordering



and completion of service connections from the utility providers have been submitted to the local planning authority for approval in writing. No service connections shall be ordered in connection with the development unless in accordance with the final programme approved pursuant to this condition.

REASON: To ensure that the utilities infrastructure arising from the development are met in accordance with policy CS2 of the Local Plan

- 78 Prior to implementation, a Public Realm Management Plan shall be submitted to and approved in writing by the Local Planning Authority before any landscaping works are commenced. The management and operation of the public realm shall be carried out in accordance with the Public Realm Management Plan for the lifetime of the development, alterations may be agreed in writing by the Local Planning Authority.

REASON: To ensure that the Local Planning Authority may be satisfied with the management and operation of publicly accessible areas in accordance with the Public London Charter LPG and London Plan (2021) Policy D8

- 79 Prior to commencement of the new structural core, details of the proposed lifts shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details and be retained as such in perpetuity.

REASON: To ensure that the development is accessible for disabled people in accordance with the following policy of the Local Plan: DM10.8. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

- 80 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) Details of all surface materials including slip resistance, contrast, glare analysis, colour and texture as appropriate;
- b) Details of an inclusive entrance strategy for all entrances including siting of controlled entry system, design of the manifestation, thresholds, mat wells and floor finishes, and door furniture at a scale of no less than 1:20;
- c) Details of office reception including details of reception facilities and the access between the office lobby and first floor office;
- d) Security measures including provision of wider aisle gates at all controlled points of entry;
- e) Details of soft spot between level 02 -13;
- f) Details of the cycle stand types and setting out of long stay cycle spaces, including swept paths, and end of trip facilities and access routes;
- g) Details of step free access to the cycle store and end of trip facilities;
- h) Details of City Place Plaza and all terraces including path widths and seating;

i) Details of the layout of the wheelchair accessible WC on the ground floor of the office building (the WC pan should be located on the shortest wall);

j) Details of left and right hand transfer wheelchair accessible WC facilities in the new office building;

REASON: To ensure the development proposals provides a fully accessible and inclusive facility in accordance with Policy DM10.8 and Policy D5 of the London Plan.

81 Prior to the occupation of the development, an Inclusive Access Management Plan 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 which shall provide specific details on how the development will be constructed, operated and managed to ensure that the highest possible standard of accessibility is provided. This management plan shall include accessibility details for:

a. Website information including photos/visual story and an easy read version with information on:

i. Travel distances in metres from key step-free points of arrival including identified rest points at intervals of no more than 50m

ii. Location of dropped kerbs

b. Facilities available on-site including dimensions and photos for (as appropriate):

i. entrances and lift access

ii. controlled entry points

iii. accessible toilets including protocol for access to Radar key if applicable

iv. facilities for assistance animals

v. assistive listening system and other assistive technology

vi. rest and recovery facilities/quiet room

vii. room for reflection/prayer room

c. Inclusive cultural provision with reference to relevant guidance including opportunities for inclusive procurement, interpretation, co-curation, mentoring and volunteering.

The agreed scheme shall be implemented before the development hereby permitted is brought into use and retained as such for the lifetime of the development.

REASON: To ensure the development proposals provides a fully accessible and inclusive facility in accordance with Policy DM10.8 and Policy D5 of the London Plan.

82 The threshold of the private public realm and public route entrances shall be at the same level as the rear of the adjoining footway.

REASON: To maintain a level passage for pedestrians in accordance with the following policies of the Local Plan: DM10.8, DM16.2.

83 Before any works thereby affected are begun details of measures to prevent jumping or falling from the development (including the publicly accessible roof terrace) shall be submitted to and approved in writing by the Local Planning

Authority. The approved measures shall be in place prior to occupation and remain in situ for the lifetime of the development.

REASON: In the interests of safety in accordance with the following polices of the draft City Plan 2040: DE2 and DE5.

- 84 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:

P0100 Rev B Site Location Plan; P0101 Rev B Site Plan; P0199 Rev C; P0200 Rev C; P0201 Rev B; P0202 Rev B; P0203 Rev B; P0204 Rev B; P0205 Rev B; P0206 Rev B; P0207 Rev B; P0208 Rev B; P0209 Rev B; P0210 Rev B; P0211 Rev B; P0212 Rev B; P0213 Rev B; P0214 Rev B; P0215 Rev B; P0216 Rev B; P0217 Rev B; P0218 Rev B; P0219 Rev B; P0220 Rev B; P0221 Rev B; P0300 Rev B; P0301 Rev B; P0302 Rev B; P0303 Rev B; P0310 Rev B; P0311 Rev B; P0312 Rev B; P0313 Rev B; P0400 Rev B; P0401 Rev B; P0410 Rev B; P0411 Rev B; P0412 Rev B; P0413 Rev B; P0414 Rev B; P0415 Rev B; P0416 Rev B; P4100 Rev B; P4101 Rev B; P4102 Rev B; P4103 Rev B; P4104 Rev B; P4110 Rev B; P4111 Rev B; P4112 Rev B; P4113 Rev B; P4114 Rev B; P4115 Rev B; P4116 Rev B; P4117 Rev B; P4118 Rev B; P4119 Rev A; P4120 Rev A; P5000 Rev A; P5001 Rev A.

Topographic Survey Drawing Numbers 01586-GEO-XX-ZZ-SU-U-1001 P02 and 01586-SRM-XX-ZZ-SU-U-1001 P02.

Site Deconstruction Logistics Plan Rev 03, John F Hunt Ltd, 24.04.2024.

Scheme of Protective Works Rev 08, John F Hunt Ltd, February 2024.

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 Consultation and engagement with the local community should be undertaken where relevant as submissions to discharge conditions are developed in line with the expectations set out in the City's Developer Engagement Guidance (May 2023).
- 2 In relation to the relevant archaeology condition written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 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.

- 4 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.

5 The Department of the Built Environment (Transportation & Public Realm Division) must be consulted on the following matters which require specific approval:

(a) Hoardings, scaffolding and their respective licences, temporary road closures and any other activity on the public highway in connection with the proposed building works. In this regard the City of London Corporation operates the Considerate Contractors Scheme.

(b) The incorporation of street lighting and/or walkway lighting into the new development. Section 53 of the City of London (Various Powers) Act 1900 allows the City to affix to the exterior of any building fronting any street within the City brackets, wires, pipes and apparatus as may be necessary or convenient for the public lighting of streets within the City. Early discussion with the Department of the Built Environment Transportation and Public Realm Division is recommended to ensure the design of the building provides for the inclusion of street lighting.

(c) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window sill, rainwater pipe, oil fuel inlet pipe or box, carriageway entrance, or any other projection beneath, over or into any public way (including any cleaning equipment overhanging any public footway or carriageway).

You are advised that highway projection licences do not authorise the licensee to trespass on someone else's land. In the case of projections extending above, into or below land not owned by the developer permission will also be required from the land owner. The City Surveyor must be consulted if the City of London Corporation is the land owner. Please contact the Corporate Property Officer, City Surveyor's Department.

(d) Bridges over highways

(e) Permanent Highway Stopping-Up Orders and dedication of land for highway purposes.

(f) Declaration, alteration and discontinuance of City and Riverside Walkways.

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

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

(i) Carriageway crossovers.

(j) Servicing arrangements, which must be in accordance with the City of London Corporation's guide specifying "Standard Highway and Servicing Requirements for Development in the City of London".

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

(a) Approval for the installation of furnaces to buildings and the height of any chimneys. If the requirements under the legislation require any structures in excess of those shown on drawings for which planning permission has already been granted, further planning approval will also be required.

(b) Installation of engine generators using fuel oil.

(c) The control of noise and other potential nuisances arising from the demolition and construction works on this site the Department of Markets and Consumer Protection should be informed of the name and address of the project manager and/or main contractor as soon as they are appointed.

(d) Alterations to the drainage and sanitary arrangements.

(e) The requirements of the Health and Safety at Work etc Act 1974 and the other relevant statutory enactments in particular:

- the identification, encapsulation and removal of asbestos in accordance with a planned programme;
- provision for window cleaning (internal and external) to be carried out safely.

(f) The use of premises for the storage, handling, preparation or sale of food.

(g) Use of the premises for public entertainment.

(h) Approvals relating to the storage and collection of wastes.

(i) The detailed layout of public conveniences.

(j) Limitations which may be imposed on hours of work, noise and other environmental disturbance.

(k) The control of noise from plant and equipment;

(l) Methods of odour control.

7 The Director of Markets and Consumer Protection (Environmental Health Team) advises that:

Noise and Dust

(a)

The construction/project management company concerned with the development must contact the Department of Markets and Consumer

Protection and provide a working document detailing steps they propose to take to minimise noise and air pollution for the duration of the works at least 28 days prior to commencement of the work. Restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(b)

Demolition and construction work shall be carried out in accordance with the City of London Code of Practice for Deconstruction and Construction. The code details good site practice so as to minimise disturbance to nearby residents and commercial occupiers from noise, dust etc. The code can be accessed through the City of London internet site, [www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk), via the a-z index under Pollution Control-City in the section referring to noise, and is also available from the Markets and Consumer Protection Department.

(c)

Failure to notify the Markets and Consumer Protection Department of the start of the works or to provide the working documents will result in the service of a notice under section 60 of the Control of Pollution Act 1974 (which will dictate the permitted hours of work including noisy operations) and under Section 80 of the Environmental Protection Act 1990 relating to the control of dust and other air borne particles. The restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(d)

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

#### Air Quality

(e)

##### Compliance with the Clean Air Act 1993

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

#### Boilers and CHP plant

(f)

The City is an Air Quality Management Area with high levels of nitrogen dioxide. All gas boilers should therefore meet a dry NO<sub>x</sub> emission rate of

<40mg/kWh in accordance with the City of London Air Quality Strategy 2015.

(g)

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

(h)

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

(i)

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

#### Standby Generators

(j)

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

(k)

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

#### Cooling Towers

(l)

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

#### Noise Affecting Residential Properties

(m)

The proposed residential flats are close to busy roads and are in an existing commercial area which operates 24 hours a day. The scheme should include effective sound proofing of the windows and the provision of air conditioning or silent ventilation units to enable the occupants to keep their windows closed



to benefit from the sound insulation provided. This may need additional planning permission.

(n)

The proposed residential units are located in a busy City area that operates 24 hours a day and there are existing road sweeping, deliveries, ventilation plant and refuse collection activities that go on through the night. The units need to be designed and constructed to minimize noise disturbance to the residents. This should include acoustic treatment to prevent noise and vibration transmission from all sources. Sound insulation treatment needs to be provided to the windows and either air conditioning provided or silent ventilation provided to enable the windows to be kept closed yet maintain comfortable conditions within the rooms of the flat. This may need additional planning permission.

#### Ventilation of Sewer Gases

(o)

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

#### Food Hygiene and Safety

(p)

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

(q)

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

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

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

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

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

(r)

From the 1 July 2007, the Health Act 2006 and associated Regulations prohibited the smoking of tobacco products in all enclosed or partially enclosed premises used as workplaces or to which the public have access. All such premises are required to provide signs prescribed by Regulations. Internal rooms provided for smoking in such premises are no longer permitted. More detailed guidance is available from the Markets and Consumer Protection Department (020 7332 3630) and from the Smoke Free England website: [www.smokefreeengland.co.uk](http://www.smokefreeengland.co.uk).

- 8 You are advised to contact the Markets and Consumer Protection Department who will advise in respect of Food Hygiene and Safety, Health and Safety at Work, Environmental Impact and any other matters relevant to that department. Should the Markets and Consumer Protection Department require any external design alterations you should advise the Planning Department which will advise as to whether planning permission will be required for such works.
- 9 Ventilation for any kitchens will need to be provided to roof level. Planning permission will be required for any ducts, vents or plant that would materially affect the external appearance of the building. It cannot be assumed that ductwork will be permitted on the exterior of the building.
- 10 You are requested to notify the Chief Planning Officer on commencement of the development in order that the works can be inspected and monitored.
- 11 The Crime Prevention Design Advisor for the City of London Police should be consulted with regard to guidance on all aspects of security, means of crime prevention in new development and on current crime trends.
- 12 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.
- 13 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.
- 14 This permission is granted having regard to planning considerations only and is without prejudice to the position of the City of London Corporation as ground

landlords; and the work must not be instituted until the consent of the City of London Corporation as freeholders has been obtained.

- 15 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.
- 16 Consent may be needed from the City Corporation for the display of advertisements on site during construction works. The display of an advertisement without consent is an offence. The City's policy is to restrain advertisements in terms of size, location, materials and illumination in order to safeguard the City's environment. In particular, banners at a high level on buildings or scaffolding are not normally acceptable. The Built Environment (Development Division) should be consulted on the requirement for Express Consent under the Town & Country Planning (Display of Advertisements) (England) Regulations 2007.
- 17 The Developer is recommended to assess and mitigate the possible effects of noise and vibration arising from the operation of the Elizabeth line.
- 18 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 [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 19 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.