

From: [Ankush Khanna](#)  
To: [PLN - Comments](#)  
Cc: [Tampouridou, Anastasia](#); [Tampouridou, Anastasia](#)  
Subject: Re: REF 24/00226/FULL  
Date: 08 January 2025 10:45:58

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THIS IS AN EXTERNAL EMAIL

Good morning!

Of course.

My name is  
Ankush Khanna  
2 Salford Road  
Balham  
Sw24bh

Thanks,

Kush Khanna  
Singer-Actor-Songwriter



On 8 Jan 2025, at 10:37, PLN - Comments  
<PLNComments@cityoflondon.gov.uk> wrote:

Dear Ankush Khanna,

Thank you for your email. I can confirm receipt of your objection.

However, I cannot take into account comments that do not include a name and address, nor can the comments be reported. For the purposes of data protection, we do not reveal the email address, telephone number or signature of private individuals. You can ask for your name and address to be removed from the planning report to the Planning and Transportation Committee but your comments will be anonymous and that may affect the weight the Members give them.

In light of the above, please can you provide a full address?

Kind Regards

**Shupi Begum**

Shupi Begum  
Planning Administrator|Development Division  
City of London Corporation | Environment Department | Guildhall | London |  
EC2V 7HH



[REDACTED]  
Juliemma McLoughlin  
Executive Director Environment

[www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk)

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From: Ankush Khanna <[REDACTED]>  
Sent: 07 January 2025 18:30  
To: PLN - Comments <PLNComments@cityoflondon.gov.uk>  
Subject: REF 24/00226/FULL

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THIS IS AN EXTERNAL EMAIL

Dear team,

I am writing to formally object to the planning application **24/00226/FULL** concerning the proposed development , as outlined on the City of London Planning Portal.

While I appreciate the City's aim to promote growth and development, I am deeply concerned about the negative impact this proposal may have on the surrounding area.

**Key concerns include:**

1. **Impact on Historic Character:** The proposed development is not in keeping with the character of the Grade I listed building and other historic buildings nearby. These structures contribute significantly to the architectural heritage and cultural identity of the area. Allowing this development could set a precedent for further projects that might undermine this unique historic fabric.
2. **Visual Impact:** The introduction of modern construction in this sensitive location could disrupt the aesthetic and historic integrity of the area, detracting from the viewing experience of several iconic buildings.
3. **Potential Precedent:** Approving this application may encourage similar developments, leading to cumulative impacts that further erode the area's historic charm and architectural cohesion.

I urge the planning department to carefully consider the long-term implications of this proposal and prioritise the preservation of the area's unique historic and cultural value.

Should you require further clarification on my concerns, please do not hesitate to contact me.

Thank you for taking my objection into account.

Thanks,

Kush Khanna  
Singer-Actor-Songwriter



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[REDACTED]

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THIS IS AN EXTERNAL EMAIL.

Hi Shaji,

Apologies, my email signature didn't seem to go through. Here included

[REDACTED]

> On 8 Jan 2025, at 10:38, PLSJ - Comments (PLSJComments@cityoflondon.gov.uk) wrote:  
> Dear [REDACTED]  
>  
> Thank you for your email. I can confirm receipt of your objection.  
>  
> However, I cannot take into account comments that do not include a name and address, nor can the comments be reported. For the purposes of data protection, we do not reveal the email address, telephone number or signature of private individuals. You can ask for your name and address to be removed from the planning report to the Planning and Transportation Committee but your comments will be anonymous and that may affect the weight the Members give them.  
>  
> In light of the above, please can you provide a full address?  
>  
>  
> Shaji Regan  
> Planning Administration/Development Division  
> City of London Corporation - Transportation Department (Gridhall) | London | EC7V 7HH

[REDACTED]

>  
>  
> Original Message:  
> From: [REDACTED]  
> To: PLSJ - Comments (PLSJComments@cityoflondon.gov.uk)  
> Subject: 24/0125/PL2/L  
>  
> [You don't often get email from [REDACTED] Learn why this is important or <https://aka.ms/LearnAboutSpamNotifications> ]

> THIS IS AN EXTERNAL EMAIL.

>  
>  
> To: Wham & May Consults  
>  
> I am writing to object to the proposed development works at One Old Brewery, London, EC2B 5EN, as outlined in the nearest public notice.

> As a London resident, City worker, and frequent visitor to the area, including as a member of The 'red private members' club, I am concerned about the potential impact of these works. The notice makes clear that the proposed alterations will affect the setting of listed buildings and the character and appearance of the conservation area. Given the historical and architectural significance of this part of the City of London, any changes must be approached with the utmost care and sensitivity.

> The scale and nature of the proposed alterations, particularly changes to elevations, appear to be substantial. Such works risk irreversibly disrupting the skyline, diminishing the historical integrity of the area, and undermining the distinctive character that makes this part of London so unique.

> As someone who spends a great deal of time in the area, I can attest to its cultural and historical importance. It is vital that this heritage is preserved for current and future generations. I am also concerned about the practical impact of prolonged construction work, which would undoubtedly impose significant disruption on The Ned and its thousands of members, visitors, and staff.

> For these reasons, I wish to register my objection to the application and request that my concerns be taken into full consideration as part of the planning process.

> Thank you for your attention to this matter.

>  
> Kind regards,

[REDACTED]

**Objection Letter to Planning Application 24/00226/FULL 1 Old Jewry, London EC2R 8DN**

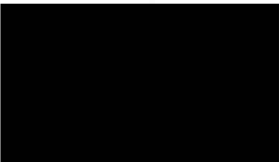
Ms Anastasia Tampouridou - Case Officer  
Development Division  
Department of the Built Environment  
City of London  
P.O. Box 270, Guildhall  
London EC2P 2EJ

[Anastasia.Tampouridou@cityoflondon.gov.uk](mailto:Anastasia.Tampouridou@cityoflondon.gov.uk)

1. I am writing to object to the above planning application which seeks to change the use of part of the ground floor retail space to be used for office accommodation, refurbishment works at basement and ground floor levels and the construction of a new pavilion and plant room at roof level including the creation of an external roof terrace.
2. I am a frequent guest at the Ned hotel, using the rooftop facilities. One of the main attractions of the rooftop is the privacy it affords, particularly for users of the swimming pool. The proposed rooftop extension will overlook the Ned hotel's rooftop. I am also concerned about the noise that will be generated from the rooftop extension, as I understand that it will be used for various functions and events.
3. I do not think the design of the proposed development respects the setting of the Ned hotel, a Grade I listed building, which is of exceptional interest as only around 2.5% of listed buildings are Grade I. The hotel is also in a conservation area. In combination this means that even more importance should be given to ensuring that the proposed design of the rooftop extension is appropriate, being so close to a Grade I listed building in a conservation area. The bulk and scale of the proposed development will have a detrimental effect on the conservation area and the setting of the Ned hotel.
4. No consideration has been given to the construction of the development and how constrained the site is. There is a very narrow road (Grocers Hall Court) between the development site and the hotel which is used by many commercial operators and by construction traffic if the application is granted. Old Jewry and Poultry already suffer from heavy traffic which will only be exacerbated during the construction period.
5. I am aware that the applicant refers to having met with the owners of the Ned hotel and that they have sought to work positively and proactively with them. I cannot therefore understand why this planning application is no different to the previous scheme and takes no account of the overlooking and inappropriate bulk and scale of the rooftop extension. This is a major planning application. The lack of any real engagement by the planning applicant with the public is concerning and I hope that Planning Committee can consider the matter so that the application is thoroughly debated and discussed.

Name: Dan Zaum

Address: Flat 28 Dorset House, 14 Mount Pleasant, London, WC1X 0BU



9/1/2025

From: [Akiko T](#)  
To: [PLN - Comments](#)  
Subject: 24/00226/FULL: Objection to Proposed Development at One Old Jewry, London EC2R 8DN  
Date: 11 January 2025 16:09:38

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THIS IS AN EXTERNAL EMAIL

Subject: Objection to Proposed Development at One Old Jewry, London EC2R 8DN

Dear Sir/Madam,

I am writing to formally raise my objection to the planned development at 1 Old Jewry, London, EC2R 8DN, as detailed in the recent public notice.

I live and work in London and am in the City most days of the week with work, for my gym to maintain my physical health and socially — particularly as a member of The Ned private members' club — I have significant concerns about the potential effects of the proposed changes. The notice clearly indicates that these works will impact the setting of listed buildings and alter the character of the conservation area.

This part of the City of London holds immense historical and architectural value —which does not just impact us as locals but significantly impacts the appeal of London to the global tourist trade and industry for all international visitors who bring with them their investments and tourism income - and any modifications must be handled with exceptional care and sensitivity.

The proposed changes, particularly the alterations to the building elevations, seem considerable in scope. Such modifications risk damaging the unique skyline, eroding the historical significance of the area, and compromising the character that makes this part of London distinctive.

Having spent substantial time in this area, I can personally vouch for its cultural and historical importance. This particular area is a key representation of how the rest of the world views London and forms a significant identity of the United Kingdom, which is why it is featured in so many Hollywood movies. Preserving this heritage is essential not only for current residents and workers but for future generations as well. Additionally, the prospect of prolonged construction is concerning, as it would likely cause significant disruptions to The Ned and its many members, guests, and staff.

For these reasons, I strongly oppose the application and urge that my objections be carefully considered during the planning process.

Thank you for taking the time to review my concerns.

Yours sincerely,

Akiko Takashima

16 Barons Court Road, London W14 9DT

From: [Laurence Bain](#)  
To: [PLN - Comments](#)  
Subject: Planning Application 24/00226/FUL  
Date: 14 January 2025 16:54:33  
Attachments: [1 Poultry Comment on 2400226FUL.pdf](#)

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THIS IS AN EXTERNAL EMAIL

Dear City of London Planning,

24/00226/FUL

My name is Laurence Bain I was the lead architect/director of Number 1 Poultry in the office of James Stirling Michael Wilford and Associates Ltd I received a call a few days ago asking me to look at Application 24/00226/FUL and offer any comments that I may have. I was told the deadline for comments had been extended to later this month.

I note that on your website the Application has now gone to the Consideration stage. I have therefore somewhat hastily put together somewhat some comments that you may wish to consider when looking at this Application (see attached)

Appologies for any errors. I am happy to answer any questions.

Best Regards

Laurence Bain  
5 The Green Richmond TW9 1PL



# Laurence Bain – Comments on Application 24/00266/FUL

I have only recently been made aware of this Application. I was the lead architect on James Stirling Michael Wilford and Associates Ltd Number 1 Poultry. Please see No1 Poultry Official Listing Entry 1428881.

This Application is in many respects very detailed but appears to be missing - a careful and complete site analysis and a clear statement of the project brief as outlined below (see 1 to 4). In my opinion it is only when this information is provided that the Application can be fully assessed.

## 1. DRAWINGS IN CONTEXT

City of London Planning Pre-App Report 24<sup>th</sup> April 2023 - Heritage Constraints and Potential Impacts -

*"Existing and proposed Elevations and Sections within context are required to comment on the design merit on the proposal in the context of the conservation areas and local listed buildings".*

There are only very limited Elevations or Sections in this submission showing the building in the broader context. To fully understand the impact of massing and bulk of the proposals the following should be provided with OD levels of the proposals and its neighbours-

- Elevations along Cheapside and Poultry (similar to those submitted in a previous application for the same site Application 05/00182/FUL)
- Elevations along Old Jewry including sections of 1 Poultry showing the terraces /restaurant
- More expansive Sections through The Ned - Midland Bank across Old Jewry and through neighbouring buildings.

Based on the limited information provided the Applicant's drawings show a top of roof level of 54.456m above a Ground Floor FFL – 14.77m. The roof level appears to be considerably higher than all the neighbouring buildings and as such may be considered detrimental to the setting of listed buildings in the conservation area.

## 2. SITES NEUTRAL CONTRIBUTION

The Applicant states in the Heritage and Townscape Assessment that the existing building makes a neutral contribution to the surroundings and does not hold any architectural or historic interest. It is this very neutrality and respect for its neighbours that makes No 1 Old Jewry of architectural interest. The fundamental question is therefore are the new proposals respectful to the surroundings and do they maintain the building's historical carefully designed neutrality?

The Applicant describes the rooftop as a "pavilion" rooftop extension with additional plant above and that this has been designed to be sensitive to the surroundings.

Does the "pavilion" respect the neutrality of the existing/proposed building?

Is the pavilion, plant room and terrace respectful to the neighbouring buildings?

These points appears not to have been satisfactorily addressed in this Application.

## 3. DESIGN & ACCESS – FUNCTION OF THE PAVILLION AND TERRACE

There appears to be no explanation of the function of and access to the rooftop pavilion and terrace. The Applicant states that the terrace provide a flexible space for a variety of users.

The drawings do not show a plausible layout

- who will have access – only tenants of the building?
- how will the pavilion be accessed?
- will everyone need to check-in at a reception?
- is there any limit on the capacity?
- will any food or drink be available if yes how will this be serviced?
- will there be a kitchen - bar etc?
- although not a planning matter it would be useful to know if a licence will be applied for?

## 4. OVERLOOKING

The Applicant clearly hopes to exploit selected views from the proposed terrace but has failed to provide information on the views from neighbouring terraces towards 1 Old Jewry as requested in Pre-App 02 - 18/12/2023 *"The visual impact from neighbouring accessible terraces should be assessed especially from the adjacent listed buildings, One Poultry and The Ned".*

Ms Anastasia Tampouridou  
Case Officer  
Development Division  
Department of the Built Environment  
City of London  
P.O. Box 270  
Guildhall  
London EC2P 2EJ

Your Ref: 24/00226/FULL

Our Ref: 107110.1

Tel:

Fax:

Email:

23 January 2025

By Email:

Dear Ms Tampouridou

**Objection to planning application with reference 24/00226/FULL  
1 Old Jewry, London EC2R 8DN**

**1. Introduction**

1.1 We act on behalf of Vivas Invest & Finance Limited (**Our Client**), the owner of the Grade I listed former Midland Bank headquarters building which is used as the five star Ned hotel at 27 Poultry, London, EC2R 8AJ (**the Ned Hotel**). The Ned Hotel is immediately to the east of 1 Old Jewry, London EC2R 8DR (**the Property**). The Ned Hotel provides, amongst other things, hotel guest accommodation and a private members club (**Ned's Club**). Members of the Ned's Club have access to a range of private facilities including a rooftop pool and terraces.

1.2 We write in respect of the application for full planning permission with reference 24/00226/FULL (the **Application**) made in respect of the Property to the City of London (the **City**) on behalf of Deko Immobilien Investment GmbH (the **Applicant**) on 01 March 2024 for:

*"The change of use of part of the ground floor retail space to be used for office accommodation (Class E(g)), refurbishment works including reconfiguration of commercial floorspace at basement and ground floor levels; alteration to elevations (including new shopfronts, replacement of existing windows and revise access); erection of a new pavilion and plant room at roof level; and creation of external roof terrace" (the **Proposed Development**).*

1.3 The City granted the Application planning permission on 15 July 2024. However, the City's decision was quashed on 04 December 2024 following a claim for judicial review brought jointly by Our Client and the tenant of the Ned Hotel.

**Farrer & Co LLP** 66 Lincoln's Inn Fields London WC2A 3LH **Telephone** +44 (0)20 3375 7000 **Facsimile** +44 (0)20 3375 7001

**DX** 32 Chancery Lane **Website** [www.farrer.co.uk](http://www.farrer.co.uk)

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Ms A Tampouridou

23 January 2025

- 1.4 The Applicant's agent submitted updated information in respect of the Application the next day, on 05 December 2024. The Application will be reconsulted on and redetermined by the City. The Proposed Development has not been altered by the Applicant and remains the same as the original submission.
- 1.5 We request that the Council refuse the Application for the reasons detailed in this letter, which include:
- 1.5.1 the site location plan does not include all land necessary to carry out the Proposed Development contrary to national validation requirements;
  - 1.5.2 the extent of the Proposed Development (including the increase in floorspace) is inconsistent across the Application documents and does not clearly identify the scope of the proposed works;
  - 1.5.3 the loss of retail frontage and floorspace is contrary to policy and the advice of the City during pre-application;
  - 1.5.4 the design of the Proposed Development is harmful to the Bank Conservation Area and adjacent Guildhall Conservation Area;
  - 1.5.5 the Proposed Development results in unacceptable negative impacts on the Ned Hotel's business by virtue of the privacy, overlooking and noise impacts;
  - 1.5.6 the Proposed Development harms surrounding heritage assets;
  - 1.5.7 the Application fails to correctly assess the daylight and sunlight impacts; and
  - 1.5.8 lack of adequate community engagement on the Proposed Development.

## 2. The City's Development Plan

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. As at the date of this letter, the Council's development plan includes the following documents relevant to the Proposed Development:
- 2.1.1 City of London Local Plan adopted January 2015 (**Local Plan**);
  - 2.1.2 City Plan 2040 Revised Proposed Submission Draft dated April 2024 (**Draft City Plan**);
  - 2.1.3 The London Plan adopted March 2021 (**London Plan**);
  - 2.1.4 the City's Developer Engagement Guidance dated May 2023 (**Developer Engagement Guidance**); and
  - 2.1.5 the City's Statement of Community Involvement dated July 2024 (**SCI**).

Ms A Tampouridou  
23 January 2025

### 3. Deficiencies in the Site Location Plan

- 3.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (**DMPO 2015**) at article 7(1)(c)(i) requires planning applications to be accompanied by a plan identifying the relevant land subject to the Application. Government guidance states that the location plan “*should include all land necessary to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).*”
- 3.2 The site location plan drawing number 6982-SRA-XX-XX-DR-A-02100 Rev P01 dated 19 February 2024 (the **Site Location Plan**) does not meet the validation criteria as the red line does not include all land necessary to carry out the Proposed Development as the red line does not include:
- 3.2.1 land needed for construction vehicles and works to take place;
- 3.2.2 space for storage of construction materials, construction vehicles or welfare offices.

### 4. Unclear extent of the Proposed Development

- 4.1 The application form submitted with the Application dated 20 February 2024 (**Application Form**) is internally inconsistent as it provides two different figures for the gross internal floor area (**GIA**) gained (including change of use) as both 528 and 491 square metres (see extract below):

<b>Use Class:</b> OTHER		
<b>Other (Please specify):</b> Class E		
<b>Existing gross internal floor area (square metres):</b> 9050		
<b>Gross internal floor area lost (including by change of use) (square metres):</b> 0		
<b>Gross internal floor area gained (including change of use) (square metres):</b> 528		

Total Existing gross internal floorspace (square metres)	Gross internal floor area lost (including by change of use) (square metres)	Gross internal floor area gained (including change of use) (square metres)
9050	0	491

- 4.2 The Community Infrastructure Levy (**CIL**) form 1 dated 20 February 2024 (**CIL Form**) states that the net additional gross internal area following the development is 491 square metres. It is unclear whether any change of use on the ground floor and basement floors or pavilion is included in the Application Form and CIL Form’s calculations for the proposed gross internal areas. We note that both documents state that the gross internal area to be lost by change of use or demolition is 0.
- 4.3 We note that the planning statement dated February 2024 submitted with the Application (**Planning Statement**) states at paragraph 3.7 that the proposed **pavilion structure will provide an additional 385 sqm of GIA floorspace**. The Planning Statement also states at paragraph 3.26 that the “*Proposed Development will result in an increase in 530 sq. m of*

'office' floorspace across Ground and Basement levels. There will be a corresponding reduction in 'commercial floorspace of 523 sq.m.'

4.4 Paragraph 3.17 of the Planning Statement states that the Property's "proposed primary office floorspace will measure 6,449 sq. m (NIA); a net increase of 616 sq. m (excluding those areas used for storage, stairwells, bathrooms and mechanical rooms)."

4.5 The Application Form, CIL Form and Planning Statement do not appear to correctly reflect the floorspace gained by the Proposed Development or detail the floorspace reductions via change of use. If the pavilion structure would result in an **increase of 385 sqm GIA and there is an increase in primary office floorspace of 616 sqm NIA** then the increase in floorspace as a result of the Proposed Development is **likely to be far more than 491 sqm or 528 sqm GIA** as is provided in the Application Form and the CIL Form. Indeed, the Proposed Development may actually result in the creation of more than 1,000 square metres of floorspace **which would mean that the Application falls under the article 2 DMPO 2015 definition of "major development"**.

4.6 The description of development is similarly unclear as to the extent of the works applied for – especially in relation to the works on the ground floor and basement. For example, it is unclear whether the Application includes a change of use for the ground floor commercial units which are otherwise restricted by condition 5 of planning permission 05/00182/FULL to retail (A1) use only.

4.7 Given the lack of detail as to the works included in the Proposed Development in addition to the discrepancies between the Application documents, it is difficult for anyone to appropriately assess the impact of the Proposed Development. We urge the Application to be refused.

## 5. Loss of retail floorspace

5.1 The Property is located within a Principal Shopping Centre (Cheapside). Local Plan policy DM 20.1 resists the loss of retail frontage and floorspace adding that additional retail provision is encouraged. Similarly, Draft City Plan policy RE1 states that loss of ground floor retail frontages and/or floorspace will be resisted.

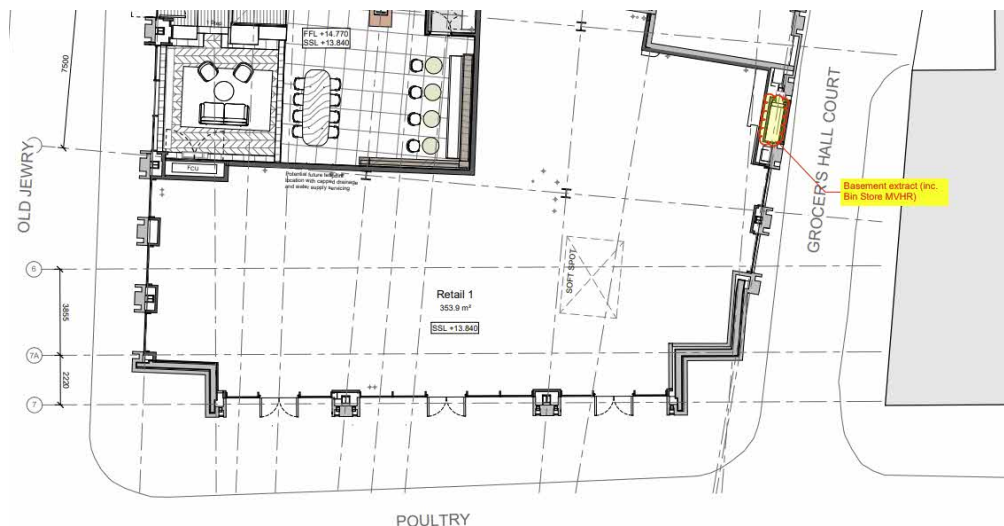
5.2 Paragraphs 3.26 of the Planning Statement state that the Proposed Development would result in a reduction of commercial floorspace of 523 sqm – including a reduction of 150 sqm of retail floorspace on ground floor level. This reduction in retail frontage and floorspace is contrary to Local Plan policy DM 20.1 and Draft City Plan RE1 and the Application should be refused.

5.3 The Application does not appear to comply with the City's pre-application advice of 28 April 2023 (**Pre-App Response 1**) which states that:

*"Local policies do not support the loss of ground floor retails [sic] floorspace within Principal Shopping Centres. However, as discussed in our pre-application meeting, there may be scope to retain the existing retail frontage and number of units but make changes to the depth of Retail Unit 1 to accommodate a larger office reception. This would need to be supported by robust justification which demonstrates that a smaller retail unit would be viable in this*

PSC location” and “**As a starting point the principle of development, involving the loss of retail floorspace and frontage in the PSC is not supported**” (emphasis added).

- 5.4 In a second pre-application response of 18 December 2023 (**Pre-App Response 2**) the City stated that “a *viability statement should be submitted as part of any application to support the proposal in line with the Draft City [Plan] policy RE1*” noting that the “Draft City Plan highlights Old Jewry as a key retail link.”
- 5.5 The proposed ground floor arrangement plan with drawing number 6982-SRA-XX-00-DR-A-20100 Rev. P06 shows only one retail unit on the ground floor “Retail 1” indicating the loss of two retail units (see extract below). It is also noted that the entrance doors to retail units open out onto public highway contrary to the City’s Pre-App Response 1 as also shown in the extract below:



- 5.6 The Application does not provide a robust justification for the loss of two retail units at ground floor or evidence that one larger retail unit would be more viable than three smaller units. This is contrary to the Pre-App Response 1, Pre-App Response 2, Local Plan policy DM 20.1 and Draft City Plan policy RE1.

## 6. Inappropriate design

- 6.1 The Proposed Development should be refused because it is not of a high standard of design and harms the townscape and public realm contrary to Local Plan policy DM 10.1 on the basis that:

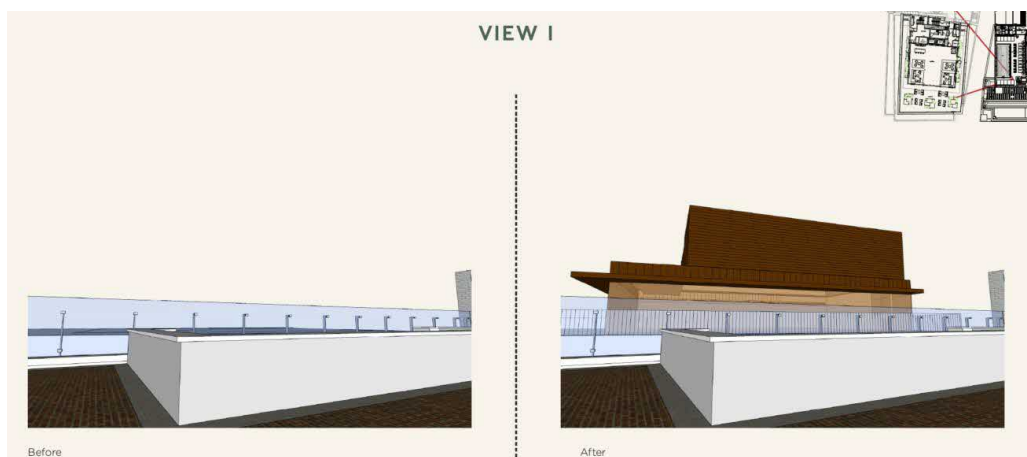
- 6.1.1 The bulk and massing are not appropriate in relation to the surroundings. The Proposed Development does not have due regard to the general scale, height, building lines, character and historic interest, urban grain and materials of the locality.

- 6.1.2 The Application does not demonstrate that there will not be unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding buildings and public realm.
- 6.1.3 The design of the roof is not visually integrated into the overall design of the buildings when seen from street level or higher-level viewpoints. The plant enclosure and pavilion in particular are visually jarring and unintegrated.
- 6.1.4 Plant and building services equipment are not integrated into the design of the building. The plant room and pavilion adversely affect the character, appearance and amenities of the buildings and the area.

6.2 Paragraph 3.10.11 of the Local Plan states that “Attention should be given to the form, profile and general appearance of the roofscape to ensure that it complements the buildings as viewed from surrounding buildings”. The roofscape of the Proposed Development is incongruous with the surrounding rooflines, is overly dominant and out of character to the existing area. The view of the Proposed Development and the roofscape from surrounding buildings such as the Ned Hotel cannot be said to complement the surrounding buildings. The Proposed Development arguably harms the setting of the Grade I listed Ned Hotel, the Bank Conservation Area and the adjacent Guildhall Conservation Area.

## 7. Unacceptable impact on the Ned Hotel’s business

7.1 The Proposed Development is unacceptably dominant and would result in a significant overlooking of the roof terrace of the Ned Hotel and a distinct reduction in the privacy currently enjoyed by the open space amenity area. Please see the visualisation of the impact of the Proposed Development on the Ned Hotel’s rooftop amenity area (specifically the pool area) below:



7.2 The Ned Hotel’s rooftop includes private amenity facilities, such as exclusive restaurants, bars and swimming pool for the sole use of member of the Ned’s Club. The privacy and exclusiveness of the rooftop is a key reason that some members join the Ned’s Club. The rooftop is currently not overlooked by any surrounding buildings.

Ms A Tampouridou

23 January 2025

- 7.3 The Proposed Development would significantly overlook the Ned Hotel's rooftop which may result in a reduction in the number of Ned's Club members due to negative impact on the rooftop's privacy. This would be of economic detriment to the Ned Hotel.
- 7.4 Given that the Ned Hotel's rooftop and the Property are only several metres apart, it is also possible that the Proposed Development's terrace and plant enclosure will have a significant negative impact on the Ned's Hotel in terms of noise. This is a particular concern for users of the Ned Hotel's hotel rooms, function rooms (which are used for weddings) and the rooftop area.
- 7.5 The Proposed Development has a disproportionately negative impact on the Ned Hotel and surrounding area and the Application should therefore be refused.

## **8. Harm to heritage assets**

- 8.1 MVHC has been commissioned to review the impact of the Proposed Development on the surrounding heritage assets and objects to the Application. MVHC's review states that the Ned Hotel (being the former Midland Bank headquarters) is of exceptional architectural and historic interest, featuring outstanding architectural composition. The Ned Hotel is understandably listed as a Grade I listed building.
- 8.2 MVHC state that the Proposed Development's increased height, bulk, scale and materiality have a harmful effect on the neighbouring Grade I listed building (the Ned Hotel) and Grade II\* listed 1 Poultry. Specifically, the height and massing of the proposed additions will appear unacceptably dominant and bulky, carrying little regard to the height of the designated heritage assets in the Property's immediate vicinity.
- 8.3 MVHC's objection also notes that whilst the proposed roof extension may be of limited visibility when viewed from street-level vantage points, the impact on the sensitivity of the Grade I listed Ned Hotel building, in particular its outlook towards St Pauls Cathedral and St Mary-le-Bow Church, will be substantial.
- 8.4 The Proposed Development significantly harms the setting and outlook of surrounding heritage assets and fails to have due regard to the requirements of The Planning (Listed Buildings and Conservation Areas) Act 1990 sections 66(1) and 72(1) and the requirements of policy DM12.1 of the London Plan. We agree with the conclusion of MVHC's review that the Application should be refused.

## **9. Unacceptable impact on daylight and sunlight**

- 9.1 Policy DM10.7 of the Local Plan provides for how daylight and sunlight should be considered in determining applications. It states that (emphasis added):

### **"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.”

- 9.2 The Local Plan defines “open spaces” as “*Land which is not built on and which has some amenity value or potential for amenity value. Amenity value is derived from the visual, recreational or other enjoyment which the open space can provide, such as historic and cultural interest and value. This includes open spaces in public or private ownership.*”
- 9.3 Furthermore, Draft City Plan policy DE7 requires development proposals to demonstrate that the daylight and sunlight available to “*nearby dwellings and other sensitive receptors including schools, hospitals, hotels and hostels, places of worship and open spaces... is appropriate for its context and provides acceptable standards of daylight and sunlight*” (emphasis added).
- 9.4 The Pre-App Response of the City required the Applicant to carry out daylight and sunlight testing “*to ensure proposed new massing does not have detrimental impact on surrounding buildings.*”
- 9.5 As of December 2024, the Application is now accompanied by a daylight and sunlight report prepared by Point 2 Surveyors Limited dated October 2024 (the **D&S Report**). However, contrary to the City’s Pre-App Response which required the impact on the surrounding buildings (plural) to be assessed, the Application only considers the impact of the Proposed Development on the Ned Hotel.
- 9.6 Paragraph 7.1 of the D&S Report incorrectly states that “*The Ned Hotel, does not contain residential accommodation and as a result does not have a reasonable expectation of daylight*”. Draft City Plan Policy DE7 clearly identifies hotels as being sensitive receptors, which by extension, have a reasonable expectation of daylight and sunlight.
- 9.7 The D&S Report prepared by Point 2 Surveyors states that there are daylight reductions beyond the BRE recommendations to two bedrooms (three windows) within the Ned Hotel. Point 2 categorise each of these reductions as “minor adverse”. GIA Surveyors have conducted an independent review of the daylight impact on behalf of the Ned Hotel and conclude that some of the reductions have not been accurately captured or categorised as per the nomenclature outlined in Appendix H of the BRE guidelines.
- 9.8 GIA concludes that, in addition to the two impacted bedrooms discussed in the Point 2 D&S Report, there will be a further “minor adverse” reduction of 27.8% to a sixth-floor bedroom window. Furthermore, two of the four impacted rooms will experience “No-Sky-Line” (NSL) reductions of 39% and 42%, both of which could be considered borderline “moderate to major adverse” reductions.
- 9.9 The D&S Report fails to accurately report the daylight and sunlight impact of the Proposed Development as demonstrated by the findings of GIA’s independent review. The Proposed Development is contrary to Local Plan policy DM10.7 and Draft City Plan policy DE7.

Ms A Tampouridou

23 January 2025

## 10. Lack of adequate community engagement

- 10.1 The Application, as of December 2024, is now accompanied by a one-page engagement strategy prepared by Savills (**Engagement Strategy**) which sets out that prior to the submission of the Application, two pre-application meetings took place with the City's planning officers. The Application does not demonstrate that the Applicant attempted to obtain any views from the local community or local stakeholders.
- 10.2 The Application does not include a statement of community involvement, despite this being requested by the City at pre-application stage and contrary to the Developer Engagement Guidance. The Applicant has not demonstrated that they have had any regard to the City's Developer Engagement Guidance or the City's Statement of Community Involvement. The lack of engagement and consultation was one of the grounds provided in the claim for judicial review in respect of the Application.
- 10.3 The Engagement Statement sets out the dates of three "dedicated meetings" between the Applicant / the Applicant's agent and our Client during which it is claimed that the Applicant sought to work positively and proactively with our Client. However, it was made clear to our Client that the Applicant would not make changes to the Proposed Development despite our Client's best efforts to work with the Applicant to find amendments to the scheme to mitigate the Proposed Development's numerous negative impacts on the Grade I listed Ned Hotel and surrounding Conservation Areas.
- 10.4 The consent order formally quashing the previous decision was granted by the Court on 4 December 2024. The covering letter re-submitting the Application for re-determination is dated the next day – the 5 December 2024 (the **Cover Letter**). The Cover Letter sets out that other than the addition of an overshadowing assessment and a daylight and sunlight report, there are "*no other changes to the [P]roposed [D]evelopment*".
- 10.5 We do not consider that the Applicant intended to make any amendments to the Proposed Development, despite attending meetings with our Client, as is evidenced by the lack of any amendments to the Application following re-submission.

## 11. Conclusion

- 11.1 For the reasons set out in this letter the Application should be refused.
- 11.2 The lack of any good faith engagement by the Applicant with the public and key stakeholders is concerning. We urge the City to determine the Application by planning committee so that the Application is thoroughly debated and discussed.
- 11.3 Kindly acknowledge receipt of this letter of objection in writing.

Yours sincerely

**Farrer & Co LLP**

PRESIDENT H.R.H. The Duke of Gloucester  
PATRONS Sir Terry Farrell CBE Candia Lutyens S K Misra Margaret Richardson Professor Jane Ridley

# THE LUTYENS TRUST

To protect and promote the spirit and substance of the work of Sir Edwin Lutyens OM

Anastasia Tampouridou  
City of London Planning  
[Plan@cityoflondon.gov.uk](mailto:Plan@cityoflondon.gov.uk)

23 January 2025

Dear Anastasia,

## **1 Old Jewry, City of London EC2R 8DN: 24/00226/FUL - OBJECTION**

The Lutyens Trust here submits the following objection to the above application, with apologies for its late arrival but with our thanks for your consideration of its content at this key stage.

The Lutyens Trust is a charity dedicated to preserving and celebrating the achievement of Sir Edwin Lutyens. The above site sits alongside the grade I former Midland Bank Headquarters, designed by Lutyens, recently skilfully and sensitively converted to The Ned Hotel. It was originally built between 1924-39 at a time of rapid acquisition, consolidation, and expansion by the Midland Bank. The project was of sufficient significance to the status of the bank to warrant employing Sir Edwin to collaborate with one of its usual commercial architects, Gotch and Saunders. Lutyens was entirely responsible for the external form, the banking hall, vault, the Directors' palatial accommodation on the top floor, and important staircases. His role was to add refinement and timelessness to a modern steel frame.

The external elevations are of monumental and sophisticated design with subtle set-backs and diminishing courses that demonstrate Lutyens's concern for the smallest detail. The building is widely considered to represent one of the pinnacles of Lutyens's achievement, and is therefore a highly important building by one of England's greatest architects. In particular, the top floors are carefully articulated to create a roofline of some distinction.

The Lutyens Trust is concerned that the neighbouring proposal risks presenting an awkward profile alongside Lutyens's elegant roofscape. We ask that all significant viewpoints are investigated to ensure that the proposed new floors do not intrude alongside the elegantly composed Lutyens roofline.

Of no less concern is the impact on the amenities of The Ned. The hotel developers endeavoured to civilise the formerly utilitarian hidden roofs to the rear of Lutyens's domain. They created a swimming pool with private terrace that introduces a space of both spatial quality and amenity. The neighbouring proposal (just across the narrow Grocers' Hall Court) will intrude on both the setting and privacy of this feature. The viability of the Lutyens building in its appropriate current use depends on the success of the hotel. The commercial and amenity value of its investment will be compromised by the proposed intrusion.

Goddards Abinger Common Dorking Surrey RH5 6JH

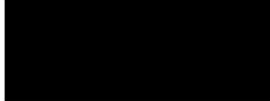
Tel: 01306 730487 [www.lutyenstrust.org.uk](http://www.lutyenstrust.org.uk)

TRUSTEES: Charles Hind (Chairman) David Pittaway KC (Vice Chairman) Robbie Kerr Rebecca Lilley  
Charles Lutyens Martin Lutyens Mark Lutyens Suzanne Marriott Stuart Martin Dr Mervyn Miller Paul Waite  
DIRECTOR: Dr Deborah Mays HON TREASURER: Charles Lutyens

Registered Charity No 326776

The Montagu Evans Heritage Assessment majors on the valuable amenity that the new rooftop pavilion and terrace would bring to One Old Jewry but then fails to consider the intervisibility with The Ned's own amenity (described above) at this level. Montagu Evans advise there is no harm in the proposals to surrounding property only because they find - in para 4.32 - a 'lack of intervisibility from surrounding streets' yet fail to consider the same at roof level, despite recognising how considerable this amenity is for One Old Jewry.

Yours sincerely, with kind regards,



Dr Deborah Mays, Director  
The Lutyens Trust



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## 1.0 INTRODUCTION

- 1.1 MVHC Ltd has been commissioned by the owner Vivas Invest & Finance Limited and tenant Poultry Tenant Limited (Our Clients) of the Grade I Listed former Midland Bank headquarters building converted into five star Ned Hotel at 27 Poultry, London, EC2R 8AJ (the Ned Hotel), to prepare this report as an objection to the planning application (24/00226/FULL), submitted on 5 December 2024 to City of London, for the development at 1 Old Jewry, London EC2R 8DR (the SITE). The official description of the proposed development is as follows:

***“The change of use of part of the ground floor retail space to be used for office accommodation (Class E(g)), refurbishment works including reconfiguration of commercial floorspace at basement and ground floor levels; alteration to elevations (including new shopfronts, replacement of existing windows and revise access); erection of a new pavilion and plant room at roof level; and creation of external roof terrace”***

- 1.2 This document examines the submitted documentation accompanying the application for the planning permission and includes a brief summary of the significance of the identified heritage assets (in this case, relevant listed buildings and the Bank & Guildhall Conservation Areas) as well as the assessment of the potential impact of the proposed development on The Ned Building and other relevant heritage assets.

## 2.0 PLANNING CONTEXT

- 2.1 The City of London granted the Planning Permission for the initial Application on 15 July 2024 (Ref. 24/00226/FULL). However, the City's decision was quashed on 04 December 2024 following a claim for judicial review brought jointly by the Landlord and the Tenant of the Ned Hotel.
- 2.2 The Applicant's agent submitted updated information in respect of the Application the next day, on 05 December 2024. The Application will be reconsulted on and redetermined by the City of London. The Proposed Development has not been altered by the Applicant and remains the same as the original submission, albeit with some further reports submitted to respond to matters raised during the judicial review.

## 3.0 HERITAGE CONTEXT

- 3.1 THE NED BUILDING (FORMER MIDLAND BANK HEADQUARTERS) Grade I, Listing Number: 1064598

- 3.1.1 The original Midland Bank Headquarters building was designed and built between 1924 and 1935, by Sir Edwin Lutyens in collaboration with Gotch & Sanders. The building is of exceptional architectural and historic interest, featuring “outstanding architectural composition” and was listed Grade I in 1972. Historic England's listing describes it as one of Sir Edwin Lutyens “finest urban buildings” using materials, decoration and craftsmanship of the highest quality. The architecture, interior decoration and furnishings designed by Lutyens represent the most comprehensive commercial commission of the architect's career.
- 3.1.2 Built in simplified classical style, it is faced with Portland stone and arranged over five principal storeys with additional variously recessed single and double attics. The plan of the Midland Bank building is unusual, with two main axes that originate from Poultry and Prince's Street aspects and intersect at an irregular angle. The Prince's Street portion of the current building was, in fact, occupied by Midland predecessor the London Joint Stock Bank, since 1837. The larger, Poultry side was newly acquired and resulted in the demolition of many smaller buildings. The façade fronting The Poultry is rusticated and arcaded on the ground floor level, with order of vanishing pilasters and pair of Doric columns in antis to recessed entrance. Mezzanine is treated as pedestal to upper part with carved figures of boys at either end by Sir W Reid Dick.



- 3.1.3 The upper floors feature channelled stonework which finishes with simple tall arcade. Modelled central projection to attic with large, arched opening, Corinthian pilasters pediment and urns. Low, central dome and obelisks at either end. Short return to Grocers' Hall Court with later bridge. Beyond, plain elevation of white, glazed brick with stone to ground storey. Short elevation to Princes' Street is similar to front with three simple entrances.

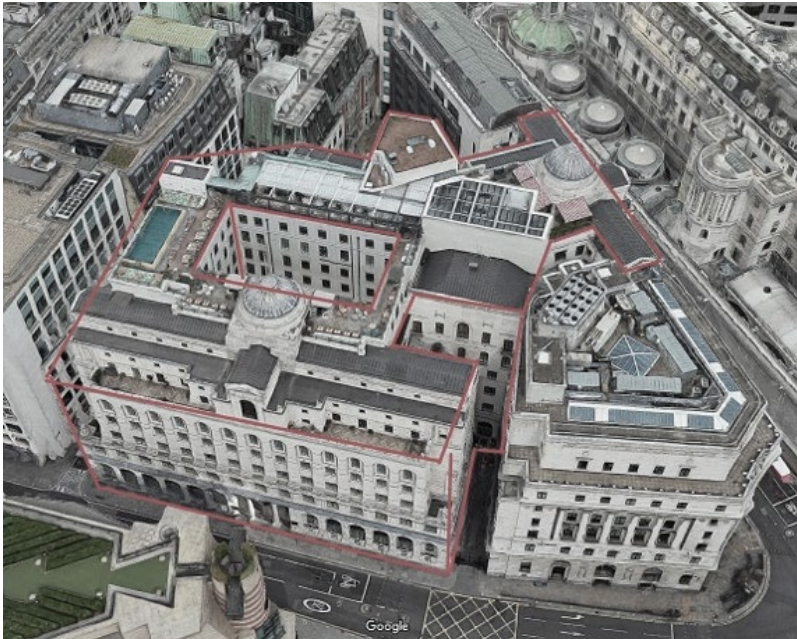


Figure 1 – Aerial View of the Ned Hotel building



Figure 2 – Poultry Street elevation

- 3.1.4 Following the Midland's financial decline in the late 20th century, it was absorbed into HSBC in 1992, and the Poultry headquarters was vacated and subsequently sold. The building was repurposed, and opened as a hotel, named "The Ned" in Lutyens' honour, in 2017.



© The Ned

Figure 1 – View from the roof top of the hotel towards St Paul's Cathedral and St Mary-le-Bow Church



### 3.2 Other listed buildings in the vicinity of the application site are:

- NO.1 POULTRY, Grade: II\*, List Entry Number: 1428881
- NATIONAL WESTMINSTER BANK, Grade: II, List Entry Number: 1064599
- 35, OLD JEWRY EC2, Grade: II, List Entry Number: 1194166
- 8, FREDERICK'S PLACE EC2, Grade: II, List Entry Number: 1192711
- 7, FREDERICK'S PLACE EC2, Grade: II, List Entry Number: 1064668
- 6, FREDERICK'S PLACE EC2, Grade: II, List Entry Number: 1064667
- 3, FREDERICK'S PLACE EC2, Grade: II, List Entry Number: 1359184
- 4, FREDERICK'S PLACE EC2, Grade: II, List Entry Number: 1192710
- TOWER OF FORMER CHURCH OF ST OLAVE, Grade: I, List Entry Number: 1359180
- BANK OF ENGLAND, Grade: I, List Entry Number: 1079134

### 3.3 CONSERVATION AREA(s)

3.3.1 The site and its immediate environs are situated within the Bank Conservation Area within City of London, designated originally in 1971. Conservation areas are designated if they are of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. Historic England has published guidance in respect of conservation areas, and this provides a framework for the appraisal and assessment of the special interest and significance of a conservation area.

3.3.2 The specific characteristics which contribute to the special interest of Bank Conservation Area are summarised in the Character Summary and Management Strategy SPD published by the City of London in 2012.

- *an area where buildings and streets are harmonised by their predominant use of solid masonry facades with regular punched openings, enriched by abundant classical modelling and surface detail.*
- *a number of nationally significance and well-known buildings, the headquarters of major corporations, and internationally significant churches.*
- *an area defined by the design and use of buildings for banking and associated commercial activities.*
- *an area of large-scale commercial buildings set on principal thoroughfares within a network of historic streets, courtyards and alleyways, which creates a distinctive and dense urban environment.*
- *the largest concentration in the City of London of Grade I, Grade II\* and Grade II listed buildings, as well as numerous unlisted buildings of high architectural quality from different periods.*
- *a visual character and groundscape that is enriched by a wealth of materials, features, monuments, public sculpture, signs, plaques, statuary, and other structures.*

3.3.3 The City of London's Character Summary and Management Strategy SPD divides the area into five sub-areas for more detailed analysis. The Ned is located with the Bank Junction sub-area, where the following characteristics are noted:

- *Each building makes a distinctive contribution to the area's character and appearance, and there are a number of common architectural characteristics that unite individual buildings and the space as a whole.*
- *A giant order of Corinthian or Composite columns and pilasters is the most distinctive architectural classical detail to unify prominent buildings on the junction and enhance the monumental character of the entire space.*
- *Buildings around the junction rise to a height of six storeys, with the majority having additional set-back attic storeys or mansard roofs.*
- *Carved sculpture provides interest and variety to buildings at different heights.*
- *The building materials used for the exterior of buildings, hard surfaces and street furniture assist in unifying the space and defining the character of the area*

3.3.4 The Guildhall Conservation Area was initially designated in 1981, with subsequent revisions to its boundaries occurring in 1991 and 2007. Situated to the west of the Site, the southeastern boundary of the conservation area follows the centreline of Old Jewry. This boundary is adjacent to the western edge of the Bank Conservation Area. Central to the character and appearance of the conservation area are the Guildhall buildings, the surrounding urban blocks, and the spaces situated between Gresham Street and Cheapside.

## 4.0 PROPOSALS / OBJECTION DISCUSSION

4.1 Current proposals involve general reconditioning and refurbishment and upgrade of the existing building and a construction of two additional storeys - the pavilion with roof terrace and the plantroom area above.

4.2 This objection is predicated upon the following issues:

- The design does not satisfy the requirements of NPPF.
- Detrimental Impact on the setting of the Grade I Listed Building.
- The proposal fails to preserve or enhance the character of the relevant heritage assets and their settings and therefore contravenes the tenets of NPPF and by implication, local plan policies.
- The proposal will have detrimental impact on the enjoyment, use and interpretation of the significance of the Grade I Listed building
- The proposed two-storey roof extension resulting in increased height and its bulk, scale and materiality have harmful impact on the neighbouring Grade I Listed building.
- The loss of outlook, and loss of privacy

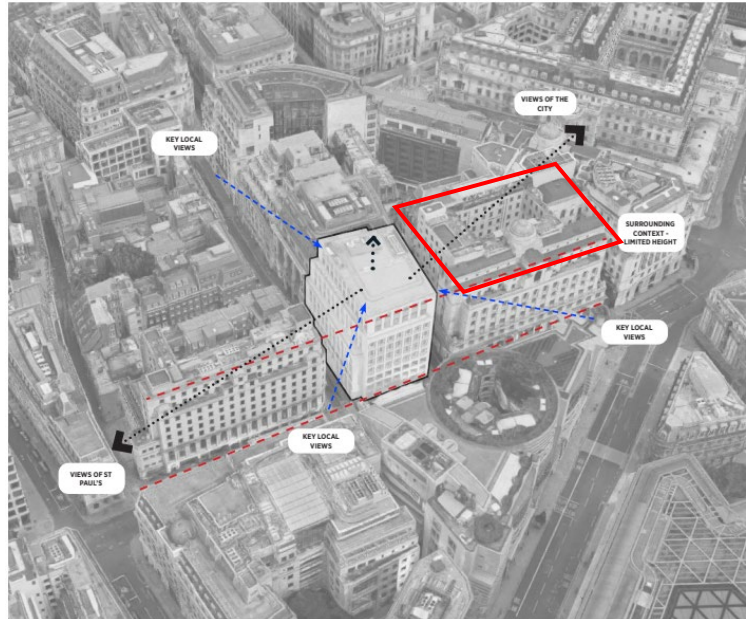
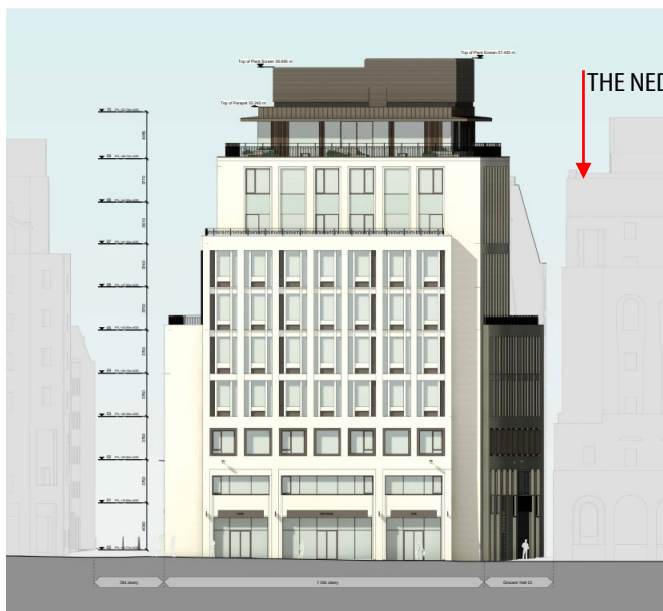


Figure 2 – Identified views from the application site – the Ned Hotel is marked with red line

### PROPOSED ROOF EXTENSION



PROPOSED POULTRY ELEVATION



PROPOSED GROCER'S HALL COURT ELEVATION

- 4.3 The HERITAGE AND TOWNSCAPE ASSESSMENT (February 2024) prepared by Montagu Evans in support of the application analyses the application site, its significance and contribution to its historical context and assesses the impact of the proposals. Below are relevant excerpts from their statement and our response.
- 4.3.1 *Para 4.14 states: "The Site forms part of the setting of the historic building focussed on the junction and forms part of the commercial character extending west away from the Bank Station Junction. As noted, the conservation area includes a material palette of predominantly Portland Stone, and includes a high concentration of detached, larger format buildings. Owing to its scale and simple proportions, consistent and regular fenestration pattern, coupled with its scale and form being consistent with the scale of surrounding buildings it is considered that the Site makes a neutral contribution to the character and appearance of the conservation area. Equally, its Portland Stone façade remains consistent with the overarching material palette, sitting comfortable with the character and form of the surrounding area."*
- 4.3.2 *Para 4.17 states: "The proposed rooftop additions have been designed and scaled to respond to the surrounding sensitivities, including local views identified within the Bank Conservation Area Character and Management Strategy SPD. Setting back of the proposed pavilion to the northern half of the existing roof ensures that it is not visible in such views, particularly in views west/ north-west along Lombard Street (identified as Viewpoints 38 and 72 in the adopted SPD and as Townscape Views 02 and 03 within the supporting Design and Access Statement – see Figures 4.3 and 4.4)." and*
- 4.3.3 *Para 4.18 states: "Whilst the supporting VuCity imagery at Figures 4.3 and 4.4 demonstrate a lack of intervisibility from sensitive locations within the conservation area, if visibility were to become discernible, the proposed pavilion structure will be seen within a varied townscape of differing roof forms, with visibility reserved to glimpsed, incidental views within one's peripheral vision. Furthermore, only small elements of the pavilion structure would be visible, and it is not considered that such visibility has the potential to alter or indeed impact the on one's ability to appreciate the commanding streetscape comprising the Capital's most important civic/ commercial buildings surrounding Bank Junction. The modest approach to the rooftop pavilion ensures that the existing building at No. 1 Old Jewry continues to appear proportionate to the height of the adjacent buildings, including the Grade I listed Millbank building, as well as No. 1 Poultry. Visibility of balustrading to the crown of the building in views along Poultry and from within Bank Junction have been mitigated through detailed design, so to limit visibility and introduce lightweight structural form, ensuring that such structures are not prominent features within such views."*
- 4.3.4 *Para 4.19 states: "Overall, the proposals offer a simple solution to enhance the Site's contribution to the Bank Junction area, improving the appearance of the building through façade enhancements, whilst also introducing active frontages at ground floor level, which stands to benefit the streetscene [...]"*

#### RESPONSE:

- 4.4 The application building is indeed a neutral contributor to its heritage context, thanks to its (as per Montague Evans Statement) "[...] scale, simple proportions [...]" and "its scale and form being consistent with the scale of surrounding buildings [...]" Additionally, the statement notes that "Portland Stone façade remains consistent with the overarching material palette, sitting comfortably with the character and form of the surrounding area." The proposed roof additions will alter the current "neutral" contribution to the conservation areas, and the setting of the neighbouring listed buildings. These changes are considered below:

#### HEIGHT/SCALE/MASS/FORM

- 4.5 The existing building respects the existing heritage context. It does not compete with designated heritage assets in its vicinity, it is subservient (as it should be) to its Grade I and Grade II\* listed neighbouring buildings successfully blending within its immediate and wider context. The new two-storey roof extension will compromise its current relationship with the surrounding buildings. The height and massing of the proposed additions will appear dominant and bulky, carrying little regard for the height of the designated heritage assets in its immediate vicinity. The appearance of the successful amalgamation within its heritage context will be lost. The two-storey roof extension is certainly not a "modest" addition. It is unclear in what way it "ensures the appearance of proportionality" to the height of the adjacent or neighbouring buildings – including Grade I Listed Ned Hotel and Grade II \* No 1 Poultry. We would argue that, on the contrary, the proposed extension appears overwhelmingly dominant and uncompromisingly oblivious of the neighbouring building's sensitivity. Also, "detailed design" of the balustrading) does not limit the visibility or the visual impact the proposed extensions have on the outlook from the Ned Hotel rooftop.

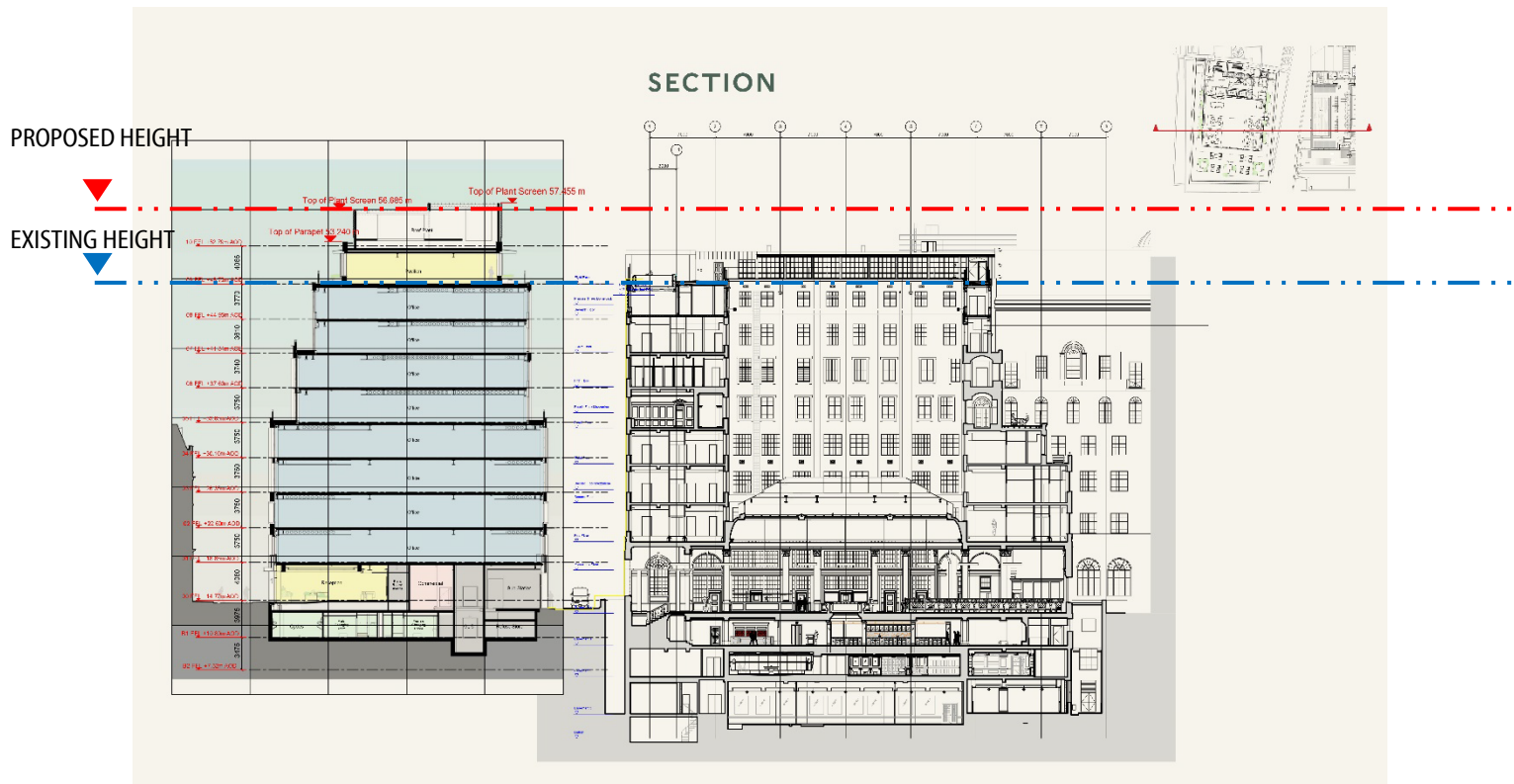


Figure 3 – Section showing the height of the new roof additions and the relationship with Ned Building.

## MATERIALITY

- 4.6 The consistency of the use of Portland stone and complementing materials is recognised as a positive and appropriate attribute of the existing building. In contrast, the proposed materials for the new roof extension, the timber finish (for the façades and soffits), and high-quality bronze metal louvres (for the plant enclosure) will appear entirely alien to the existing palette of materials found in the immediate and wider context. The dark colour and texture of the proposed pavilion/plant enclosure do not create continuity with the neighbouring historic building or with its own Portland Stone façade. Visually the chosen materials further exacerbate the appearance of the scheme.

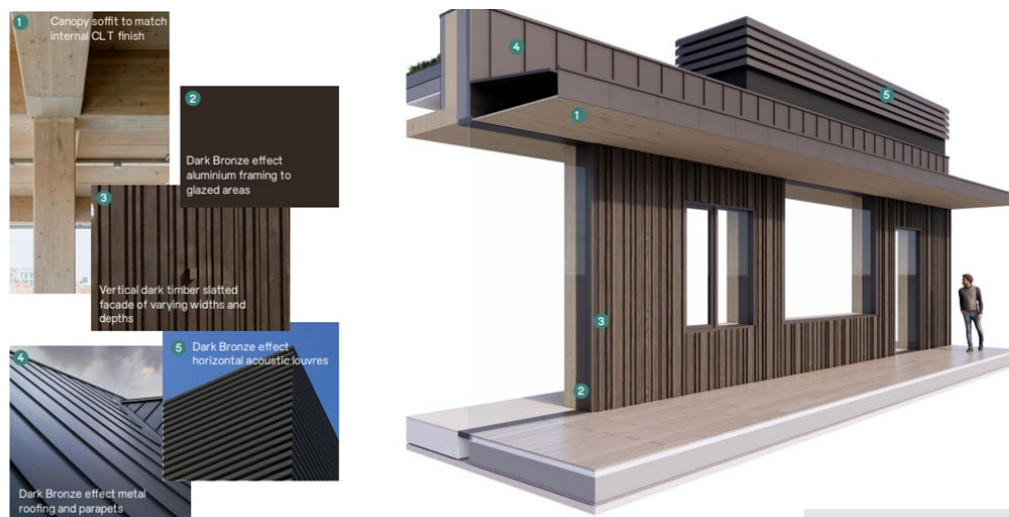


Figure 4 – proposed materials

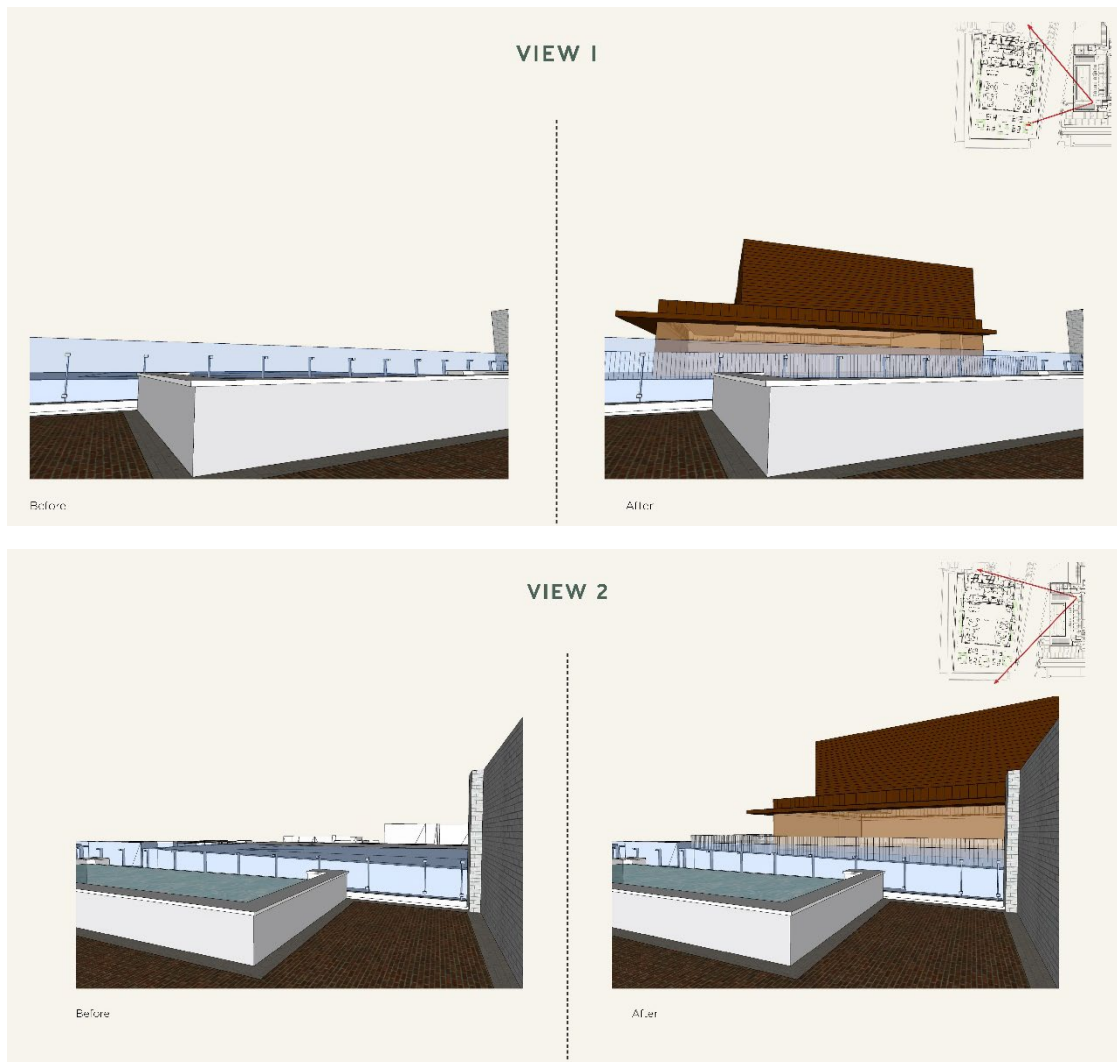
## VISIBILITY/OUTLOOK

- 4.7 Whilst the proposed roof extension may be of limited visibility when viewed from street-level vantage points, the impact on the sensitivity of the Grade I listed Ned building, in particular its outlook towards St Paul's Cathedral and St Mary-le-Bow Church, will be substantial (Please see Figs 5,6 and 7).





Figure 5 - Current outlook from the roof top of the Ned Hotel.



Figures 6 & 7 – 3D renders of the views taken from the roof terrace of The Ned, showing the outlooks before and after the proposed development

- 4.8 The Montague Evans Heritage and Townscape Assessment states in Para. 4.31: *"Whilst the proposed extension and external plant area will introduce new built form within the context of the listed building, including in views from the external terrace of the building's new use as a hotel/private members club, this is not considered to constitute a negative effect on its significance as a former, early-mid-20th century banking headquarters, which never historically had external terraces or outdoor rooftop amenity space, which make no contribution to an understanding of the asset, or its significance."*

And

- 4.9 Para 4.32 states: *"The immediate and wider setting of the listed building includes a vast range of development, including rooftop additions, amenity terraces, plant and lightweight pavilion structures. It also includes a high proportion of tall building development associated with the intensification of the commercial development within the City of London. Owing to the lack of intervisibility of the proposed roof extension from the surrounding streets, where the Classical/ Italian Mannerist style of Midland Bank can be best experienced, coupled with the building's relationship with financial institutions at Bank Junction, we do not consider that the proposals stand to cause harm to the building's significance, which will ultimately be preserved."*

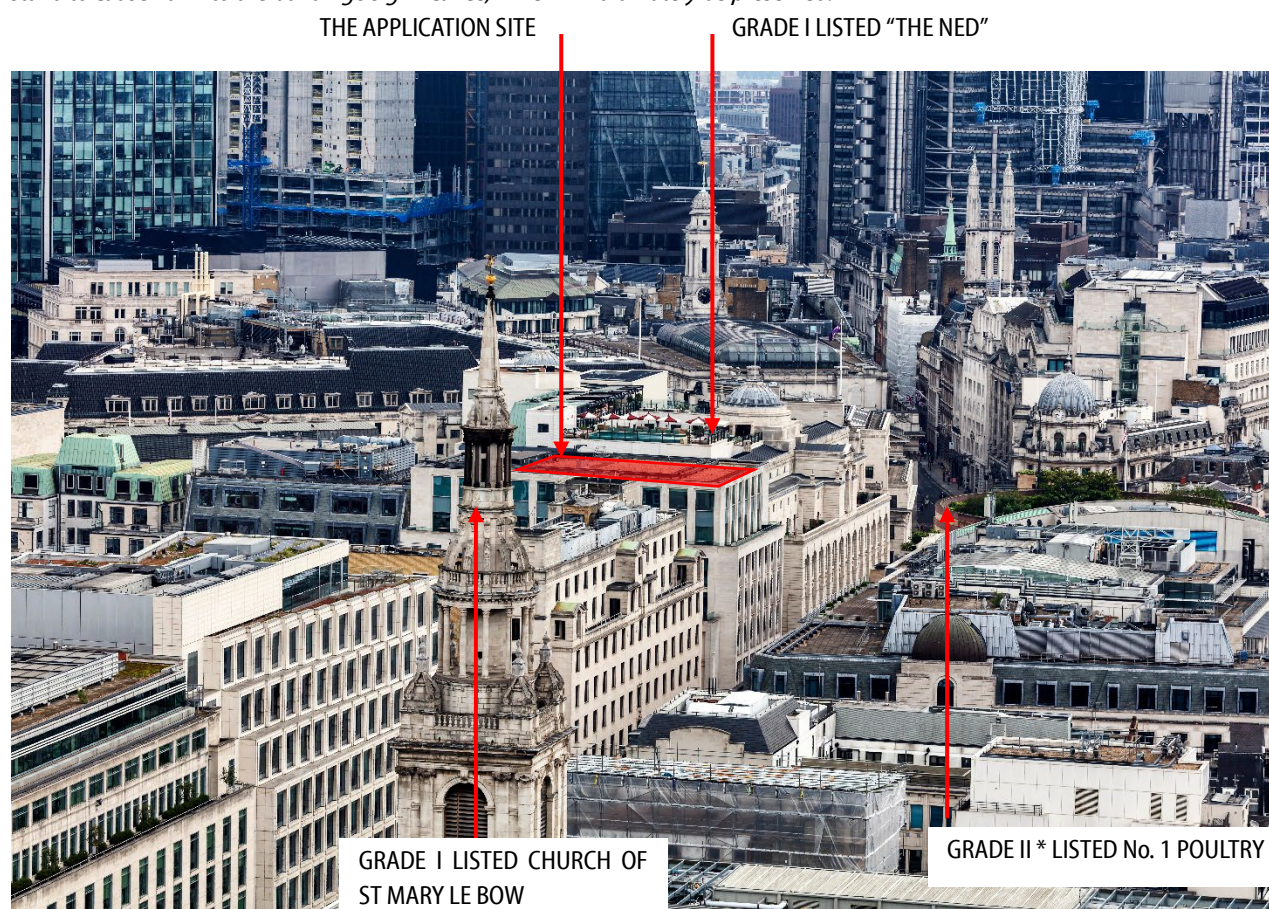


Figure 8 – The roofscape showing the relationship between the application site, the Ned Hotel and The Poultry and general outlook from the Church of St Mary Le Bow.

- 4.10 In response to Montague Evans Para.4.31:
- 4.10.1 The significance of the Ned's Hotel building lies not only in the elevations or interiors but in the cohesiveness of all the elements of the building, thus including its rooftop. Since the building ceased to be used as a bank, it remained unoccupied for a considerable amount of time. The Historic England "Conservation Principles" and the NPPF define conservation as "managing change." NPPF recognizes that change and adaptation must occur if historic buildings are to survive at all. This can be achieved only with a considerable investment in the repair, maintenance, and enhancement of properties, as was the case with the rejuvenation of the former Midland Bank.
- 4.10.2 Often, finding new uses for the designated heritage assets is the most difficult aspect of the preservation of historic buildings. The sensitive restoration and enhancement involving a considerable investment in transforming this exceptional heritage asset into an outstanding five-star hotel ensures its preservation for posterity. No part/element of the substantial regeneration scheme, including the role of the roof terrace, can be disregarded.



- 4.10.3 Montague Evans states that the new roof extension “*is not considered to constitute a negative effect on its significance*” (on the Ned building) because this was a “*banking headquarters, which never historically had external terraces or outdoor rooftop amenity space*” and it “*make no contribution to an understanding of the asset, or its significance.*”
- 4.10.4 The NPPF 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 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.*”
- 4.10.5 We believe that Montague Evans assessment fails to recognise how relevant the roof terrace is to the Ned Building. The argument of whether some part of the building was not there historically, does not automatically translate into lack of significance. Buildings evolve over time and if the new additions enhance their overall special interest, they must be given appropriate consideration and their contribution should be recognised, not dismissed. The roof terrace of Ned Building enhances the significance of this historic building and is therefore relevant when considering the impact of the proposed scheme. Its significance cannot be disputed and appropriate justification for the loss of this significance must be provided.
- 4.11 In response to Montague Evans Report, Para. 4.32:
- 4.11.1 While it is acknowledged that a variety of rooftop treatments exist within the context of nearby listed buildings potentially impacted by the proposed development, there are no roof additions in their immediate vicinity that are as visually prominent as the one proposed. In fact, most surrounding buildings feature rooftops that are of similar heights or lower, thereby respecting the setting of these heritage assets.
- 4.11.2 The construction of the newly built form is contested due to its scale, form, location, design, and materiality, as well as the failure to adequately consider the sensitivity of Grade I Listed Ned Hotel building. The introduction of the newly built form within close proximity to the Grade I listed building demands adequate scrutiny proportionate to the value of the heritage assets that may be affected. The submitted assessments appear to lack a thorough understanding of the significance of Ned’s Hotel and seem to underestimate the potential harm that the new development could cause. We believe that the impact on the significance of this heritage asset cannot be solely considered through assessment of the street views, but that the visual experience from the building needs to be considered if it represents part of its significance as it is the case of the roof terrace and its use.

## 5.0 PLANNING POLICY

- 5.1 THE PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
- 5.1.1 The legislation context managing listed buildings and conservation areas is the Planning (Listed Buildings and Conservation Areas) Act of 1990.
- Section 66(1) of the Act requires decision makers to “*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” when determining applications which affect a listed building or its setting.
  - Section 72(1) of the Act requires decision makers with respect to any buildings or other land in a conservation area to pay “*special attention [...] to the desirability of preserving or enhancing the character or appearance of that area.*”
- 5.12 The proposed roof extension harms significance and the setting of the neighbouring Grade I listed Ned building, at 27 Poultry or Grade II\* listed 1 Poultry, by its scale, height, form and materiality. The proposed roof extension relates poorly to the architecture of the host building within its own context as well as with the neighbouring designated heritage assets. The use of dark timber cladding and dark brass for the plant enclosure accentuates the ungainliness of the additional volume of the proposed extension. It appears alien, not in keeping with the existing historical context and material palette. The proposed roof extension does not enhance the character of the Bank or Guildhall Conservation Areas.

## 5.2 NPPF

- 5.2.1 The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and its most recent revision was in December 2024. It is the principal document that outlines Government's planning policies for England and how / when these should be applied by the Local Planning Authorities (LPAs).
- 5.2.2 Paragraph 202 states: *"Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations"*
- 5.2.3 Paragraph 203 states that new proposals should take into account following:
- *"The desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
  - *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.*
  - *the desirability of new development making a positive contribution to local character and distinctiveness; and*
  - *opportunities to draw on the contribution made by the historic environment to the character of a place.*
- 5.2.4 The proposed roof extension fails to sustain/enhance the existing relationship with its the historic context. The additional storeys make no contribution to the local character and distinctiveness of the conservation area(s). Also, the form, bulk and massing of the proposed extension creates somewhat aggressive and unfriendly appearance, in particular evident on the elevation facing Old Jewry and Grocer's Hall Court. The large and oppressive appearance of the proposed roof additions substantially harm the outlook from the roof terrace of the Ned building, showing no regard to its setting.
- 5.2.5 Paragraph 212 states: *"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."*
- 5.2.6 The Ned is a Grade I listed building, designed by Sir Edwin Lutyens, who is widely recognized as England's greatest architect since Sir Christopher Wren. Originally conceived in 1924 and completed in 1939 as the headquarters for Midland Bank, it is now celebrated as an architectural gem and an exemplary representation of early 20th-century architecture in London. The transformation of this former bank into a five-star hotel embraced a conservation-led approach, emphasizing the refurbishment and enhancement of its heritage values. This project was honoured with the RIBA London Award in 2019. The successful conversion of the bank into a modern hospitality destination has ensured the preservation of this significant piece of architectural history.
- 5.2.7 The documentation supporting this proposal fails to recognise the overall significance of the Grade I Ned building by dismissing importance of its roof terrace. We urge the planning authorities to undertake appropriate scrutiny of the submitted assessments giving the affected heritage assets and the preservation of its significance appropriate weight. Equally, the level of the negative/harmful impact upon the setting and significance of the Ned building must be recognised.
- 5.2.8 Para. 215 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"*
- 5.2.9 Public benefits of the proposed scheme has been identified by the applicants as follows:
- *"Support the economic function of the Central Activities Zone where expansion of missed use commercial development is supported.*
  - *Create additional office floorspace through intensification of an existing premises to help meet the growth targets identified within the adopted and emerging City of London Local Plan.*
  - *Achieve sustainable, economic development on previously developed, 'brownfield' land consistent with the aims and objectives of the London Plan and City of London Development Framework.*



- *Deliver substantial economic benefits, including significant private investment and the creation of up to circa 662 jobs during operation, plus additional jobs created during the construction period.*
- *Deliver improvements to the streetscene of Poultry and Old Jewry, enhancing active frontages and passive surveillance improving safety and vitality; and*
- *Achieve high levels of sustainability, including a target BREEAM rating of 'Outstanding', and deliver biodiversity improvements linked to the installation of new roof terraces and external landscaping;"*

5.2.10 The regeneration of the office and commercial building, including the expansion of office space and the addition of a new roof terrace, primarily presents economic advantages for the property in question. However, the description of these advantages as explicit "*public benefits*" remains uncertain and is open to interpretation. We ask the Local Authority to reconsider whether the "public benefits" quoted above, truly justify or outweigh the evident harm to the designated heritage asset caused by the proposals.

5.2.11 In comparison to these speculative benefits attributed to the proposed development, the demonstrable public benefits associated with finding and ensuring the optimal and sustainable use of the Ned Building thereby safeguarding its continued existence and preservation, should be acknowledged and appreciated.

5.2.12 It is essential to recognise the extent of the potential harm emanating from the proposal and to endeavour to protect this heritage asset.

### 5.3 LONDON PLAN

5.3.1 Policy DM12.1 (Managing change affecting all heritage assets and spaces) states that development must seek to sustain and enhance heritage asset, their settings and significance, with development required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces, as well as their settings.

5.3.2 The description of the design rationale (Design and Access Statement, Shepperd Robson Architects, Para. 2.7 pg.13) behind the proposed transformation of the existing building (including the addition of the new storeys) states: *"[...] Constraints for additional height impacting key views due to strong existing context parapet datum and sensitive key surrounding views. Excellent views are available of the City and St Pauls from the upper floors and the provision of a communal roof terrace would greatly improve the amenity of the building."*

5.3.3 Whilst the proposed roof additions may "*greatly improve the amenity*" of the application building, the scheme neglects the implications of this development on the neighbouring Grade I listed building and its existing amenity. The existing roof terrace at the Ned building serves as a significant amenity space for the hotel's occupants. Currently, the applicant's building does not obstruct the outlook (available to the hotel guests and visitors) towards St. Paul's Cathedral and other nearby landmark buildings. The proposed new extension, characterised by substantial bulk and mass over two stories will have a profoundly detrimental effect on the amenity value of the Ned Hotel roof terrace, severely compromising the currently uninterrupted outlook, thereby adversely impacting the setting of this designated listed building. The proposed architectural form, scale and façade treatment exhibit a disregard for the aesthetic qualities of both the host building and the surrounding heritage assets.

### 5.4 LOCAL PLAN (2015) and EMERGING LOCALPLAN 2040

5.4.1 Local Plan, Strategic Policy S11: Historic Environment policy, state:

*"The City's historic environment will be protected, celebrated and positively managed by:*

- 1. Celebrating the City's heritage for its contribution to the quality of life and promoting public enjoyment of, and access to, heritage assets.*
- 2. Conserving and enhancing heritage assets and their settings; opportunities will be sought for development proposals to make a positive contribution to, and better reveal the significance of, heritage assets and reflect and enhance local character and distinctiveness.*
- 3. Seeking wider social, cultural, economic and environmental benefits by:*
  - a. placing heritage at the heart of placemaking and delivering high quality buildings and spaces which enrich and enhance the settings of heritage assets.*
  - b. encouraging the beneficial, continued use of heritage assets through sensitive adaptation that is consistent with their conservation and enhancement, including those on Historic England's Heritage at Risk Register.*
  - c. encouraging heritage-led regeneration by identifying opportunities to draw on the contribution made by the historic environment to the character and identity of the place.*

*d. encouraging sensitive sustainable retrofit of designated as well as non-designated heritage assets and improvements that would benefit climate resilience and adaptation.*

*e. encouraging sites adjacent to and near heritage assets to work collaboratively with owners and operators of heritage assets to seek improvements to environmental performance, accessibility or other aspects of the functioning of heritage assets that are challenging to address.*

*f. Seeking enhanced public access and interpretation of the City's cultural and heritage assets, ensuring that opportunities to experience and enjoy the City's heritage and culture is available to a wide and diverse audience in a way that is socially and economically inclusive;*

- 5.4.2 Contrary to policy S11, the proposed roof extension due to its height, scale, form bulk and materiality does not contribute to “*conserving and enhancing neighbouring heritage assets and their settings*”. No evidence is provided of how the significance of the Grade I Listed Ned building will be “*better revealed*” by this development, or that it reflects or enhances the local character and distinctiveness.
- 5.4.3 The proposed development also fails to meet the tenets of the policy S11 section 3 (*seeking wider social, cultural, economic and environmental benefit*), as the scheme does not appear to be “*placing heritage at the heart of placemaking*” nor does it “*enrich and enhance the setting of heritage assets*”.
- 5.4.4 Rather than encouraging the beneficial continued use of the Ned Hotel building (its roof terrace being considerable asset to its significance), the proposed scheme disregards the important role and the significance of the existing roof terrace and its visual relationship with St Paul's Cathedral and Church of St Mary Le Bow experienced by the visitors. The complete loss of the outlook towards the above-mentioned historic buildings confirms that the proposed design is unsympathetic to its historic context and has no regards to the sensitivity of the Grade I Listed neighbouring building. Therefore, the proposals have detrimental impact upon significance and setting of this heritage asset,

## 6.0 CONCLUSION

- 6.1 The development site is adjacent to Grade I Listed former Midland Bank building, both located within Bank Conservation area of the City of London Local Authority. It also borders with Guildhall Conservation Area. The site is also near the Grade II\* No.1 Poultry building and other designated heritage assets.
- 6.2 Constructed in 2005, the application site is a neutral contributor to the Bank Conservation Area. The proposed scheme involves internal and external upgrade of the building's fabric, including alterations to the ground floor, existing fenestration, floor plan adjustments, and addition of two roof storeys, housing new “pavilion” with new roof terrace, and new plant within an enclosure above.
- 6.3 Due to its height, scale, massing and materiality we consider proposed two-storey roof extension to be harmful to the significance of the neighbouring Grade I listed building and its setting. There appears to be no benefit to the Bank or Guildhall Conservation Area by means of either preservation or enhancement. The proposed additions do not respect or reflect prevalent architectural vocabulary or materiality of the surrounding buildings, involving use of dark timber cladding and dark brass finishes appearing alien to the host building and neighbouring Grade I listed building, which both have Portland stone facades.
- 6.6 The proposed roof extension appears dominant and unsympathetic, failing to appreciate the setting of the adjacent listed building and the significance of its amenity area. It is visually obtrusive, resulting in complete loss of the outlook towards the St Pauls Cathedral and Church of St Mary le Bow, which is currently enjoyed by thousands of guests and visitors to the Ned Hotel.
- 6.7 For the above reasons we object to the proposals 1 Old Jewry as they would cause harm to the significance of identified heritage assets, and thus, the proposals are not “*sustainable*” as defined by NPPF. We believe that the “public benefit” required to mitigate such harm and therefore have not been demonstrated sufficiently. The proposals do not fully comply with the requirements of national or local heritage planning policies and should not be approved.

Ms Anastasia Tampouridou - Case Officer  
Development Division  
Department of the Built Environment  
City of London  
P.O. Box 270, Guildhall  
London EC2P 2EJ

[Anastasia.Tampouridou@cityoflondon.gov.uk](mailto:Anastasia.Tampouridou@cityoflondon.gov.uk)

25<sup>th</sup> January 2025

Dear Ms Tampouridou,

**Objection Letter to Planning Application 24/00226/FULL 1 Old Jewry, London EC2R 8DN**

I am writing to object to the above planning application which seeks to change the use of part of the ground floor retail space to be used for office accommodation, refurbishment works at basement and ground floor levels and the construction of a new pavilion and plant room at roof level including the creation of an external roof terrace.

I led the re-development of 27 Poultry into The Ned hotel between 2013 and 2017. We restored the Grade 1 listed building designed by Sir Edwin Lutyens creating a hotel and members club thereby conserving the building for future generations as well as opening up what had been a private building to provide amenity spaces and access to the building. The scheme also involved the removal of some ugly rooftop plant spaces and the provision of an accessible rooftop that provided an immersive view of the City as well a visual connection to St Pauls Cathedral.

This rooftop space and the views from it were supported by the City as a positive move in the conservation of 27 Poultry and indeed the entire alteration and refurbishment project was commended by the City of London with the presentation of a Heritage award.

I do not think the design of the proposed development respects the setting of the Ned hotel and nor is it appropriate to the setting of 1 Poultry which is Grade II\* listed and directly opposite the development. Currently the applicants building appears as neutral in terms of its impact on both listed buildings and as a contributor to the conservation area. However, the roof top extensions proposed will result in the applicants building becoming taller than the Ned and suddenly the setting of the listed building and the benefits of its rooftop amenity will be seriously and harmfully affected.

The applicant has failed to adequately assess the rooftop extensions in the context of the neighbouring listed buildings and the street views are not a true representation of the impact of the development on the conservation area.

The impact of the proposed rooftop extension which I believe to be harmful to the setting of the listed buildings as well as the conservation area cannot be justified by the benefits being offered by the applicant's development. Whilst the improvement to the energy efficiency is of course welcomed the remainder of the development does not provide any social, cultural or economic benefit to justify the harm that is caused.

The development also reduces the amount of street facing retail space on Cheapside which is really the “High Street” of the City of London. This is reducing the accessibility of the building to retail users and is detrimental to the community that work and reside in the City of London.

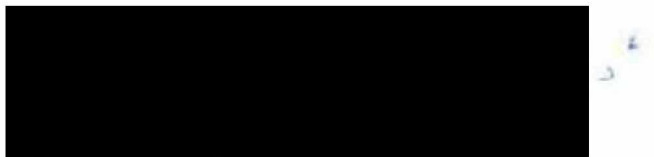
The applicant has made no attempt at any public or neighbourly consultation which is contrary to the guidance published by the City of London. The first engagement made was during the judicial review period and was instigated by myself and the Ned operations team.

During meetings between the applicant and the owners and operators of the Ned hotel we sought to work positively and proactively with them and suggested alternative ways to design the extension to mitigate the impact on the neighbouring and adjacent listed buildings. However, it was clear in our final meeting in early December that the applicant was not going to consider altering the bulk and mass of the rooftop extension and indeed the following day the application was launched again with addition of a few further supporting documents and no material changes to the design.

Due to the impact of the proposed development on the listing buildings and the conservation area coupled with the lack of community engagement I hope that the City of London will seek to re-engage with Historic England over the perceived impacts as well as give other organisations such as the 20<sup>th</sup> Century Society the opportunity to provide their views on the application.

Finally, I hope that officers will present this application to the Planning Committee so that the application is thoroughly debated and discussed.

Sincerely

A large black rectangular redaction box covering the signature area. To the right of the box, there is a small, faint, circular blue and white mark, possibly a stamp or a small logo.

Stuart Adolph  
2 Nightingale Close Tring Herts HP23 5FS



## SOHO HOUSE

Ms Anastasia Tampouridou  
Case Officer  
Development Division  
Department of the Built Environment  
City of London  
P.O. Box 270  
Guildhall  
London EC2P 2EJ

Your Ref: 24/00226/FULL

24 January 2025

By Email:

[Anastasia.Tampouridou@cityoflondon.gov.uk](mailto:Anastasia.Tampouridou@cityoflondon.gov.uk)

Dear Ms Tampouridou

### Objection to planning application with reference 24/00226/FULL 1 Old Jewry, London EC2R 8DN

#### 1. Introduction

- 1.1 Ned-Soho House LLP (**Soho House**), under a long-term hotel management agreement with Poultry Opco Limited (**the Tenant**), operate the Grade 1 listed former Midland Bank headquarters building at 27 Poultry, London, EC2R 8AJ as the five star hotel known as the Ned Hotel (**the Ned Hotel**). The Ned Hotel is immediately to the east of 1 Old Jewry, London EC2R 8DR (**the Property**). The Ned Hotel provides, amongst other things, hotel guest accommodation and a private members club (**Ned's Club**). Members of the Ned's Club have access to a range of private facilities including a rooftop pool and terraces.
- 1.2 We write in respect of the application for full planning permission with reference 24/00226/FULL (**the Application**) made in respect of the Property to the City of London (**the City**) on behalf of Deko Immobilien Investment GmbH (**the Applicant**) on 01 March 2024 for:

*“The change of use of part of the ground floor retail space to be used for office accommodation (Class E(g)), refurbishment works including reconfiguration of commercial floorspace at basement and ground floor levels; alteration to elevations (including new shopfronts, replacement of existing windows and revise access); erection of a new pavilion and plant room at roof level; and creation of external roof terrace” (the Proposed Development).*



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- 1.3 The City granted the Application planning permission on 15 July 2024. However, the City's decision was quashed on 04 December 2024 following a claim for judicial review brought jointly by Our Client and the tenant of the Ned Hotel.
- 1.4 The Applicant's agent submitted updated information in respect of the Application the next day, on 05 December 2024. The Application will be reconsulted on and redetermined by the City. The Proposed Development has not been altered by the Applicant and remains the same as the original submission.
- 1.5 We request that the Council refuse the Application for the reasons detailed in this letter, which include:
  - 1.5.1 the Proposed Development results in unacceptable negative impacts on the Ned Hotel's business by virtue of the privacy, overlooking and noise impacts;
  - 1.5.2 the design of the Proposed Development is harmful to the Bank Conservation Area and adjacent Guildhall Conservation Area;
  - 1.5.3 the Application fails to correctly assess the daylight and sunlight impacts;
  - 1.5.4 the loss of retail frontage and floorspace is contrary to policy and the advice of the City during pre-application;
  - 1.5.5 lack of adequate community engagement on the Proposed Development;
  - 1.5.6 the site location plan does not include all land necessary to carry out the Proposed Development contrary to national validation requirements; and
  - 1.5.7 the construction of the Proposed Development has not been properly considered and results in unacceptable negative impacts and risks for pedestrians, cyclists and other users of Poultry and Grocers Hall Court.

## 2. The City's Development Plan

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. As at the date of this letter, the Council's development plan includes the following documents relevant to the Proposed Development:
  - 2.1.1 City of London Local Plan adopted January 2015 (**Local Plan**);
  - 2.1.2 City Plan 2040 Revised Proposed Submission Draft dated April 2024 (**Draft City Plan**);

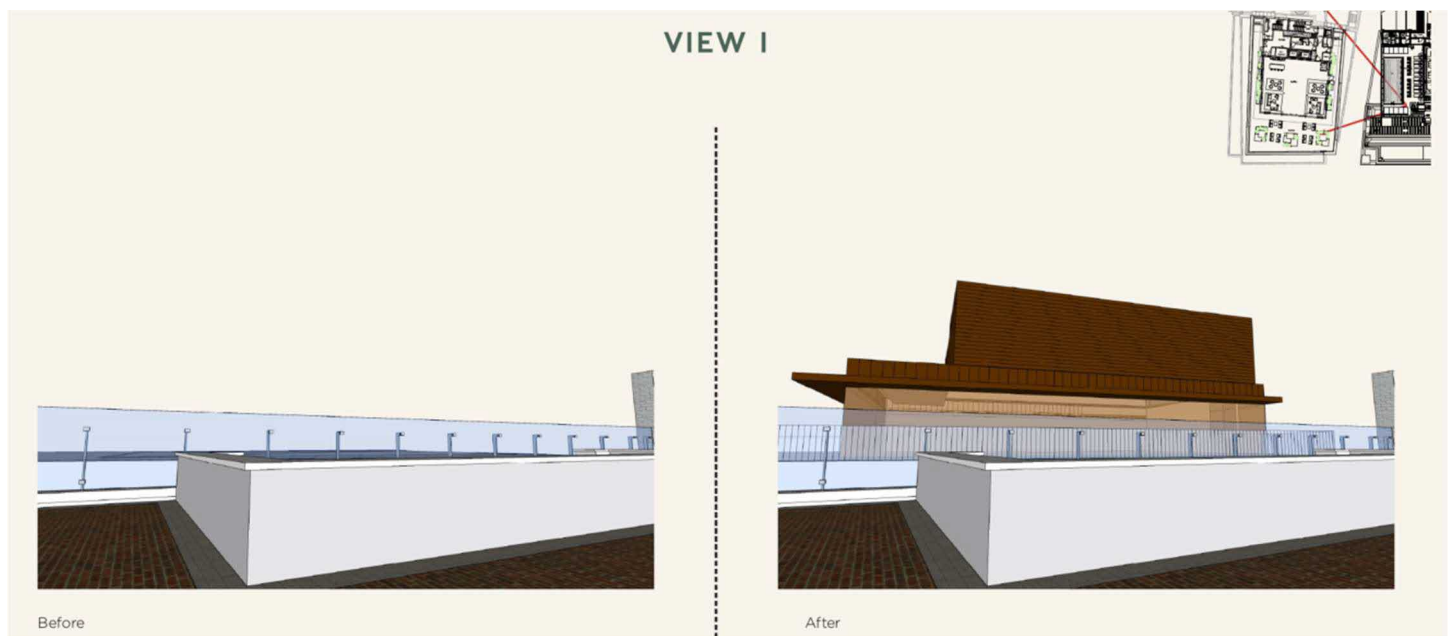


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- 2.1.3 The London Plan adopted March 2021 (**London Plan**);
- 2.1.4 the City's Developer Engagement Guidance dated May 2023 (**Developer Engagement Guidance**); and
- 2.1.5 the City's Statement of Community Involvement dated July 2024 (**SCI**).

### 3. Unacceptable impact on the Ned Hotel's business

- 3.1 The Proposed Development is unacceptably dominant and would result in a significant overlooking of the roof terrace of the Ned Hotel and a distinct reduction in the privacy currently enjoyed by the open space amenity area. Please see the visualisation of the impact of the Proposed Development on the Ned Hotel's rooftop amenity area (specifically the pool area) below:



- 3.2 The Ned Hotel's rooftop includes private amenity facilities, including restaurants, bars and swimming pool for the use of members of the Ned's Club. The privacy and exclusiveness of the rooftop is a key reason that some members join the Ned's Club. The rooftop is currently not overlooked by any surrounding buildings.
- 3.3 The Proposed Development would significantly overlook the Ned Hotel's rooftop which is likely to result in a reduction in the number of Ned's Club members due to negative impact on the rooftop's privacy. This would be of economic detriment to the Ned Hotel.
- 3.4 Given that the Ned Hotel's rooftop and the Property are only several metres apart, including hotel rooms with windows looking onto Grocers Hall Court, it is also expected that the Proposed Development's terrace and plant enclosure will have a significant



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negative impact on the Ned Hotel in terms of noise. This is a particular concern for users of the Ned Hotel's hotel rooms, function rooms (which are used for weddings) and the rooftop area.

- 3.5 Deepening our concerns, the hours of use of the scheme (including the terrace) are not specified. For example, if music / catering / alcohol is allowed on the terrace or the terrace will remain open for extended hours, then this poses potential noise / disturbance issues to the Ned (including the Ned's hotel guests).
- 3.6 Soho House, as the operator and designer for circa. 50 (as of writing) Soho House and Ned hotels and members clubs around the world has extensive experience dealing with the development and refurbishment of sensitive buildings, including the Ned itself. This includes measures to mitigate the visual/design, space and noise impacts of plant and equipment. The Application (via the Design and Access Statement) notes the following:
- 3.6.1 *"Unfortunately the stringent requirements of the plant screen in terms of free area and acoustic performance limit the options for the architectural expression. In order to ensure the least visual impact given these performance requirements, we have chosen a high quality acoustic louvre and focussed on high quality detailing (like the frameless corners)." (page 75)*
- 3.6.2 *"Through the design development we have sought to optimise the split of plant between the basement and the rooftop levels and are unable to see any further opportunities to improve the rooftop mass. ... Unfortunately this means that it is not feasible to reduce the rooftop plant area further by relocating plant equipment to the basement."*
- 3.7 In our view (and based on our experience), these statements may not be correct. They also fail to acknowledge that there are likely to be other massing/space configurations which do mitigate the visual, design and acoustic impacts of the Proposed Development. For example, some plant could be installed in a portion of the uppermost office floor. At a meeting with the Applicant / Applicant's Agent (see paragraph 7.3 below), we understand that the Tenant offered to discuss and work with the Application to consider some potential alternatives. However, as also commented below, the Applicant has made clear their intention not to make any changes nor engage in any consultative process in this regard.
- 3.8 The Proposed Development has a disproportionately negative impact on the Ned Hotel and surrounding area and the Application should therefore be refused.
- 4. Unacceptable impact on daylight and sunlight**
- 4.1 Policy DM10.7 of the Local Plan provides for how daylight and sunlight should be considered in determining applications. It states that (emphasis added):





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### “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.”

- 4.2 The Local Plan defines “open spaces” as “*Land which is not built on and which has some amenity value or potential for amenity value. Amenity value is derived from the visual, recreational or other enjoyment which the open space can provide, such as historic and cultural interest and value. This includes open spaces in public or private ownership.*”
- 4.3 Furthermore, Draft City Plan policy DE7 requires development proposals to demonstrate that the daylight and sunlight available to “*nearby dwellings and other sensitive receptors including schools, hospitals, **hotels** and hostels, places of worship and **open spaces**...is appropriate for its context and provides acceptable standards of daylight and sunlight*” (emphasis added).
- 4.4 The Pre-App Response of the City required the Applicant to carry out daylight and sunlight testing “*to ensure proposed new massing does not have detrimental impact on surrounding buildings.*”
- 4.5 As of December 2024, the Application is now accompanied by a daylight and sunlight report prepared by Point 2 Surveyors Limited dated October 2024 (**the D&S Report**). However, contrary to the City’s Pre-App Response which required the impact on the surrounding buildingss (plural) to be assessed, the Application only considers the impact of the Proposed Development on the Ned Hotel.
- 4.6 Paragraph 7.1 of the D&S Report incorrectly states that “*The Ned Hotel, does not contain residential accommodation and as a result does not have a reasonable expectation of daylight*”. Draft City Plan Policy DE7 clearly identifies hotels as being sensitive receptors, which by extension, have a reasonable expectation of daylight and sunlight.
- 4.7 The D&S Report fails to consider the daylight and sunlight impact of the Proposed Development on the private amenity space provided by the Ned Hotel’s rooftop area which amounts to “open space”. This is contrary to Local Plan policy DM10.7 and Draft City Plan policy DE7.



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### 5. Inappropriate design

- 5.1 The Proposed Development should be refused because it is not of a high standard of design and harms the townscape and public realm contrary to Local Plan policy DM 10.1 on the basis that:
- 5.1.1 The bulk and massing are not appropriate in relation to the surroundings. The Proposed Development does not have due regard to the general scale, height, building lines, character and historic interest, urban grain and materials of the locality.
  - 5.1.2 The Application does not demonstrate that there will not be unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding buildings and public realm.
  - 5.1.3 The design of the roof is not visually integrated into the overall design of the buildings when seen from street level or higher-level viewpoints. The plant enclosure and pavilion, in particular, are visually jarring and unintegrated.
  - 5.1.4 Plant and building services equipment are not integrated into the design of the building. The plant room and pavilion adversely affect the character, appearance and amenities of the buildings and the area.
- 5.2 Paragraph 3.10.11 of the Local Plan states that “Attention should be given to the form, profile and general appearance of the roofscape to ensure that it complements the buildings as viewed from surrounding buildings”. The roofscape of the Proposed Development is incongruous with the surrounding rooflines, is overly dominant and out of character to the existing area. The view of the Proposed Development and the roofscape from surrounding buildings such as the Ned Hotel cannot be said to complement the surrounding buildings. The Proposed Development arguably harms the setting of the Grade I listed Ned Hotel, the Bank Conservation Area and the adjacent Guildhall Conservation Area.

### 6. Loss of retail floorspace

- 6.1 The Property is located within a Principal Shopping Centre (Cheapside). Local Plan policy DM 20.1 resists the loss of retail frontage and floorspace adding that additional retail provision is encouraged. Similarly, Draft City Plan policy RE1 states that loss of ground floor retail frontages and/or floorspace will be resisted.
- 6.2 Paragraphs 3.26 of the Planning Statement state that the Proposed Development would result in a reduction of commercial floorspace of 523 sqm –including a reduction of 150 sqm of retail floorspace on ground floor level. This reduction in retail frontage



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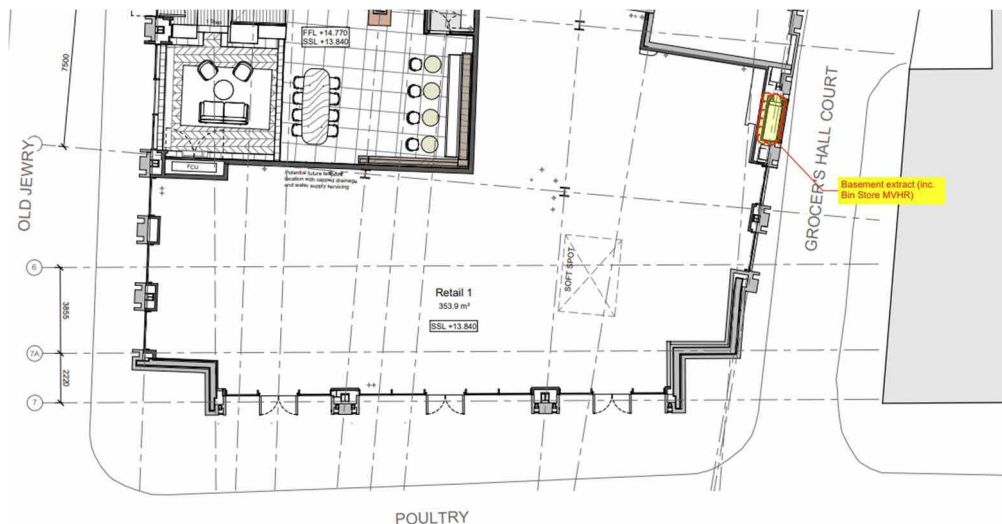
and floorspace is contrary to Local Plan policy DM 20.1 and Draft City Plan RE1 and the Application should be refused.

- 6.3 The Application does not appear to comply with the City's pre-application advice of 28 April 2023 (**Pre-App Response 1**) which states that:

*"Local policies do not support the loss of ground floor retails [sic] floorspace within Principal Shopping Centres. However, as discussed in our pre-application meeting, there may be scope to retain the existing retail frontage and number of units but make changes to the depth of Retail Unit 1 to accommodate a larger office reception. This would need to be supported by robust justification which demonstrates that a smaller retail unit would be viable in this PSC location"* and ***"As a starting point the principle of development, involving the loss of retail floorspace and frontage in the PSC is not supported"*** (emphasis added).

- 6.4 In a second pre-application response of 18 December 2023 (**Pre-App Response 2**) the City stated that *"a viability statement should be submitted as part of any application to support the proposal in line with the Draft City [Plan] policy RE1"* noting that the *"Draft City Plan highlights Old Jewry as a key retail link."*

- 6.5 The proposed ground floor arrangement plan with drawing number 6982-SRA-XX-00-DR-A-20100 Rev. P06 shows only one retail unit on the ground floor "Retail 1" indicating the loss of two retail units (see extract below). It is also noted that the entrance doors to retail units open out onto public highway contrary to the City's Pre-App Response 1 as also shown in the extract below:



- 6.6 The Application does not provide a robust justification for the loss of two retail units at ground floor or evidence that one larger retail unit would be more viable than three smaller units. This is contrary to the Pre-App Response 1, Pre-App Response 2, Local Plan policy DM 20.1 and Draft City Plan policy RE1.



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### 7. Lack of adequate community engagement

- 7.1 The Application, as of December 2024, is now accompanied by a one-page engagement strategy prepared by Savills (**Engagement Strategy**) which sets out that prior to the submission of the Application, two pre-application meetings took place with the City's planning officers. The Application does not demonstrate that the Applicant attempted to obtain any views from the local community or local stakeholders.
- 7.2 The Application does not include a statement of community involvement, despite this being requested by the City at pre-application stage and contrary to the Developer Engagement Guidance. The Applicant has not demonstrated that they have had any regard to the City's Developer Engagement Guidance or the City's Statement of Community Involvement. The lack of engagement and consultation was one of the grounds provided in the claim for judicial review in respect of the Application.
- 7.3 The Engagement Statement sets out the dates of three "dedicated meetings" between the Applicant / the Applicant's agent, the landlord and tenant during which it is claimed that the Applicant sought to work positively and proactively with the landlord and tenant. However, we understand that it was made clear to the landlord and tenant that the Applicant would not make changes to the Proposed Development despite the landlord and tenant's best efforts to work with the Applicant to find amendments to the scheme to mitigate the Proposed Development's numerous negative impacts on the Grade I listed Ned Hotel and surrounding Conservation Areas. In our view, this highlights the insincerity of these interactions, as well as the disregard for meaningful community engagement by the Applicant / Applicant's agent.
- 7.4 The consent order formally quashing the previous decision was granted by the Court on 4 December 2024. The covering letter re-submitting the Application for re-determination is dated the next day –the 5 December 2024 (the **Cover Letter**). The Cover Letter sets out that other than the addition of an overshadowing assessment and a daylight and sunlight report, there are "*no other changes to the [P]roposed [D]evelopment*".
- 7.5 We do not consider that the Applicant intended to make any amendments to the Proposed Development, as is evidenced by the lack of any amendments to the Application following re-submission.

### 8. Deficiencies in the Site Location Plan

- 8.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO 2015) at article 7(1)(c)(i) requires planning applications to be accompanied by a plan identifying the relevant land subject to the Application. Government guidance states that the location plan "should include all land necessary



## SOHO HOUSE

to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).”

- 8.2 The site location plan drawing number 6982-SRA-XX-XX-DR-A-02100 Rev P01 dated 19 February 2024 (the Site Location Plan) does not meet the validation criteria as the red line does not include all land necessary to carry out the Proposed Development as the red line does not include:

8.2.1 land needed for construction vehicles and works to take place;

8.2.2 space for storage of construction materials, construction vehicles or welfare offices.

## 9. Unacceptable impact of Construction

- 9.1 Taken together, the deficiencies in the Site Location Plan, the lack of community engagement, the refusal to engage in sincere, meaningful discussions with the landlord and tenant and the lack of consultation with Soho House (as operator) also highlight the lack of consideration given to the construction of the development.
- 9.2 The site is extremely constrained. There is a very narrow road (Grocers Hall Court) between the development site and the hotel which is in constant use by many commercial operators (servicing Grocers’ Hall and The Ned), in addition to construction traffic if the application is granted. Old Jewry and Poultry already suffer from heavy traffic which will only be exacerbated during the construction period. The narrow, busy service road already causes vehicles to wait on Poultry, blocking the bus stop and giving rise to safety concerns.
- 9.3 The Application also does not provide sufficient detail on how the development would be constructed. For example, would cranes be needed, how would waste material be disposed of, how would hazardous materials be stored (on or off-site)?
- 9.4 We anticipate that the Proposed Development will have material, disproportionately negative impacts on traffic, means of access and pedestrian and cyclist safety and the Application should, therefore, be refused.

## 10. Conclusion

- 10.1 For the reasons set out in this letter the Application should be refused.
- 10.2 The lack of any good faith engagement by the Applicant with the public and key stakeholders is concerning. We urge the City to determine the Application by planning committee so that the Application is thoroughly debated and discussed.



SOHO HOUSE

10.3 Kindly acknowledge receipt of this letter of objection in writing.

Yours sincerely



---

**For and on behalf of Soho House**



Ms Anastasia Tampouridou  
Case Officer  
Development Division  
Department of the Built Environment  
City of London  
P.O. Box 270  
Guildhall  
London EC2P 2EJ

Your Ref: 24/00226/FULL

Email: [REDACTED]

27 January 2025

By Email:

[Anastasia.Tampouridou@cityoflondon.gov.uk](mailto:Anastasia.Tampouridou@cityoflondon.gov.uk)

Dear Ms Tampouridou

**Objection to planning application with reference 24/00226/FULL  
1 Old Jewry, London EC2R 8DN**

**1. Introduction**

- 1.1 Poultry Opco Limited (**the Tenant**), leases and operates the Grade 1 listed former Midland Bank headquarters building at 27 Poultry, London, EC2R 8AJ as the five star hotel known as the Ned Hotel (**the Ned Hotel**). The Ned Hotel is immediately to the east of 1 Old Jewry, London EC2R 8DR (**the Property**). The Ned Hotel provides, amongst other things, hotel guest accommodation and a private members club (**Ned's Club**). Members of the Ned's Club have access to a range of private facilities including a rooftop pool and terraces.
- 1.2 We write in respect of the application for full planning permission with reference 24/00226/FULL (**the Application**) made in respect of the Property to the City of London (**the City**) on behalf of Deko Immobilien Investment GmbH (**the Applicant**) on 01 March 2024 for:

*“The change of use of part of the ground floor retail space to be used for office accommodation (Class E(g)), refurbishment works including reconfiguration of*

*commercial floorspace at basement and ground floor levels; alteration to elevations (including new shopfronts, replacement of existing windows and revise access); erection of a new pavilion and plant room at roof level; and creation of external roof terrace” (the **Proposed Development**).*

- 1.3 The City granted the Application planning permission on 15 July 2024. However, the City’s decision was quashed on 04 December 2024 following a claim for judicial review brought jointly by our Landlord and ourselves as operators of the Ned Hotel.
- 1.4 The Applicant’s agent submitted updated information in respect of the Application the next day, on 05 December 2024. The Application will be reconsulted on and redetermined by the City. The Proposed Development has not been altered by the Applicant and remains the same as the original submission.
- 1.5 We request that the Council refuse the Application for the reasons detailed in this letter, which include:
  - 1.5.1 the Proposed Development results in unacceptable negative impacts on the Ned Hotel’s business by virtue of the privacy, overlooking and noise impacts;
  - 1.5.2 the design of the Proposed Development is harmful to the Bank Conservation Area and adjacent Guildhall Conservation Area;
  - 1.5.3 the Application fails to correctly assess the daylight and sunlight impacts;
  - 1.5.4 the loss of retail frontage and floorspace is contrary to policy and the advice of the City during pre-application;
  - 1.5.5 lack of adequate community engagement on the Proposed Development;
  - 1.5.6 the Proposed Development harms surrounding heritage assets;
  - 1.5.7 the site location plan does not include all land necessary to carry out the Proposed Development contrary to national validation requirements; and
  - 1.5.8 the construction of the Proposed Development has not been properly considered and results in unacceptable negative impacts and risks for pedestrians, cyclists and other users of Poultry and Grocers Hall Court.





## 2. The City's Development Plan

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. As at the date of this letter, the Council's development plan includes the following documents relevant to the Proposed Development:

2.1.1 City of London Local Plan adopted January 2015 (**Local Plan**);

2.1.2 City Plan 2040 Revised Proposed Submission Draft dated April 2024 (**Draft City Plan**);

2.1.3 The London Plan adopted March 2021 (**London Plan**);

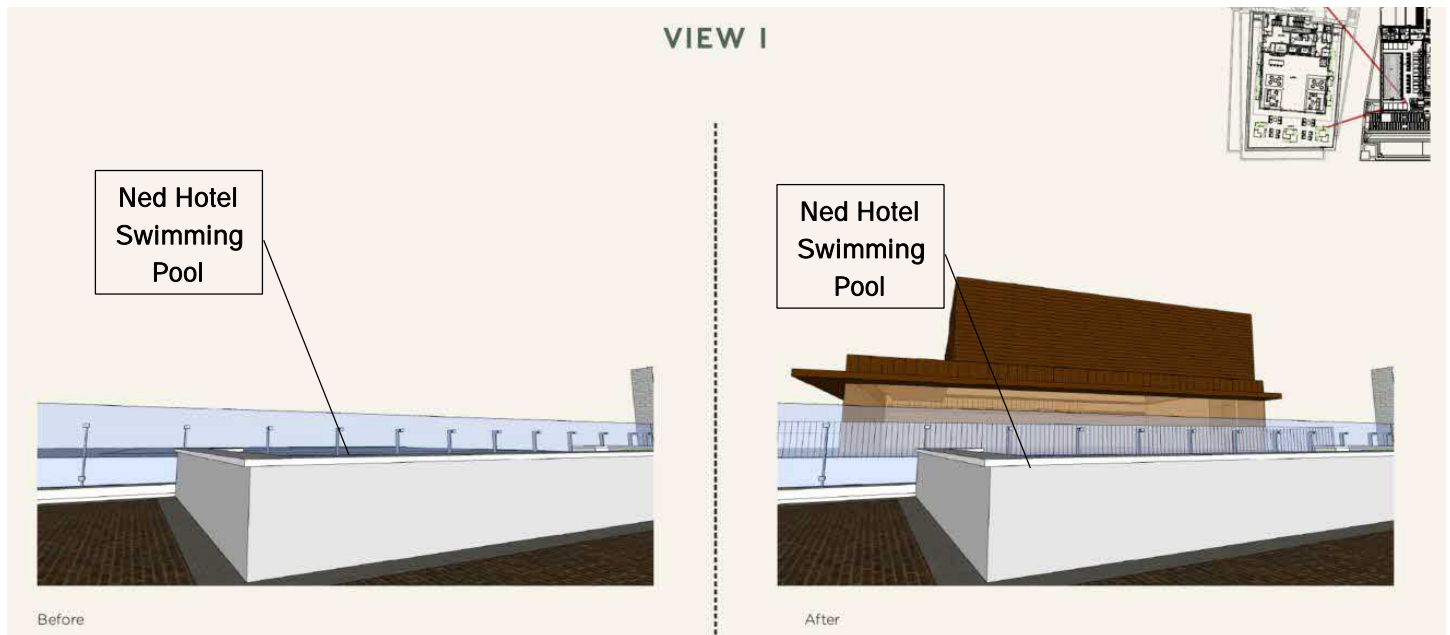
2.1.4 the City's Developer Engagement Guidance dated May 2023 (**Developer Engagement Guidance**); and

2.1.5 the City's Statement of Community Involvement dated July 2024 (**SCI**).

## 3. Unacceptable impact on the Ned Hotel's business

3.1 The Ned Hotel's rooftop includes private amenity facilities, including restaurants, bars and swimming pool for the use of members of the Ned's Club. The privacy and exclusiveness of the rooftop is a key reason that some members join the Ned's Club. The rooftop is currently not overlooked by any surrounding buildings.

3.2 We set out below the visualisation of the impact of the Proposed Development on the Ned Hotel's rooftop amenity area (specifically the pool area) below:



- 3.3 As can be seen, would significantly overlook the Ned Hotel's rooftop. The Proposed Development is unacceptably dominant and would result in a significant reduction in the privacy currently enjoyed by the open space amenity area. This will likely to result in a reduction in the number of Ned's Club members due to negative impact on the rooftop's privacy. This would be of economic detriment to the Ned Hotel and therefore the conservation of the Grade 1 listed building..
- 3.4 Given that the Ned Hotel's rooftop and the Property are only several metres apart, including hotel rooms with windows looking onto Grocers Hall Court, it is also expected that the Proposed Development's terrace and plant enclosure will have a significant negative impact on the Ned Hotel in terms of noise. This is a particular concern for users of the Ned Hotel's hotel rooms, function rooms (which are used for weddings) and the rooftop area.
- 3.5 Deepening our concerns, the hours of use of the scheme (including the terrace) are not specified. For example, if music / catering / alcohol is allowed on the terrace or the terrace will remain open for extended hours, then this poses potential noise / disturbance issues to the Ned (including the Ned's hotel guests).
- 3.6 As a group, we are significant owners and developers of hotels and members clubs around the world. Within the Ned Group we have extensive experience dealing with the

development and refurbishment of sensitive buildings, including the Ned itself. This includes measures to mitigate the visual/design, space and noise impacts of plant and equipment. The Application (via the Design and Access Statement) notes the following:

3.6.1 *“Unfortunately the stringent requirements of the plant screen in terms of free area and acoustic performance limit the options for the architectural expression. In order to ensure the least visual impact given these performance requirements, we have chosen a high quality acoustic louvre and focussed on high quality detailing (like the frameless corners).” (page 75)*

3.6.2 *“Through the design development we have sought to optimise the split of plant between the basement and the rooftop levels and are unable to see any further opportunities to improve the rooftop mass. ... Unfortunately this means that it is not feasible to reduce the rooftop plant area further by relocating plant equipment to the basement.”*

3.7 In our view (and based on our experience), these statements may not be correct. They fail to acknowledge that there are likely to be other massing/space configurations which do mitigate the visual, design and acoustic impacts of the Proposed Development. For example, some plant could be installed in a portion of the upper-most office floor.

3.8 We are therefore extremely concerned that the Applicant's approach represents a cynical attempt to use environmental and energy performance rules to justify a purely commercial objective: material increases to the floorspace and extension of the height of the Property through the addition of the pavilion and terrace.

3.9 At a meeting with the Applicant / Applicant's Agent (see paragraph 7.3 below), we understand that the Tenant offered to discuss and work with the Application to consider some potential alternatives. However, as also commented below, the Applicant has made clear their intention not to make any changes nor engage in any consultative process in this regard.

3.10 The Proposed Development has a disproportionately negative impact on the Ned Hotel and surrounding area and the Application should therefore be refused.

#### **4. Unacceptable impact on daylight and sunlight**

4.1 Policy DM10.7 of the Local Plan provides for how daylight and sunlight should be considered in determining applications. It states that (emphasis added):

“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."

- 4.2 The Local Plan defines "open spaces" as "*Land which is not built on and which has some amenity value or potential for amenity value. Amenity value is derived from the visual, recreational or other enjoyment which the open space can provide, such as historic and cultural interest and value. This includes open spaces in public or private ownership.*"
- 4.3 Furthermore, Draft City Plan policy DE7 requires development proposals to demonstrate that the daylight and sunlight available to "*nearby dwellings and other sensitive receptors including schools, hospitals, **hotels** and hostels, places of worship and **open spaces**... is appropriate for its context and provides acceptable standards of daylight and sunlight*" (emphasis added).
- 4.4 The Pre-App Response of the City required the Applicant to carry out daylight and sunlight testing "*to ensure proposed new massing does not have detrimental impact on surrounding buildings.*"
- 4.5 As of December 2024, the Application is now accompanied by a daylight and sunlight report prepared by Point 2 Surveyors Limited dated October 2024 (**the D&S Report**). However, contrary to the City's Pre-App Response which required the impact on the surrounding buildings (plural) to be assessed, the Application only considers the impact of the Proposed Development on the Ned Hotel.
- 4.6 Paragraph 7.1 of the D&S Report incorrectly states that "*The Ned Hotel, does not contain residential accommodation and as a result does not have a reasonable expectation of daylight*". Draft City Plan Policy DE7 clearly identifies hotels as being sensitive receptors, which by extension, have a reasonable expectation of daylight and sunlight.
- 4.7 The D&S Report fails to consider the daylight and sunlight impact of the Proposed Development on the private amenity space provided by the Ned Hotel's rooftop area which amounts to "open space". This is contrary to Local Plan policy DM10.7 and Draft City Plan policy DE7.

## **5. Inappropriate design**

- 5.1 The Proposed Development should be refused because it is not of a high standard of design and harms the townscape and public realm contrary to Local Plan policy DM 10.1 on the basis that:
- 5.1.1 The bulk and massing are not appropriate in relation to the surroundings. The Proposed Development does not have due regard to the general scale, height, building lines, character and historic interest, urban grain and materials of the locality.
  - 5.1.2 The Application does not demonstrate that there will not be unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding buildings and public realm.
  - 5.1.3 The design of the roof is not visually integrated into the overall design of the buildings when seen from street level or higher-level viewpoints. The plant enclosure and pavilion, in particular, are visually jarring and unintegrated.
  - 5.1.4 Plant and building services equipment are not integrated into the design of the building. The plant room and pavilion adversely affect the character, appearance and amenities of the buildings and the area.
- 5.2 Paragraph 3.10.11 of the Local Plan states that “Attention should be given to the form, profile and general appearance of the roofscape to ensure that it complements the buildings as viewed from surrounding buildings”. The roofscape of the Proposed Development is incongruous with the surrounding rooflines, is overly dominant and out of character to the existing area. The view of the Proposed Development and the roofscape from surrounding buildings such as the Ned Hotel and 1 Poultry cannot be said to complement the surrounding buildings. The Proposed Development arguably harms the setting of the Grade I listed Ned Hotel, the Grade II\* listed 1 Poultry, the Bank Conservation Area and the adjacent Guildhall Conservation Area.
- 5.3 As also noted in paragraph 3.8 above, we are also highly concerned by the use of environmental and energy performance regulations as justification for these inappropriately designed and excessive extensions. If accepted, the Application would set a worrying precedent which we would expect other local building owners to try to follow.

## **6. Harm to heritage assets**

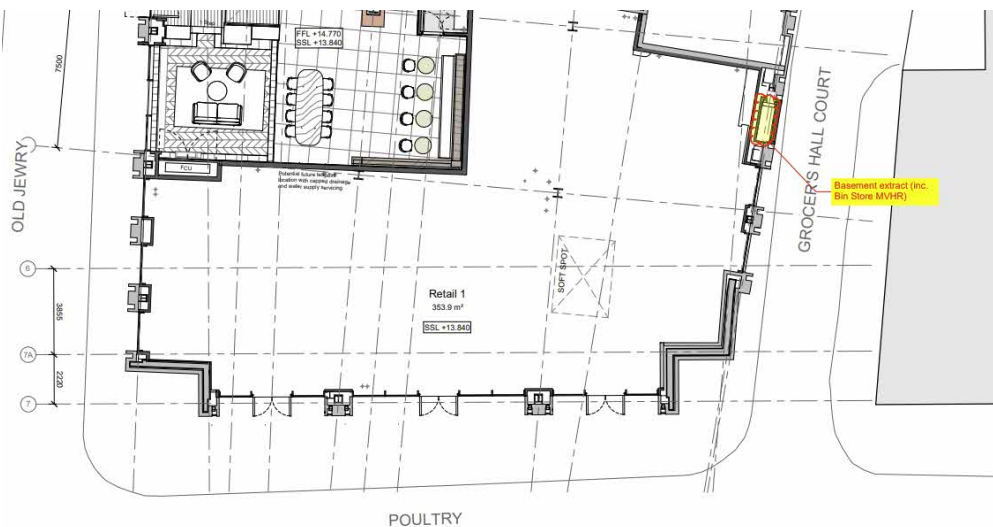
- 6.1 MVHC has been commissioned to review the impact of the Proposed Development on the surrounding heritage assets and objects to the Application. MVHC's review states that the Ned Hotel (being the former Midland Bank headquarters) is of exceptional architectural and historic interest, featuring outstanding architectural composition. The Ned Hotel is understandably listed as a Grade I listed building.
- 6.2 MVHC state that the Proposed Development's increased height, bulk, scale and materiality have a harmful effect on the neighbouring Grade I listed building (the Ned Hotel) and Grade II\* listed 1 Poultry. Specifically, the height and massing of the proposed additions will appear unacceptably dominant and bulky, carrying little regard to the height of the designated heritage assets in the Property's immediate vicinity.
- 6.3 MVHC's objection also notes that whilst the proposed roof extension may be of limited visibility when viewed from street-level vantage points, the impact on the sensitivity of the Grade I listed Ned Hotel building, in particular its outlook towards St Pauls Cathedral and St Mary-le-Bow Church, will be substantial.
- 6.4 The Proposed Development significantly harms the setting and outlook of surrounding heritage assets and fails to have due regard to the requirements of The Planning (Listed Buildings and Conservation Areas) Act 1990 sections 66(1) and 72(1) and the requirements of policy DM12.1 of the London Plan. We agree with the conclusion of MVHC's review that the Application should be refused.

## **7. Loss of retail floorspace**

- 7.1 The Property is located within a Principal Shopping Centre (Cheapside). Local Plan policy DM 20.1 resists the loss of retail frontage and floorspace adding that additional retail provision is encouraged. Similarly, Draft City Plan policy RE1 states that loss of ground floor retail frontages and/or floorspace will be resisted.
- 7.2 Paragraphs 3.26 of the Planning Statement state that the Proposed Development would result in a reduction of commercial floorspace of 523 sqm – including a reduction of 150 sqm of retail floorspace on ground floor level. This reduction in retail frontage and floorspace is contrary to Local Plan policy DM 20.1 and Draft City Plan RE1 and the Application should be refused.
- 7.3 The Application does not appear to comply with the City's pre-application advice of 28 April 2023 (**Pre-App Response 1**) which states that:

*“Local policies do not support the loss of ground floor retails [sic] floorspace within Principal Shopping Centres. However, as discussed in our pre-application meeting, there may be scope to retain the existing retail frontage and number of units but make changes to the depth of Retail Unit 1 to accommodate a larger office reception. This would need to be supported by robust justification which demonstrates that a smaller retail unit would be viable in this PSC location” and **“As a starting point the principle of development, involving the loss of retail floorspace and frontage in the PSC is not supported”** (emphasis added).*

- 7.4 In a second pre-application response of 18 December 2023 (**Pre-App Response 2**) the City stated that “a viability statement should be submitted as part of any application to support the proposal in line with the Draft City [Plan] policy RE1” noting that the “Draft City Plan highlights Old Jewry as a key retail link.”
- 7.5 The proposed ground floor arrangement plan with drawing number 6982-SRA-XX-00-DR-A-20100 Rev. P06 shows only one retail unit on the ground floor “Retail 1” indicating the loss of two retail units (see extract below). It is also noted that the entrance doors to retail units open out onto public highway contrary to the City’s Pre-App Response 1 as also shown in the extract below:



- 7.6 The Application does not provide a robust justification for the loss of two retail units at ground floor or evidence that one larger retail unit would be more viable than three smaller units. This is contrary to the Pre-App Response 1, Pre-App Response 2, Local Plan policy DM 20.1 and Draft City Plan policy RE1.



## 8. Lack of adequate community engagement

- 8.1 The Application, as of December 2024, is now accompanied by a one-page engagement strategy prepared by Savills (**Engagement Strategy**) which sets out that prior to the submission of the Application, two pre-application meetings took place with the City's planning officers. The Application does not demonstrate that the Applicant attempted to obtain any views from the local community or local stakeholders.
- 8.2 The Application does not include a statement of community involvement, despite this being requested by the City at pre-application stage and contrary to the Developer Engagement Guidance. The Applicant has not demonstrated that they have had any regard to the City's Developer Engagement Guidance or the City's Statement of Community Involvement. The lack of engagement and consultation was one of the grounds provided in the claim for judicial review in respect of the Application.
- 8.3 The Engagement Statement sets out the dates of three "dedicated meetings" between the Applicant / the Applicant's agent, the landlord and tenant during which it is claimed that the Applicant sought to work positively and proactively with the landlord and the Tenant. However, we understand that it was made clear to the landlord and tenant that the Applicant would not make changes to the Proposed Development despite the landlord and Tenant's best efforts to work with the Applicant to find amendments to the scheme to mitigate the Proposed Development's numerous negative impacts on the Grade I listed Ned Hotel and surrounding Conservation Areas. In our view, this highlights the insincerity of these interactions, as well as the disregard for meaningful community engagement by the Applicant / Applicant's agent.
- 8.4 The consent order formally quashing the previous decision was granted by the Court on 4 December 2024. The covering letter re-submitting the Application for re-determination is dated the next day – the 5 December 2024 (the **Cover Letter**). The Cover Letter sets out that other than the addition of an overshadowing assessment and a daylight and sunlight report, there are "*no other changes to the [P]roposed [D]evelopment*".
- 8.5 We do not consider that the Applicant intended to make any amendments to the Proposed Development, as is evidenced by the lack of any amendments to the Application following re-submission.



## **9. Deficiencies in the Site Location Plan**

- 9.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (**DMPO 2015**) at article 7(1)(c)(i) requires planning applications to be accompanied by a plan identifying the relevant land subject to the Application. Government guidance states that the location plan “should include all land necessary to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).”
- 9.2 The site location plan drawing number 6982-SRA-XX-XX-DR-A-02100 Rev P01 dated 19 February 2024 (the **Site Location Plan**) does not meet the validation criteria as the red line does not include all land necessary to carry out the Proposed Development as the red line does not include:
- 9.2.1 land needed for construction vehicles and works to take place;
  - 9.2.2 space for storage of construction materials, construction vehicles or welfare offices.

## **10. Unacceptable impact of Construction**

- 10.1 Taken together, the deficiencies in the Site Location Plan and the lack of community engagement, the refusal to engage in sincere, meaningful discussions with the landlord and the Tenant also highlight the lack of consideration given to the construction of the development.
- 10.2 The site is extremely constrained. There is a very narrow road (Grocers Hall Court) between the development site and the hotel which is in constant use by many commercial operators (servicing Grocers’ Hall and The Ned), in addition to construction traffic if the application is granted. Old Jewry and Poultry already suffer from heavy traffic which will only be exacerbated during the construction period. The narrow, busy service road already causes vehicles to wait on Poultry, blocking the bus stop and giving rise to safety concerns.
- 10.3 The Application also does not provide sufficient detail on how the development would be constructed. For example, would cranes be needed, how would waste material be disposed of, how would hazardous materials be stored (on or off-site)?
- 10.4 We anticipate that the Proposed Development will have material, disproportionately negative impacts on traffic, means of access and pedestrian and cyclist safety and the Application should, therefore, be refused.

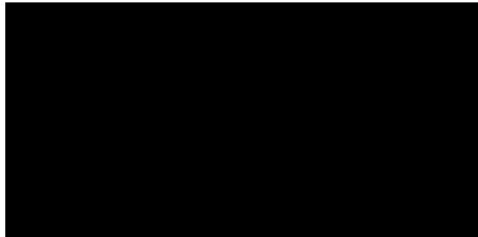
**11. Conclusion**

11.1 For the reasons set out in this letter the Application should be refused.

11.2 We are very concerned by the lack of any good faith engagement by the Applicant with the public and key stakeholders. We urge the City to determine the Application by planning committee so that the Application is thoroughly debated and discussed.

11.3 Kindly acknowledge receipt of this letter of objection in writing.

Yours sincerely



Gareth Banner

Group Managing Director

*On behalf of*

**Poultry Opco Limited**

Douglas Marvin  
87 Lambton Road  
London  
SW20 0LW

27 January 2025

Ms Anastasia Tampouridou - Case Officer  
Development Division  
Department of the Built Environment  
City of London  
P.O. Box 270, Guildhall  
London EC2P 2EJ

[Anastasia.Tampouridou@cityoflondon.gov.uk](mailto:Anastasia.Tampouridou@cityoflondon.gov.uk)

*Dear Ms Tampouridou,*

**Objection Letter to Planning Application 24/00226/FULL 1 Old Jewry, London EC2R 8DN**

I am writing to object to the above planning application which seeks to change the use of part of the ground floor retail space to be used for office accommodation, refurbishment works at basement and ground floor levels and the construction of a new pavilion and plant room at roof level including the creation of an external roof terrace.

I am a member of the Ned's Club, part of the Ned Hotel. I use the facilities frequently, including the rooftop. One of the main attractions of the rooftop is the privacy it affords, particularly the rooftop and for use of the swimming pool. The proposed rooftop extension will overlook the Ned hotel's rooftop. I am very concerned by the significant impact the proposed construction of the new pavilion and roof terrace will have on this privacy. I understand that it will be used for various functions and events and therefore I am also concerned about the noise that will be generated from the rooftop extension,

I do not think the design of the proposed development respects the setting of the Ned hotel, a Grade I listed building, which is of exceptional interest as only around 2.5% of listed buildings are Grade I. The hotel is also in a conservation area. In combination this means that even more importance should be given to ensuring that the proposed design of the rooftop extension is appropriate, being so close to a Grade I listed building in a conservation area. The bulk and scale of the proposed development will have a detrimental effect on the conservation area and the setting of the Ned hotel.

There are also a number of architecturally significant buildings next to and around 1 Old Jewry, including the Ned Hotel building (27 Poultry) and No. 1 Poultry, designed by James Stirling. The proposed design is certainly not consistent with the quality and visual appeal of these buildings or the wider area. One would expect that new developments / extensions should enhance or build upon the beautiful neighbourhood. Or, at worst, they should provide a neutral backdrop for these buildings. Neither of these standards is met by the proposed development; I believe it would have an overwhelmingly negative impact on the area. It is also noteworthy that the planning application fails to even consider the visual or design impact of the rooftop extension on the surrounding buildings and area.

Finally, also object to the planning objection on two further grounds:

1. No consideration has been given to the construction of the development and how constrained the site is. There is a very narrow road (Grocers Hall Court) between the development site and the hotel which is used by many commercial operators and by

construction traffic if the application is granted. Old Jewry and Poultry already suffer from heavy traffic which will only be exacerbated during the construction period. In particular, I regularly commute by bicycle and could foresee a dangerous situation being created for cyclists and pedestrians; and

2. I am aware that the applicant refers to having met with the owners of the Ned hotel and that they have sought to work positively and proactively with them. I cannot therefore understand why this planning application is no different to the previous scheme and takes no account of the overlooking and inappropriate bulk and scale of the rooftop extension. This is a major planning application. The lack of any real engagement by the planning applicant with the public is concerning and I hope that Planning Committee can consider the matter so that the application is thoroughly debated and discussed.

Yours sincerely,

Douglas Marvin

87 Lambton Road  
London  
SW20 0LW

# Comments for Planning Application 24/00226/FULL

## Application Summary

Application Number: 24/00226/FULL

Address: 1 Old Jewry London EC2R 8DN

Proposal: The change of use of part of the ground floor retail space to be used for office accommodation (Class E(g)), refurbishment works including reconfiguration of commercial floorspace at basement and ground floor levels; alteration to elevations (including new shopfronts, replacement of existing windows and revised access); erection of a new pavilion and plant room at roof level; and creation of external roof terrace. (Re-consultation due to amended documents received 14 March 2025.)

Case Officer: Anastasia Tampouridou

## Customer Details

Name: Mr Benjamin Peacock

Address: Flat 147 Warehouse Court Major Draper Street London

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other
- Residential Amenity

Comment: Various aspects of this scheme contravene the for the City of London's planning policy or negatively impact on the visual attractiveness of a conservation area. Notably, this includes:

1. Loss of retail space on the ground floor. There is a current high demand for such space in Central London and it would be a shame to lose further space to a scheme that does not take this into account. This area of the City especially has very little in the way of vacant retail units - something that will only be exacerbated as further office units which have already been given consent (numerous within walking distance to the site) are completed. Indeed, these seem to be a couple of the very limited number of vacant units in the City - which I can only assume is a choice to prioritise this development.
2. Given this is a conservation area, one would query the decision to place significant amounts of plant onto the roof of the development, which could be (and indeed under its current construction already is) located elsewhere within the development. The plant is not pleasing to the eye to say the least.
3. The current plans would overlook a public pool on the roof of an adjacent property, which is an invasion of privacy and reduces the benefit of an amenity which is rare for central London and should be protected.

It is for these reasons that I would urge the City to refuse the application.

Ms A Tampouridou  
Case Officer  
City of London  
Development Division  
Department of the Built Environment  
PO Box 270  
Guildhall  
London EC2P 2EJ

Your Ref: 24/00226/FULL

Our Ref: 107110.1

Tel:

Fax:

Email:

13 May 2025

Dear Ms Tampouridou

## **Objection to planning application with reference 24/00226/FULL**

**Subject Land: 1 Old Jewry, London EC2R 8DN**

### **1. Introduction**

1.1 We continue to act on behalf of Vivas Invest & Finance Limited and Poultry Tenant Limited (**Client**), the respective owner and tenant of the Grade I listed former Midland Bank headquarters building which is used as the five-star Ned Hotel at 27 Poultry, London, EC2R 8AJ (**the Ned Hotel**).

1.2 We write in respect of the revised application for full planning permission with reference 24/00226/FULL (the **Application**) made in respect of the Subject Land to the City of London (the **City**) on behalf of Deka Immobilien Investment GmbH (the **Applicant**) on 14 March 2025 for:

*“The change of use of part of the ground floor retail space to be used for office accommodation (Class E(g)), refurbishment works including reconfiguration of commercial floorspace at basement and ground floor levels; alteration to elevations (including new shopfronts, replacement of existing windows and revise access); erection of a new pavilion and plant room at roof level; and creation of external roof terrace (Re-consultation due to amended documents received 14 March 2025.)” (the **Proposed Development**).*

**Farrer & Co LLP** 66 Lincoln's Inn Fields London WC2A 3LH **Telephone** +44 (0)20 3375 7000 **Facsimile** +44 (0)20 3375 7001

**DX** 32 Chancery Lane **Website** [www.farrer.co.uk](http://www.farrer.co.uk)

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Ms A Tampouridou  
13 May 2025

## 2. Background

2.1 The City granted the Application planning permission on 15 July 2024. However, the City's decision was quashed on 4 December 2024 following a claim for judicial review brought by our Client.

2.2 The Applicant's agent submitted updated information in respect of the Application the next day, on 5 December 2024. We responded to that updated information on behalf of our Client in a submission dated 23 January 2025. This submission, **enclosed** to this letter, should be read in full.

2.3 The Applicant has since responded with a revised Application submitted on 14 March 2025. The Applicant's agent, Savills, has submitted a cover letter dated 13 March 2025 that notes:

*This correspondence provides details of minor amendments to the Proposed Development and a response to a series of matters raised during the latest round of consultation in respect of the application registered under Reference: 24/00226/FULL.*

*During the consultation period, a total of 11no [sic] objections were received by the CoL. This response seeks to address relevant comments made in the representations and covers the following distinct topics:*

- *Matters of procedural compliance;*
- *Loss of retail;*
- *Impact on heritage assets; and*
- *Neighbourly matters.*

*It also includes details of some minor revisions to the Proposed Development scheme which are now proposed by the Applicant. The physical changes are the result of continued engagement with The Ned Hotel and its advisors and have been designed to respond to its concerns.*

2.4 The Application further contains:



Ms A Tampouridou  
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- 2.4.1 Revised drawings of the Proposed Development on the 9<sup>th</sup> floor of the Subject Land;
- 2.4.2 A 'privacy screening pack' dated March 2025 prepared by Sheppard Robson;
- 2.4.3 A 'Written Scheme of Investigation for an Archaeological Excavation and Archaeological Monitoring and Recording' dated 7 March 2025, prepared by MOLA; and
- 2.4.4 A revised Application Form and CIL Form.

### **3. Objection**

- 3.1 We request that the Council refuse the Application for the reasons detailed in this letter, which include:
  - 3.1.1 the Site Location Plan does not include all land necessary to carry out the Proposed Development contrary to national validation requirements, and may encroach on third-party land without consent;
  - 3.1.2 the loss of retail frontage and floorspace is contrary to planning policy;
  - 3.1.3 the design of the Proposed Development is harmful to the Bank Conservation Area and adjacent Guildhall Conservation Area;
  - 3.1.4 the Proposed Development results in unacceptable negative impacts on the Ned Hotel's business by virtue of the privacy, overlooking and noise impacts;
  - 3.1.5 the Proposed Development harms surrounding heritage assets;
  - 3.1.6 the Application fails to correctly assess the daylight and sunlight impacts; and
  - 3.1.7 lack of adequate community engagement on the Proposed Development.

### **4. Deficiencies in the Site Location Plan and encroachments on third-party land**

- 4.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (**DMPO 2015**) at article 7(1)(c)(i) requires planning applications to be accompanied by

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a plan identifying the relevant land subject to the Application. Planning Practice Guidance states that the location plan “*should include all land necessary to carry out the Proposed Development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).*” This language contains no caveats or carve-outs.

4.2 The site location plan drawing number 6982-SRA-XX-XX-DR-A-02100 Rev P01 dated 19 February 2024 (the **Site Location Plan**) does not meet the validation criteria as the red line does not include all land necessary to carry out the Proposed Development for:

4.2.1 land needed for construction vehicles and works to take place; and

4.2.2 space for storage of construction materials, construction vehicles or welfare offices.

4.3 The Applicant’s agent, in their cover letter dated 13 March 2025, notes:

4.3.1 *“The Applicant fundamentally disagrees with this assertion. There is no requirement, nor is it standard practice, to include or incorporate land needed for construction-related purposes within the Site, nor to refer to them within the description of development. This is because The Town and Country Planning (General Permitted Development) (England) Order 2015 provides at Schedule 2, Part 4, Class A for:*

*“The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land.”*

4.4 This assertion is fundamentally incorrect at law. Schedule 2, Part 4, Class A.1(b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 provides that development is not permitted by Schedule 2, Part 4, Class A if planning permission is required for those operations but is not granted or deemed to be granted. Given the Applicant’s agent asserts in its letter that *“the Applicant anticipates that permission would be granted subject to conditions which require the submission of details relevant to matters such management of construction,”* the Applicant cannot rely on Schedule 2, Part 4, Class A for

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permitted development. That is, the Applicant acknowledges that planning permission is required for construction and staging works, and that such permission has not been granted or deemed to be granted.

4.5 This has been recognised in planning appeal decisions, with the Planning Inspectorate determining in APP/K1128/W/17/3187008 that an application is invalid if it fails to comply with these requirements. See relevant excerpts (emphasis added):

7. *Although illustrative, the submitted layout plan provides a clear indication of the manner in which the appellant is intending to develop the land. Specifically, it shows that certain elements within the description of development (notably the change of use of agricultural land to public open space and engineering works to create the visitor car park and accesses thereto) would lie outside of the red lined application site, despite being development requiring planning permission. **To accord with the PPG, the entire area should be included within the red line.***
8. ***Furthermore, the plan fails to identify all land necessary for access to the site from a public highway. The PPG stipulates that this is essential in order to meet national information requirements.** That the Council did not require the red line to extend to the highway for other sites in the locality is not relevant. S79 of the Town and Country Planning Act 1990 empowers the Secretary of State to deal with the application as if it had been made to him in the first instance. It follows that I am entitled to make a fresh judgement on validity.*
9. *There is no requirement under the Order for the appellant to provide details of any reserved matters. I note that the Council did not exercise its powers under Article 5(2) to require further details. **However, this does not alter the fact that the scheme does not accord with the PPG. I am mindful that the scheme would need a section of access road in order for the Proposed Development to function. Reliance upon a Grampian condition to secure access, particularly when ownership of the intervening land has not been proven, is not adequate.***

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- 4.6 A Planning Inspectorate decision is a material planning consideration and needs to be considered by a local planning authority when determining an application.<sup>1</sup> We contend that if this appeal decision is applied, then failure to extend a redline to include construction and staging works, and to demonstrate access to a public highway, invalidates the Application. This means that the City is unable to consider the planning merits of the Application until the defects in the Application are resolved.
- 4.7 Further, the PPG provides that “*A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site*”. We do not cast any inferences as to why the Applicant has not chosen to do so with respect to the Site Location Plan. However, we note the following, based on title searches of the surrounding area:
- 4.7.1 The Subject Land borders our Client’s property to the east and shares a main access road at Grocers’ Hall Court.
- 4.7.2 The Subject Land borders 8-10 Old Jewry to the north, the freehold owners being The Wardens and Commonalty of the Mistery of Grocers of the City of London.
- 4.7.3 The Subject Land otherwise appears to be entirely surrounded by ‘Charter Streets’, as indicated by the caution against first registration on title NGL892913.
- 4.8 The Application documentation and the previous decision by the City in June 2024 does not appear to contain any indication as to how access on third-party land will be secured for the construction of the Proposed Development, such as a section 106 agreement or other mechanism. If there is a section 106 agreement being negotiated with the Applicant, then we note the recent High Court decision of *Greenfields (IOW) Limited v Isle of Wight Council* [2025] EWCA Civ 488 to the City, which confirmed at [53] – [70] that failure by the local planning authority to place a copy of a proposed or finalised section 106 agreement on the planning register prior to granting permission did result in the unlawfulness of the decision to issue planning permission.

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<sup>1</sup> See *DLA Delivery Ltd v Baroness Cumberlege of Newick & Anor (Rev 1)* [2018] EWCA Civ 1305, *Solihull Metropolitan Borough Council v Gallagher Estates Ltd.* [2014] EWCA Civ 1610, *R. (on the application of Fox Strategic Land and Property Ltd.) v Secretary of State for Communities and Local Government* [2012] EWCA Civ 1198, *Dunster Properties Ltd. v First Secretary of State* [2007] 2 P. & C.R. 26, *R. v Secretary of State for the Environment, ex parte Baber* [1996] J.P.L. 1034, and *North Wiltshire District Council v Secretary of State for the Environment* (1993) 65 P. & C.R. 137.

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- 4.9 Our Client is not minded to grant access to the Applicant as it opposes the Proposed Development. We are not instructed to act for any other adjoining landowners such as the Wardens and Commonalty of the Mistery of Grocers, but we have seen no evidence that they have consented to third-party access for the Proposed Development.
- 4.10 Further, Charter Streets have a unique and complex ownership that has been litigated in the past. If the Proposed Development encroaches on the Charter Streets (including the airspace), then evidence of a lease, transfer, licence or easement would need to be presented, given ownership of the Charter Streets lies with the City of London Corporation. We have seen no evidence that planning officers within the City are empowered to dispose of interests in the Charter Streets by way of a planning permission. Authority, even implied authority, to allow the Applicant to encroach on Charter Streets thus may constitute an impermissible sub-delegation of power and render the exercise of power unlawful. The City's public Scheme of Delegation appears to indicate that powers to dispose of property and grant licences, easements etc. rests with the City Surveyor and Executive Director Property, rather than a planning officer.

## **5. Loss of retail floorspace**

- 5.1 Our Client's previous objections have noted that the Subject Land is located within a Principal Shopping Centre (Cheapside). Local Plan policy DM 20.1 resists the loss of retail frontage and floorspace adding that additional retail provision is encouraged. Similarly, Draft City Plan policy RE1 states that loss of ground floor retail frontages and/or floorspace will be resisted.
- 5.2 The Proposed Development would result in a reduction of commercial floorspace of 523 sqm – including a reduction of 150 sqm of retail floorspace on ground floor level. This reduction in retail frontage and floorspace is contrary to Local Plan policy DM 20.1 and Draft City Plan RE1 and the Application should be refused.
- 5.3 The Applicant has noted in its revised Application that the existing retail units on the Subject Land are vacant, with the majority of the reduction of retail floorspace attributed to the reconfiguration of floorspace at basement level. However, this assessment is flawed for a number of reasons:

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- 5.3.1 The Applicant's agent acknowledges that retail vacancy rates in Central London are falling as of the end of Q4 2024, with supply tightly restricted.<sup>2</sup>
  - 5.3.2 The Applicant has effective control over the retail vacancy of the Subject Land. It is not clear whether the vacant retail space is being actively advertised at market rates, or whether the Applicant has allowed the space to become vacant in anticipation of the Proposed Development. The Applicant cannot allow a retail space to become vacant to then justify the removal of a retail space.
  - 5.3.3 The policies noted above provide that loss of ground floor retail floorspace should be resisted. We agree with this policy and submit that it should be applied in assessing the Proposed Development.
- 5.4 The Applicant has not demonstrated how the Proposed Development complies with this policy, other than noting it wishes to reconfigure the floorspace of the Subject Land. The Applicant may well wish to do so, but that does not mean that the Proposed Development is in compliance with the City's planning policy. Further, the City's planning officers must apply the City's own policy unless material considerations indicate otherwise. As the Court of Appeal has noted in *DLA Delivery Ltd v Baroness Cumberlege of Newick & Anor (Rev 1)* [2018] EWCA Civ 1305 at [28]:

*"It is well established, as a general principle, that policies issued to guide the exercise of administrative discretion are an essential means of securing consistency in decision-making, and that such policies should be consistently applied...And that principle certainly applies in the sphere of land use planning, where, under the statutory code, decisions on applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) of the Planning and Compulsory Purchase Act 2004)."*

## 6. Inappropriate design

- 6.1 Please see the **enclosed** report from MVHC on the impact of the Proposed Development on the surrounding area. We have previously submitted that the Proposed Development should

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<sup>2</sup> Savills UK | Market in Minutes: Central London Retail – Q4 2024.

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be refused because it is not of a high standard of design and harms the townscape and public realm contrary to Local Plan policy DM 10.1 on the basis that:

- 6.1.1 The bulk and massing are not appropriate in relation to the surroundings. The Proposed Development does not have due regard to the general scale, height, building lines, character and historic interest, urban grain and materials of the locality.
  - 6.1.2 The Application does not demonstrate that there will not be unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding buildings and public realm.
  - 6.1.3 The design of the roof is not visually integrated into the overall design of the Subject Land when seen from street level or higher-level viewpoints. The plant enclosure and pavilion in particular are visually jarring and unintegrated.
  - 6.1.4 Plant and building services equipment are not integrated into the design of the Subject Land. The plant room and pavilion adversely affect the character, appearance and amenities of the buildings and the area.
- 6.2 The revised Application has not addressed these concerns with its minor internal changes to landscaping, benches and screening. The roofscape of the Proposed Development remains incongruous with the surrounding rooflines, is overly dominant and out of character to the existing area. The view of the Proposed Development and the roofscape from surrounding buildings such as the Ned Hotel cannot be said to complement the surrounding buildings. The Proposed Development harms the setting of the Grade I listed Ned Hotel, Grade II\* listed 1 Poultry, the Bank Conservation Area and the adjacent Guildhall Conservation Area contrary to sections 66 and 72 of the Planning (Conservation Areas and Listed Buildings) Act 1990.

## **7. Unacceptable impact on the Ned Hotel's business**

- 7.1 We have previously submitted that the Proposed Development is unacceptably dominant and would result in a significant overlooking of the roof terrace of the Ned Hotel and a distinct reduction in the privacy currently enjoyed by the open space amenity area. Please see the



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visualisation of the impact of the Proposed Development on the Ned Hotel's rooftop amenity area (specifically the pool area) below:

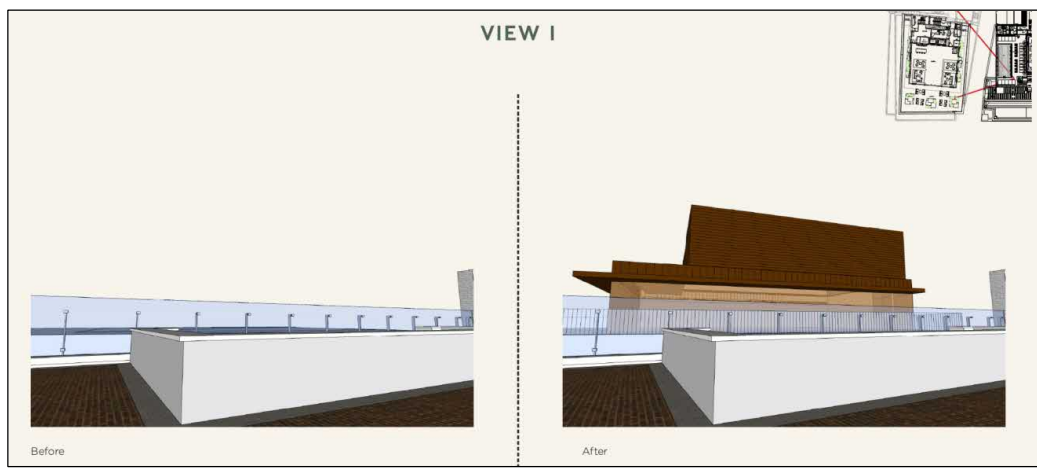


Figure 1

- 7.2 The revised Application has not addressed our Client's concerns in this respect. The revised Application proposes minor changes such as relocation of benches, landscaping and planted screenings. However, the bulk of the Proposed Development remains the same. The proposed roof terrace will continue to overlook the Ned Hotel and will remain a bulky and obtrusive addition to the rooftop of the Subject Land.
- 7.3 The Proposed Development has a disproportionately negative impact on the Ned Hotel and surrounding area and the Application should therefore be refused.
- 8. Harm to heritage assets**
- 8.1 The Applicant submits in its revised Application that the Proposed Development does not significantly impact heritage assets such as the Bank Conservation Area and neighbouring listed buildings.
- 8.2 We note briefly that the Applicant makes reference to Policy DM 11.3 of the Local Plan which supports new hotel accommodation, only where this would not prejudice the primary business function of the City. This Policy has no application to the Proposed Development, which does not relate to new hotel accommodation. Our Client's property, the Ned Hotel, is

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not the subject of the Proposed Development. The Ned Hotel is the existing business that is being impacted by the Proposed Development.

8.3 Our Clients have otherwise engaged Miriam Volic of MVHC, an experienced heritage consultant, to review the impact of the Proposed Development on the surrounding heritage assets and objects to the Application. MVHC has reviewed the revised Application, with its report **enclosed**. In summary, MVHC conclude that:

8.3.1 The Applicant's Montagu Evans Heritage and Townscape Assessment (**HTA**) underestimates the level of harm the Proposed Development causes. The previous examples cited in the HTA do not concern roof additions in the immediate vicinity of heritage assets that are as visually prominent as the one proposed.

8.3.2 The HTA dismisses the relevance of the Ned Hotel's roof terrace based on the premise that it is not part of the historic fabric. This is fundamentally wrong. The rooftop improvements enhance the overall special interest of this heritage asset and contribute to the Ned Hotel building's overall significance.

8.3.3 The core of the Proposed Development has remained identical to the previous Application, with retained bulk, size, materiality and position of the roof extension. The appearance of the proposed roof extension remains dominant and unsympathetic, failing to appreciate the setting of the adjacent listed building and the significance of its amenity area. It remains visually obtrusive and will result in complete loss of the outlook towards the St Pauls Cathedral and Church of St Mary le Bow, enjoyed by thousands of guests and visitors to the Ned Hotel.

8.4 Further, we note that 1 Poultry is similarly a Grade II\* listed building, described as a modernist masterpiece, "the great building of late-twentieth-century London." Historic England's listing describes 1 Poultry as one of the major British urban landmarks of the later 20<sup>th</sup> century, the building, and debate, illustrating core values of post-modern urbanism, notably that of contextualism, in acknowledging the adjacent buildings in scale and material, and in showing that contrast is essential for meaning to be communicated. The effect of the development on this building is enormous, in inserting a bulky, generic rooftop terrace, ruining the contrasting modernist effect that 1 Poultry has with the surrounding heritage buildings in the surrounding conservation areas.

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8.5 We agree with the conclusion of MVHC's review that the Application should be refused.

## 9. Unacceptable impact on daylight and sunlight

9.1 Our Client's objection dated 23 January 2025 noted that the Application should be refused on the basis that it failed to correctly assess daylight and sunlight impacts, with reference to policies in the Local Plan (DM10.7) and the Draft City Plan (DE7). Those objections remain valid in light of this revised Application.

9.2 The Applicant has since responded noting that the Proposed Development would not impact on overshadowing of the private external terraces of the Ned Hotel and have only minor impacts on the level of daylight and sunlight available to hotel rooms within the Ned Hotel. We disagree with this assessment.

9.3 Our Client has engaged GIA Surveyors to comment on the Proposed Development. GIA's report is **enclosed**. We summarise the findings here:

9.3.1 The BRE Guidelines (an industry standard on daylight and sunlight impacts) do apply to hotels. The Applicant has noted that *"the BRE Guidelines simply do not apply to hotel development, and as such the criticisms of the technical work are wholly misguided."* This position is factually incorrect. GIA note that paragraph 2.2.2 of the BRE Guidelines state that *"The guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, **hotels** and hostels, small workshops, and some offices."* This language is not ambiguous. Hotels are within the scope of the BRE Guidelines. Any further analysis by the Applicant on daylight and sunlight impacts must be disregarded until the Applicant acknowledges that the BRE Guidelines apply to the Ned Hotel, and the Proposed Development's effects on the Ned Hotel.

9.3.2 GIA further notes that a holistic consideration of daylight and sunlight impacts is appropriate. Given the Applicant repeatedly notes that the Proposed Development will trigger a "small" or "minor" impact, then there is room to narrow the issues in dispute between the Applicant and our Client. That is, if we agree that the BRE Guidelines apply (which is not ambiguous) and that there is some impact on daylight and sunlight for the Ned Hotel because of the Proposed Development,

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then the issues in dispute between the parties are only the level of the impact. The Applicant notes there is a small or minor impact. Our Client clearly takes a different approach. Given our Client has a greater understanding of its own business, our Client's view should be given greater weight in assessing potential impacts. Reviews of the Ned Hotel specifically refer to "*the best views of the city*".<sup>3</sup> Patrons of the Ned Hotel thus have a reasonable expectation of daylight. Any impact to views and light because of new development would have a major effect upon the business of the Ned Hotel and its guests.

- 9.4 We submit that the Applicant must reassess the daylight and sunlight impacts of the Proposed Development with the acknowledgement that the BRE Guidelines do apply to hotels, and that a holistic consideration of impacts is appropriate. Any expert technical assessments of impacts can then be appropriately peer-reviewed by the City and any other objectors to the Proposed Development, including our Client.

## **10. Lack of adequate community engagement**

- 10.1 We have previously submitted that the Application does not that demonstrate that the Applicant attempted to obtain any views from the local community or local stakeholders. The Applicant has since noted that they have "also sought to respond where necessary to matters that have been raised following the latest round of public consultation", while also noting that the changes in the revised Application are minor changes that are not considered necessary to make the Proposed Development acceptable.
- 10.2 We refute this position. We have raised legitimate concerns about the Proposed Development and no genuine compromises have been offered. The Applicant notes itself that the changes made are minor and so do not go to heart of the concerns we have raised regarding loss of retail space, inappropriate design, bulky development impeding views and the detrimental impact on heritage assets.
- 10.3 The Application does not include a statement of community involvement, despite this being requested by the City at pre-application stage and contrary to the Developer Engagement Guidance. The Applicant has not demonstrated that they have had any regard to the City's Developer Engagement Guidance or the City's Statement of Community Involvement. The

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<sup>3</sup> [The Ned Hotel & Club Embodies the Sparkling Spirit of London](#), CSP Times, August 7, 2021.

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lack of engagement and consultation was one of the grounds provided in the claim for judicial review in respect of the Application.

- 10.4 In past meetings with our Client, it was made clear to our Client that the Applicant would not make changes to the Proposed Development despite our Client's best efforts to work with the Applicant to find amendments to the scheme to mitigate the Proposed Development's numerous negative impacts on the Grade I listed Ned Hotel, Grade II\* listed 1 Poultry and surrounding Conservation Areas.
- 10.5 We do not consider that the Applicant intended to make any amendments to the Proposed Development, despite attending meetings with our Client, as is evidenced by the lack of any amendments to the Application following re-submission. We refute the Applicant's recent statement that it has sought to work constructively with the Subject Land's neighbours.

## **11. Conclusion**

- 11.1 For the reasons set out in this letter the Application should be refused.
- 11.2 The lack of any good faith engagement by the Applicant with the public and key stakeholders is concerning. We urge the City to determine the Application by planning committee so that the Application is thoroughly debated and discussed.
- 11.3 Kindly acknowledge receipt of this letter of objection in writing.

Yours sincerely

Jesse Cowie  
Associate (Australian Qualified)

Encs      Appendix 1 - GIA Report dated 13 May 2025  
             Appendix 2 - Addendum to Objection to Planning Application - MVHC Ltd - May 2025  
             Appendix 3 - Letter to City of London dated 23 January 2025



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**RE: GIA response to the revised planning application at 1 Old Jewry (24/00226/FULL) and associated Savills Cover Letter (dated 13 March 2025).**

**Overview**

This note has been prepared by GIA to address the Savills Cover Letter (dated 13 March 2025) with reference to the objection made by The Ned and the subsequent revised planning application (ref:24/00226/FULL). It provides comments regarding the submitted daylight and sunlight assessment, as prepared by Point 2 Surveyors:

**Summary of GIA's Findings**

**1. Additional VSC Impact Identified**

In addition to the two bedrooms previously identified as impacted, GIA notes a further Vertical Sky Component (VSC) reduction, beyond the BRE guideline target, of 27.8% to a sixth-floor bedroom window.

**2. No-Sky Line (NSL) Impacts**

Two of the four affected rooms will also experience NSL reductions of 39% and 42%.

**Response to Applicant's Position**

The applicant asserts that the Building Research Establishment (BRE) Guidelines are not applicable to hotel developments, and therefore the points raised by GIA are unwarranted. GIA outlines that as stated in paragraph 2.2.2 of the BRE Guidelines:

"The guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostels, small workshops, and some offices."

This confirms that the BRE Guidelines can be relevant to hotel uses. Whilst GIA acknowledges that hotel rooms are typically used on a transient basis, this does not negate the applicability of daylight and sunlight assessments.

**GIA Responses to Points of clarification provided by Point 2**

- **Technical Assessment**

Point 2's assessment relied on data from Listed Building Consents relating to The Ned. GIA do not dispute the appropriateness of the data source. GIA's intention was simply to highlight the omission of a relevant window from the analysis.

- **Nature of Habitable Rooms**

GIA accepts the distinction between permanent residential habitable rooms and hotel rooms and confirms this was factored into their review.

- **Use of BRE Appendix H**

GIA acknowledges that Appendix H pertains to Environmental Impact Assessments (EIAs) and is not directly applicable in this context. However, it is standard industry practice to apply banding terms (such as "minor",

“moderate”, or “major adverse”) for describing impact severity, even outside of EIAs. Similar language was also used in the Point 2 report.

- **Overall Impact Assessment**

Point 2 concludes that no rooms would experience impacts greater than “minor” in significance. GIA’s observations regarding the “borderline” nature of certain reductions are not intended to contest the overall conclusion but to ensure accurate and complete reporting.

- **Assessment of NSL in transient Bedrooms**

GIA acknowledges the BRE position that bedrooms have lower daylight expectations and does not dispute Point 2’s conclusion.

- **Emerging Local Plan Policies**

This point of objection was not made directly by GIA. It is accepted that limited weight can be afforded to emerging policies at this early stage of preparation. However, GIA do consider it an appropriate and relevant consideration.

## **Conclusion**

GIA’s comments are not intended to undermine the technical integrity of the Point 2 assessment but to highlight areas where interpretation, completeness, or emphasis may differ. GIA acknowledges that the overall daylight and sunlight impact, when assessed holistically and with due regard to the transitory nature of hotel rooms, but believe it is valid to represent alternative interpretations of the guidance.

## **DISCLAIMER:**

N.B This report has been prepared for by GIA as their appointed Daylight & Sunlight consultants. This report is intended solely for and may contain confidential information. No part or whole of its contents may be disclosed to or relied upon by any Third Parties without the express written consent of GIA. It is accurate as at the time of publication and based upon the information we have been provided with as set out in the report. It does not take into account changes that have taken place since the report was written nor does it take into account private information on internal layouts and room uses of adjoining properties unless this information is publicly available.







12.05.2025

Anastasia Tampouridou  
Development Division  
Department of the Built Environment  
City of London  
P.O. Box 270  
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London  
EC2P 2EJ

Dear Ms Tampouridou,

Re: 1 OLD JEWRY, LONDON, EC2R 8DN, APPLICATION REFERENCE: 24/00226/FULL

- 1.1 We write on behalf of our clients Vivas Invest & Finance Limited (the owner) and Poultry Tenant Limited (the tenant) of the Grade I Listed former Midland Bank headquarters building converted into five-star Ned Hotel at 27 Poultry, London, EC2R 8AJ (the Ned Hotel).
- 1.2 MVHC Ltd has been appointed to review the documents submitted with current application 24/00226/FULL for the proposed works: “ The change of use of part of the ground floor retail space to be used for office accommodation (Class E(g)), refurbishment works including reconfiguration of commercial floorspace at basement and ground floor levels; alteration to elevations (including new shopfronts, replacement of existing windows and revise access); erection of a new pavilion and plant room at roof level; and creation of external roof terrace “
- 1.3 In January 2025, MVHC LTD prepared a report that reviewed the documentation submitted with current application for planning permission (Ref. 24/00226/FULL). The report included a summary of the significance of the identified heritage assets, specifically focusing on the relevant listed buildings as well as the Bank and Guildhall Conservation Areas. Additionally, the report assessed the potential impact of the proposed development on The Ned Building and other relevant heritage assets.
- 1.4 In response to several objections regarding the proposed scheme, the applicant has made amendments to address the concerns raised. The changes include minor modifications to the initial proposal, which are as follows:

The relocation of the external door from the east to the west elevation of the pavilion extension to limit access to the eastern side of the roof terrace.  
Removal of the benching on the eastern section of the terrace.  
Re-orientation of the south-eastern landscaping plinth to face away from The Ned; and  
Introduction of planted screening to the east of the Pavilion extension to obscure views towards The Ned
- 1.5 This document is prepared in response to minor amendments to the proposed development and as a further objection to the submitted scheme and should be read in conjunction with our previous objection report, issued in January 2025.

### Impact on Heritage Assets

- 1.6 Below is detailed response to the AACL - Applicant Agent's Cover Letter (Ref. 13 March 2025 L250313 SAV Cover Letter - Heritage assets and the impact of the proposed scheme):
- "The application includes a comprehensive assessment of the proposed development and its impact on the significance of all relevant heritage assets (see the Heritage and Townscape Assessment ('HTA'), prepared by Montagu Evans and dated February 2024). Section 4 of the HTA formally assessed the potential impact of the proposed development on the relevant heritage assets both within and beyond the Site. The assessment includes impacts on the Bank Conservation Area and nine statutorily listed buildings identified within the vicinity of the Site.
  - In respect of the statutorily listed buildings, the HTA includes an assessment of the contribution of the setting to their significance and the impact of the proposed development in that context."
  - Section 5 of the HTA provides a wider assessment of townscape matters which was informed by a series of views agreed with the CoL as part of the pre-application stage."
- 1.6 Response: The HTA underestimates the level of harm the proposed development causes upon Grade I listed building, its setting and its significance. The townscape analysis provided by HTA states that there is a variety of rooftops in the vicinity of the application site. However, there are no roof additions in the immediate vicinity of affected heritage assets (Grade I Listed the Ned building, Grade II\* listed The Poultry) that are as visually prominent as the one proposed. In fact, most surrounding buildings feature rooftops that are of similar heights or lower, thereby respecting the setting of these heritage assets.
- 1.7 The Applicant Agent's Cover Letter continues: "It follows the HTA continues to demonstrate that the significance of the relevant heritage assets would be preserved and that there would be no adverse townscape impacts given the limited intervisibility of the rooftop extension from the Conservation Area."
- 1.8 Response: The Heritage Impact Assessment (HTA) fails to demonstrate how the significance of the relevant heritage asset will be preserved. Its appraisal of the significance of the Ned building is flawed because it dismisses the relevance of the roof terrace based on the premise that it is not part of the historic fabric. This is fundamentally wrong. The rooftop improvements enhance the overall special interest of this heritage asset and contribute to Ned's building's overall significance. While the proposed rooftop extension to No 1 Old Jewry may be only minimally visible from the Conservation Area, it will nonetheless have a substantially adverse impact on the neighbouring listed building and its overall significance.
- 1.9 Agent's Letter continues: "The HTA also concludes that the development would introduce a number of architectural improvements to the building, including enhanced ground floor activation, which creates a better interface with Bank Conservation Area, and removal of incongruent back-painted glass spandrels on the elevations."
- 1.10 Response: The proposed improvements to the existing application building do not alleviate the level of harm the proposed rooftop extension will cause to the neighbouring listed building.
- 1.11 The Agent's Letter continues: "The CoL has concluded on comparable schemes for small to mid-scale rooftop extensions adjacent to listed buildings within the Bank Conservation Area (including but not limited to development at 25 Moorgate, 14-18 Copthall Avenue and 68 King William Street) that there would be no unacceptable impact on the significance of heritage assets."
- 1.12 Response: The above-mentioned developments differ from 1 Old Jewry planning application and are not comparable. Below is brief commentary on each example:

Smith & Williamson 25 Moorgate (Ref. 22/00832/FULL)

Officer's Report states: "The building is not statutorily or locally listed and there are no listed buildings or scheduled monuments directly adjacent to the site [...]". No 1 Old Jewry is adjacent to the Ned, Grade I listed building.

14 - 18 Copthall Avenue London (Ref. 20/00400/FULL)

The roof alterations involve replacement of the existing incongruous roof extensions. The proposed roof alterations/extensions have been described in the Officer's Report as follows:

"The main alteration is at roof level. The proposal would restore the architectural integrity and character of the flamboyant original roof, enhancing it. The current modern extrusions and unattractive plant enclosure at roof level undermine the original roofscape, now appreciated against the backdrop of much taller built form, rather than clear sky. It creates a complicated, fussy backdrop undermining the clarity of the historic roof. The main eaves of the proposal are not much higher than the current highest point, and the extension would deliver a well composed, well-scaled and elegantly detailed new extension of high-quality contextual materials. In distinct contrast it would calm the backdrop to the restored historic roof in local townscape views, including those identified in the SPD, resulting in a subservient extension, better complementing the historic roof [...]"

- 1.13 The current proposals at No.1 Old Jewry can not be comparable with the above development scheme. The scheme at No 1 Old Jewry, does not propose to restore the architectural integrity and character of the existing building. The height of the proposed roof extension will be significantly higher than the existing building. The proposals do not deliver well composed, well-scaled and elegantly detailed new extension. The new extension will not be subservient to the nearby historic buildings, or their rooftops. Additionally, the urban and heritage context of the above discussed development differs to the context in which 1 Old Jewry building lies and is not comparable.

68 King William Street ( Ref. 19/01308/FULL)

- 1.14 The above site has undergone substantial changes over the years. Between 2001 and 2003, the upper five floors and cupola were demolished and rebuilt. The nature of the roof alterations to this building are of entirely different character, than in case of No. 1 Old Jewry. Whilst Old Jewry has no roof extensions at present, 68 King William Street building had already mansard roof extensions built in 1969, prior to the 2003 works. Furthermore, the additional roof extensions related to 2019 application have been assessed through appraisal of nine of the views are from ground level and additional views 10 and 11 from the uppermost levels of 22 Bishopsgate and 20 Fenchurch Street respectively, based on produced AVR visualisations.
- 1.15 Also, the supporting documentation for No 1 Old Jewry development does not provide assessment of elevated views of the application site which would demonstrate the harmful impact on the neighbouring grade I listed Ned building.
- 1.16 The Agent's letter further states: "It is also noteworthy that the introduction of new, rooftop amenity formed part of the original planning application for the conversion of the Midland Bank to The Ned in June 20146. In assessing and determining the application, the CoL concluded that the majority of works at roof level would not be visible from street level nearby and as such there would be no harmful impact on the character and appearance of the Bank Conservation Area."
- 1.17 Response: The Ned is a Grade I listed building, designed by Sir Edwin Lutyens, who is widely recognized as England's greatest architect since Sir Christopher Wren. Originally conceived in 1924 and completed in 1939 as the headquarters for Midland Bank, it is now celebrated as an architectural gem and an exemplary representation of early 20th-century architecture in London. The redevelopment of this former bank into a five-star hotel implemented a conservation-oriented approach, prioritising the restoration, enhancement and, above all, the preservation of its heritage values. This project received the RIBA London Award in 2019, recognising its


exceptional design and execution. The successful transformation of the bank into a modern hospitality establishment has ensured that this important piece of architectural history is saved for the posterity.

- 1.18 The restoration and refurbishment of Ned have successfully preserved the views from street level and maintained the integrity of its neighbouring listed buildings. In stark contrast, the proposal for No. 1 Old Jewry includes a bulky and unsympathetic addition that manifestly disregards its detrimental impact on the existing amenity of the Ned building.
- 1.19 The Agent's Letter continues: "The existence of a private roof terrace at The Ned should not inhibit the ability of neighbouring buildings to pursue appropriate enhancements focused on the introduction of external amenity. "
- 1.20 Response: The proposed development involves creation of two-storey roof extension with external amenity area. Therefore, it is misleading to say that the proposed alterations to the roof are focused on the "introduction of external amenity." The objection to this proposal is based on the several issues and concerns:
- The proposed height and bulk
  - The proposed scale and materiality
  - Loss of privacy
  - Loss of outlook to and from St Paul's Cathedral, and Church of St Mary Le Bow.
- 1.21 The Agent's Letter continues: "This is the very purpose of Policy DM 11.3 of the City Local Plan 2015 which only provides support for new hotel accommodation where this would not prejudice the primary business function of the City. "
- 1.22 Response: It is unclear how Policy DM 11.3 of the City Local Plan (2015) is relevant to assessing whether the proposed development at No. 1 Old Jewry will negatively impact the existing Grade I listed building and its significance. The raised objection focuses specifically on the roof alterations and does not call for the rejection of the primary business functions of the City. The aim is to protect the heritage asset, which is of national importance and significantly contributes to the City's identity as both a heritage site and a thriving business location. For clarity, it is noted that DM.11.3 (Hotels) full policy includes support for the hotel development where they would:
- "contribute to the balance and mix of uses in the immediate locality.
  - do not result in adverse impacts on the amenity of neighbouring occupiers, including cumulative impacts.
  - ensure continuing beneficial use for historic buildings, where appropriate."
- 1.23 The Ned Hotel adheres to all of DM 11.3 Policy tenets.
- 1.24 The Agent's Letter continues: Provided that the relationship between the two external amenity spaces is acceptable, there is no reason to withhold permission for the proposed development.
- 1.25 Response: The issue is not solely creation of the external amenity, but the two-storey roof extension, which occupies two-thirds of the existing roof area of the applicant's building. It is the impact of the roof addition which causes most of the detrimental impact on the neighbouring building.
- 1.26 The Agent's Letter states: "It is evident from the documents that comprise the application that the proposed development is an appropriate and successful response to the context of the Site.
- 1.27 Response: No such evidence is provided. The proposed roof extension is inappropriate and lacking sensitivity in terms of its size, bulk, materials, and location. This proposal does not adequately consider the context of the site, particularly in relation to the nearby grade I listed building, its setting, and its historical significance.



## REVIEW OF THE AMENDED PROPOSALS

- 1.28 In response to several objections the applicants have revised the proposals, to address the privacy concerns. The revised scheme has introduced following changes to the proposed scheme:
- The relocation of the external door from the east to the west elevation of the pavilion extension to limit access to the eastern side of the roof terrace.
  - Removal of the benching on the eastern section of the terrace.
  - Re-orientation of the south-eastern landscaping plinth to face away from The Ned; and
  - Introduction of planted screening to the east of the Pavilion extension to obscure views towards The Ned
- 1.29 Whilst the issue of overlooking and privacy may have been addressed by the above changes, the core of the proposed scheme has remained identical to the previous one, with retained bulk, size, materiality and position of the roof extension.
- 1.30 The appearance of the proposed roof extension remains dominant and unsympathetic, failing to appreciate the setting of the adjacent listed building and the significance of its amenity area. It remains visually obtrusive and will result in complete loss of the outlook towards the St Pauls Cathedral and Church of St Mary le Bow, enjoyed by thousands of guests and visitors to the Ned Hotel.
- 1.31 For the above reasons we further object to the proposals for 1 Old Jewry as they would cause harm to the significance of identified heritage assets. We believe that the “public benefit” required to mitigate such harm has not been demonstrated sufficiently. The proposals do not fully comply with the requirements of national or local heritage planning policies and should not be approved.



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Ms Anastasia Tampouridou  
Case Officer  
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P.O. Box 270  
Guildhall  
London EC2P 2EJ

Your Ref: 24/00226/FULL

Our Ref: 107110.1

Tel:

Fax:

Email:

23 January 2025

By Email:

Dear Ms Tampouridou

**Objection to planning application with reference 24/00226/FULL  
1 Old Jewry, London EC2R 8DN**

**1. Introduction**

1.1 We act on behalf of Vivas Invest & Finance Limited (**Our Client**), the owner of the Grade I listed former Midland Bank headquarters building which is used as the five star Ned hotel at 27 Poultry, London, EC2R 8AJ (**the Ned Hotel**). The Ned Hotel is immediately to the east of 1 Old Jewry, London EC2R 8DR (**the Property**). The Ned Hotel provides, amongst other things, hotel guest accommodation and a private members club (**Ned's Club**). Members of the Ned's Club have access to a range of private facilities including a rooftop pool and terraces.

1.2 We write in respect of the application for full planning permission with reference 24/00226/FULL (the **Application**) made in respect of the Property to the City of London (the **City**) on behalf of Deko Immobilien Investment GmbH (the **Applicant**) on 01 March 2024 for:

*"The change of use of part of the ground floor retail space to be used for office accommodation (Class E(g)), refurbishment works including reconfiguration of commercial floorspace at basement and ground floor levels; alteration to elevations (including new shopfronts, replacement of existing windows and revise access); erection of a new pavilion and plant room at roof level; and creation of external roof terrace" (the **Proposed Development**).*

1.3 The City granted the Application planning permission on 15 July 2024. However, the City's decision was quashed on 04 December 2024 following a claim for judicial review brought jointly by Our Client and the tenant of the Ned Hotel.

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- 1.4 The Applicant's agent submitted updated information in respect of the Application the next day, on 05 December 2024. The Application will be reconsulted on and redetermined by the City. The Proposed Development has not been altered by the Applicant and remains the same as the original submission.
- 1.5 We request that the Council refuse the Application for the reasons detailed in this letter, which include:
- 1.5.1 the site location plan does not include all land necessary to carry out the Proposed Development contrary to national validation requirements;
  - 1.5.2 the extent of the Proposed Development (including the increase in floorspace) is inconsistent across the Application documents and does not clearly identify the scope of the proposed works;
  - 1.5.3 the loss of retail frontage and floorspace is contrary to policy and the advice of the City during pre-application;
  - 1.5.4 the design of the Proposed Development is harmful to the Bank Conservation Area and adjacent Guildhall Conservation Area;
  - 1.5.5 the Proposed Development results in unacceptable negative impacts on the Ned Hotel's business by virtue of the privacy, overlooking and noise impacts;
  - 1.5.6 the Proposed Development harms surrounding heritage assets;
  - 1.5.7 the Application fails to correctly assess the daylight and sunlight impacts; and
  - 1.5.8 lack of adequate community engagement on the Proposed Development.

## 2. The City's Development Plan

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. As at the date of this letter, the Council's development plan includes the following documents relevant to the Proposed Development:
- 2.1.1 City of London Local Plan adopted January 2015 (**Local Plan**);
  - 2.1.2 City Plan 2040 Revised Proposed Submission Draft dated April 2024 (**Draft City Plan**);
  - 2.1.3 The London Plan adopted March 2021 (**London Plan**);
  - 2.1.4 the City's Developer Engagement Guidance dated May 2023 (**Developer Engagement Guidance**); and
  - 2.1.5 the City's Statement of Community Involvement dated July 2024 (**SCI**).

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### 3. Deficiencies in the Site Location Plan

- 3.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (**DMPO 2015**) at article 7(1)(c)(i) requires planning applications to be accompanied by a plan identifying the relevant land subject to the Application. Government guidance states that the location plan “*should include all land necessary to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).*”
- 3.2 The site location plan drawing number 6982-SRA-XX-XX-DR-A-02100 Rev P01 dated 19 February 2024 (the **Site Location Plan**) does not meet the validation criteria as the red line does not include all land necessary to carry out the Proposed Development as the red line does not include:
- 3.2.1 land needed for construction vehicles and works to take place;
- 3.2.2 space for storage of construction materials, construction vehicles or welfare offices.

### 4. Unclear extent of the Proposed Development

- 4.1 The application form submitted with the Application dated 20 February 2024 (**Application Form**) is internally inconsistent as it provides two different figures for the gross internal floor area (**GIA**) gained (including change of use) as both 528 and 491 square metres (see extract below):

<b>Use Class:</b> OTHER		
<b>Other (Please specify):</b> Class E		
<b>Existing gross internal floor area (square metres):</b> 9050		
<b>Gross internal floor area lost (including by change of use) (square metres):</b> 0		
<b>Gross internal floor area gained (including change of use) (square metres):</b> 528		

Total Existing gross internal floorspace (square metres)	Gross internal floor area lost (including by change of use) (square metres)	Gross internal floor area gained (including change of use) (square metres)
9050	0	491

- 4.2 The Community Infrastructure Levy (**CIL**) form 1 dated 20 February 2024 (**CIL Form**) states that the net additional gross internal area following the development is 491 square metres. It is unclear whether any change of use on the ground floor and basement floors or pavilion is included in the Application Form and CIL Form’s calculations for the proposed gross internal areas. We note that both documents state that the gross internal area to be lost by change of use or demolition is 0.
- 4.3 We note that the planning statement dated February 2024 submitted with the Application (**Planning Statement**) states at paragraph 3.7 that the proposed **pavilion structure will provide an additional 385 sqm of GIA floorspace**. The Planning Statement also states at paragraph 3.26 that the “*Proposed Development will result in an increase in 530 sq. m of*

'office' floorspace across Ground and Basement levels. There will be a corresponding reduction in 'commercial floorspace of 523 sq.m.'

4.4 Paragraph 3.17 of the Planning Statement states that the Property's "proposed primary office floorspace will measure 6,449 sq. m (NIA); a net increase of 616 sq. m (excluding those areas used for storage, stairwells, bathrooms and mechanical rooms)."

4.5 The Application Form, CIL Form and Planning Statement do not appear to correctly reflect the floorspace gained by the Proposed Development or detail the floorspace reductions via change of use. If the pavilion structure would result in an **increase of 385 sqm GIA and there is an increase in primary office floorspace of 616 sqm NIA** then the increase in floorspace as a result of the Proposed Development is **likely to be far more than 491 sqm or 528 sqm GIA** as is provided in the Application Form and the CIL Form. Indeed, the Proposed Development may actually result in the creation of more than 1,000 square metres of floorspace **which would mean that the Application falls under the article 2 DMPO 2015 definition of "major development"**.

4.6 The description of development is similarly unclear as to the extent of the works applied for – especially in relation to the works on the ground floor and basement. For example, it is unclear whether the Application includes a change of use for the ground floor commercial units which are otherwise restricted by condition 5 of planning permission 05/00182/FULL to retail (A1) use only.

4.7 Given the lack of detail as to the works included in the Proposed Development in addition to the discrepancies between the Application documents, it is difficult for anyone to appropriately assess the impact of the Proposed Development. We urge the Application to be refused.

## 5. Loss of retail floorspace

5.1 The Property is located within a Principal Shopping Centre (Cheapside). Local Plan policy DM 20.1 resists the loss of retail frontage and floorspace adding that additional retail provision is encouraged. Similarly, Draft City Plan policy RE1 states that loss of ground floor retail frontages and/or floorspace will be resisted.

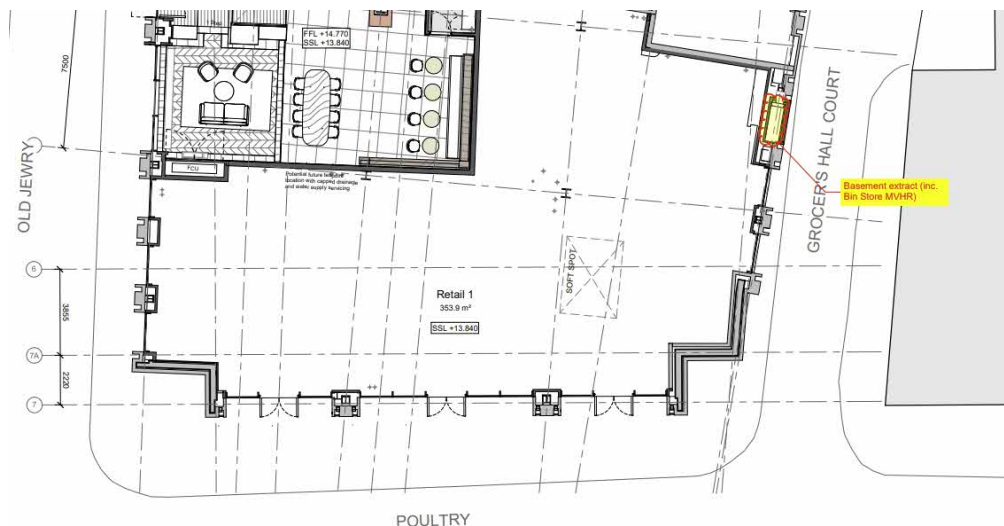
5.2 Paragraphs 3.26 of the Planning Statement state that the Proposed Development would result in a reduction of commercial floorspace of 523 sqm – including a reduction of 150 sqm of retail floorspace on ground floor level. This reduction in retail frontage and floorspace is contrary to Local Plan policy DM 20.1 and Draft City Plan RE1 and the Application should be refused.

5.3 The Application does not appear to comply with the City's pre-application advice of 28 April 2023 (**Pre-App Response 1**) which states that:

*"Local policies do not support the loss of ground floor retails [sic] floorspace within Principal Shopping Centres. However, as discussed in our pre-application meeting, there may be scope to retain the existing retail frontage and number of units but make changes to the depth of Retail Unit 1 to accommodate a larger office reception. This would need to be supported by robust justification which demonstrates that a smaller retail unit would be viable in this*

PSC location” and “**As a starting point the principle of development, involving the loss of retail floorspace and frontage in the PSC is not supported**” (emphasis added).

- 5.4 In a second pre-application response of 18 December 2023 (**Pre-App Response 2**) the City stated that “a *viability statement should be submitted as part of any application to support the proposal in line with the Draft City [Plan] policy RE1*” noting that the “Draft City Plan highlights Old Jewry as a key retail link.”
- 5.5 The proposed ground floor arrangement plan with drawing number 6982-SRA-XX-00-DR-A-20100 Rev. P06 shows only one retail unit on the ground floor “Retail 1” indicating the loss of two retail units (see extract below). It is also noted that the entrance doors to retail units open out onto public highway contrary to the City’s Pre-App Response 1 as also shown in the extract below:



- 5.6 The Application does not provide a robust justification for the loss of two retail units at ground floor or evidence that one larger retail unit would be more viable than three smaller units. This is contrary to the Pre-App Response 1, Pre-App Response 2, Local Plan policy DM 20.1 and Draft City Plan policy RE1.

## 6. Inappropriate design

- 6.1 The Proposed Development should be refused because it is not of a high standard of design and harms the townscape and public realm contrary to Local Plan policy DM 10.1 on the basis that:

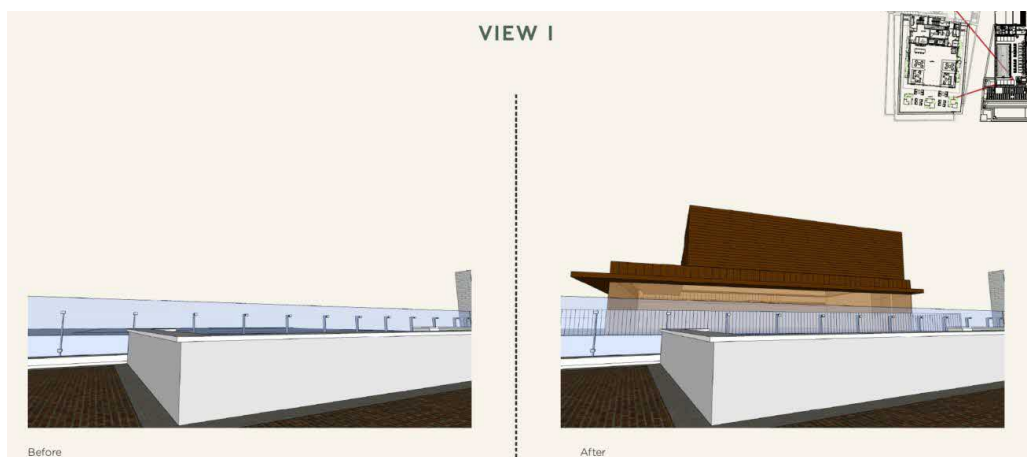
- 6.1.1 The bulk and massing are not appropriate in relation to the surroundings. The Proposed Development does not have due regard to the general scale, height, building lines, character and historic interest, urban grain and materials of the locality.

- 6.1.2 The Application does not demonstrate that there will not be unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding buildings and public realm.
- 6.1.3 The design of the roof is not visually integrated into the overall design of the buildings when seen from street level or higher-level viewpoints. The plant enclosure and pavilion in particular are visually jarring and unintegrated.
- 6.1.4 Plant and building services equipment are not integrated into the design of the building. The plant room and pavilion adversely affect the character, appearance and amenities of the buildings and the area.

6.2 Paragraph 3.10.11 of the Local Plan states that “Attention should be given to the form, profile and general appearance of the roofscape to ensure that it complements the buildings as viewed from surrounding buildings”. The roofscape of the Proposed Development is incongruous with the surrounding rooflines, is overly dominant and out of character to the existing area. The view of the Proposed Development and the roofscape from surrounding buildings such as the Ned Hotel cannot be said to complement the surrounding buildings. The Proposed Development arguably harms the setting of the Grade I listed Ned Hotel, the Bank Conservation Area and the adjacent Guildhall Conservation Area.

## 7. Unacceptable impact on the Ned Hotel’s business

7.1 The Proposed Development is unacceptably dominant and would result in a significant overlooking of the roof terrace of the Ned Hotel and a distinct reduction in the privacy currently enjoyed by the open space amenity area. Please see the visualisation of the impact of the Proposed Development on the Ned Hotel’s rooftop amenity area (specifically the pool area) below:



7.2 The Ned Hotel’s rooftop includes private amenity facilities, such as exclusive restaurants, bars and swimming pool for the sole use of member of the Ned’s Club. The privacy and exclusiveness of the rooftop is a key reason that some members join the Ned’s Club. The rooftop is currently not overlooked by any surrounding buildings.

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- 7.3 The Proposed Development would significantly overlook the Ned Hotel's rooftop which may result in a reduction in the number of Ned's Club members due to negative impact on the rooftop's privacy. This would be of economic detriment to the Ned Hotel.
- 7.4 Given that the Ned Hotel's rooftop and the Property are only several metres apart, it is also possible that the Proposed Development's terrace and plant enclosure will have a significant negative impact on the Ned's Hotel in terms of noise. This is a particular concern for users of the Ned Hotel's hotel rooms, function rooms (which are used for weddings) and the rooftop area.
- 7.5 The Proposed Development has a disproportionately negative impact on the Ned Hotel and surrounding area and the Application should therefore be refused.

## **8. Harm to heritage assets**

- 8.1 MVHC has been commissioned to review the impact of the Proposed Development on the surrounding heritage assets and objects to the Application. MVHC's review states that the Ned Hotel (being the former Midland Bank headquarters) is of exceptional architectural and historic interest, featuring outstanding architectural composition. The Ned Hotel is understandably listed as a Grade I listed building.
- 8.2 MVHC state that the Proposed Development's increased height, bulk, scale and materiality have a harmful effect on the neighbouring Grade I listed building (the Ned Hotel) and Grade II\* listed 1 Poultry. Specifically, the height and massing of the proposed additions will appear unacceptably dominant and bulky, carrying little regard to the height of the designated heritage assets in the Property's immediate vicinity.
- 8.3 MVHC's objection also notes that whilst the proposed roof extension may be of limited visibility when viewed from street-level vantage points, the impact on the sensitivity of the Grade I listed Ned Hotel building, in particular its outlook towards St Pauls Cathedral and St Mary-le-Bow Church, will be substantial.
- 8.4 The Proposed Development significantly harms the setting and outlook of surrounding heritage assets and fails to have due regard to the requirements of The Planning (Listed Buildings and Conservation Areas) Act 1990 sections 66(1) and 72(1) and the requirements of policy DM12.1 of the London Plan. We agree with the conclusion of MVHC's review that the Application should be refused.

## **9. Unacceptable impact on daylight and sunlight**

- 9.1 Policy DM10.7 of the Local Plan provides for how daylight and sunlight should be considered in determining applications. It states that (emphasis added):

### **"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.”

- 9.2 The Local Plan defines “open spaces” as “*Land which is not built on and which has some amenity value or potential for amenity value. Amenity value is derived from the visual, recreational or other enjoyment which the open space can provide, such as historic and cultural interest and value. This includes open spaces in public or private ownership.*”
- 9.3 Furthermore, Draft City Plan policy DE7 requires development proposals to demonstrate that the daylight and sunlight available to “*nearby dwellings and other sensitive receptors including schools, hospitals, hotels and hostels, places of worship and open spaces... is appropriate for its context and provides acceptable standards of daylight and sunlight*” (emphasis added).
- 9.4 The Pre-App Response of the City required the Applicant to carry out daylight and sunlight testing “*to ensure proposed new massing does not have detrimental impact on surrounding buildings.*”
- 9.5 As of December 2024, the Application is now accompanied by a daylight and sunlight report prepared by Point 2 Surveyors Limited dated October 2024 (the **D&S Report**). However, contrary to the City’s Pre-App Response which required the impact on the surrounding buildings (plural) to be assessed, the Application only considers the impact of the Proposed Development on the Ned Hotel.
- 9.6 Paragraph 7.1 of the D&S Report incorrectly states that “*The Ned Hotel, does not contain residential accommodation and as a result does not have a reasonable expectation of daylight*”. Draft City Plan Policy DE7 clearly identifies hotels as being sensitive receptors, which by extension, have a reasonable expectation of daylight and sunlight.
- 9.7 The D&S Report prepared by Point 2 Surveyors states that there are daylight reductions beyond the BRE recommendations to two bedrooms (three windows) within the Ned Hotel. Point 2 categorise each of these reductions as “minor adverse”. GIA Surveyors have conducted an independent review of the daylight impact on behalf of the Ned Hotel and conclude that some of the reductions have not been accurately captured or categorised as per the nomenclature outlined in Appendix H of the BRE guidelines.
- 9.8 GIA concludes that, in addition to the two impacted bedrooms discussed in the Point 2 D&S Report, there will be a further “minor adverse” reduction of 27.8% to a sixth-floor bedroom window. Furthermore, two of the four impacted rooms will experience “No-Sky-Line” (NSL) reductions of 39% and 42%, both of which could be considered borderline “moderate to major adverse” reductions.
- 9.9 The D&S Report fails to accurately report the daylight and sunlight impact of the Proposed Development as demonstrated by the findings of GIA’s independent review. The Proposed Development is contrary to Local Plan policy DM10.7 and Draft City Plan policy DE7.

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## 10. Lack of adequate community engagement

- 10.1 The Application, as of December 2024, is now accompanied by a one-page engagement strategy prepared by Savills (**Engagement Strategy**) which sets out that prior to the submission of the Application, two pre-application meetings took place with the City's planning officers. The Application does not demonstrate that the Applicant attempted to obtain any views from the local community or local stakeholders.
- 10.2 The Application does not include a statement of community involvement, despite this being requested by the City at pre-application stage and contrary to the Developer Engagement Guidance. The Applicant has not demonstrated that they have had any regard to the City's Developer Engagement Guidance or the City's Statement of Community Involvement. The lack of engagement and consultation was one of the grounds provided in the claim for judicial review in respect of the Application.
- 10.3 The Engagement Statement sets out the dates of three "dedicated meetings" between the Applicant / the Applicant's agent and our Client during which it is claimed that the Applicant sought to work positively and proactively with our Client. However, it was made clear to our Client that the Applicant would not make changes to the Proposed Development despite our Client's best efforts to work with the Applicant to find amendments to the scheme to mitigate the Proposed Development's numerous negative impacts on the Grade I listed Ned Hotel and surrounding Conservation Areas.
- 10.4 The consent order formally quashing the previous decision was granted by the Court on 4 December 2024. The covering letter re-submitting the Application for re-determination is dated the next day – the 5 December 2024 (the **Cover Letter**). The Cover Letter sets out that other than the addition of an overshadowing assessment and a daylight and sunlight report, there are "*no other changes to the [P]roposed [D]evelopment*".
- 10.5 We do not consider that the Applicant intended to make any amendments to the Proposed Development, despite attending meetings with our Client, as is evidenced by the lack of any amendments to the Application following re-submission.

## 11. Conclusion

- 11.1 For the reasons set out in this letter the Application should be refused.
- 11.2 The lack of any good faith engagement by the Applicant with the public and key stakeholders is concerning. We urge the City to determine the Application by planning committee so that the Application is thoroughly debated and discussed.
- 11.3 Kindly acknowledge receipt of this letter of objection in writing.

Yours sincerely

**Farrer & Co LLP**