

Committee:	Date:
Planning and Transportation	24 February 2015
Subject: 130 Fenchurch Street London EC3M 5DJ Demolition of the existing building and erection of a new building of two basements, ground and 17 upper storeys comprising office (Class B1) use [40,502sq.m GEA] and flexible retail (Class A1/A3) floorspace [558sq.m GEA] and associated cycle parking, servicing, storage and plant. [Total 41,060sq.m GEA].	Public
Ward: Langbourn	For Decision
Registered No: 14/00496/FULMAJ	Registered on: 20 June 2014
Conservation Area: No	Listed Building: No

Summary

Planning permission is sought for the construction of a 21 storey building (two basements, ground floor, 17 upper floors and one double height roof plant level) for office and retail use. The highest part of the building would be 94.85m AOD (79m AGL).

The new development would provide an additional 29,717sq.m (GEA) of office (Class B1) floorspace (40,502sq.m total) and 558sq.m (GEA) of retail floorspace (Class A1 and/or A3) at ground floor level. Existing retail space at basement and mezzanine levels would be lost (1,084sq.m).

The proposed development would provide a significant increase in flexible office accommodation on this site, which will assist in meeting the needs of the financial and business services of the City.

The proposal, due to its height and form would provide a distinctive building whose sculptural design creates a prominent juxtaposition with the townscape that is considered to create a positive relationship with the new generation of contemporary office developments in the Eastern Cluster

The building would not be detrimental to the setting of nearby listed buildings and conservation areas or views from the Tower of London.

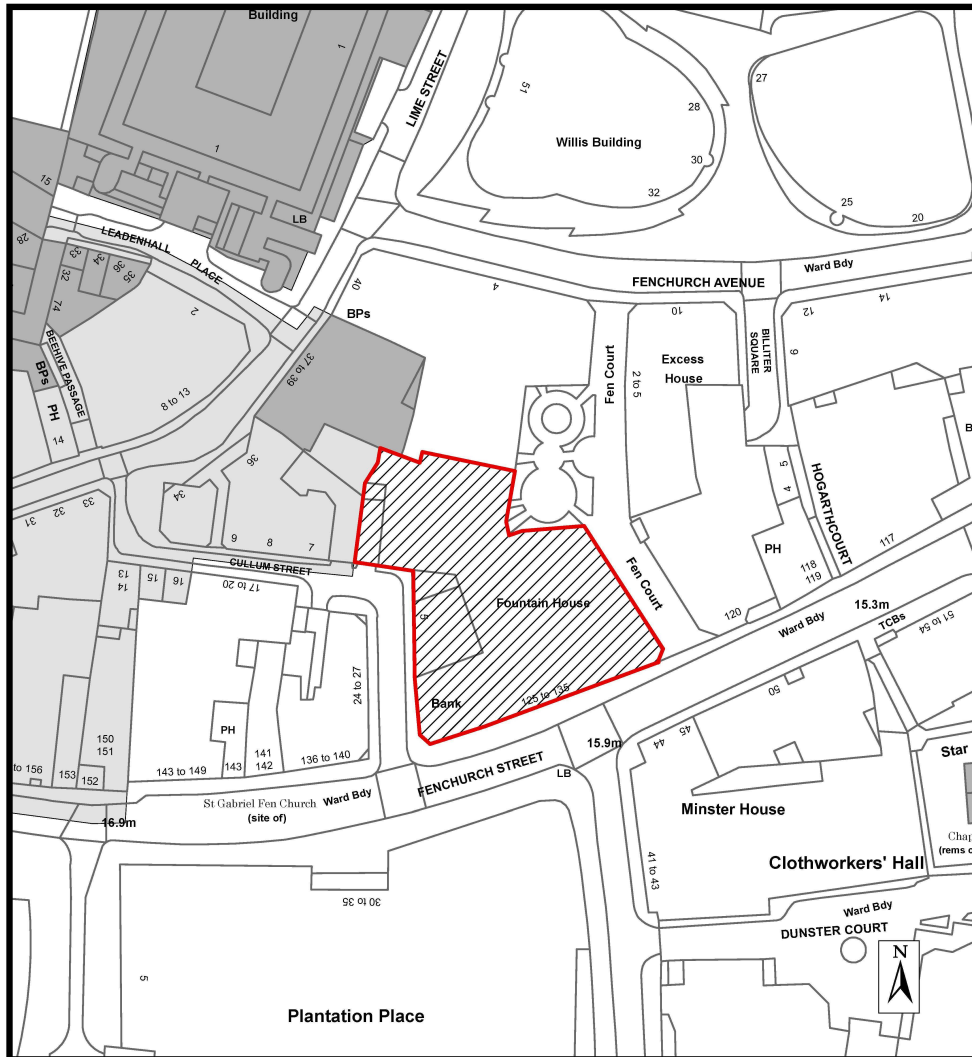
The proposals support the strategic objectives of the City of London and would support the economic policies of the London Plan, Core Strategy and Local Plan.

Recommendation

(a) Planning permission be GRANTED for the above proposal in accordance with the details set out in the attached schedule subject to planning obligations and other agreements being entered into in respect of those matters set out in the report, the decision not to be issued until such obligations have been executed;

(b) That your officers be instructed to negotiate and execute obligations in respect of those matters set out in the report under Section 106.

Site Location Plan



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ADDRESS:
130 Fenchurch Street

CASE No. 14/00496/FULMAJ

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT



View east from Fenchurch Street

Main Report

Site

1. The site, Fountain House, forms the southern part of a street block bounded by Fenchurch Street to the south, Cullum Street and Lime Street to the west, Fen Court to the east and Fenchurch Avenue to the north.
2. The existing building was completed in 1959 (re-clad and extended in the early 2000s) and is comprised of a two storey podium, a central tower of 14 storeys (66.5m AOD) and an eight storey annex block that abuts the rear of 34, 37-39 (grade II listed) and 40 Lime Street.
3. The existing building provides 10,785sq.m (GEA) of office space (Class B1). The podium block provides 1,382sq.m (GEA) of mixed retail (Class A1, A2 and A3) space comprised of eight units over basement (437sq.m) and ground (945sq.m) levels.
4. The surrounding area is predominately in office use with retail uses on many of the street frontages. Leadenhall Market is to the west of the site and its associated Principal Shopping Centre (PSC) includes the site's Cullum Street frontage.
5. There are a variety of building heights and styles in the area, ranging from four storey listed buildings to the 29 storey Willis Building at 51 Lime Street. The taller buildings in the street include 56-59 Fenchurch Street, (6 floors on the street frontage with setbacks to 16 floors overall), 60 Fenchurch Street (12 storeys) and Plantation Place (6 storeys on the street frontage with setbacks rising to 16 storeys overall). 120 Fenchurch Street, currently under construction, would rise to 15 storeys (87.88m AOD).
6. Fenchurch Street is a busy local distributor road, Fenchurch Avenue, Lime Street and Cullum Street (partly pedestrianised) are relatively quiet streets mainly providing local access and servicing to buildings fronting them, whilst Fen Court is a pedestrian only thoroughfare. The west side of Fen Court, adjoining the site, opens out onto a small garden that is a former churchyard. Fen Court has been re-landscaped and includes a memorial to slavery called "Gilt of Cain".

Proposal

7. It is proposed to construct a new building for office and retail use. The building would comprise two basements, ground floor, 17 upper storeys (15 storeys to the north) and a double height plant level. The highest part of the building would be 94.85m AOD (79m AGL).
8. The proposed floorspace of the building is 41,060sq.m of which 40,502sq.m would be office (Class B1) and 558sq.m retail (Class A1 or A3). [All floorspace figures GEA]
9. The main entrance and reception would be located in the centre of the Fenchurch Street elevation with retail units adjoining to the east and

west and wrapping around to Cullum Street and Fen Court. Servicing would be at ground level with access from Cullum Street.

Consultations

10. The views of other City of London departments have been taken into account in considering the redevelopment scheme. Some detailed matters remain to be dealt with through conditions and the provision of an agreement under Section 106 of the Town and Country Planning Act 1990.
11. No objections have been received to the proposal.
12. English Heritage does not wish to comment and says that the application should be determined in accordance with national and local policy guidance and on the basis of the City's specialist conservation advice.
13. Historic Royal Palaces have not responded. Given the relative height and distance from the Tower of London World Heritage Site, the proposed development would not be detrimental to its setting.
14. Thames Water has no objections but asks for conditions to prevent foundations having an adverse impact on water resources and sewers as well as ensuring that the development does not impact on water supplies.
15. The Environment Agency confirmed that the site is in Flood Zone 1 and recommend that surface water run-off is managed in accordance with policy 5.13 of the London Plan.

Policy Context

16. The development plan consists of the London Plan and the Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
17. Government Guidance is contained in the National Planning Policy Framework (NPPF)

Considerations

Introduction

18. The Corporation, in determining the planning application has the following main statutory duties to perform:
 - To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);
 - For development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it

possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;

For development within or adjoining a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area and its setting (S72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).

19. Paragraph 131 of the NPPF advises, “In determining planning applications, local planning authorities should take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.”
20. The NPPF states at paragraph 14 that “at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking For decision-taking this means: approving development proposals that accord with the development plan without delay...” It further states at Paragraph 2 that:

“Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”.
21. It states at paragraph 7 that sustainable development has an economic, social and environmental role.
22. In considering the planning application before you, account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
23. The principal issues in considering this application are:
 - The extent to which the proposals comply with Government policy advice (NPPF).
 - The extent to which the proposals comply with the relevant policies of the London Plan and the Local Plan.
 - The impact of the proposal on heritage assets.
 - The impact on the nearby buildings and spaces, including daylight/sunlight and amenity.

Economic Development Issues

24. London’s status as a world city is founded to a substantial degree on its concentration of international service activities and, most noticeably, by the clustering of financial and business services in the City of London.

25. The importance that is attached to the maintenance and enhancement of the City's role as one of the world's leading financial and business centres is reflected in the policies of the Local Plan and London Plan, particularly policies CS1 and 2.10.
26. Policy CS1 seeks to increase office floorspace, particularly 'encouraging the assembly and development of large sites, where appropriate, to meet the accommodation needs of the City's biggest occupiers'.
27. The current buildings provide 10,785sq.m (GEA) of office accommodation.
28. The proposed building would provide 40,502sq.m (GEA) of high quality office accommodation to meet the demands of the City's commercial occupiers and, using the London Plan's assumed density of 1 person per 12sq.m (NIA) the number of office workers in the new building could be 2,237 compared with 850 in the existing building.

Retail Uses

29. The existing building contains 1,382sq.m (GEA) of mixed retail floorspace at basement (437sq.m) and ground (945sq.m) floor levels.
30. The new development would provide a total of 558sq.m (GEA) retail floorspace, all of which would be at ground floor level, in the form of four flexible units (Class A1 and A3) of various sizes.
31. The west side of the site along Cullum Street forms part of the Leadenhall Market Principal Shopping Centre (PSC), with the south side along Fenchurch Street identified as being on a Retail Link. The loss of retail floorspace has to be considered against Local Plan policies DM20.1 (PSCs), DM20.2 (Retail Links) and DM20.3 (Other Locations). These policies seek to resist the loss of existing retail floorspace, particularly in PSCs, and seek replacement of existing floorspace on redevelopment, primarily at pedestrian level. The proposed development would remove all the basement level retail floorspace (437sq.m) and reduce the street level retail floorspace by 387sq.m with a reduction in retail frontage of 10m across the site.
32. Although there would be a reduction in total retail floorspace (824sq.m GEA) and frontage (10m), it is considered that the proposal would improve the quality of the ground floor retail space and that the quantum of street level floorspace and frontage would mean that there would be little impact on the vitality and viability of the PSC and Retail Link at street level.

Servicing and Parking

33. The waste storage and collection facilities have been agreed with the Waste and Amenity Planning Manager.
34. An off-street service area is provided from Cullum Street to service the whole building. The service area would be able to accommodate one heavy goods vehicle (HGV), refuse collection vehicle or skip truck and one light goods vehicle (LGV) at any one time. The total number of

service vehicles expected to visit the site per day would be approximately 21 for all vehicles types.

35. The service area would be able to accommodate all vehicles servicing the development but a servicing management plan will need to be approved to ensure that deliveries are spread throughout the day to avoid peaks when the service yard would otherwise become congested.
36. The development provides no car or motorcycle parking which accords with policy.
37. No on-site disabled parking would be provided. On-street disabled parking facilities are available on Mincing Lane approximately 50m to the south of the office reception.
38. The site is identified as being located in an area with a Public Transport Accessibility Level (PTAL) rating of 6b. This is the highest level of accessibility and rated as "Excellent".
39. The application includes a Travel Plan Framework. However, interim and full Travel Plans will be required (prior to occupation and within six months of first occupation respectively) to ensure that the tenants are promoting and encouraging sustainable travel methods. This would be secured through the S106 agreement.
40. 312 double stack cycle parking spaces would be provided at basement level together with shower and changing facilities. This would not meet the cycle parking standards in the adopted Local Plan of 1 space per 125sq.m of floorspace (GEA). However, a substantial area of GEA floorspace results from a screen to the rooftop plant enclosure and if this area is excluded from the floorspace calculations the cycle parking would be in compliance with the policy.

Bulk & Massing

41. The existing building has a 2-storey podium with a central tower placed perpendicular to the line of Fenchurch Street and an 8-storey annex. The building was re-clad in the early 2000's and extended. The podium with its retail frontages addresses the surrounding streets and alleyway.
42. Generally, heights and appearances of buildings in Fenchurch Street vary and are mostly modern. A small cluster of historic buildings in Fenchurch Street to the west of the site, but not adjacent, forms part of Leadenhall Market Conservation Area.
43. The architect's intention was to create a street block that would reinforce the existing street relationships and interact with the local townscape which is characterised by street buildings of various types and ages with active street frontages.
44. The proposed height of 19 storeys inclusive ground and roof plant level (94.85m AOD) stepping down to 15 storeys (77.55m AOD) towards Leadenhall Market Conservation Area would result in a taller structure than most of its neighbours in the street. However, the proposed

building would step up only by one and a half storeys (6.97m) from the approved 120 Fenchurch Street building to the east, thereby further establishing the trend of taller buildings being developed amongst the street blocks lining both sides of the street.

Design

45. The architectural concept of a single, unified form requires a homogenous building envelope, strengthened by sculpting the building with vertical, concave glass strips 3m wide from the top to the ground. Graduating densities of black frit would reduce the visibility of the structure behind the glass. The fluted form would create a slender appearance with a serrated top edge that would reinforce the building when seen against the sky and thereby distinguish the building. The frit would have a matt finish and be applied to the exterior of the glass to reduce the reflectivity of the glass. It would reduce to the centre of the con-cave glass panels to achieve transparency in the office elevations and an overall lighter appearance of the facade. The frit would stop 3.0 metres above ground level to allow for uninterrupted views into the retail and reception areas. Details of the size, densities, colour, finish and visual effects of the fritting would be considered under the conditions of the approval, assisted by detailed drawings, to ensure that the design intent is followed through to implementation. In addition an informative is included to reinforce the importance of a high quality detailed design to the success of the building.
46. All north facing elevations and the east facing elevation of the smaller annex would be simplified with larger, curved modules that would maximise daylight ingress while the east and west facing elevations of the main block would have 1.5m curved modules.
47. On the roof of the annex at 15th floor level, an accessible terrace for the occupiers would be created that would include a perimeter green roof and planters, bird and insect boxes. Due to the relative positions of the terrace and residential uses, it is most unlikely that the use of the terrace would cause nuisance.
48. The roof level of the higher element of the development would be occupied by a 7.0m plant space that would be covered by a louvred screen.
49. At ground level, the main office entrance would be located centrally on the Fenchurch Street elevation. The retail units would have entrances on the chamfered corners.
50. The sculptural design of the building is considered to create a positive relationship with the new generation of contemporary office developments in the eastern City.

London Views Management Framework and Tower of London Local Setting Study

51. At 94.85m AOD, the proposed building would form part of the foot hills on the edge of the Eastern Cluster and would be somewhat taller than most of its neighbours.

52. In the view from the north bastion of Tower Bridge, the south-eastern corner of the proposed building would be visible behind Minster Court and would not appear taller than Plantation Place. The view of the Tower of London is not affected.
53. In the view from London Bridge, the proposed development would be hidden behind buildings in the foreground.
54. In the views from Waterloo Bridge, the proposed building would appear in the gap between 20 Fenchurch Street and the Eastern Cluster, as would the approved 6.97m lower 120 Fenchurch Street and the taller 40 Leadenhall Street further east in the view, infilling the same gap to a slightly lesser degree. The drop in building heights between 20 Fenchurch Street and the southern edge of the Cluster would still clearly be visible.
55. In the kinetic view from Queens Walk at City Hall the proposed building would be visible between Plantation Place and Minster Court at a similar height resulting in a minor addition to the background of the view.
56. In views 2 and 5 identified by the Tower of London Local Setting Study (part of the Historic Royal Palaces Management Plan) as key views from the Tower towards the Eastern Cluster the proposed building would be obscured from view by foreground buildings.
57. Overall, the impact of the development on the strategic views is considered to be insignificant. A small infill of the Fenchurch Street "gap" between the Cluster and 20 Fenchurch Street would be a general consequence of the greater height of new developments in Fenchurch Street and is not considered to impact on the setting of St Paul's Cathedral or to compromise the distinctive profile of the Eastern Cluster's skyline.

Local Views and the setting of Leadenhall Market Conservation Area and listed buildings

58. In the view of St Paul's Cathedral from Ludgate Hill and Fleet Street, the proposed development would be entirely concealed by buildings on the north side of Fleet Street.
59. The visual impact of the proposed development on the local townscape and on the setting of Leadenhall Conservation Area and listed buildings in the vicinity has been tested from several viewing points along Fenchurch Street, from Cullum Street and from Fenchurch Avenue looking south through Fen Court.
60. Only one listed building, the grade II listed 37-39 Lime Street, is close to the application site. Although the rear of the new development would abut the rear of the listed building site boundary, these two buildings would not be visible together from any public viewing points. There are no other listed buildings in the vicinity that can be seen in context with the proposed development.
61. The continuous curve of Fenchurch Street and the dense townscape prevent the new building from being seen fully in long distance views

and from being perceived to be too prominent in the historic context. Other than from Cullum Street, the proposed building would not be visible from any public viewing points within the Leadenhall Market Conservation Area or in context with the conservation area.

62. Due to the curve of Fenchurch Street, the view from Fenchurch Street looking west focusses on the tall building of 20 Fenchurch Street, with the existing building on site and Plantation Place opposite showing matching heights. The upper part of the proposed building would not be overly prominent in the view due to 20 Fenchurch Street dominating the background and the approved, almost as tall 120 Fenchurch Street, in the foreground.
63. In the view east along Fenchurch Street from the corner with Rood Lane the new building would mostly be seen above the roof line of its neighbouring buildings to the west, punctuating the street scene with its tower-like appearance. Moving further east, the Fenchurch Street frontage becomes visible showing the proposed building reinforcing the northern building line which currently is weakened by the existing tower and podium.
64. The view north from Mincing Lane is framed by large, modern developments and focusses on the tall Leadenhall and Willis buildings in the background behind the site which would be obscured by the proposed building. The proposed building design would be prominent in this view but would not harm the townscape view.
65. The view east along Cullum Street is the only view of the new development visible from the conservation area. The new building would be in marked contrast to the scale of the conservation area but is a juxtaposition not untypical of the conservation area.
66. The lower rear part of the new building is visible from the south through Fen Court. The view would be framed by the approved 120 Fenchurch Street building (under construction) and the 1930s No 40 Lime Street and focusses on the new building that, contrary to the existing development, would block the view through the passage. However, the pure form created by the fluted glass facade would provide visual interest and in this perspective would not visually overwhelm the other buildings in this view.

Wind

67. The applicants have carried out a desk top study that indicates that the wind microclimate at ground level around the site would have wind conditions similar to the existing as, in relation to the prevailing south-west wind, the site lies in the 'Wind Shadow' of the tall buildings to the south (20 Fenchurch Street and Plantation Place). However, a full Pedestrian Comfort Assessment will be required by condition.

Daylight and Sunlight

68. Loss of daylight and outlook is a material planning consideration. Policy DM10.7 of the Local Plan seeks "To resist development which would reduce noticeably the daylight and sunlight available to nearby

dwelling and open spaces to levels which would be contrary to the Building Research Establishment's guidelines".

69. A report has been submitted analysing the effect of the proposal on daylight and sunlight to residential units at:
- The Grapes Public House, Lime Street
 - East India Arms Public House, Fenchurch Street
 - Clothworkers Hall, Gracechurch Street
70. The analysis has been carried out in accordance with the Building Research Establishment (BRE) guidelines "Site Layout Planning for Daylight and Sunlight". The guidelines are advisory rather than mandatory and need to be interpreted flexibly, taking into account other factors which might also affect the site.
71. The analysis indicates that the neighbouring residential properties would continue to meet the BRE criteria for Vertical Sky Component (VSC), No Skyline (NSL), Average Daylight Factor (ADF) and Annual Probable Sunlight Hours (APSH) with no noticeable loss of daylight or sunlight .

Amenity Space

72. The BRE guidance on sunlight to a garden or amenity area advises that for it to be adequately sunlit throughout the year no more than 40%, and preferably no more than 25%, should be in permanent shade on 21st March.
73. The amenity space of Fen Court has very low levels of sunlight with 99.63% of the area in permanent shade and, therefore, does not meet the BRE criteria in terms of sunlight. The increased massing of the proposed building would result in 100% of the area being in permanent shade.
74. While this is a concern any proposed development that filled out the podium site would result in the area being in permanent shade irrespective of the building design.
75. The Open Spaces Department have advised that the area is likely to need replanting to incorporate more shade tolerant plant species. This would be at the applicant's cost and would form part of the legal agreements under s.106.

Other Properties

76. There are no other residential premises where daylight or sunlight would be affected by this proposal.

Cleaning

77. External cleaning and maintenance of the facades would be carried out via two building maintenance units that would be parked within an enclosure on the roof terrace to the north (15 storeys) and within the rooftop plant enclosure to the southern (17 storeys) part of the building.

Sustainability and Energy

78. As part of the supporting documentation, the applicants have submitted a Sustainability Statement and an Energy Strategy. The building has been designed to include a high performance façade, energy efficient lighting and energy efficient building services. The proposed energy efficiency measures would achieve a 29.6% improvement of carbon dioxide emissions on a building regulations (2010) compliant building.
79. The connection of the development into a district heating network is currently not possible but the opportunity for a future connection would be provided. Due to the low heating demand of this type of building, the incorporation of a site wide Combined Heat and Power (CHP) system is not considered to be feasible.
80. The energy strategy includes the incorporation of PV panels (ca 108sq.m.) into the roof layout which potentially could add a further 1% of carbon dioxide emissions savings. The total reduction in carbon dioxide emissions savings would be 30.1% which would constitute a shortfall of ca. 10% from current London Plan target of 40%. Based on the 2010 Building Regulations, offset payments may be required if evidence cannot be provided to demonstrate that this building type cannot meet the target on site.
81. The building would have the potential to score a BREEAM 2011 New Construction rating of “excellent”.
82. Climate change adaptation and sustainable design measures include the incorporation of planting and insect and bird boxes on the 15th floor terrace and the installation of a combined stormwater attenuation and rainwater harvesting tank to combat local flooding. The sustainability statement briefly addresses sustainable materials, conserving water resources, waste management, pollution, urban greening and biodiversity.

Demolition and Construction

83. A Demolition and Construction Method Statement for the scheme will be required by condition.

Archaeology

84. The site is in an area of archaeological potential, located to the east of the Roman Basilica-forum and Roman road may cross the western part of the site. There is potential for remains from all periods to survive, including Roman buildings and road evidence, medieval and post medieval structures. The churchyard of St Mary Fenchurch abuts the north east edge of the site. It is possible that human remains survive in this area as in the medieval period the burial ground was larger. There has been archaeological recording in limited areas prior to construction of the existing building and in advance of work for new foundations when Roman and post medieval remains were recorded. An Historic Environment Assessment addendum of the archaeology of the site and impact of the proposals has been submitted with the application.

85. The existing building has a basement at different levels and a small sub-basement. Archaeological remains are considered to survive to different depths below the single basement and are not considered to survive below the sub-basement. The proposed development includes two new basement levels which would remove all archaeological remains.
86. Archaeological evaluation is necessary to provide additional information on the character, nature and date of archaeological survival on the site, including the extent of modern disturbance to assess the impact of the proposals, including foundations, temporary and enabling works and to design an appropriate mitigation strategy.
87. Conditions are recommended to cover archaeological evaluation, a programme of archaeological work and foundation design.

Planning Obligations and Community Infrastructure Levy

88. Under Section 106 of the Town & Country Planning Act 1990 an agreement or planning obligation can be made between parties, usually the developer and the local authority, or a unilateral undertaking can be submitted by a prospective developer:
 - restricting the development or use of land in any specified way;
 - requiring specified operations or activities to be carried out in, on or under or over the land;
 - requiring the land to be used in any specified way; or
 - requiring a sum or sums to be paid to the authority on a specified date or dates or periodically.
89. Planning obligation arrangements were modified by the Community Infrastructure Levy Regulations 2010 as amended ('the CIL Regulations'). The Regulations introduce statutory restrictions on the use of planning obligations to clarify their proper purpose, and make provision for planning obligations to work alongside any Community Infrastructure Levy ('CIL') arrangements which local planning authorities may elect to adopt.
90. Regulation 122 states that it is unlawful for a planning obligation to constitute a reason to grant planning permission when determining a planning application if the obligation does not meet all the following tests:
 - necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development
91. The National Planning Policy Framework (March 2012) stated that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The policy

repeated the tests set out above and states that where planning obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. (NPPF paragraphs 203-206).

Mayor of London Policies

Mayoral Community Infrastructure Levy (CIL)

92. London Plan Policy 8.3 requires the Mayoral CIL to be paid by developers to help fund strategically important infrastructure, initially focussing on Crossrail until 2019. The Mayor has set a charge of £50 per sq.m and this applies to all development over 100sq.m (GIA) except social housing, education related development, health related development and development for charities for charitable purposes.

Mayoral Planning Obligations

93. Since April 2010 the Mayor of London has sought contributions towards the cost of funding Crossrail through the negotiation of planning obligations in accordance with London Plan Policy 6.5. Mayoral planning obligations are payable by developers according to an indicative level of charges for specific uses set out in the Mayoral SPG (April 2013): offices (£140 per sq.m net gain in GIA floorspace), retail (£90) and hotels (£61) provided there is a net gain of 500sq.m.
94. Developments that are liable for both Mayoral CIL and Mayoral planning obligations payments for Crossrail, the Mayor will not double charge. His approach is to treat Mayoral CIL payment as a credit towards Mayor planning obligation liability. Therefore the Mayoral planning obligation liability can be reduced by the Mayoral CIL.
95. At the time of preparing this report the Mayoral CIL has been calculated to be £1,254,450 The full Mayoral planning obligation has been calculated to be £3,567,210 This would be reduced to £2,312,760 after deduction of the Mayoral CIL. It should be noted that these figures may be subject to change should there be a variation in the CIL liability at the point of payment and should therefore only be taken as indicative figures at this point.
96. Under the CIL regulations the City Corporation is able to retain 4% of the Mayoral CIL income as an administration fee; the remainder will be forwarded to the Mayor of London. The whole of the Mayoral planning obligation income received will be forwarded to the Mayor. However, the developer will also be liable to pay an additional £3,500 Mayoral planning obligation administration and monitoring charge to the City Corporation. The total contributions due in accordance with the Mayoral CIL and Mayoral planning obligation policies are summarised below:

Liability in accordance with the Mayor of London's policies	Contribution £	Forwarded to the Mayor	Retained by City Corporation
Mayoral Community Infrastructure Levy payable	1,245,450	1,204,272	50,178
Mayoral planning obligation net liability*	2,312,760	2,312,760	Nil
Mayoral planning obligation administration and monitoring charge	3,500	Nil	3,500
Total liability in accordance with the Mayor of London's policies	3,570,710	3,517,032	53,678

*Net liability is on the basis of the CIL charge remaining as reported and could be subject to variation.

City of London's Planning Obligations SPG policy

City Planning Obligations

City CIL

97. The City introduced its CIL on 1st July 2014 and will be chargeable in addition to the Mayoral CIL and Mayoral planning obligations. CIL will be charged at a rate of £75 per sqm for Offices, £150 for Residential Riverside, £95 for Residential rest of the city and £75 for all other uses. At the time of preparing this report the City CIL has been calculated to be £1,881,675. It should be noted that these figures may be subject to change should there be a variation in the CIL liability at the point of payment and should therefore only be taken as indicative figures at this point.
98. Under the CIL regulations the City Corporation is able to retain 5% of the CIL income as an administration fee. The contributions collected will be used to fund the infrastructure required to meet the requirements of the City's Development Plan.

99. On 1st July 2014 the City's Supplementary Planning Document on Planning Obligations was adopted. City Planning Obligations would be payable by developers in accordance with the Planning Obligations SPD on new commercial developments where there is a net increase of 500sq.m or more of Gross Internal Area. The policy seeks contributions towards Affordable Housing (£20 per sq.m), Local Training, Skills and Job Brokerage (£3 per sq.m) and Carbon Offsetting (£60 per tonne of carbon offset).
100. In this case the proposed net increase in floorspace would be 25,089sq.m. On the basis of the figure indicated in the Supplementary Planning Document, the planning obligation figure would be £577,047. It is the City's practice that all financial contributions should be index-linked with reference to the appropriate index from the date of adoption of the SPD to the date of permission.
101. The applicant has agreed a breakdown which accords with the Supplementary Planning Document as follows:

Liability in accordance with the City of London's policies	Contribution £	Available for Allocation £	Retained for Monitoring Charge £
City Community Infrastructure Levy	1,881,675	1,787,591	94,084
City Planning Obligation Affordable Housing	501,780	496,762	5,018
City Planning Obligation Local, Training, Skills and Job Brokerage	75,267	74,514	753
Non-Financial Planning Obligation Monitoring Charge	1,750	Nil	1,750
Total liability in accordance with the City of London's policies	2,460,472	2,358,868	101,604

102. I have set out below the details that I am recommending concerning the planning obligations. All of the proposals are considered to be necessary to make the application acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development and meet the above tests contained in the CIL Regulations and in government policy. I would also request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations as necessary.

Affordable Housing

103. The Affordable Housing contribution will be used for the purpose of off-site provision of affordable housing in suitable locations in or near to the City of London in accordance with the London Plan. The applicant will be required to pay this contribution on or before the implementation of the planning permission.

Local Training, Skills and Job Brokerage

104. The Local Training, Skills and Job Brokerage contribution will be applied to the provision of training and skills initiatives, including job brokerage, in the City or City fringes. The Developer will be required to pay this contribution on or before the implementation of planning permission.

Highway Reparation and other Highways obligations

105. The cost of any reparation works required as a result of the development will be the responsibility of the Developer.
106. If required, prior to implementation and based on the City's standard draft, the developer will be obligated to enter into an agreement under Section 278 of the Highways Act 1980 to meet the cost of highway works that are necessary to meet the burden placed on the highway network by the development.

Utility Connections

107. The development will require connection to a range of utility infrastructure. Early engagement by the applicant about utilities infrastructure provision will allow for proper co-ordination and planning of all works required to install the utility infrastructure, particularly under public highway, so as to minimise disruption to highway users. A s106 covenant will therefore require the submission of draft and final programmes for ordering and completing service connections from utility providers in order that the City's comments can be taken into account, and will require that all connections are carried out in accordance with the programme. Details of the utility connection requirements of the Development including all proposed service connections, communal entry chambers, the proposed service provider and the anticipated volume of units required for the Development will also be required.

Method Statement, Plans and Audits

Delivery and Servicing Management Plan (or by condition)

108. The developer would be required to submit for approval a Delivery and Servicing Management Plan prior to occupation. In the event of any breach of the Management Plan, the developer will be required to resubmit a revised document, and should the developer default on this requirement, the City will be given the ability to provide a replacement plan. The operation of the Delivery and Servicing Management Plan will be subject to an annual review.

Travel Plan

109. The developer would be required to submit both interim and full Travel Plans prior to occupation and six months after occupation respectively. The obligations in relation to this shall apply for the life of the building

Local Training, Skills and Job Brokerage

110. The Local Training, Skills and Job Brokerage contribution will be applied to the provision of training and skills initiatives, including job brokerage, in the City or City fringes. The Developer will be required to pay this contribution on or before the implementation of planning permission.

Local Training, Skills and Job Brokerage Strategy (Construction)

111. The applicant will be required to submit for approval details of the Local Training, Skills and Job Brokerage Strategy (Construction) in line with the aims of the City Corporation's Employment Charter for Construction as outlined in the Planning Obligations Supplementary Planning Document. This Charter aims to maximise job opportunities in the City for residents of the City fringes and offer employment and training opportunities to local people wishing to begin a career in construction. The Strategy will be submitted in two stages: one to be submitted prior to the First Preparatory Operation Date in respect of the Preparatory Operations; the second to be submitted prior to Implementation in respect of the Main Contract Works Package.
112. The Economic Development Office is able to introduce the Developer or its Contractor and Sub-Contractors to local training providers and brokerage agencies to discuss their site-specific skills needs and to identify suitable local people to fill opportunities on site. The Developer is encouraged to liaise with the Economic Development Office at the earliest stage in the development process in order that the strategy can be submitted prior to commencement.

Local Procurement

113. The developer has agreed to submit for approval a Local Procurement Strategy prior to commencement of demolition. The Local Procurement Strategy shall include details of: initiatives to identify local procurement opportunities relating to the construction of the development; initiatives to reach a 10% target for local procurement, from small to medium sized enterprises in the City and City fringes; the timings and arrangements for the implementation of such initiatives; and suitable mechanisms for the monitoring of the effectiveness of such initiatives e.g. a local procurement tracker can be used to capture this information, in accordance with the Local Procurement Charter.
114. The developer will be required every 6 months and a final report no later than 6 months after occupation, to report to the City of London Corporation's Economic Development Office on their performance against the 10% local procurement target.
115. The Economic Development Officer is able to provide information and guidance to the Developer its Contractor and Sub-Contractors. The

Developer is encouraged to liaise with the Economic Development Officer at the earliest stage in the development process in order that the strategy can be submitted prior to implementation

Carbon Offsetting

116. The London Plan sets a target for major developments to achieve an overall carbon dioxide emission reduction of 40% from 2013-2016, through the use of on-site renewable energy generation. A detailed assessment will be required and if the assessment demonstrated that the target is not met on site the applicant will be required to meet the shortfall through a cash in lieu contribution. The contribution will be secured through the section 106 agreement, at an initial cost of £60 per tonne of carbon to be offset, calculated over a 30 year period. The financial contribution for carbon off-setting will be required on completion or prior occupation of development.

Monitoring and Administrative Costs

117. A 10 year repayment period would be required where by any unallocated sums would be returned to the developer 10 years after practical completion of the development.
118. The applicant will pay the City of London's legal costs incurred in the negotiation and execution of the legal agreement and the City Planning Officer's administration costs in respect of the same. 1% of the total contribution (secured under the City's SPG) will be allocated to the monitoring of the agreement.
119. Separate additional administration and monitoring fees will be applied in relation to the Crossrail Contribution.

Site Specific Mitigation

120. The City Corporation will principally seek to mitigate the impact of development and provide necessary infrastructure through the use of CIL but, in some circumstances, it may be necessary additionally to seek site specific mitigation to ensure that a development is acceptable in planning terms. Other matters requiring mitigation are still yet to be fully scoped.

Conclusion

121. The proposal supports the City's strategic objective to promote the City as the leading international financial and business centre.
122. The scheme provides an employment led, mixed use development which supports the economic policies of the adopted Local Plan and the London Plan and provides an increase in high quality floorspace suitable for major occupiers and/or other users and support accommodation in this part of the City.

123. The scheme's reliance on public transport meets the transport policies in the London Plan and Local Plan. This will have the benefits of maintaining the strength of the City in economic terms and making effective and efficient use of the infrastructure necessary to sustain such concentrations of development.
124. The proposed building would sit within the "foothills" of the eastern cluster. The facade treatment and materials would distinguish this building from other tall buildings in the vicinity.
125. This development would not detract from the City's conservation areas, listed buildings or be detrimental to the setting of the Tower of London World Heritage Site.
126. The proposal, due to its height and form would provide a distinctive building whose sculptural design creates a prominent juxtaposition with the townscape that is considered to create a positive relationship with the new generation of contemporary office developments in the Eastern Cluster.
127. The proposal is substantially in compliance with the provisions of the development Plan.
128. I recommend planning permission be granted as set out in the Recommendation and Schedule.

Background Papers

Internal

Email 23.07.2014 Open Spaces Department
Email 04.08.2014 Open Spaces Department
Memo 05.08.2014 City of London Markets and Consumer Protection,
Pollution Team

External

Email 10.07.2014 Environment Agency
Email 11.07.2014 Thames Water
Letter 17.07.2014 English Heritage
Letter 28.07.2014 LB Islington
Letter 28.07.2014 LB Tower Hamlets
Letter 04.08.2014 City of Westminster
Letter 12.08.2014 LB Southwark

Application Documents

Planning Statement by GVA rec'd 20.05.2014

Planning Access Statement by David Bonnett Associates rec'd 20.05.2014

Townscape and Visual Impact Report by Peter Stewart Consultancy rec'd
20.05.2014

Transport Assessment and Travel Plan by WSP rec'd 20.05.2014

Waste Management Strategy by WSP rec'd 20.05.2014

Energy Statement by Hilson Moran rec'd 20.05.2014

Sustainability Statement and BREEAM Pre-Assessment by Hilson Moran
20.05.2014

BREEAM 2011 – Prediction Report for Planning by Hilson Moran rec'd
20.05.2014

Overshadowing Study by Delva Patman Redler rec'd 20.05.2014

Noise Survey Report by Hilson Moran rec'd 20.05.2014

Historic Environment Assessment by Museum of London Archaeology rec'd
20.05.2014

Flood Risk Assessment by Hilson Moran rec'd 20.05.2014

Tree Survey Report by Susan Deakin Ecology rec'd 20.05.2014

Daylight, Sunlight and Overshadowing Study by Delva Patman Redler rec'd 20.06.2014

Amendments by FMA rec'd 18.12.2014

Wind Microclimate Initial Studies CFD Analysis by Hilson Moran rec'd 23.01.2015

Design and Access Statement by FMA rec'd 03.02.2015

Drawings: FMA-00-E-003-00, FMA-00-E-004-00, FMA-00-E-050-00, FMA-00-E-050a-00, FMA-00-E-051-00, FMA-00-E-052-00, FMA-00-GA-053-00, FMA-00-GA-054-00; FMA-00-BE-301-03; AL152 Rev. A; 2500-SK-06 Rev. A.

Appendix A

London Plan Policies

The London Plan is part of the development plan for the City. As such the London Plan is a material consideration to which the City of London Corporation must have regard in exercising its development control powers.

The London Plan policies which are most relevant to this application are set out below:

- Policy 2.10 Enhance and promote the unique international, national and London wide roles of the Central Activities Zone (CAZ) and as a strategically important, globally-oriented financial and business services centre.
- Policy 2.11 Ensure that developments proposals to increase office floorspace within CAZ include a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in the plan.
- Policy 4.2 Support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes.
- Policy 4.3 Within the Central Activities Zone increases in office floorspace should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan.
- Policy 5.2 Development proposals should make the fullest contribution to minimising carbon dioxide emissions.
- Policy 5.3 Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. Major development proposals should meet the minimum standards outlined in supplementary planning guidance
- Policy 5.7 Major development proposals should provide a reduction in carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.
- Policy 6.3 Development proposals should ensure that impacts on transport capacity and the transport network are fully assessed.
- Policy 6.5 Contributions will be sought from developments likely to add to, or create, congestion on London's rail network that Crossrail is intended to mitigate.
- Policy 6.9 Developments should provide secure, integrated and accessible cycle parking facilities and provide on-site changing facilities and showers for cyclists, facilitate the Cycle

Super Highways and facilitate the central London cycle hire scheme.

- Policy 7.6 Buildings and structures should:
 - (a) Be of the highest architectural quality;
 - (b) Be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm;
 - (c) Comprise details and materials that complement, not necessarily replicate, the local architectural character;
 - (d) Not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings;
 - (e) Incorporate best practice in resource management and climate change mitigation and adaptation;
 - (f) Provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces;
 - (g) Be adaptable to different activities and land uses, particularly at ground level;
 - (h) Meet the principles of inclusive design;
 - (i) Optimise the potential of sites.
- Policy 7.7 Tall and large buildings should be part of a planned approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria set out in this policy.
- Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.
- Policy 7.12 New development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements identified in the London View Management Framework. It should also, where possible, preserve viewers' ability to recognise and to appreciate Strategically Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated Viewing Places.

- Policy 7.13 Development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire, flood and related hazards.
- Policy 7.14 Implement Air Quality and Transport strategies to achieve reductions in pollutant emissions and minimise public exposure to pollution.

Relevant Local Plan Policies

CS1 Provide additional offices

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

DM3.2 Security measures

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

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

CS4 Seek planning contributions

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

CS7 Meet challenges of Eastern Cluster

To ensure that the Eastern Cluster can accommodate a significant growth in office floorspace and employment, while balancing the accommodation of tall buildings, transport, public realm and security and spread the benefits to the surrounding areas of the City.

DM10.1 New development

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

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

DM10.3 Roof gardens and terraces

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

- 2) Public access will be sought where feasible in new development.

DM10.5 Shopfronts

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

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

DM10.7 Daylight and sunlight

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

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

DM10.8 Access and inclusive design

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

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

DM12.1 Change affecting heritage assets

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

CS13 Protect/enhance significant views

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

CS14 Tall buildings in suitable places

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

DM15.1 Sustainability requirements

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

DM15.2 Energy and CO2 emissions

1. Development design must take account of location, building orientation, internal layouts and landscaping to reduce likely energy consumption.
2. For all major development energy assessments must be submitted with the application demonstrating:
 - a) energy efficiency - showing the maximum improvement over current Building Regulations to achieve the required Fabric Energy Efficiency Standards;
 - b) carbon compliance levels required to meet national targets for zero carbon development using low and zero carbon technologies, where feasible;
 - c) where on-site carbon emission reduction is unviable, offsetting of residual CO2 emissions through "allowable solutions" for the lifetime

of the building to achieve national targets for zero-carbon homes and non-domestic buildings. Achievement of zero carbon buildings in advance of national target dates will be encouraged;

d) anticipated residual power loads and routes for supply.

DM15.3 Low and zero carbon technologies

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

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

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

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

DM15.4 Offsetting carbon emissions

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

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

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

DM15.6 Air quality

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

DM15.7 Noise and light pollution

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.
2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.
3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.

4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.
5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

DM15.8 Contaminated land

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

DM16.1 Transport impacts of development

1. Development proposals that are likely to have effects on transport must be accompanied by an assessment of the transport implications during both construction and operation, in particular addressing impacts on:
 - a) road dangers;
 - b) pedestrian environment and movement;
 - c) cycling infrastructure provision;
 - d) public transport;
 - e) the street network.
2. Transport Assessments and Travel Plans should be used to demonstrate adherence to the City Corporation's transportation standards.

DM16.2 Pedestrian movement

1. Pedestrian movement must be facilitated by provision of suitable pedestrian routes through and around new developments, by maintaining pedestrian routes at ground level, and the upper level walkway network around the Barbican and London Wall.
2. The loss of a pedestrian route will normally only be permitted where an alternative public pedestrian route of at least an equivalent standard is provided having regard to:

- a) the extent to which the route provides for current and all reasonably foreseeable future demands placed upon it, including at peak periods;
 - b) the shortest practicable routes between relevant points.
3. Routes of historic importance should be safeguarded as part of the City's characteristic pattern of lanes, alleys and courts, including the route's historic alignment and width.
 4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.
 5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.
 6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

DM16.3 Cycle parking

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

DM16.4 Encouraging active travel

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

DM16.5 Parking and servicing standards

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

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.
2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

DM17.2 Designing out construction waste

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

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

DM18.1 Development in Flood Risk Area

1. Where development is proposed within the City Flood Risk Area evidence must be presented to demonstrate that:

- a) the site is suitable for the intended use (see table 18.1), in accordance with Environment Agency and Lead Local Flood Authority advice;
- b) the benefits of the development outweigh the flood risk to future occupants;
- c) the development will be safe for occupants and visitors and will not compromise the safety of other premises or increase the risk of flooding elsewhere.

2. Development proposals, including change of use, must be accompanied by a site-specific flood risk assessment for:

- a) all sites within the City Flood Risk Area as shown on the Policies Map; and
- b) all major development elsewhere in the City.

3. Site specific flood risk assessments must address the risk of flooding from all sources and take account of the City of London Strategic Flood Risk Assessment. Necessary mitigation measures must be designed into and integrated with the development and may be required to provide protection from flooding for properties beyond the site boundaries, where feasible and viable.

4. Where development is within the City Flood Risk Area, the most vulnerable uses must be located in those parts of the development which are at least risk. Safe access and egress routes must be identified.

5. For minor development outside the City Flood Risk Area, an appropriate flood risk statement may be included in the Design and Access Statement.

6. Flood resistant and resilient designs which reduce the impact of flooding and enable efficient recovery and business continuity will be encouraged.

DM18.2 Sustainable drainage systems

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

DM19.2 Biodiversity and urban greening

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

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

DM20.1 Principal shopping centres

1. Within Principal Shopping Centres (PSCs) the loss of retail frontage and floorspace will be resisted and additional retail provision will be encouraged. Proposals for changes between retail uses within the PSC will be assessed against the following considerations:
 - a) maintaining a clear predominance of A1 shopping frontage within PSCs, refusing changes of use where it would result in more than 2 in 5 consecutive premises not in A1 or A2 deposit taker use;
 - b) the contribution the unit makes to the function and character of the PSC;
 - c) the effect of the proposal on the area involved in terms of the size of the unit, the length of its frontage, the composition and distribution of retail uses within the frontage and the location of the unit within the frontage.

2. Proposals for the change of use from shop (A1) to financial and professional service (A2) restaurant and cafes (A3) drinking establishments (A4) or hot food takeaways (A5), use at upper floor and basement levels will normally be permitted, where they do not detract from the functioning of the centre.

DM20.2 Retail links

To encourage the provision and resist the loss of retail frontage and floorspace within the Retail Links. A mix of shops and other retail uses will be encouraged in the Links, ensuring that the location and balance of uses does not adversely affect the function of the Link, any nearby PSC or their surrounding areas.

DM20.3 Retail uses elsewhere

To resist the loss of isolated and small groups of retail units outside the PSCs and Retail Links that form an active retail frontage, particularly A1 units near residential areas, unless it is demonstrated that they are no longer needed.

DM20.4 Retail unit sizes

1. Proposals for new retail uses should provide a variety of unit sizes compatible with the character of the area in which they are situated.
2. Major retail units (over 1,000sq.m) will be encouraged in PSCs and, where appropriate, in the Retail Links in accordance with the sequential test.

SCHEDULE

APPLICATION: 14/00496/FULMAJ

130 Fenchurch Street London EC3M 5DJ

Demolition of the existing building and erection of a new building of two basements, ground and 17 upper storeys comprising office (Class B1) use [40,502sq.m GEA] and flexible retail (Class A1/A3) floorspace [558sq.m GEA] and associated cycle parking, servicing, storage and plant. [Total 41,060sq.m GEA].

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 (a) No works except demolition to basement slab level shall take place until a full 'Lawson Criteria' Pedestrian Comfort Study and the details of any required wind mitigation measures have been submitted to and approved in writing by the Local Planning Authority. These design details shall include the size and appearance of any structures;
(b) The development shall be constructed strictly in accordance with the wind mitigation measures approved under the terms of this condition and no part of the building shall be occupied until all such measures have been implemented;
(c) Any external features intended to provide wind mitigation, whether on the site or on the public highway, shall be maintained by the building owner(s) for the life of the building and any trees provided for this purpose that die or are damaged shall be replaced as often as is necessary to maintain the wind mitigation unless otherwise agreed by the Local Planning Authority.
REASON: In order to ensure that proposed development does not have a detrimental impact on the amenities of the area in accordance with the following policies of the Local Plan: DM.10.1, DM10.4.
- 3 Before the development hereby permitted is begun a detailed site investigation shall be carried out to establish if the site is contaminated and to determine the potential for pollution of the water environment. In the event that site contamination is found it must be reported in writing to the Local Planning Authority within five working days and an investigation and risk assessment must be undertaken in accordance with the requirements of DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing

unacceptable risks to human health, buildings and other property and to the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the local planning authority the remediation scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the following policy of the Local Plan: DM15.8.

- 4 Before the development hereby permitted is begun, impact studies of the existing water supply infrastructure must be submitted to, and approved in writing, by the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.
REASON: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand.
- 5 Details of facilities and methods to accommodate construction vehicles and deliveries during demolition and the construction of the building hereby approved are to be submitted to and approved by the Local Planning Authority in writing prior to the commencement of work and no demolition or construction shall be carried out other than in accordance with the approved details and methods.
REASON: To ensure that the obstruction of the local highway network by construction vehicles is minimised in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM16.1.
- 6 A scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during demolition shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition taking place on the site. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the demolition process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The demolition shall not be carried out other than in accordance with the approved scheme

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.

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

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 8 Before any piling or construction of basements is commenced a scheme for the provision of sewer vents within the building shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the local planning authority the agreed scheme for the provision of sewer vents shall be implemented and brought into operation before the development is occupied and shall be so maintained for the life of the building.

REASON: To vent sewerage odour from (or substantially from) the development hereby permitted and mitigate any adverse air pollution or environmental conditions in order to protect the amenity of the area in accordance with the following policy of the Local Plan: DM10.1.
- 9 The development shall incorporate such measures as are necessary within the site to resist structural damage arising from an attack with a road vehicle or road vehicle borne explosive device, details of which must be submitted to and approved in writing by the Local Planning Authority before any works hereby permitted are begun.

REASON: To ensure that the premises are protected from road vehicle borne damage within the site in accordance with the following policy of the Local Plan: DM3.2.
- 10 Archaeological evaluation shall be carried out in order to compile archaeological records in accordance with a timetable and scheme of such archaeological work submitted to and approved in writing by the Local Planning Authority before any commencement of archaeological evaluation work.

REASON: To ensure that an opportunity is provided for the archaeology of the site to be considered and recorded in accordance with the following policy of the Local Plan: DM12.4.

- 11 No works except demolition to basement slab level shall take place until the developer has secured the implementation of a programme of archaeological work to be carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. This shall include all on site work, including details of any temporary works which may have an impact on the archaeology of the site and all off site work such as the analysis, publication and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In order to allow an opportunity for investigations to be made in an area where remains of archaeological interest are understood to exist in accordance with the following policy of the Local Plan: DM12.4.
- 12 No works except demolition to basement slab level shall take place before details of the foundations and piling configuration, to include a detailed design and method statement, have been submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.
REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policy of the Local Plan: DM12.4.
- 13 No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
REASON: The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure.
- 14 Before any construction works hereby permitted are begun details of rainwater collection, harvesting and grey water recycling systems shall be submitted to and approved in writing by the local planning authority.
REASON: To improve sustainability and reduce flood risk by reducing potable water demands and water run-off rates in accordance with the following policies of the Local Plan: DM15.5 and DM18.1.

- 15 Before any construction works hereby permitted are begun details of the installation of photovoltaic panels, as indicated on the drawings hereby approved, shall be submitted to and approved by the local planning authority and shall be maintained as approved for the life of the development.
REASON: To minimise carbon emissions and provide a sustainable development in accordance with the following policies of the Local Plan: DM10.1, DM15.1.
- 16 Before any works thereby affected are begun the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
(a) particulars and samples of the materials to be used on all external faces of the building including external ground and upper level surfaces;
(b) large scale (1:1) details of the proposed jointing, vertical and horizontal, of the facade glazing;
(c) details of the graduated fritting to the facade glazing to include details of the colour, tone, intensity and finish;
(d) large scale (1:10) details of ground floor elevations including entrances;
(e) details of soffits, hand rails and balustrades;
(f) details of junctions with adjoining premises;
(g) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level
(h) details of external surfaces within the site boundary including hard and soft landscaping, bird and insect boxes;
(i) measures to be taken during the period of demolition and construction for the protection of the trees to be retained and details of any pruning of the trees;
REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local plan: DM10.1, DM10.3, DM12.1, DM15.7.
- 17 The refuse collection and storage facilities shown on the drawings hereby approved shall be provided and maintained throughout the life of the building for the use of all the occupiers.
REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1.
- 18 The development shall be designed to allow for the retro-fit of heat exchanger rooms to connect into a district heating network if this becomes available during the lifetime of the development.
REASON: To minimise carbon emissions by enabling the building to be connected to a district heating and cooling network if one becomes available during the life of the building in accordance with the following policies of the Local Plan: DM15.1, DM15.2, DM15.3, DM15.3, DM15.4.

- 19 A post construction BREEAM assessment demonstrating that a target rating of 'Excellent' has been achieved (or such other target rating as the local planning authority may agree provided that it is satisfied all reasonable endeavours have been used to achieve an 'Excellent' rating) shall be submitted as soon as practicable after practical completion.
REASON: To demonstrate that carbon emissions have been minimised and that the development is sustainable in accordance with the following policy of the Local Plan: DM15.1.
- 20 (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the nearest window or facade of the nearest premises.
The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation. Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.
(b) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.
REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 21 The 'Life Safety Generator' shall be used solely on brief intermittent and exceptional occasions when required in response to a life threatening emergency and for the testing necessary to meet that purpose and shall not be used at any other time. At all times the generator shall be operated to minimise its noise impact and a log of its use shall be maintained and be available for inspection by the Local Planning Authority.
REASON: To ensure that the generator, which does not meet City of London noise standards, is used only in response to a life threatening emergency situation.
- 22 Before any works thereby affected are begun, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the Class A use. The details approved must be implemented before the Class A use takes place.

REASON: In order to protect residential/commercial amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.

- 23 Before any works thereby affected are begun, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the fume extract arrangements including materials and construction method. The details approved must be implemented before the Class A use takes place and shall be so maintained thereafter for the life of the building.
REASON: In order to protect residential/commercial amenities in the area in accordance with the following policies of the Local Plan: DM15.6, DM21.3.
- 24 Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
REASON: In order to protect the amenities of commercial occupiers in the building in accordance following policy of the Local Plan: DM15.7.
- 25 The Class A3 uses hereby permitted shall not be open to customers between the hours of 23:30 on one day and 07:00 on the following day.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 26 Except as may be approved in writing by the Local Planning Authority the loading and unloading areas must remain ancillary to the use of the building and shall be available at all times for that purpose for the occupiers thereof and visitors thereto.
REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Local Plan: DM16.5.
- 27 Goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall not be accepted or dispatched unless the vehicles are unloaded or loaded within the curtilage of the building.
REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM16.1, DM16.5, DM21.3.
- 28 In respect of the Class A1 and/or Class A3 units, no live or recorded music shall be played that can be heard outside the premises or within any other premises in the building.
REASON: To safeguard the amenity of the adjoining premises and the area in general in accordance with the following policy of the Local Plan: DM15.7

- 29 Permanently installed pedal cycle racks shall be provided and maintained on the site throughout the life of the building sufficient to accommodate a minimum of 312 pedal cycles. The cycle parking provided on the site must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.
REASON: To ensure provision is made for cycle parking and to assist in reducing demand for public cycle parking in accordance with Transport for London guidance.
- 30 The changing facilities and showers adjacent to the bicycle parking areas and indicated on approved drawing A-099 Rev. A, shall be provided and maintained throughout the life of the building for the use of occupiers of the building.
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.5
- 31 The pass door shown adjacent to or near to the main entrance on the drawings hereby approved shall remain unlocked and available for use at all times when the adjacent revolving doors are unlocked.
REASON: In order to ensure that people with mobility disabilities are not discriminated against and to comply with the following policy of the Local Plan: DM10.8.
- 32 A clear unobstructed headroom of 5m must be maintained for the life of the buildings in the refuse skip collection area and a clear unobstructed headroom of 4.5m must be provided and maintained in all other areas (including access ways) to be used for loading and unloading.
REASON: To ensure satisfactory servicing facilities in accordance with the following policy of the Local Plan: DM16.5
- 33 The threshold of all vehicular access points shall be at the same level as the rear of the adjoining footway.
REASON: To maintain a level passage for pedestrians in accordance with the following policies of the Local Plan: DM10.8, DM16.2.
- 34 Prior to the occupation of any part of the building, the land between the existing building lines and the face of the proposed new building shall be brought up to street level, paved and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall not be fenced or otherwise enclosed or obstructed.

REASON: To ensure compliance with building lines and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.1, DM10.8, DM16.2.
- 35 No doors or gates shall open over the public highway.
REASON: In the interests of public safety

- 36 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission:
Drawing nos: FMA-00-E-001-00, 002-00; FMA-00-GA-075-00, 076-03, 77-00, 78-00; FMA-P-GA-100-00, 101-03, 102-03, 103-01, 104-01, 105-01, 106-01, 107-01, 108-01, 109-01, 110-01; FMA-00-GA-111-00, 201-03, 202-03, 203-03, 204-03, 205-00, 206-00, 250-03, 251-03, 252-03.
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:
- detailed advice in the form of statutory policies in the Core Strategy/ Unitary Development Plan, Supplementary Planning documents, and other written guidance has been made available;
- a full pre application advice service has been offered;
- where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.
- 2 This permission must in no way be deemed to prejudice any rights of light which may be enjoyed by the adjoining owners or occupiers under Common Law.
- 3 Access for people with disabilities is a material consideration in the determination of planning applications. The City of London Corporation has published design standards giving advice on access for people with disabilities and setting out the minimum standards it expects to see adopted in the City buildings. These can be obtained from the City's Access Adviser, City Planning Officer and District Surveyor. Further advice on improving access for people with disabilities can be obtained from the City's Access Adviser. Your attention is drawn to the Disability Discrimination provisions of the Equality Act 2010 to ensure that disabled people are not significantly disadvantaged.
- Service providers, etc., should make "reasonable adjustments" to facilitate access to their premises and the City asks all applicants for planning permission to ensure that physical barriers to access premises are minimised in any works carried out.

- 4 The correct street number or number and name must be displayed prominently on the premises in accordance with regulations made under Section 12 of the London Building Acts (Amendment) Act 1939. Names and numbers must be agreed with the Department of the Built Environment prior to their use including use for marketing.
- 5 The Directorate of the Built Environment must be consulted on the following matters which require specific approval:
 - (a) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window cill, rainwater pipe, oil fuel inlet pipe or box, carriageway entrance, or any other projection beneath, over or into any public way (including any cleaning equipment overhanging any public footway or carriageway). You are advised that highway projection licenses do not authorise the licensee to trespass on someone else's land. In the case of projections extending above, into or below land not owned by the developer permission will also be required from the land owner. The City Surveyor must be consulted if the City of London Corporation is the land owner. In such cases please also contact the Corporate Property Officer, City Surveyor's Department.
 - (b) Permanent Highway Stopping-Up Orders, dedication of land for highway purposes, declaration, diversion and stopping up of City and Riverside Walkways.
 - (c) Hoardings, scaffolding and their respective licences, temporary road closures and any other activity on the public highway in connection with the proposed building works. In this regard the City of London Corporation operates the Considerate Contractors Scheme.
 - (d) The incorporation of street lighting and/or walkway lighting into the new development. Section 53 of the City of London (Various Powers) Act 1900 allows the City to affix to the exterior of any building fronting any street within the City brackets, wires, pipes and apparatus as may be necessary or convenient for the public lighting of streets within the City.
 - (e) Connections to the local sewerage and surface water system.
 - (f) Carriageway crossovers.
 - (g) Means of escape and constructional details under the Building Regulations and London Building Acts (District Surveyor).
 - (h) The display of any advertisement material on the premises which may be subject to the City of London Corporation's Byelaws.
- 6 The enabling of archaeological work to meet the requirements of conditions 10, 11 and 12 is the responsibility of the developer and should be regarded as an integral part of the development programme in accordance with the policies of the Unitary Development Plan and Core Strategy. This would include on site facilities, funding, fieldwork, post excavation analysis and reporting and publication of the work in accordance with recognised guidelines and codes of practice. This is to

ensure adequate "preservation by record" of the archaeological resource affected by the proposed development.

- 7 The Markets and Consumer Protection Department (Environmental Health Team) must be consulted on the following matters:
- (a) Approval for the installation of furnaces to buildings and the height of any chimneys. If the requirements under the legislation require any structures in excess of those shown on drawings for which planning permission has already been granted, further planning approval will also be required.
 - (b) Installation of engine generators using fuel oil.
 - (c) The control of noise and other potential nuisances arising from the demolition and construction works on this site and compliance with the Construction (Design and Management) Regulations 2007; the Environmental Health Team should be informed of the name and address of the project manager and/or main contractor as soon as they are appointed.
 - (d) Alterations to the drainage and sanitary arrangements.
 - (e) The requirements of the Health and Safety at Work etc Act 1974 and the other relevant statutory enactments (including the Offices, Shops and Railway Premises Act 1963); in particular:
 - the identification, encapsulation and removal of asbestos in accordance with a planned programme;
 - provision for window cleaning (internal and external) to be carried out safely.
 - (f) The use of premises for the storage, handling, preparation or sale of food.
 - (g) Use of the premises for public entertainment.
 - (h) Approvals relating to the storage and collection of wastes.
 - (i) Limitations which may be imposed on hours of work, noise and other environmental disturbance.
 - (j) The control of noise from plant and equipment;
 - (k) Methods of odour control.

- 8 The Director of Markets and Consumer Protection (Environmental Health Team) advises that:

Noise and Dust

(a) The construction/project management company concerned with the development must contact the Department of Markets and Consumer Protection and provide a working document detailing steps they propose to take to minimise noise and air pollution for the duration of the works at least 28 days prior to commencement of the work. Restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(b) Demolition and construction work shall be carried out in accordance with the City of London Code of Practice for Deconstruction and Construction. The code details good site practice so as to minimise disturbance to nearby residents and commercial occupiers from noise, dust etc. The code can be accessed through the City of London internet site, www.cityoflondon.gov.uk, via the a-z index under Pollution Control-City in the section referring to noise, and is also available from the Markets and Consumer Protection Department.

(c) Failure to notify the Markets and Consumer Protection Department of the start of the works or to provide the working documents will result in the service of a notice under section 60 of the Control of Pollution Act 1974 (which will dictate the permitted hours of work including noisy operations) and under Section 80 of the Environmental Protection Act 1990 relating to the control of dust and other air borne particles. The restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

Air Quality

(d) Compliance with the Clean Air Act 1993

Any furnace burning liquid or gaseous matter at a rate of 366.4 kilowatts or more, and any furnace burning pulverised fuel or any solid matter at a rate of more than 45.4 kilograms or more an hour, requires chimney height approval. Use of such a furnace without chimney height approval is an offence. The calculated chimney height can conflict with requirements of planning control and further mitigation measures may need to be taken to allow installation of the plant.

Boilers and CHP plant

(e) The City is an Air Quality Management Area with high levels of nitrogen dioxide. All gas boilers should therefore meet a dry NO_x emission rate of <40mg/kWh in accordance with the City of London Air Quality Strategy 2011.

(f) All gas Combined Heat and Power plant should be low NO_x technology as detailed in the City of London Guidance for controlling emissions from CHP plant and in accordance with the City of London Air Quality Strategy 2011.

(g) When considering how to achieve, or work towards the achievement of, the renewable energy targets, the Markets and Consumer Protection Department would prefer developers not to consider installing a biomass burner as the City is an Air Quality Management Area for fine particles and nitrogen dioxide. Research indicates that the widespread use of these appliances has the potential to increase particulate levels in London to an unacceptable level. Until

the Markets and Consumer Protection Department is satisfied that these appliances can be installed without causing a detriment to the local air quality they are discouraging their use. Biomass CHP may be acceptable providing sufficient abatement is fitted to the plant to reduce emissions to air.

(h) Developers are encouraged to install non-combustion renewable technology to work towards energy security and carbon reduction targets in preference to combustion based technology.

Standby Generators

(i) Advice on a range of measures to achieve the best environmental option on the control of pollution from standby generators can be obtained from the Department of Markets and Consumer Protection.

(j) There is a potential for standby generators to give out dark smoke on start up and to cause noise nuisance. Guidance is available from the Department of Markets and Consumer Protection on measures to avoid this.

Cooling Towers

(k) Wet cooling towers are recommended rather than dry systems due to the energy efficiency of wet systems.

Food Hygiene and Safety

(l) Further information should be provided regarding the internal layout of the proposed food/catering units showing proposals for staff/customer toilet facilities, ventilation arrangements and layout of kitchen areas.

(m) If cooking is to be proposed within the food/catering units a satisfactory system of ventilation will be required. This must satisfy the following conditions:

Adequate access to ventilation fans, equipment and ductwork should be provided to permit routine cleaning and maintenance;

The flue should terminate at roof level in a location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. It cannot be assumed that ductwork will be permitted on the exterior of the building;

Additional methods of odour control may also be required. These must be submitted to the Markets and Consumer Protection Department for comment prior to installation;

Ventilation systems for extracting and dispersing any emissions and cooking smells to the external air must be discharged at roof level and designed, installed, operated and maintained in accordance with manufacturer's specification in order to prevent such smells and emissions adversely affecting neighbours.

- 9 The investigation and risk assessment referred to in condition 2 "Contaminated Land" must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme must be submitted to and approved in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,

- property (existing or proposed) including buildings, open spaces, service lines and pipes,

- adjoining land,

- groundwaters and surface waters,

- ecological systems,

- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This investigation and risk assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

- 10 Thames Water advises:

(1) The developer is advised to contact Thames Water Development Services (0845 850 2777) to discuss the details of the piling method statement required by a condition of this planning permission.

(2) Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing, and site remediation. Groundwater permit enquiries should be directed to Thames Water, Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk.

Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provision of the Water Industry Act 1991.

(3) It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or suitable sewer. It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate, and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

(4) Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet 'Best Management Practices for Catering Establishments' which can be requested by telephoning 01923 898 188.

(5) The developer should incorporate with their proposals, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

(6) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.

(7) A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

(8) Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

(9) The development covers a large area, currently served by combined sewers. Impact will depend upon proposed points of connection. Overall flows to combined sewers should not exceed historic flows and this may often be achievable by agreed surface water retention.

- 11 The Director of Markets and Consumer Protection states that any building proposal that will include catering facilities will be required to be constructed with adequate grease traps to the satisfaction of the Sewerage Undertaker, Thames Water Utilities Ltd, or their contractors.
- 12 The Crime Prevention Design Advisor for the City of London Police should be consulted with regard to guidance on all aspects of security, means of crime prevention in new development and on current crime trends.
- 13 You are advised that the detailed designed and in particular the proposed fluted glass facade as shown on the approved drawings is considered to be an important element of the success of the overall building design. As such, any proposed variation either in detailed design or in the use of materials that is not wholly within the spirit of those drawings is likely to dilute the design quality of the building and is likely to be resisted by the City of London as local planning authority.